

The Boiler Law
(The Pyidaungsu Hluttaw Law No. 39, 2015)
The 13th Waning Day of First Waso 1377 M.E.
(14 July, 2015)

The Pyidaungsu Hluttaw hereby enacts this Law.

Chapter I
Title and Definition

1. This Law shall be called **the Boiler Law**.
2. The following expressions contained in this Law shall have the meaning given hereunder:
 - (a) **Boiler** means any closed pressure vessel in which steam is generated by heat for external use and any mounting or other fitting attached to such pressure vessel. In this expression, any pressure vessel of less than 25 litres or 5.5 gallons capacity or less than one kilogram per square centimeter or 14.2 pounds per square inch and any mounting or other fitting attached to such pressure vessel are not included;
 - (b) **Steam-pipe** means any main pipe through which steam passes from boiler to a place where steam-energy is to be used and any mounting or other fitting attached to such main pipe;
 - (c) **Feed-pipe** means any pipe through which feed water passes to the boiler and any mounting or other fitting attached to such pipe;
 - (d) **Pressure** means steam-pressure generated by heat in order to use steam-energy for the purpose of this Law;
 - (e) **Allowable Pressure** means pressure allowed for use in boiler, steam-pipe and feed-pipe after making inspection and calculation in accord with Myanmar standards or international standards;
 - (f) **Accident** means an explosion of a boiler, steam-pipe, feed-pipe or any deterioration which may cause explosion due to weakness of strength;

- (g) **Ministry** means the Union Ministry of Industry;
- (h) **Department** means the department of Directorate of Industrial Supervision and Inspection;
- (i) **Chief Inspector** means a person appointed by the Ministry to perform and exercise the duties and powers of chief boiler inspector contained in this Law;
- (j) **Inspector** means a person appointed by the Ministry to perform and exercise the duties and powers of boiler inspector;
- (k) **Certificate** means a certificate issued by the chief inspector to use a boiler at stipulated allowable pressure for a period not exceeding one year;
- (l) **Provisional Order** means an order issued by the inspector to use a boiler with appropriate allowable pressure for the period not exceeding six months before receiving the certificate;
- (m) **Owner** means a person who owns a boiler, a person using a boiler as an agent of the owner, a person using a boiler which is hired with or without fees and a person who supervises the use of a boiler;
- (n) **Boiler Manufacturer** means a person who manufactures boiler and fitting related to boiler in accord with Myanmar standards or international standards;
- (o) **Boiler Repairer Certificate** means a recognized certificate issued by the chief inspector to a person who meets with specified qualification and is able to operate the work relating to boiler repair for a period not exceeding two years;
- (p) **Boiler Repairer** means a person who has obtained boiler repairer certificate and practically engages in the field relating to boiler repair;
- (q) **Boiler Attendant Certificate** means a recognized certificate issued by the chief inspector to a person who meets with specified qualification in the work relating to boiler operation and maintenance;

- (r) **Boiler Attendant** means a person who has obtained boiler attendant certificate and practically engages in the boiler operation and maintenance.

Chapter II

Objectives

3. The objectives of this Law are as follows:
- (a) to acquire boilers which are consistent with Myanmar standards or international standards;
 - (b) not to be damaged and lost the State and public by preventing the risk of boiler accident;
 - (c) to use the boiler in accord with Myanmar standards or international standards in the Union;
 - (d) to advance the boiler technologies and to develop competent persons who are able to manufacture, repair and maintain boilers;
 - (e) to enable to use the boiler with full capacity by using fuel energy effectively;
 - (f) to enable to use the boilers for maximum span of life and to reduce the impact on natural social health environment due to such use of boiler.

Chapter III

Boiler Standards and Regulations for Boiler Inspection

4. The chief inspector, with the approval of the Ministry:
- (a) may issue regulations for boiler inspection and directives in accord with Myanmar standards or international standards in order to use a boiler safely under this Law, procedures and directives;
 - (b) the only results of inspection made under approved and specified boiler standards and regulations for boiler inspection shall be conclusive.

