



The Republic of the Union of Myanmar

**Myanmar Investment Law, Rules and
Notifications**

Published by the Myanmar Investment Commission

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Economic Policies of the State

- 1. Through strengthened public financial management, delivering fiscal prudence and macroeconomic stability, while creating the financial space necessary for an expanding economy;**
- 2. Reforming state-owned enterprises and, where possible, privatizing them and promoting and assisting small and medium enterprises as generators of employment and growth;**
- 3. Through improving technical and vocational education, fostering the human capital to support a modern economy;**
- 4. Prioritizing the rapid development of fundamental economic structure such as electricity generation, roads and ports etc. and establishing Data ID Card System, Digital Government Strategy and e-Government System;**
- 5. Creating employment opportunities for the people at home, the displaced and those returning from abroad and prioritizing the emergence of more businesses that create higher value-added job opportunities;**
- 6. Ensuring balanced and mechanized agricultural economic model that will actively supporting the agriculture and livestock sectors to enable inclusive growth, enhanced food security and promote export;**

- 7. Asserting the right of individuals to freely pursue the economic opportunities they wish to choose, in a market framework that supports a vibrant private sector, formulating specific policies for the promotion of investment and enhancing patent rights and law enforcement;**
- 8. Achieving monetary and financial stability, while creating a financial system that can sustainably provide capital to businesses, farmers and households;**
- 9. Establishing environmentally sustainable cities, upgrading public services and utilities, reinvigorating public spaces and conserving heritage;**
- 10. Ensuring secure rights to property through the laws and practices, while constructing a fair and efficient taxation system that, through funding the state, enables the protection of the rights of the people;**
- 11. Promulgating regulations that supports innovation and technique to stimulate the development of high-tech and intellectual property rights;**
- 12. Ensuring stronger business links and foundations within the fast changing ASEAN region and beyond.**

Investment Policies of the State

The investment policy is sure to support the implementation of 12 Points Economic Policy of the Government of the Republic of the Union of Myanmar.

- 13. Responsible and mutually beneficial foreign investments are welcomed.**
- 14. The Myanmar Investment Commission and the relevant government organizations are sure to facilitate foreign investments through transparent, clear and expeditious procedures.**
- 15. The supportive environment with macroeconomic stability, rule of law, credible dispute settlement procedures, and reliable financial system for well-functioning economic infrastructure for all investors are to be carried out.**
- 16. As foreign investment is very crucial for national development, the Union Government will :**
 - (a) establish a predictable regulatory environment with non-discriminatory treatment between foreign and local businesses;**
 - (b) protect businesses from seizures that is likely to be in dispute;**

- (c) protect the right to transfer profits and other repatriation in accordance with the law after payment of taxes and duties and other payment obligations;**
 - (d) provide right to long-term land lease in accordance with the law for the approved investments.**
- 17. Local and foreign investors shall comply with the principles for responsible investment and business conduct, including environmental and natural resources matters on an equal basis and in a non-discriminatory manner at all times.**
- 18. No foreigners are permitted to conduct certain businesses relating to national security, and culture and social affairs. These restricted businesses will be made publicly available.**
- 19. The following investment businesses are welcomed and encouraged:**
 - (a) Investment businesses that support productivity-enhancing and value-added agro-based industries with linkages to regional and global supply chains;**
 - (b) Investment businesses that enable technology transfer and domestic production to be beneficial;**

- (c) Investment businesses that enable to support the development of small and medium enterprises;**
- (d) Investment businesses for rapid development of infrastructure;**
- (e) Investment businesses that enable to create job opportunities and provide vocational education and training for skill enhancement and development of human capacity;**
- (f) Investment businesses to be made in economically less development regions;**
- (g) Investment businesses that enable to develop industrial cities and the special economic industrial clusters;**
- (h) Investment businesses related to tourism.**



The Republic of the Union of Myanmar

Myanmar Investment Law
(The Pyidaungsu Hluttaw Law No. 40/2016)

Myanmar Investment Law

(The Pyidaungsu Hluttaw Law No. 40/2016)

The 2nd, Waning of Thadingyut, 1378 M.E.

(18th October, 2016)

The Pyidaungsu Hluttaw hereby enacts this Law.

Chapter (I)

Title and Definition

1. This Law shall be called **the Myanmar Investment Law**.
2. The following expressions contained in this Law shall have the meanings given hereunder:
 - (a) **Union** means the Republic of the Union of Myanmar.
 - (b) **President** means the President of the Republic of the Union of Myanmar.
 - (c) **Government** means the Union Government of the Republic of the Union of Myanmar.
 - (d) **Ministry** means the Ministry of Planning and Finance of the Union Government.
 - (e) **Commission** means the Myanmar Investment Commission formed under this Law.
 - (f) **Member** means any member of the Myanmar Investment Commission, including the Chairman and the Vice-Chairman.
 - (g) **Commission Office** means the office of the Directorate of Investment and Company Administration which is responsible for carrying out administrative activities of the Commission.

