

The State Law and Order Restoration Council
The Salt Enterprise Law
(The State Law and Order Restoration Council Law No. 6/92)
The 7th Waning Day of Tawthalin, 1354 M.E.
(18th September, 1992)

The State Law and Order Restoration Council hereby enacts the following Law: -

Chapter I
Title and Definition

1. This Law shall be called the Salt Enterprise Law.
2. The following expressions contained in this Law shall have the meanings given hereunder: -
 - (a) Salt means chloride of sodium produced by utilizing sea water, underground and subsoil brine, fishery, spring, lake, well and earth. This expression also includes chloride of sodium existing in natural saline deposits and salt dome;
 - (b) Chemical Salts / By-products mean various kinds of chemicals produced by reacting or combining salt with any other chemical or compound, various kinds of chemicals produced from mother liquor or bitterns, salt of sodium and potassium extracted or produced from sea water, underground and subsoil brine, fishery, spring, lake, well and earth. This expression also includes various kinds of chemicals extracted or produced from various kinds of algae;
 - (c) Salt Area means the area prescribed by the Ministry by notification where salt and chemical salts/by-products may be produced;
 - (d) Licence means the licence granted by the Salt Enterprise for production of salt by natural means, by solar evaporation or any means other than that produced by wood fire or charcoal. This expression also includes purification or refinement of salt;
 - (e) Production means production of salt by natural means, by Solar evaporation or any means other than that produced by wood fire or charcoal. This expression also includes purification or refinement of salt;
 - (f) Ministry means the Ministry of Mines
 - (g) Minister means the Minister of the Ministry of Mines;
 - (h) Myanmar Salt Enterprise means the Myanmar Salt and Marine Chemical Enterprise under the Ministry of Mines;
 - (I) Managing Director means the Managing Director of the Myanmar Salt and Marine Chemical Enterprise;
 - (j) Inspector means personnel of the Myanmar Salt Enterprise, or of other Department assigned duties by the Managing Director, for inspecting the production of salts or chemical salts/byproducts.

Chapter II
Aim

3. This Law shall be implemented in accordance with the following aims:
 - (a) to produce only solar salt in order to prevent deforestation

- (b) to enhance the volume of salt production from year to year;
- (C) to expand the salt areas for enhanced production of salt;
- (d) to provide assistance for enhanced production, improvement in quality, sufficient local consumption and sale and distribution at reasonable prices of salt and chemical salts/by products and enhanced private production of salt;
- (e) to carry out measures for exportation of salt and chemical salts/ by- products;
- (f) to disseminate among private entrepreneurs who produce salt, methods of enhancing production of salt and techniques for producing chemical salts/by products deduced from conducting research.

Chapter III Application for Licence

4. Any person desirous of producing salt or chemical salts/by products on a commercial scale shall apply for licence in the manner prescribed by the Myanmar Salt Enterprise.
5. The Managing Director may, in respect of applications mentioned in section 4: -
 - (a) assign an Inspector to determine whether or not they are in conformity with the conditions stipulated;
 - (b) issue licence if the application is found to be in conformity with the conditions stipulated.
- 6 It shall not be necessary to obtain a licence for production of salt for family consumption.
7. The tenure of the licence shall be as determined by the Myanmar Salt Enterprise.

Chapter IV Duties and Rights the Licence Holder

8. The licence holder shall pay the taxes and fees due from among the following taxes and fees in the manner prescribed by the Myanmar Salt Enterprise:
 - (a) licence fee;
 - (b) renewal of licence fee;
 - (c) late fee;
9. The licence holder shall:
 - (a) in addition to abiding by the conditions of the licence, also abide by the orders and directives issued by the Myanmar Salt Enterprise.
 - (b) maintain the accounts of production in the prescribed manner.
 - (c) submit the accounts called for by the Myanmar Salt Enterprise and the inspector:
 - (d) submit to the inspection of the inspector.
10. The rights of the licence holder are as follows: -
 - (a) acquiring method and technique disseminated by the Myanmar Salt Enterprise for enhanced production and improvement in quality of salt and chemical salts by products;
 - (b) having the right to sell salt or chemical salts/ by products freely within the country;

- (c) having the right to export salt or chemical salts/by-products in accordance with the stipulation;
- (d) having the right to purchase chemical, materials and apparatus required for production of salts or chemical salts/by-products with foreign exchange derived from the export and sale of goods abroad
- (e) having the right to apply for long term licence;
- (f) having the right to expand the works with the approval of Myanmar Salt Enterprise if it is desirous of doing so for enhanced production of salt and chemical salt/by-products.