Chapter IV

Boiler Registration

5. Any person desirous to use a boiler for any enterprise shall register under this Law.
6. A boiler shall be manufactured in accord with Myanmar standards and international standards.
7. The documents and certificates relating to the boiler shall be attached to the application and submitted to the inspector when applying for registration of the boiler under section 5.
8. The respective inspector shall, after scrutinizing and inspecting the boiler on the receipt of application to register the boiler made under section 7, submit the findings to the chief inspector.
9. The chief inspector may, after scrutinizing and examining on the receipt of submission of inspector made under section 8, allow or refuse to register the boiler in accord with the prescribed manner.
10. The chief inspector shall specify the size of boiler according to the heating surface area in accord with the prescribed manner.
11. The Ministry shall specify boiler registration fee and inspection fee according to the heating surface area.

Chapter V

Duties and Rights of the Owner

12. The owner shall:
 - (a) apply to the respective inspector to obtain certificate in accord with the prescribed manner;
 - (b) apply to register only for the boiler constructed in accord with Myanmar standards or international standards;
 - (c) the prescribed fee shall be paid when the application is made under sub-section (a).

13. The owner shall:
 - (a) apply to the respective inspector to renew certificate in accord with the prescribed manner for a boiler of which the use certificate is void;
 - (b) The prescribed fee shall be paid when application is made under sub-section (a).

14. The owner shall apply to the respective inspector in advance in order to obtain permission though he or she has obtained the certificate or the provisional order if desirous to carry out any of the following matters:
 - (a) using of the boiler at more than allowable pressure;
 - (b) repairing, altering, adding or renewing any steam-pipe, feed-pipe or any mounting or other fitting attached to such steam pipe, feed-pipe or mounting or other fitting attached to the boiler.

15. The owner shall submit the certificate or provisional order when so requested by the respective government department and organization as may be necessary.

16. The owner shall surrender the certificate or provisional order within 15 days if such certificate is void before the expiry of the term due to any cause.

17. The preceding owner shall, when transferring the boiler from one owner to another, transfer the certificate or provisional order. Such transfer shall be informed in writing to the inspector within 15 days from the date of transfer.

18. The owner shall inform immediately to the inspector if any accident occurs.

19. The owner shall not:
 - (a) use a boiler at a pressure higher than allowable pressure;
 - (b) repair and alter or force to repair and alter the safety valve to exceed allowable pressure;
 - (c) do any act contained in sub-section (b) of section 14 without permission.

20. The owner shall not use the following boiler:
 - (a) boiler without certificate or provisional order;
 - (b) boiler of which certificate or provisional order is void;
 - (c) boiler of which certificate or provisional order is revoked.
21. The owner shall engrave the register number specified by the chief inspector in accord with the prescribed manner.
22. The owner:
 - (a) has the right to use a boiler in accord with the prescribed manner if he or she obtains certificate or provisional order;
 - (b) may, if desirous to alter the term of the certificate or provisional order, apply in advance for inspection before the expiry of the term of such certificate or provisional order.
23. The owner may appeal to the chief inspector from the date of receipt of informing letter from the inspector within 30 days if not satisfied with any of the following matters:
 - (a) the decision of inspector;
 - (b) refusal of the inspector to recommend for the issuance of certificate or refusal to issue a provisional order.
24. The owner shall not:
 - (a) carry out with the person who has not boiler repairer certificate on the receipt of notice to repair, alter, add or renew any boiler, steam-pipe, feed-pipe or any mounting or other fitting attached to such boiler, steam-pipe and feed-pipe;
 - (b) assign any person to charge the boiler used in the work except the person who operates and maintains the boiler.

Chapter VI

Duties and Rights of Boiler Manufacturer and Importer

25. The boiler manufacturer shall:
- (a) manufacture only on the receipt of permission after applying to the Ministry;
 - (b) manufacture boiler consistent with Myanmar standards or international standards if the permission to manufacture is received;
 - (c) have the right to apply for the technology relating to boiler manufacturing and inputs to the respective government department and government organization in accord with the existing laws.
26. The boiler importer shall import the only boilers which are consistent with Myanmar standards and international standards when importing boilers.

Chapter VII

Duties and Rights of Boiler Repairer

27. (a) Any person desirous to obtain a boiler repairer certificate shall apply to the respective inspector in accord with the stipulations;
- (b) The boiler repairer shall comply with the terms and conditions contained in boiler repairer certificate.
28. The boiler repairer shall:
- (a) have the right to repair the boiler which is issued notice to repair by the inspector with the approval of the owner;
 - (b) not repair the boiler which has not repair notice with his own volition or under the entrustment of the owner.