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- (h) **Secretary** means the Secretary of the Myanmar Investment Commission who is responsible for carrying out administrative activities of the Commission Office.
- (i) **Proposal** means the application, submitted in the stipulated form together with the required contracts and documents, by the proposed investor in order to obtain the Permit of the Commission for intended investment stipulated under section 36.
- (j) **Permit** means an order that describes the approval of the Commission relating to the proposal for investment submitted by the proposed investor.
- (k) **Endorsement application** means the application in the stipulated form together with required documents submitted by proposed investor to obtain an Endorsement of the Commission in order to enjoy benefits relating to right to use land under Chapter XII and exemptions and reliefs under section 75, 77 and 78 of the Chapter XVII.
- (l) **Endorsement** means an order that describes the approval of the Commission relating to the endorsement application submitted by the proposed investor.
- (m) **Citizen** means a citizen, an associate citizen or a naturalized citizen for the purposes of this Law. In this expression, enterprises composed only of citizens are also included.
- (n) **Myanmar Citizen Investor** means a citizen who invests within the Union. In this expression, Myanmar companies and branch offices, and other enterprises established and registered in accordance with the Myanmar Companies Act are included.
- (o) **Foreign Investor** means a person who invests within the Union and is not a citizen. In this expression, foreign

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companies, branch offices and other enterprises established and registered in accordance with the Myanmar Companies Act and enterprises formed in accordance with the laws of any other country are also included.

- (p) **Investor** means a Myanmar Citizen investor or Foreign investor who invests within the Union in accordance with the law.
- (q) **Investment** means any assets owned or controlled by the investor in accordance with this Law. It shall also include investments stipulated under section 40.
- (r) **Direct Investment** means an investment in which the investor has the right to control, influence or manage, of such assets which are invested by the investor within the Union in accordance with the law.
- (s) **Foreign Investment** means any direct investment made by a foreign investor within the Union.
- (t) **Enterprise** means:
 - (i) Any legal entity, including company, trust, partnership, sole proprietorship, joint venture, business association or similar organisations established or registered to do businesses in accordance with the applicable laws.
 - (ii) A branch office of such legal entity established in accordance with the applicable laws.
- (u) **Freely Usable Currency** means a currency of a member of the International Monetary Fund (IMF) which is used to make payments for international transactions and widely traded in the principal foreign exchange market as defined by Article 30(f) of the Articles of Agreement of the International Monetary Fund (IMF) and any amendments thereto.

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- (v) **Exemption and relief** means the exemptions and reliefs from income tax, customs duty and other internal taxes that may be scrutinized and granted by the Commission based on application of the investor for investments obtained a Permit or an Endorsement of the Commission in accordance with this Law.
- (w) **Measures** mean laws, rules, regulations, procedures, decisions and administrative actions adopted or maintained by government departments, governmental organizations or non-governmental organizations authorized by such departments and organizations.

Chapter II Objective

- 3. The objectives of this Law are as follow:
 - (a) to develop responsible investments which do not cause harm to the natural environment and the social environment for the interest of the Union and its citizens;
 - (b) to protect the investors and their investments in accordance with the law;
 - (c) to create job opportunities for the people;
 - (d) to develop human resources;
 - (e) to develop highly efficient productivity, service, and trading sectors;
 - (f) to develop technology, agriculture, livestock and industrial sectors;
 - (g) to develop various professional fields including infrastructure around the Union;

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- (h) to enable the citizens to be able to work alongside with the international community; and
- (i) to develop businesses and investments that meet international standards.

Chapter III Scope of the Law

- 4. This Law shall apply to all existing or new investments within the Union on the date of entry into force of this Law. However, this Law shall not apply to any existing investment disputes or any investments which obtained a Permit and suspended from their business operation before the date of entry into force of this Law.
- 5. This Law shall apply to any investment measures implemented by government departments and governmental organizations except any measures under the provisions of Chapter XXI and Chapter XXII of this Law.

Chapter IV Formation of the Commission

- 6. The Commission shall be formed as follow:
 - (a) a Chairman appointed by the Government after nomination from members of the Government by the President;
 - (b) a Vice-Chairman appointed by the Government;
 - (c) members appointed by the Government, who are suitable persons from Union Ministries, government departments, governmental organizations, experts from the private sector, professionals and suitable dignified persons;

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- (d) a Secretary who is the head of the Commission Office by designation.
7. The Government shall form the Commission with at least nine members or more in odd numbers, including the Secretary, in accordance with the provisions in section 6.
 8. The members of the Commission who are not civil service personnel shall have the right to enjoy gratuity and allowances as allowed by the Ministry.
 9. The term of all members of the Commission, except the Secretary, is the same as the term of each Government. The Secretary, being a civil service personal, shall follow the Civil Servant Law.
 10. The members of the Commission shall not serve for more than two consecutive terms.
 11. The Government shall reconstitute the Commission within two months from the date of assuming office.
 12. The head of the Commission Office shall serve as the Secretary of the Commission and shall fulfill duties as stipulated by the Commission.
 13. The Chairman of the Commission may assign any duty specified in writing among the duties of the Commission to any officials of the Commission Office. In case of such assignment, the assigned person shall undertake only the duty stipulated in the assignment letter. The letter may be withdrawn at any time in writing.

Chapter V Resignation, Dismissal from the Commission and Appointment for Vacancy

14. If the Chairman of the Commission resigns from his position voluntarily during his term, he may resign with the approval of the President by submitting a resignation letter to the Government.
15. If a member of the Commission, except the Chairman of the Commission, desires to resign from his position, he may request through the Chairman of the Commission and resign with the approval of the Government.
16. The Government may dismiss any member of the Commission in any of the following events:
 - (a) health deficiency to the extent that the member is no longer able to continue to undertake his/her duties according to the diagnosis of the medical board stipulated by law;
 - (b) death;
 - (c) being penalized by any court due to a criminal offence;
 - (d) being declared as insolvent by any court;
 - (e) failure to properly perform his/her duties.
17. The Government:
 - (a) shall appoint a new member in accordance with the provisions in this Law and its rules if a vacancy arises among the members of the Commission due to resignation, dismissal, death, or any other reason;
 - (b) may temporarily, if the vacancy is the position of the Chairman of the Commission, appoint the Vice-Chairman or a member of the Commission to carry out

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the functions of the Chairman before appointing a new Chairman.

