

The Union of Myanmar

The State Peace and Development Council

The Tipitakadhara Tipitakakovida Selection Board Law

(The State Peace and Development Council Law No. 37 / 2010)

The 10th Waning Day of Nadaw, 1372 M.E.

(31st , December, 2010)

The State Peace and Development Council hereby enacts this Law:

Chapter I

Title and Definition

1. This Law shall be called **the Tipitakadhara Tipitakakovida Selection Board Law**.
2. The expressions contained in this Law shall have the meanings given hereunder:
 - (a) **Ovadacariya Group** means Tipitaka Ovadacariya Group formed under this Law.
 - (b) **Ovadacariya Sayadaw** means member Sayadaw of the Tipitaka Ovadacariya Group formed under this Law.
 - (c) **Selection Board** means the Tipitakadhara Tipitakakovida Selection Board formed under this Law.
 - (d) **Selection Examination** means the Tipitakadhara Tipitakakovida Selection Examination held under this Law.

Chapter II

Aims

3. The aims of this Law are as follows:
 - (a) to cause stability development and propagation of Therevada Buddha Sasana in the Union of Myanmar;
 - (b) to enable the continuous emergence of outstanding monks of the Sasana who pass the three baskets of Pitakas by reciting from memory and written;
 - (c) to enable holding systematically the stable and perpetual Tipitakadhara Tipitakakovida Selection Examination.

Chapter III

Formation of the Tipitaka Ovadacariya Group

4. The Ministry of Religious Affairs shall form the Tipitaka Ovadacariya Group comprising nine Sayadaws including the Sayadaws of State Central Executive Sangha and other suitable Sayadaws in accord with the counsel of the State Sangha Maha Nayaka Group.
5. The Ovadacariya Sayadaws shall elect the Sayadaw who has the longest period of monkhood among them as the Chairman of Ovadacariya Sayadaw. The Sayadaw assigned duty by the Chairman of the Ovadacariya Group shall act as an secretary Sayadaw.

6. The term of the Ovadacariya Group shall be six years from the day of the formation.

7. The Ministry of Religious Affairs may substitute and assign duty, as may be necessary, to the Ovadacariya Sayadaws and reform the Ovadacariya Group in accord with the counsel of the State Sangha Maha Nayaka Group.

8. The Ovadacariya Group may counsel as may be necessary to the Selection Board when the Selection Board requests or on its own volition.

Chapter IV

Formation of the Tipitakadhara Tipitakakovida Selection Board

9. The Ministry of Religious Affairs shall form the Tipitakadhara Tipitakakovida Selection Board comprising the Director General of the Religious Affairs Department as Chairman, the Director General of the Department for Promotion and Propagation of the Sasana as Vice-Chairman, suitable six lay persons including at least four experts in the study of Pariyatti literature as members, a person assigned duty by the Chairman as secretary.

10. The person who has involved with any of the following facts shall not be assigned duty as a member of the Selection Board:

- (a) being not a buddhist;
- (b) being not a Myanmar citizen, associate citizen or naturalized citizen;
- (c) having removed or terminated from the post of a public servant;

(d) being convicted due to commission of an offence of moral turpitude.

11. Any member of the Selection Board shall be deemed to be terminated as member from the Selection Board if any of the following causes arises:

- (a) death;
- (b) resigning from membership of the Selection Board;
- (c) involving with any provision contained in section 10;
- (d) being determined as unsound mind as provided in the relevant law;
- (e) departing illegally from the Union of Myanmar;
- (f) committing violation of moral precepts which affect the dignity of the Selection Board;
- (g) being absent from the meeting of the Selection Board for three consecutive times without requesting leave.

12. The Ministry of Religious Affairs shall fill the vacancy and assign duty to a suitable person who has not involved with the provisions contained in section 10 when there is vacancy of any member in the Selection Board.