Chapter VIII

Duties and Rights of Boiler Attendant

29. (a) Any person desirous to obtain a boiler attendant certificate may apply to the respective inspector in accord with the stipulations;

- (b) A boiler attendant shall comply with the terms and conditions contained in boiler attendant certificate.
30. The boiler attendant shall:
- (a) have the right to operate the boiler which is issued certificate or provisional order with the approval of the owner;
 - (b) not operate the boiler which is not issued the certificate or provisional order with his own volition or under the entrustment of the owner.
31. The boiler attendant shall not use the boiler at more than allowable pressure.

Chapter IX

Duties and Powers of Inspector

32. The inspector, on the receipt of the application for the registration from the owner made under sub-section (a) of section 12,:
- (a) shall inspect the boiler within 15 days from the date of receipt of the application. The inspection date shall be informed to the owner at least 5 days in advance;
 - (b) may issue provisional order with appropriate pressure if he thinks fit to allow the registration after inspecting the boiler in accord with Myanmar standards or international standards. The findings of inspection shall be reported to the chief inspector accompanied by his opinion and remarks when issuing so;
 - (c) shall inform in writing to the owner immediately and report to the chief inspector if he thinks fit to allow registration or if he thinks not fit to allow registration after inspecting the boiler.
33. The inspector shall submit to the chief inspector before the expiry of the term of the provisional order whether or not to issue certificate after subsequent inspection in accord with the instruction of the chief inspector. The certificate with his signature shall be attached and submitted if he thinks fit to issue the certificate.

34. The inspector, on the receipt of application for renewal of certificate from the owner under sub-section (a) of section 13,:

- (a) shall inspect the boiler within 15 days from the date or receipt of the application. The inspection date shall be informed to the owner at least 5 days in advance;
- (b) shall report the findings together with his recommendation to the chief inspector if he thinks fit to issue certificate. The certificate signed by himself shall be attached and submitted;
- (c) may issue provisional order with appropriate allowable pressure when it is being undertaken under sub-section (b).

35. The inspector shall, after receiving the application under sub-section (b) of section 13, inform to the owner immediately and report to the chief inspector if he finds out any of the followings when he inspects the boiler:

- (a) requiring to reduce the term of the certificate;
- (b) requiring to increase or decrease the allowable pressure;
- (c) requiring to repair, alter, add or renew the boiler, steam-pipe or feed-pipe or any mounting or other fitting attached to such boiler, steam-pipe or feed-pipe;
- (d) finding out that the condition of the boiler is not fit for further use due to the irreparable deterioration.

36. The inspector shall, on the receipt of application under section 14, submit the application together with his recommendation to the chief inspector. He shall inspect as to the instruction of chief inspector after then and re-submit the findings together with his recommendation.

37. The inspector may issue provisional order with appropriate allowable pressure while reporting to the Chief Inspector under section 34 or sub-sections (a) and (b) of section 35. The provisional order shall not be issued if it is concerned with any fact contained in sub-sections (c) and (d) of section 35.

38. The inspector, in accord with the prescribed manners, shall:
- (a) inspect the boilers existing within the area where he is responsible;
 - (b) inspect any boiler existing anywhere according to the assignment of the chief inspector.
39. The inspector, within the area where he is responsible, may:
- (a) submit, on the receipt of the application to issue boiler repairer certificate or boiler attendant certificate, to the chief inspector together with his recommendation after scrutinizing the application;
 - (b) report to the Chief Inspector if it is found out that a person is repairing without boiler repairer certificate or operating and maintaining the boiler without boiler attendant certificate;
 - (c) report to the Chief Inspector if it is found out that a person is repairing a boiler which has not issued repair notice.
40. During performing under section 38, an inspector may enter and inspect any place or building in which he has reason to believe that a boiler is in use.

Chapter X

Duties and Powers of Chief Inspector

41. The chief inspector, after scrutinizing the findings and recommendation submitted by the inspector regarding registration of boiler under sub-sections (b) and (c) of section 32,:
- (a) may register the boiler by fixing the allowable pressure;
 - (b) may refuse to register the boiler;
 - (c) shall inform the decision passed under sub-section (a) or (b) to the owner within 15 days from the date of receipt of submission from the inspector.
42. The chief inspector, on the receipt of the submission from the inspector under section 33 or sub-section (b) of section 34:
- (a) shall, if he thinks fit to issue the certificate, send the certificate to the owner after countersigning;

- (b) may, if he thinks not fit to issue the certificate, instruct to make necessary repairs in the boiler and to re-submit the work carried out as the instruction and the condition of the boiler.