18. The members of the Commission shall serve their functions and duties until new members of the Commission are appointed, except in the event of resignation or dismissal from their positions.
19. Notwithstanding the term under section 9, the term of the Chairman, the Vice-Chairman and the members of the Commission who are appointed to the vacant positions under section 17 shall be for the remaining term of the respective member of the Commission who is substituted.
20. The Secretary is responsible to perform the daily operations of the Commission, and administrative and management functions related to various matters of the Commission.
21. If a member of the Commission has a direct or indirect interest in a proposal submitted to the Commission, such interest must be expressly declared. Such declaration shall be recorded in the meeting minutes of the Commission and such member shall not participate in any right to make decision, activities and discussions of the Commission relating to the proposal.
22. If a member of the Commission has a direct or indirect interest in the endorsement application submitted to the Commission, such interest must be expressly declared. Such declaration shall be recorded in the Commission Office and such member shall not participate in any process of the Commission Office relating to that endorsement application.

Chapter VI Duties and Powers of the Commission

23. The Commission has the right to freely exercise its duties and powers unless there is contrary to the provisions of this Law.
24. The duties of the Commission are as follow:
 - (a) carrying out the investment promotion activities of the Union;
 - (b) performing as the department primarily responsible for coordinating with investors and those who are interested to invest;
 - (c) providing investment facilitation to investors and their investments;
 - (d) advising investment policies to the Union Ministries, Region and State governments in adopting and implementing economic objectives for the development of responsible businesses;
 - (e) issuing policy guidelines and directives for the staffs of the Commission Office;
 - (f) reporting the activities and functions of the Commission to the President and the Government once every three months;
 - (g) reporting annually the status of completion and progress of the investments approved by the Commission to the Pyidaungsu Hluttaw through the Government;
 - (h) delegating powers, in coordination with the Nay Pyi Taw Council, Region and State governments, for investment activities that the Government may approve according to the type of investment activities or the condition of natural resources or creation of

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employment opportunities for the economic development of the Regions and States including Union Territory;

- (i) submitting advice to the Government in order to facilitate or encourage local and foreign investments;
 - (j) taking action against the investor under the relevant laws, procedures and regulations, if it is known that the investors, when finding natural resources or antiques, either processes, converts or conceals such items without notifying;
 - (k) scrutinizing whether or not the investor and its investment complies with this Law and its rules, regulations, notifications, orders, directives and procedures and provisions contained in contracts, and if not, ensuring the investor to abide and taking action against the investor and its investments that do not abide by such matters in accordance with the laws;
 - (l) reviewing exemptions, reliefs and the restricted investment activities and reporting such reviews to the Government.
 - (m) performing duties assigned by the Government from time to time.
25. In order to implement its duties under this Law, the powers of the Commission are as follow:
- (a) issuing notifications with the approval of the Government after stipulating the investment promoted sectors and the types of the restricted or prohibited investment activities;
 - (b) stipulating, with the approval of the Government, the types of investment activities that are strategic for the Union, capital intensive investment projects and

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projects which potentially have a large impact on the environment and the local community;

- (c) issuing the Permit to the investor when submitting a proposal to the Commission if the proposal is beneficial to the Union and consistent with the laws, and refusing the proposal if the proposal does not meet such conditions;
- (d) conducting the necessary scrutiny when completely submitting an endorsement application to the Commission and issuing the Endorsement to the investor if the endorsement application is not contrary to any law;
- (e) approving or refusing after scrutiny when applying for an extension or amendment of the term of the Permit or the Endorsement by the investor;
- (f) asking, the investor, if required, to submit documents or evidences relating to its investment;
- (g) managing to take action against the investor under the existing law if it is found that there is credible evidence that the investor has submitted the improper attached documents to the Commission to obtain a Permit or an Endorsement, or in the event, the investor does not comply with the terms and conditions of the Permit or the Endorsement;
- (h) scrutinizing, as required, and granting, when eligible, exemptions and reliefs to enjoy in accordance with the provisions of this Law;
- (i) stipulating the types of investment activities, with the approval of the Government, which are not allowed to enjoy tax exemptions or reliefs or both;
- (j) requesting and obtaining assistance and information relating to the duties of the Commission from

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- government departments, governmental organizations and other necessary organizations, including investors in order to perform the duties of the Commission under this Law;
- (k) undertaking necessary measures to successfully implement the provisions of this Law;
 - (l) scrutinizing and granting appropriate periods for construction or preparation subject to the type of investment activities;
 - (m) scrutinizing and granting the exemptions and reliefs relating to the temporary import of machineries and equipments from abroad under temporary import procedures issued by the Customs Department in coordination with the relevant ministries; and
 - (n) in effectively implementing this Law, establishing and managing a system that is able to carry out activities such as systematically scrutinizing disputes, identifying the causes for disputes, responding, inquiring and settling the losses before the stage of dispute resolution;
26. The Commission may stipulate and collect other service fees, including registration fees.
27. The Commission may, in carrying out its duties, form committees and bodies, as required.
28. The Commission may, in implementing its duties, open branch offices of the Commission locally or overseas with the approval of the Government, as required.