Chapter V

Functions and Duties of the Selection Board

13. The Selection Board shall, in accord with the counsel of the Ovadacariya Group, carry out the following functions and duties:

- (a) prescribing the scriptures of Pitaka for the selection examination;
- (b) prescribing the qualifications and disciplines to be abided by the supervisor Sayadaws, examiner Sayadaws, prompters to rectify Buddhist scriptures who are to participate in the selection examination;
- (c) prescribing the qualifications to be possessed by reverend monks who sit in the selection examination and the disciplines to be abided by them;
- (d) holding each two selection examination that are oral and written in every text of five precepts texts of Vinaya Pitaka, five texts of Part I and two texts of Part II of Abhidhamma Pitaka, three Dighanikaya texts of Suttana Pitaka, three Majjhimanikaya texts of Suttana Pitaka, five Samyuttanikaya texts of Suttana Pitaka, eleven Suttana Pitaka Ingutanikaya texts, nine Suttana Pitaka Khudaka Nikaya Part I and eleven texts of Part II which are scripture texts of Selection Examination.

14. The Selection Board shall carry out the following functions and duties:

- (a) prescribing the day and place to hold the selection examination;
- (b) administering to confer prizes, certificates, medals, titles and honours offered by the Government to outstanding reverend monks of Sasana who passed in the selection examination,

- (c) administering for enabling to offer rice for alms monthly to the outstanding monks of Sasana who passed in the selection examination;
- (d) administering to honour and support to the teachers and parents of Tipitakadhara Tipitakkovida title recipient Sayadaws;
- (e) administering in accord with the stipulations the donations and offertories received from the Government and other donors;
- (f) holding honouring ceremony for the outstanding monks of Sasana who passed in the selection examination;
- (g) appointing and assigning duty to the suitable persons to participate and carry out in the selection examination;
- (h) administering for enabling to present train ticket, ship ticket, and other offertories presented by the Government to the outstanding monks of Sasana who passed at least one basket of Pitaka among three baskets of Pitaka in oral and written examinations in respect of Pitaka scriptures;
- (i) administering for enabling to present train ticket, ship ticket, air ticket and other offertories presented by the Government to the outstanding monks of Sasana who passed three baskets of Pitaka up to obtaining the title of Tipitakadhara Tipitakkovida in the oral and written examinations in respect of the Pitaka scriptures.

15. The Selection Board may administer other necessary matters to achieve success of the aims of this Law.

Chapter VI

Holding the Meetings

16. The Ovadacariya Group shall hold the regular meeting once in four months. It may also hold the special meeting if necessary.

17. In the Ovadacariya Group Meetings:

- (a) the Chairman Sayadaw shall act as the Speaker and if he is unable to attend the meeting, the secretary Sayadaw shall act as the Speaker;
- (b) it shall be deemed that a quorum is formed if at least seven members of the Selection Board are present.

18. The Selection Board shall hold the regular meeting once in four months. It may also hold the special meeting if necessary.

19. In the Selection Board meeting:

- (a) the chairman shall act as the Speaker and if the chairman is unable to attend the meeting, the Vice-Chairman shall act as the Speaker.
- (b) it shall be deemed that a quorum is formed if at least seven members of the Selection Board are present.

20. The Ovadacariya Group and the Selection Board shall jointly hold the regular meeting at least twice in a year. It may also hold the joint special meeting,

if necessary. For enabling to hold such joint meetings, the secretary of the Selection Board shall send notice in advance to the relevant Sayadaws and lay persons and arrange as may be necessary. The interval between the meetings shall not exceed six months.

21. In the joint meetings of the Ovadacariya Group and the Selection Board:

- (a) the Chairman Sayadaw of Ovadacariya Group shall act as the Speaker. If the Chairman Sayadaw of the Ovadacariya Group is unable to attend the meeting, the Secretary Sayadaw of the Ovadacariya Group shall act as the Speaker.
- (b) it shall be deemed that the quorum is formed if at least seven of the Ovadacariya Sayadaws and seven members of the Selection Board are present.

22. All matters relating to selection examination arising in the meeting of Ovadacariya Group, the meeting of Selection Board and the joint meeting of such groups shall be decided by the majority votes of the relevant Ovadacariya Sayadaws and lay persons who are present at the meeting. It shall be decided by the desire of the relevant Speaker if there is an equality of votes cast.