Chapter V

Duties and Powers of the Managing Director

11. The duties and powers of the Managing Director are as follows

- (a) granting or refusing to grant a licence;
- (b) determining the licence fees based on the capacity of production of salt or chemical salts/ by products;
- (c) determining the tenure of the licence;
- (d) renewing the licence;
- (e) carrying out measures for expanding salt areas where salt or chemical salts/by-products may be produced;
- (f) disseminating methods of producing salt and techniques of producing chemical salts/by-products to the licence holders;
- (g) assisting licence holders for enhanced production, improvement in quality, sufficient local consumption and sale and distribution at reasonable prices of salt and chemical salts/by-products;
- (h) assigning duties as Inspectors to personnel of the Myanmar Salt Enterprise and where necessary, negotiating to assign duties as Inspectors to personnel from other departments also;
- (i) determining the duties and powers of the Inspector;
- (j) reducing the licence fees in consideration of enhanced production of salt or chemical salts/by-products and production of salt or chemical salts/by-products in the remote areas;
- (k) granting long term licence with a view to enhance production of salt with the approval of the Minister;
- (l) causing tests to be made to determine whether the salt produced is edible or not;
- (m) carrying out educative measures for production of solar salt.

2. The Managing Director may delegate his powers to officers of the State or Divisional level of the Myanmar Salt Enterprise.

Chapter VI

Inspection and Taking of Action

3. The Inspector: -

- (a) has the right to enter and inspect the salt or chemical salts production work within the area for which he is responsible or in an area for which he is assigned specific responsibility;

- (b) has the right to call for and inspect accounts relating to production from the licence holder;
- (c) has the right to take sample of salt or chemical salts/byproducts and perform chemical analysis if necessary;
- (d) shall take action against any person violating any of the prohibitions under this Law in accordance with the procedures;
- (e) shall seize the exhibits in accordance with the provisions of the Code of Criminal Procedure. if it is found that salt or chemical salts/ by-products have been produced without a licence;
- (f) may request the assistance of the police force, if necessary, in discharging his duties.

Chapter VII Prohibitions and Penalties

14. No one shall produce salt or chemical salts/by-products on a commercial scale without a licence.

15. The licence holder: -

- (a) shall not produce salt by means of wood fire or charcoal;
- (b) shall not violate any condition of the licence;
- (c) shall not fail to comply with any order or directive issued by the Myanmar Salt Enterprise.

16. Whoever violates the provision of section 14 shall be liable to the following administrative fines: -

- (a) in the case of a first offence, be punished with fine which may extend from a minimum of kyats 5,000 to a maximum of kyats 20,000.
- (b) in the case of a subsequent offence, be punished with fine which may extend from a minimum of kyats 20,000 to a maximum of kyats 50,000;

17. A licence holder who violates any of the provisions of section 15 shall be liable to the following administrative fines: -

- (a) in the case of a first offence, be punished with fine which may extend from a minimum kyats 1,000 to a maximum of kyats 5,000;
- (b) in the case of a subsequent offence, be punished with fine which may extend from a minimum of kyats 5,000 to a maximum of kyats 20000.

18. The order of administrative fines under section 16 or section 17 shall be passed by the Managing Director.

19. The Managing Director in passing the order under section 16 has the right to dispose of the submitted exhibits in the prescribed manner

Chapter VIII Appeal

20. Any person dissatisfied with an order or decision of the Managing Director may file an appeal to the Minister within 30 days of the receipt of such order or decision.

21. The Minister may pass any of the following orders in respect of the order or decision of the Managing Director

- (a) confirming the same;
 - (b) altering the same
 - (c) causing a review to be made.
22. The decision of the Minister shall be final and conclusive.

Chapter IX Miscellaneous

23. The Myanmar Salt Enterprise may, in accordance with the existing laws carry out joint production of salt or chemical salts/by-products with private entrepreneurs and local or foreign organizations.
24. The provisions of this Law shall not apply to the production of salt or chemical salts/by-products and chemicals carried out by the Myanmar Salt Enterprise.
25. The Ministry may exempt any Government Department or Organization from complying with any of the provisions of this Law or grant relief from licence fees.
26. Licence fees, late fees and fines due shall be recovered by the Myanmar Salt Enterprise as if it were an arrear of land revenue.
27. Rules, directions, orders and directives made or issued under the existing Myanmar Salt Act may, in so far as they are not inconsistent with the provisions of this Law continue to be applicable.
28. For the purpose of carrying out the provisions of this Law
- (a) the Ministry may, with the approval of the Government, issue such rules and procedures as may be necessary:
 - (b) the Ministry and the Myanmar Salt Enterprise may issue such orders and directives as may be necessary.
29. The Myanmar Salt Act, 1917 is hereby repealed.

**Sd./Than Shwe
General
Chairman
The State Law and Order Restoration Council**

http://web.archive.org/web/20110902222220/http://www.blc-burma.org/html/Myanmar%20Law/lr_e_ml92_06.html