Chapter VII Convening of Meeting

29. Meetings shall be convened as follow:
 - (a) convening regular meetings of the Commission at least once a month;
 - (b) convening special meetings as required.
30. The Chairman of the Commission shall act as the Chairman of the meetings. The Vice-Chairman shall act as the Chairman of the meeting when the Chairman is not present.
31. A quorum for a meeting of the Commission shall be valid if more than half of the total number of the members of the Commission, including the Chairman or the Vice-Chairman, are present.
32. The Commission shall make decisions in conformity with more than half of the total number of the members of the Commission who are present at a Commission meeting. The members of the Commission, who are not present at the meeting, shall not object, deny or amend such decision.
33. The Commission may invite experts from the relevant departments and other organizations to any meeting of the Commission for the matters that require professional expertise.
34. The Commission shall allow the investors and persons supporting the investor to attend and provide explanations and engage in discussions at meetings of the Commission.
35. The members of the Commission shall submit and report their specific activities at the closest regular meeting of the Commission, and obtain approval for the specified activities.

Chapter VIII Submission of Proposal

36. The investor shall submit a proposal to the Commission and invest after receiving the Permit for the following investment activities stipulated in the rules;
- (a) investment activities that are essential to the National strategy;
 - (b) large capital intensive investment projects;
 - (c) projects which are likely to cause a large impact on the environment and the local community;
 - (d) investment activities which use state owned land and buildings;
 - (e) investment activities which are designated by the Government to require the submission of a proposal to the Commission.

Chapter IX Submission of Endorsement Application

37. No investor is required to submit a proposal to the Commission for other investment activities except investment activities stipulated under section 36. However, in order to enjoy the right to use land under Chapter XII, and one or more than one or all of the exemptions and reliefs under sections 75, 77 and 78, an endorsement application must be submitted in the stipulated form to the Commission Office.
38. When submitting the endorsement application, all approvals or licenses or permits or similar documents issued by the relevant organizations according to the type of business must be attached.

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39. The Commission may accept, after scrutinizing the endorsement application submitted under section 37, if it is complete, and allow resubmitting the endorsement application after corrections are made, if it is not complete.

Chapter X

Stipulation of the Types of Investment Activities

40. In investment, the following are also included:
- (a) enterprise;
 - (b) moveable property, immovable property and rights related to property, cash, pledges, mortgages and liens, machinery, equipment, spare-parts, and related tools;
 - (c) shares, stocks, and debentures (a) promissory note of a company;
 - (d) intellectual property rights under any laws, including technical know-how, patent, industrial designs, and trademarks;
 - (e) claims to money and to any performance under contracts having a financial value;
 - (f) revenue-sharing contract, or production, management, construction, rights under contracts, including turnkey;
 - (g) assignable rights granted by relevant laws or contract, including the rights of exploration, prospecting and extraction of natural resources;
41. The following investments activities shall be stipulated as the prohibited investments:
- (a) investment activities which may bring or cause hazardous or poisonous wastes into the Union;
 - (b) investment activities which may bring technologies, medicines, flora and fauna and instruments which are

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- still being tested abroad, or which have not obtained approvals to use, plant or cultivate, except the investments which are made for the purpose of research and development;
- (c) investment activities which may affect the traditional culture and customs of the ethnic groups within the Union;
 - (d) investment activities which may affect the public;
 - (e) investment activities which may cause an enormous harmful impact to the natural environment and ecosystem;
 - (f) investment activities which manufacture goods or provide services that are prohibited under the applicable laws.
42. The following types of investment activities shall be stipulated as restricted investments:
- (a) investment activities allowed to be carried out only by the Union;
 - (b) investment activities that are not allowed to be carried out by Foreign investors;
 - (c) investment activities allowed only in the form of a joint venture with any citizen owned entity or any Myanmar citizen; and
 - (d) investment activities to be carried out with the approval of the relevant ministries.
43. The Commission shall, with the approval of the Government, issue notifications to inform the public of investment promoted sectors and restricted investment activities under section 42.
44. If it is required to liberalize or amend or remove types of the investment activities restricted under section 42 after reviewing and revising from time to time, the Commission

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shall obtain the approval of the Government and notify the amendment and stipulation of such types of investment activities.

45. In reviewing and revising section 44, the Commission may discuss the responsible personnel from the private sectors, government departments, and governmental organizations, in order not to be contrary to international trade and investment commitments made by the Government.
46. The Commission shall, for the investment activities which may have a significant impact on security, economic conditions, the environment, and national interest of the Union and its citizens, submit to and obtain the approval of the Pyidaungsu Hluttaw through Government when preparing to issue a Permit thereto.

