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Union of Myanmar
State Peace and Development Council
People's Military Service Law
(State Peace and Development Council Law No. 27/ 2010)
B. E. 1372 12th the Waning Moon Day of Thidin Gyut
(November 4, 2010)

As every citizen is under a duty to safeguard the independence, sovereignty and the territorial integrity of the Union of Myanmar, in order to serve that duty, the State Peace and Development Council instate the following law that every citizen should undergo military training and to serve in the armed forces to defend the State.

Part. I

Title, Enforcement and Definition

1. (a). The law shall be called the "Public Military Service Law".
1. (b). The law comes into force on the day that the State Peace and Development Council enacted the law by order.
2. The following expressions contained in this law shall have the meanings given hereunder:-
 - (a). **Public military servant** is a citizen who undergoes military service under this law.
 - (b). **Anyone who is eligible for military** means, if a male, any citizen from the age of 18 to 35 and if a female, any citizen from the age of 18 to 27, if he is an expert [professional occupation] male, a citizen from the age of 18 to 45, if she is an expert female, a citizen from the age of 18 to 35.
 - (c). **Tatmadaw technician** means people serving in the defense forces and those who are enlisted as technicians and technical experts according to criteria of Defense service council.
 - (d). **Expert** means those who are medical doctors, engineers, technicians or anyone who practices some form of expertise.
 - (e). **Family member** means a parent, husband or spouse, son, daughter or sibling.
 - (f). **Member of Religious Order** means
 - (1). For Buddhism, anyone who is permanently serving for Buddhism religious purposes and holding a certificate relating to religious affairs, such as monk, novice and nun.
 - (2). For Christianity, anyone who performs religious duties and who churches acknowledge as a "Reverend".
 - (3). For Hinduism, anyone who is a Sanyasi, Mahan or Hindu monk.
- (g). **Student** means anyone who is studying at any university, college or institute operated by the state or any institution acknowledged by the government.

Part. II

Duration of Military Service

3. Hereunder, It is enacted for the duration of military service:-
 - (a). Any citizen who are eligible for military service can be called upon to serve for military service not more than 24 months.

- (b). Any citizens who are eligible for military service and if the state calls upon him or her for Tatmadaw (military) technician service, he or she has to serve not more than 36 months.
- (c) Any citizens who are in eligible age for military service as expert, he or she can be called upon to serve for the military service not more than 36 months.

4. If the state is under an emergency, the government can extend the military service up to 5 years.

5. When calculating service duration for a citizen military servant, it shall not be included and counted for the duration of other form of punishment rather than court Marshall under 1959 Tatmadaw Act, and duration of sentence from court Marshall or civil court.

Part. III

Formation of different levels of drafting committee for citizen military servant and the functions and duties

6. The government or an agency authorized by the government shall form a Central Body for drafting citizen military servant.

7. The Central Body for drafting citizen military servant shall:-

- (a). form bodies underneath of it in Regional level, State level, District level and Township level as required.

- (b). For citizen military service draftees, the Tatmadaw Medical Examination Board will inspect their health condition.

8. Ward or Village-tract Peace and Development Council shall collect and enlist those citizens who are residing in their respective areas and eligible for military service on 31st December, and must report to Township level drafting board of citizen military service on 1st January, with prescribed criteria.

9. Township level drafting board of citizen military service shall:-

- (a). register all citizens who are eligible for serving military duty and issue certificate for those registrations.

- (b). Eligible citizens with issued certificate shall be summoned for medical examination.

10.

- (a). The citizen who is summoned for citizen military service by Township level drafting board of citizen military service must report to in time within the given duration, without absence to show, to the department or unit mentioned in the draft order.

- (b). For a purpose relating to this law, a draft order summoning to someone who is eligible to serve the military service, must be sent to respective individual. In case, the individual cannot be reached, the order must be handed over to one of family members in front of a witness. It must be accepted as the order is handed over to the respective individual.

11. A citizen who is recognized as citizen military servant, he or she must follow 1959 Tatmadaw Act on the date of recognition.

12. Township level drafting board of citizen military service shall:-

(a) Inspect the following facts, if a citizen is summoned for serving in the military and he or she

appeals in written letter for exemption for military service, or reduce the duration of military service, or to postpone the military service to a specific period with reasons;

- (1) the bio-data of the individual is correct or not;
- (2) the reasons are sensible or not;
- (3) the letter is attached with sufficient evidences or recommendations or not.

(b). If the bio-data submitted is not sufficient for the appeal letter or missing necessary evidences and recommendation, the board shall demand from the applicant.

(c). If the requirements for sub-section (a) and (b) are done, the appeal letter for the summoned for military service, together with medical record from Tatmadaw medical examination board, the board's inspection note and remarks, shall be submitted to District level drafting board of citizen military service.

(d) The board shall collect and record those who have requirement criteria and are eligible for military service in the township and submit to the upper levels of board.

13. District level drafting board of citizen military service shall report the appeal letters from Township level board with its remarks to the Regional or State level drafting board of citizen military service.