43. The chief inspector may, on the receipt of the submission from the inspector that the owner fails to comply with any provision contained in sections 15, 16 and 17, suspend the use of boiler.

44. The chief inspector shall:

- (a) instruct, on the receipt of the submission from the inspector under sub-sections (a), (b) and (c) of section 35, to the inspector as may be necessary and inform such instruction to the owner in writing within 15 days;
- (b) cause to inspect, on the receipt of submission from the inspector under sub-section (d) of section 35, by a board consisting of three suitable inspectors and cause to report the findings to him. When receiving the report, he shall instruct the relevant inspector as may be necessary and such instruction shall be informed to the owner in writing within 15 days.

45. The chief inspector may revoke the certificate or provisional order if he finds that such certificate is obtained fraudulently.

46. The chief inspector may assign duty to any inspector to inspect the boiler which is existing in any area.

47. The chief inspector shall scrutinize and decide when the owner applies under section 23. Such decision shall be informed to the owner in writing within 15 days.

48. The chief inspector shall, after inspecting the manufacture and import of boiler whether or not it is consistent with Myanmar standards or international standards, refuse to manufacture and to register the imported boiler if it is inconsistent.

49. The chief inspector may, after scrutinizing the manufacture of boiler and mounting or other fitting attached to the boiler in accord with Myanmar standards or international standards, allow or refuse to manufacture.

50. The chief inspector may, on the receipt of submission from the inspector under sub-section (b) of section 39, issue or refuse to issue the boiler repairer certificate or boiler attendant certificate.

51. The chief inspector shall, on the receipt of submission from the inspector under sub-section (c) of section 39, revoke boiler repairer certificate.

52. The chief inspector may revoke the certificate of boiler repairer and boiler attendant who does not comply with any provision contained in sub-section (b) of section 27, sub-section (b) of section 28, sub-section (b) of section 29, sub-section (b) of section 30 and section 31.

Chapter XI

Void of Certificate and Provisional Order

53. The certificate or provisional order shall be void when any cause of the following arises:

- (a) expiry of the term of certificate;
- (b) occurrence of an accident;
- (c) informing to the owner by the chief inspector or inspector not to use boiler on the ground that the boiler, steam-pipe or feed-pipe or mounting or other fitting attached to the boiler, steam-pipe or feed-pipe requires to be repaired due to deteriorated condition which may cause danger;
- (d) moving the boiler from one place to another except portable vehicular boiler having a heating surface area of less than 18.6 square metres or 200 square feet;
- (e) repairing, altering, adding or renewing the boiler, steam-pipe or feed-pipe or any mounting or other fitting attached to the boiler, steam-pipe or feed-pipe;

- (f) being inspected and found out that the certificate or provisional order was issued without sufficient inspection.

Chapter XII

Appeal

54. The Ministry shall form the Appeal Board with three suitable members consisting of at least two technical experts for enabling to hear appeal cases.

55. Any person who is dissatisfied with the decision of the Chief Inspector shall appeal to the Appeal Board within 60 days from the date of receipt of such decision regarding any of the following matters:

- (a) refusing to register the boiler;
- (b) refusing to issue a certificate;
- (c) reducing the term of certificate applied for;
- (d) refusing to fix the allowable pressure applied by the owner;
- (e) revoking the certificate or provisional order;
- (f) reducing the allowable pressure or term contained in the certificate;
- (g) refusing to carry out the application under sub-section (b) of section 22;
- (h) ordering to repair, alter, add or renew the steam-pipe or feed-pipe or any mounting or other fitting attached to such steam-pipe or feed-pipe or any mounting or other fitting attached to a boiler;
- (i) refusing to grant permission on the application for repairing, altering, adding and renewing any steam-pipe or feed-pipe or any mounting or other fitting attached to such steam or feed-pipe or any mounting or other fitting attached the boiler;
- (j) refusing or revoking to manufacture boiler;
- (k) refusing the use of boiler;
- (l) refusing to issue boiler repairer certificate;
- (m) revoking boiler repairer certificate;
- (n) refusing to issue boiler attendant certificate;

(o) revoking boiler attendant certificate.