Chapter XI Treatment of Investors

47. In dealing with the investors:
 - (a) the Government shall accord to Foreign investors and their direct investments, treatment no less favorable than it accords to Myanmar citizen investors in respect to the expansion, management, operation, and the sale, or other disposition of direct investments according to this Law except in any other stipulated laws, rules and notifications;
 - (b) the Government shall accord, in like circumstances, to Foreign investors and their direct investments from one country, treatment no less favorable than that it accords to investors of any other country and their direct investments in respect of establishment,

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acquisition, expansion, management, operation, and the sale or other disposition of direct investments;

- (c) The provision of subsection (b) shall not be construed so as to oblige Foreign investors with any treatment, preferences or privileges resulting from the following matters:

(i) Customs Union, Free Trade Area, Economic Union resulting from Customs Union, Free Trade Area and Economic Union and international agreements;

(ii) more favorable treatments to be accorded to investors and their investments included in international agreements, bilateral or regional or international treaties, agreements or arrangements between regional countries, treaties, agreements or arrangements with other countries, or arrangements relating wholly or partially to taxation.

48. The Government guarantees to the investors fair and equitable treatment in respect of the following:

(a) the right to obtain the relevant information on any measures or decision which has a significant impact on the investors and their direct investments;

(b) the right to due process of law and the right to appeal on similar measures, including any change to the terms and conditions under any license, a Permit or an Endorsement granted by the Government to the investors and their direct investments.

49. The provisions of this Chapter shall not affect the provisions in section 76.

Chapter XII Right to Use Land

50. (a) An Investor who obtains a Permit or an Endorsement under this Law has the right to obtain a long-term lease of land or building from the private owned or from the relevant government departments, governmental organizations managed by the Government, or owned by the State in accordance with the stipulations in order to do investment. Citizen investors may invest in their own land or building in accordance with relevant laws.
- (b) Foreign investor may lease land or building either from the Government or governmental organizations or from owners of private land or building from commencing on the date of receipt of a Permit or an Endorsement of the Commission up to an initial period of (50) years in accordance with the stipulation.
- (c) After the expiry of the term of the right to use land or building or the period of right to lease of land or building permitted under subsection (b), a consecutive period of (10) years and a further consecutive period of (10) years extension to such period of lease of land or building may be obtained with the approval of the Commission.
- (d) The investor shall register the land lease contract at the Office of Registry of Deeds in accordance with the Registration Act.
- (e) The Government may grant more favorable terms and conditions for the lease of land and the use of land by Myanmar citizen investors.

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- (f) The Commission shall, for the purpose of the development of the entire Union with the approval of the Pyidaungsu Hluttaw submitted through the Government, grant a longer period for the right to lease land or building and the right to use land under this Law, to investors who invest in least developed and remote region.

Chapter XIII Employment of Staff and Workers

51. The investor:
- (a) may appoint of any citizen who is a qualified person as senior manager, technical and operational expert, or advisor in his investment within the Union in accordance with the laws;
 - (b) shall appoint them to replace, after providing for capacity building programs in order to be able to appoint citizens to positions of management, technical and operational experts, and advisors;
 - (c) shall appoint only citizens for works which does not require skill;
 - (d) shall appoint skilled citizen and foreign workers, technicians, and staff by signing an employment contract between employer and employee in accordance with the labor laws and rules;
 - (e) shall ensure to obtain the entitlements and rights in the labor laws and rules, including minimum wages and salaries, leave, holidays, overtime fees, damages, compensation of the workman, social welfare, and other insurance related to workers in stipulating the rights and duties of employers and employees and

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occupational terms and conditions in the employment contract;

- (f) shall settle disputes arising among employers, among workers, between employers and workers, and technicians or staff in the investment in accordance with the applicable laws.

Chapter XIV Investment Guarantee

52. The Government guarantees not to nationalize any investment carrying out in accordance with the law. Except under the following conditions, the Government guarantees not to take any measures which expropriate or indirectly expropriate or is likely to effect a result in the termination of an investment :
- (a) necessary for the public interest;
 - (b) in a non-discriminatory manner;
 - (c) in accordance with due process of law;
 - (d) on payment of prompt, fair and adequate compensation;
53. A fair and adequate compensation shall be designated as an equivalent to the market value prevailing at the time of expropriation of the investment. However, that designation shall be based on a fair consideration of public interest as well as the interests of the private investor, and shall take into account the present and past conditions of investment, the reason for expropriation of the investment or assets, the fair market value of the investment, the purpose of expropriating the investment or assets, the profits acquired by the investor during the term of investment, and also the duration of the investment.

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54. Non-discriminatory manner, including in Chapter XXI and Chapter XXII of this Law, which the Government performs in their authority for the purposes of regulating economic or supporting social interest shall not apply to the provisions in this Chapter.
55. If an investor asserts that a measure or series of measures undertaken under section 52 are inconsistent with the provisions of such section and amount to an indirect expropriation, the Government shall conduct a case-by-case and fact-based inquiry that takes into consideration the following factors:
 - (a) whether the measures create an intentional adverse effect on the economic value of an investment or not ;
 - (b) whether the measures breach the prior binding written commitment of the Government, contract, license, or other legal documents issued in favor of the investor or not;
 - (c) whether the measures of the Government, including the objective contained in section 52 (a), are consistent with the public interest or not.