Chapter VII

Fund and Reports

23. The Ministry of Religious Affairs shall bear the necessary expenses in carrying out the functions and duties by the Ovadacariya Group and the Selection Board under this Law.

24. The Selection Board shall keep the donation and offertories obtained from individual donors and organizations in accord with the prescribed procedures by the Ministry of Religious Affairs and spend in accord with the terms and conditions. It shall submit to the inspection of the relevant authority in respect of the spending of funds.

25. The Selection Board shall, in respect of finance and annual reports to the Ministry of Religious Affairs through the Religious Affairs Department:

- (a) submit the estimated expenditure for the next financial year before the end of the present financial year;
- (b) submit the balance sheet as soon as possible after the end of the financial year;
- (c) submit the annual report after having discussed and obtained approval in the last regular meeting of such year.

Chapter VIII

Donating to the Persons who have the Right to Accept the Donations

26. The Ministry of Religious Affairs shall assign duty to the Selection Board as prescribed to enable donation to the following Sanghas and lay persons:

- (a) the Ovadacariya Sayadaws and the members of the Selection Board who attend the meetings of the relevant Ovadacariya Group and Selection Board for the purpose of carrying out the matters contained in this Law;

- (b) the supervisor Sayadaws, examiner Sayadaws, prompters, to rectify Buddhist scriptures, who serve duty in the selection examination.

27. The Ministry of Religious Affairs shall present title certificate, medal and insignia prescribed under this Law according to the Pitaka passed to the outstanding monks of Sasana who passed one or two kinds of selection examination contained in sub section (d) of section 13.

28. The Ministry of Religious Affairs, in presenting the title certificate and medal under section 27, shall:

- (a) sign personally by the Minister of the Ministry of Religious Affairs and the Chairman of the Ovadacariya Group on the title certificate.
- (b) insert seal of State and seal of the Selection Board including one white umbrella if he passes one basket of Pitaka, two white umbrellas if he passes two baskets of Pitaka, three white umbrellas if he passes three baskets of Pitaka in the middle of the medal.

29. The outstanding monks of Sasana who are presented rice, train ticket, ship ticket, air ticket and other offertories monthly because of passing the selection examination shall be terminated automatically from such donation if he becomes disqualified due to any of the following causes:

- (a) becoming a lay person;
- (b) death;
- (c) determined as unsound mind in accord with the provisions of the relevant law;
- (d) not accepting decision on moral purity from the relevant Vinisaya Group or Vinaya experts in sects of sangha order due to the impeachment of offence of Parajika Vinaya Rule.
- (e) convicted of any offence;
- (f) departing illegally from the Union of Myanmar.

Chapter IX

Miscellaneous

30. The funds and properties, works carried out and pending works, rights and liabilities of the Tipitakadhara Selection Board formed under the Tipitakadhara Selection Board Act, 1960 which was repealed by section 35, shall devolve on the Selection Board.

31. The outstanding monks of Sasana who passed in the Tipitakadhara selection examination held by the Association to Support Buddha Sasana or the Ministry of Religious Affairs on behalf of State Sasana Association before this Law comes into force shall have the right to continue to enjoy the deserved rights under this Law consecutively.

32. The matters administered by the Ovadacariya Group or the Selection Board shall not be invalidated due to the vacancy of any relevant member.

33. The rules contained in the first Schedule, the provisions and regulations contained in the second schedule and third schedule of Tipitakadhara Selection Act, 1960 which was repealed by section 35 may continue to be applicable in so far as they are not inconsistent with this Law.

34. In implementing the provisions of this Law:

- (a) the Ministry of Religious Affairs may, with the approval of the Government, issue such rules as may be necessary;
- (b) the Ministry of Religious Affairs may issue such procedures, notifications, orders and directives as may be necessary and the Selection Board may issue such orders and directives as may be necessary.

35. The Tipitakadhara Selection Board Act, 1960 is hereby repealed.

(Sd.) Than Shwe

Senior General

Chairman

The State Peace and Development Council