56. The Appeal Board may confirm, amend or cancel the decision of the chief inspector.

57. The decision of the Appeal Board thereon shall be final and conclusive.

58. The decision of the Appeal Board shall be informed to the persons concerned in writing within 15 days.

Chapter XIII Prohibition

59. No one shall amend, alter, deface, destroy the form and make invisible the register number engraved under section 21.

60. No one shall repair the boiler without holding boiler repairer certificate.

61. No one shall operate and maintain the boiler without holding boiler attendant certificate.

62. No one shall adjust and alter the safety valve in order to exceed the allowable pressure on his volition or under the instruction of the owner.

63. No one shall manufacture boiler against the provisions contained in sub-sections (a) and (b) of section 25.

Chapter XIV Offence and Penalty

64. The owner who fails to comply with any provision contained in sub-section (a) of section 19 and section 20 shall, on conviction, be punished with a fine from a minimum of five hundred thousand kyats to a maximum of ten hundred thousand kyats.

65. The owner who fails to comply with any provision contained in section 18, sub-sections (b) and (c) of section 19, section 21 and sub-section (a) of section 24 shall, on conviction, be punished with a fine from a minimum of five hundred thousand kyats to a maximum of ten hundred thousand kyats.

66. The owner who fails to comply with the provision contained in sub-section (b) of section 24 shall, on conviction, be punished with a fine from a minimum of one hundred thousand kyats to a maximum of two hundred thousand kyats.

67. Whoever violates or attempt to violate or abet to commit the prohibition contained in section 59 shall, on conviction, be punished with imprisonment for a term from a minimum of one year to a maximum of two year and may also be liable to a fine from a minimum of five million kyats to a maximum of ten million kyats.

68. Whoever violates the prohibition contained in section 60 shall, on conviction, be punished with a fine from a minimum of five hundred thousand kyats to a maximum of ten hundred thousand kyats.

69. The boiler repairer who fails to comply with the provision contained in sub-section (b) of section 28 shall, on conviction, be punished with a fine from a minimum of five hundred thousand kyats to a maximum of ten hundred thousand kyats.

70. Whoever violates the prohibition contained in section 61 shall, on conviction, be punished with a fine from a minimum of one hundred thousand kyats to a maximum of two hundred thousand kyats.

71. Whoever fails to comply with any provision contained in sub-section (b) of section 19 and sub-section (c) of section 39 or violates or attempt to violate or abet to commit the prohibition contained in section 62 shall, on conviction, be punished with a fine from a minimum of five hundred thousand kyats to a maximum of ten hundred thousand kyats.

72. Whoever violates the prohibition contained in section 63 shall, on conviction, be punished with imprisonment for a term from a minimum of two years to a maximum of three years and may also be liable to a fine from a minimum of five million kyats to a maximum of a ten million kyats.

73. The boiler attendant who fails to comply with any provision contained in sub-section (b) of section 30 and section 31 shall, on conviction, be punished with

a fine from a minimum of one hundred thousand kyats to a maximum of two hundred thousand kyats.

Chapter XV

Exemption

74. The Ministry may, from carrying out under this Law which are consistent with the stipulations, allow to give exemption of the followings:

- (a) boiler used to give heat or to supply hot water in a building;
- (b) boiler, steam-pipe and feed-pipe which are exempted by issuing notification.

75. The followings shall not be applicable to this Law:

- (a) boiler, steam-pipe and feed-pipe fixed to any ship;
- (b) boiler, steam-pipe and feed-pipe in the factories, workshops and departments relevant to defence and security of the Union;
- (c) railway boiler, steam-pipe and feed-pipe.

Chapter XVI

Miscellaneous

76. The notifications, orders, directives and procedures issued under the Boilers Law (Pyithu Hluttaw Law No.3, 1984) shall be applicable unless and until it is not contrary to this Law.

77. The certificates and recommendations issued before this Law comes into force shall be carried out in accord with this Law when the term is expired.

78. In order to implement the provisions contained in this Law:

- (a) the Ministry may, with the approval of the Union Government, issue rules, regulations and by-laws;
- (b) the Ministry and department may issue notifications, orders, directives and procedures.

79. The Boilers Law (1984, Pyithu Hluttaw Law No.3) shall be repealed by this Law.

I hereby sign under the Constitution of the Republic of the Union of Myanmar.

Sd.

Thein Sein

President

Republic of the Union of Myanmar