Chapter XV Transfer of Funds

56. Foreign investors may transfer the following funds abroad relating to the investments made under this Law:
 - (a) capital designated under the provisions relating to capital account rules stipulated by the Central Bank of Myanmar;
 - (b) proceeds, profits from the asset, dividends, royalties, patent fees, license fees, technical assistance and

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- management fees, shares and other current income resulting from any investment under this Law;
- (c) proceeds from the total or partial sale or liquidation of an investment;
 - (d) payments made under a contract, including a loan agreement;
 - (e) payments resulting from any settlement of investment disputes;
 - (f) other compensation or money as compensation under the investment or expropriation;
 - (g) remuneration, salary and earning of foreign experts legally employed in the Union.
57. With respect to transferring a loan or taking a loan, it shall be transferred and taken with the approval of the Central Bank of Myanmar, in accordance with the stipulated regulations.
58. Myanmar citizen investors may freely and without delay transfer abroad the following funds relating to the investments made under this Law:
- (a) royalties, license fees, technical assistance, management fees, and interests to be paid any outside organization;
 - (b) payments made under a contract, including a loan agreement and insurance claims;
 - (c) payments resulting from an award, arbitration or settlement of any dispute, including any agreement to be paid by Myanmar citizen investor.
59. Any transfer of funds shall be allowed only after paying all tax obligations imposed on the amount to be transferred in accordance with the stipulated tax laws.
60. Foreign experts with legal work permits may make remittance abroad without any further deduction from the amount of money paid after the tax obligations under the

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- Income Tax Law, through banks authorized with a foreign exchange dealer license and established in the Union.
61. In respect of transfers of funds made by Foreign investors under section 56, such funds, including capital accounts or current accounts under the Foreign Exchange Management Law, may be transferred through banks authorized with a foreign exchange dealer license and legally established in the Union with freely usable currencies.
 62. The Government may prevent or delay a transfer of funds relating to any of the following circumstances:
 - (a) insolvency, or the protection of the rights of creditors;
 - (b) criminal or penal offences and the recovery of proceeds of crime;
 - (c) financial reporting or record keeping of transfers when necessary to assist law enforcement or financial regulatory authorities;
 - (d) ensuring compliance with orders or judgments in judicial or administrative proceedings;
 - (e) taxation;
 - (f) social security, public retirement, or compulsory saving schemes;
 - (g) severance entitlements of employees.
 63. The Government shall allow the transfer of capital or expenditures and foreign loans from abroad, which are required to be used for an investor and its investment within the Union in accordance with applicable laws.
 64. In the event of serious balance-of-payments or external financial difficulties, the Government may adopt or maintain restrictions on payments or transfers related to investments in accordance with the Foreign Exchange Management Law and other international commitments.

Chapter XVI Responsibilities of Investors

65. The Investor:
- (a) shall respect and comply with the customs, traditions and traditional culture of the ethnic groups in the Union;
 - (b) shall establish and register a company or sole proprietorship or legal entities or branches of such entities under the laws in order to invest;
 - (c) shall abide by the terms and conditions, stipulations of special licenses, permits, and business operation certificates issued to them, including the rules, notifications, orders, and directives and procedures issued by this Law and the applicable laws, terms and conditions of contract and tax obligations;
 - (d) shall carry out in accordance with the stipulations of the relevant department if it is, by the nature of business or by other need, required to obtain any license or permit from the relevant Union Ministries, government departments and governmental organizations, or to carry out registration;
 - (e) shall immediately inform the Commission if it is found that natural mineral resources or antique objects and treasure trove not related to the investment permitted above and under the land on which the investor is entitled to lease or use and not included in the original contracts. If the Commission allows, the investor shall continue to carry out the investment in such land, and if not allowed, the investor shall transfer and carry out, by obtaining the permission, at the substituted place which is selected and submitted by him;

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- (f) shall not make any significant alteration of topography or elevation of the land on which he is entitled to lease or to use, without the approval of the Commission;
- (g) shall abide by the applicable laws, rules, procedures and best standards practiced internationally for this investment so as not to cause damage, pollution, and loss to the natural and social environment and not to cause damage to cultural heritage;
- (h) shall list and keep proper records in books of accounting and annual financial statements, and necessary financial matters relating to the investments performed by a Permit or an Endorsement in accordance with internationally and locally recognized accounting standards;
- (i) shall close and discontinue the investment only after payment of compensation to employees in accordance with applicable laws for any breach of employment contracts, closure of investment, sale and transfer of investment, discontinuation of investment, or reduction of workforce;
- (j) shall pay wages and salaries to employees in accordance with applicable laws, rules, procedures, directives and so forth during the period of suspension of investment for a credible reason;
- (k) shall pay compensation and indemnification in accordance with applicable laws to the relevant employee or his successor for injury, disability, disease and death due to the work;
- (l) shall supervise foreign experts, supervisors and their families, who employ in its investment, to abide by the applicable laws, rules, orders and directives, and the culture and traditions of Myanmar;

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- (m) shall respect and comply with the labor laws;
 - (n) shall have the right to sue and to be sued in accordance with the laws;
 - (o) shall pay effective compensation for loss incurred to the victim, if there is damage to the natural environment and socioeconomic losses caused by logging or extraction of natural resources which are not related to the scope of the permissible investment, except from carrying out the activities required to conduct investment in a Permit or an Endorsement.
 - (p) shall allow the Commission to inspect in any places, when the Commission informs the prior notice to inspect the investment;
 - (q) shall take in advance a Permit or an Endorsement of the Commission for the investments which need to obtain prior approval under the Environmental Conservation Law and the procedures of environmental impact assessment, before undertaking the assessment. Such investments shall be submitted the situation of environmental and social impact assessment to the Commission during the permitted investment period.
66. Subject to the assessment under section 65 (q), the Commission may administer the investments to carry out as necessary, including to conduct or suspend.
67. The investors shall comply with all responsibilities stipulated under section 65 from the date, this Law comes into effect.
68. If the investor discontinues the investment before the expiry of the permitted period, after paying the tax exemptions or reliefs or both enjoyed during importation in accordance with the approval of the Commission, the