14. Regional or State level drafting board of citizen military service shall report the appeal letters from District level board with its remarks to the Central Drafting Board of citizen military service.

15.

(a) While the Central Drafting Board inspecting appeal letters from Regional or State level drafting boards of citizen military service, it can temporarily postpone the military service duty to those appropriate with underneath criteria;

- (1). Those who fail to meet medical fitness for military service with recommendation from Tatmadaw medical examination board;
- (2) Public servants;
- (3) Students;
- (4) Those who are taking care of their helpless aged parents;
- (5) Those who are under medical treatment for terminating drug abuse and;
- (6) Those who are imprisoned.

(b) Individuals listed under sub-section (a) shall fulfill their temporarily postponed military service, even after their age is beyond the eligible age.

Part IV.

Privileges for Citizen Military Servants

16. A citizen military servant can enjoy salaries and fees per assigned rank and order during his or her military service.

17. If a citizen military servant losses his or her life or injured during his or her duty, it is involved with the duty, he or she can enjoy the benefit recognized in the Tatmadaw.

18.

(a) If the public servant is serving under citizen military service duty, the duty period shall be acknowledged as his or her duty time.

(b). A worker who finished his or her military service term according to section (3) and (4), shall be re-employed by the employees in his or her original occupation or similar job.

19. The individual finishes his or her military service term according to section (3) and if he or she voluntarily wants to join the Tatmadaw, he or she can be accepted according to rules and regulation.

20. The individuals those who are graduated a Ph. D. or a professional degree, or sufficient with occasionally acknowledged criteria, they can be appointed gazetted officers in emergency.

Part. V

Military mobilization

21.

(a). When there arises or there is sufficient reason to arise a state of emergency endangering defense and security of state in a region, or in the whole state, the government shall issue order to mobilize all eligible citizens or some citizens or, all citizens those finish military service, or some of them, and summoned them for military service, in appropriate region.

(b). If the order is issued according to sub-section (a), all those mobilized citizens report in time to respective draft boards, within given duration. They must perform their military duties in assigned units or departments.

(c). The Central Drafting board can direct and assign a mobilized citizen to continue his or her original duty, per requirement.

Part. VI

Exemption from Citizen Military Service

22. The following individuals shall be exempted from citizen military service;

(a). Member of religious order;

(b). Housewives (including those women with children even she is divorced.) ;

(c). People with permanent disability;

(d). Individuals those are recognized as permanently inappropriate for military service by Tatmadaw medical examination board; and

(e). Those who are exempted by order from Central Drafting Board.

Part. VII

Crime and Punishment

23. Anyone who conduct or failure to act the following acts without any apparent reason, and found guilty, the individual can be sentenced with imprisonment with less than three years or fine or both.

- (a). If someone fails to report when Township level drafting board of citizen military service summons to register at the center according to Section 9, sub-section (a); or
- (b). If someone fails to report when Township level drafting board of citizen military service summons to come for medical examination according to Section 9, sub-section (a); or
- (c). If someone fails to report when Township level drafting board of citizen military service summons to serve in military service after passing medical examination according to Section 10; or
- (d). If someone fails to report to the pre-assigned unit or department when military mobilization order comes out according to Section 21, sub-section (b); or
- (e). If someone incorrectly mention the facts which is required relating to this law; or
- (f). If someone fails to re-employ his or her own worker who finish the term of citizen military service according to section 18, sub-section (b).

24. If someone commits one of the following offences in order to avoid military service and is found guilty, the individual can be punished sentenced with imprisonment with less than five years or fine or both.

- (a). Pretending illness or injured in order to degrade health standard,
- (b). Pretending to be disabled,
- (c). Inflicting injury to his or her own body or making to be infected some disease,
- (d). Making intentionally to prolong the illness or to inflict disability and deterioration of the disease without taking proper medical care,
- (e). Inflicting his or her own body voluntarily, and
- (f). Doing other ways.

25. If a public servant or a member of organization, who is acting under this law, commit an offence with dishonest intention, or fail to do something, and is found guilty, the individual can be sentenced with imprisonment with less than three years or fine or both.

26. If someone is assisting to commit an offence violating against this law, and is found guilty, the individual can be sentenced with imprisonment with less than a year or fine or both.

27. If someone is accused with committing an offence according to section 23 of this law, the individual is solely responsible to submit evidence for reliable reason.

28. A citizen is even after serving the term of sentence for violating an offence according to section 23 and 24, the individual shall not be exempted for citizen military service according to this law.

Part. VIII

General

29. The government shall form any required organization and committees and assign duties to effectively implement the prescription of this law.

30. The violation of offence against section 26 of this law can be recognized as an offence of police case.

31. Action of any organization or a member of organization, while fulfilling its own duty with sincere intention and in accordance with regulations and procedure, shall not be responsible for criminal or civil suit.

32. For implementation of this law, the Defense Ministry shall enact required regulations, by-laws, procedures, announcements, orders, and directives.

33. The ‘1959 Public Military Service Act’ is repealed by this law.

Signed. Than Shwe
Senior General, Chairman
The State Peace and Development Council