

- [Home](#)
- [COVID-19](#)
- ▼ [National](#)
 - [Nay Pyi Taw](#)
 - [Yangon](#)
 - [Mandalay & Upper Myanmar](#)
 - [Week in Review](#)
 - [In Pictures](#)
- ▼ [Elections](#)
 - [Election 2020](#)
 - [By Election 2017](#)
 - [Election 2015](#)
 - [By Elections Special](#)
- ▼ [Business](#)
 - [Property News](#)
- [World](#)
- ▼ [Focus](#)
 - [SME Focus](#)
 - [Environment](#)
 - [Women](#)
 - [Technology](#)
 - [Asean Focus](#)
 - [Chats with the Chief](#)
 - [Happy 20th Anniversary](#)
 - [Opinion](#)
- ▼ [Lifestyle](#)
 - [Top 10](#)
 - [Restaurant Review](#)
 - [Travel](#)
- ▼ [The Metro](#)
 - [Movie Time](#)
 - [Property Watch](#)
 - [What's On in Yangon!](#)
- ▼ [Sports](#)
 - [SEA Games 2019](#)
 - [ONE Championship](#)
 - [Martial Arts](#)
- [Sponsored](#)
- ▼ [Jobs](#)
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 - [Career Advice](#)

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- [English](#)
- [Myanmar](#)

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1. [Home](#)
2. » [National News](#)
3. » Myanmar enacts new privacy laws as public unrest escalates

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Myanmar enacts new privacy laws as public unrest escalates

[Kang Wan ChernPhoe WaKyaw Soe Htet](#) 14 Feb 2021

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A protester seen in Myae Ni Gone area, Yangon on February 13. Photo: Aung Htay Hlaing/The Myanmar Times

Myanmar enacts new privacy laws as public unrest escalates

The newly formed Myanmar State Administration Council (SAC), headed by the Tatmadaw Senior General Min Aung Hlaing, has enacted Law No 4/2021, which involves amendments to existing privacy protection laws.

The Amendment of Law Protecting the Privacy and Security of the Citizens revokes sections 5,7 and 8 of the law under Article 420 of the State Constitution. This allows the Commander-in-Chief of the Defence Services to temporarily restrict or suspend the fundamental rights of citizens, until power is transferred to a newly elected government.

The suspended sections of the Law Protecting the Privacy and Security of the Citizen involve basic protection of privacy and security of Myanmar citizens. Now, the law allows authorities to enter private residences without warrants for search and arrest purposes and detain people for more than 24 hours without permission from court.

The SAC also enacted Law 3/2021, which replaces sections of the Ward of Village-Tract Administration Law. It essentially requires all residents to inform their township or ward administrator if they have overnight guests from other wards or townships and not listed in their family units and when the guests leave. Failure to do so can result in fines. This section of the law had been abolished under Daw Aung San Suu Kyi's government, but is now reinstated.

Administrators are not permitted to receive any money or payments when maintaining the guest registration list.

The laws were enacted under Article 419 of the State Constitution, which grants the Commander-in-Chief of the Defence Services the right to exercise powers of legislature, executive and judiciary.

The new legislation was passed amid nationwide street protests, which has persisted for a week, and even as the Tatmadaw (military) stepped up arrests of protesters and officers of the National League for Democracy over the past week.

The Tatmadaw have also charged seven well known artists, online influencers, anti-military supporters and 88th generation members, including leading democracy activist Min Ko Naing, under Article 505(b) of the law.

The article states that whoever makes, publishes or circulates any statement, rumour or report, with intent to cause, or which is likely to cause, fear or alarm to the public shall be punished with imprisonment of two years or fined, or both.

Protests continued on Sunday (February 14), but observers said numbers have declined. However, a recent spate of crimes including arson have been reported at numerous wards in Yangon during curfew hours. Some of these have coincided with the release of 23,000 prisoners from Insein Prison by the military on the same day.

The Myanmar Times reporters noted that members of the public have resorted to setting up their own community security teams to ensure safety.

The community security teams have reported the arresting of two to four strangers in every ward in Yangon, as well as in other states.

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