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- investor is to sell, export and dispose all machineries, equipment, motor vehicles and all other articles imported from abroad with the customs duty, other internal taxes and tax exemption or relief or both for his investment.
69. After obtaining a Permit or an Endorsement from the Commission, the investor shall execute and sign necessary contracts with the relevant government department or a governmental organization or governmental organizations, and conduct its investments.
70. The permission of the Commission shall be obtained for any extension and amendment of the contracts mentioned in section 69.
71. In conducting their investment activities, the investor shall carry out health assessments, cultural heritage impact assessments, environmental impact assessments and social impact assessments according to the type of investment activities in accordance with the relevant laws, rules, regulations and procedures.
72. Investments that obtained a Permit or an Endorsement, shall submit to the Commission of any sublease, mortgage transfer of shares or transfer of business to any person during the permitted investment period.

Chapter XVII Insurance

73. The investor shall insure the types of insurance stipulated in the provision of the rules at any insurance enterprise which is entitled to carry out insurance businesses within the Union.

Chapter XVIII Exemptions and Reliefs

74. The Commission shall, for the purpose of supporting the development of the Union by allowing investment in sectors which need to be developed and for the proportionate development of Regions and States, scrutinize and may grant one or more tax exemptions or reliefs if the investor applies for such exemptions or reliefs.
75. (a) With respect to the income tax exemptions, designated the less developed regions as Zone (1), the moderate developed regions as Zone (2), and the developed regions as Zone (3), the Commission shall, with the approval of the Government, issue a notification and may grant income tax exemptions to investment activities in Zone (1) for a period of 7 consecutive years including the year of commencement of commercial operation, investment activities in Zone (2) for a period of 5 consecutive years including the year of commencement of commercial operation, and investment activities in Zone (3) for a period of 3 consecutive years including the year of commencement of commercial operation.
- (b) With the approval of the Government, the Commission may change the designation of the zones from time to time depending on the development of the respective regions.
- (c) Income tax exemptions shall be granted only for the sectors specified by the Commission in the notification as promoted sectors.
76. In addition to the provisions under Chapter XI of Treatment of Investors, the Government may undertake

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subsidies, funding, capacity building and training to Myanmar citizen investors and citizen-owned small and medium-sized enterprises. The Government may also allow exemptions and reliefs for the locations where Myanmar citizen-owned businesses are operated or other economic activities.

77. The Commission may scrutinize and grant the following exemptions or reliefs from customs duty and other internal taxes to the investor if applied:
- (a) exemptions or reliefs from customs duty or other internal taxes or both on machineries, equipments, instruments, machinery components, spare parts, construction materials unavailable locally, and materials used in the business, which are imported as they are actually required, during the construction period or during the preparatory period of the investment;
 - (b) exemptions or reliefs from the customs duty or other internal taxes or both on the importation of the raw materials and partially manufactured goods conducted by an export-oriented business for the purposes of the manufacture of products for export;
 - (c) reimbursement of customs duty or other internal taxes or both on imported raw materials and partially manufactured goods which are used to manufacture products for export;
 - (d) if the volume of investment is increased with the approval of the Commission and the original investment is expanded during the permitted period of investment, exemptions or reliefs from the customs duty or other internal taxes or both on machineries, equipments, instruments, machinery components, spare

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- parts, materials used in the business, and construction materials unavailable locally, which are imported as they are actually required for use in the business which is being expanded as such increases may be granted.
78. The Commission may scrutinize and grant the following exemptions and reliefs, as required, to the investor if applied:
- (a) exemptions or reliefs from income tax if the profit obtained from the investment that has obtained a Permit or an Endorsement is reinvested in such investment or in any similar type of investment activities within one year;
 - (b) right to depreciation for the purpose of income tax assessment, after computing such depreciation from the year of commencement of commercial operation based on a depreciation rate which is less than the stipulated lifetime of the machinery, equipment, building or capital assets used in the investment;
 - (c) right to deduct expenses which are incurred for the research and development relating to the investment activities carried out within the Union and actually required for the economic development of the Union from the assessable income.
79. The Foreign investors have to pay income tax on their income at the rates applicable to the citizens residing within the Union.
80. Except the exemptions and reliefs under section 75, 77 and 78, other taxes shall be carried out in accordance with relevant tax laws.
81. The exemptions and reliefs under sections 75, 77, 78 and 80 shall not apply to businesses operating in special economic zones.

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Chapter XIX Settlement of Dispute

82. In effective implementation of this Law, the Commission shall establish and manage a grievance mechanism to resolve and prevent the occurrence of disputes, and carry out the relevant inquiries for the investment issues before reaching the stage of a legal disputes.
83. Before any investment dispute between the investor and the Union or between the investors is brought to any court or arbitral tribunal, all disputing parties shall use due attempts to settle the disputes amicably.
84. If investment disputes are not able to be settled amicably:
 - (a) if the dispute settlement mechanism is not stipulated in the relevant agreement, it shall be settled in the competent court or the arbitral tribunal in accord with the applicable laws;
 - (b) if the dispute settlement mechanism is stipulated in the relevant agreement, it shall be complied with and carried out in accord with the mechanism.

Chapter XX Administrative Penalties

85. The Commission:
 - (a) may impose one or more of the following administrative penalties against an investor who violates or fails to comply with any provision of this Law and its rules, regulations, notifications, orders, directive, procedures or terms and conditions contained in a Permit or an Endorsement issued by the Commission:
 - (i) censure;

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- (ii) temporary suspension of business;
 - (iii) temporary suspension of tax exemptions and reliefs;
 - (iv) revocation of a Permit or an Edorsement;
 - (v) add the business to a blacklist for which no Permit or Edorsement shall be issued in the future;
- (b) shall inform a prior notice in respect of the administrative penalties to the investor before imposing the administrative penalties according to subsection (a), and the investor has the right to submit questions in writing upon the administrative penalties;
- (c) shall describe the reason for imposing an administrative penalty together with the decision, imposing the administrative penalty under subsection (a).
86. (a) The investor dissatisfied with any decision made by the Commission under section 85 shall have the right to appeal to the Government within 60 days from the date of the decision in accordance with the stipulations.
- (b) The Government may amend, revoke or approve any decision made by the Commission.
- (c) The decision of the Government shall be final and conclusive.
87. An investor shall be prosecuted if there is credible evidence that he describes dishonestly, falsely, or any concealment of information when submitting any proposal, accounts, evidence of contracts, financial information or evidence of employment and so forth to the Commission, or any relevant government department or governmental organization.

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88. If an investor fails to comply with or violate any provisions of this Law, including the performance of the prohibited investment activities under section 41, he shall be prosecuted under this Law and, if required, any applicable laws.

Chapter XXI Exceptions

89. Nothing in this Law shall be construed to prohibit the following fair measures adopted or maintained prudently by the Government:
- (a) necessary to protect public morals or to maintain public order;
 - (b) necessary to protect life or health of human, animals, or plants;
 - (c) the protection of investors, depositors, financial market participants, policyholders, policy-claimants, or persons to whom a fiduciary duty is owed by a financial institution;
 - (d) ensuring the safety, standing, soundness and stability of financial institutions;
 - (e) ensuring the integrity and stability of the financial system of the Union;
 - (f) aiming to ensure fair and effective assessment of tax or direct taxation relating to investors;
 - (g) carrying out the protection of artistic, historical or archaeological valued national treasures and heritage;
 - (h) preservation of natural resources, and not to be damaged to such, where the effect is caused by domestic production or consumption.

Chapter XXII Security Exception

90. (a) Nothing in this Law shall be construed to prohibit the Government from adopting or enforcing necessary measures for the protection of its essential security interests.
- (b) The provisions under this Law shall not prevent any of the following actions necessary for the Government to protect essential security interests, including but not limited to:
- (i) action relating to the traffic in arms, ammunition and to such traffic in other goods and materials as is carried on directly or indirectly for the purpose of supplying military or other security forces;
 - (ii) action taken, as required, in time of war or other emergency in international relations.

Chapter XXIII Miscellaneous

91. If there is any provision of this Law contrary to any matter provided for in the international treaties and agreements adopted by the Union, the provisions contained in the international treaties and agreement shall be abided by for such contradictory provision.
92. Within the period after the enactment of this Law and before promulgating the necessary rules and procedures, the rules issued under the Foreign Investment Law (the Pyidaungsu Hluttaw Law No. 21/2012) may continue to be complied so far as it is not contrary to this Law.
93. Any Permit for investment granted by the Commission subject to the Union of Myanmar Foreign Investment Law

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(The State Law and Order Restoration Council Law No. 10/1988) or the Foreign Investment Law (the Pyidaungsu Hluttaw Law No. 21/2012) or the Myanmar Citizens Investment Law (the Pyidaungsu Hluttaw Law No.18/2013) shall continue to be effective till the term of such Permit is expired.

94. Notwithstanding anything contained in any other law, matters relating to any provision in this Law shall be carried out in accordance with this Law.
95. If there is credible evidence for performing in good faith within the powers conferred under this Law, no criminal or civil actions shall be taken against any member of the Commission, any member of a committee or body, or any civil servant for such act.
96. In performing duties under this Law, the members of the Commission and the officers of the Commission Office shall impartially carry out such duties in accordance with the Anti-Corruption Law.
97. The members of the Commission shall not use the acquired information for any other purposes, except implementation of the objectives under this Law.
98. Any decision made by the Commission under the powers conferred by this Law shall be final and conclusive except any appeal in relation to the imposition of administrative penalties under section 85.
99. In carrying out the provisions under this Law, the Ministry of Planning and Finance shall;
 - (a) undertake the office-work of the Commission;
 - (b) bear the expenditures of the Commission in accordance with financial rules and regulations.
100. In implementing this Law:

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- (a) the Ministry may, with the approval of the Government, issue necessary rules, regulations, notifications, directives, orders and procedures;
 - (b) the Commission may issue orders, notifications, directives and procedures.
101. The Foreign Investment Law (The Pyidaungsu Hluttaw Law No. 21/2012) and the Myanmar Citizens Investment Law (The Pyidaungsu Hluttaw Law No. 18/2013) are hereby repealed by this Law. Although the Foreign Investment Law is repealed, the Myanmar Investment Commission formed by that law shall have the power to perform its duties until the date that its duties and powers have been delegated to the Commission that will succeed under this Law.

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

Sd. Htin Kyaw
President
The Republic of the Union of Myanmar

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The Republic of the Union of Myanmar

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(The Ministry of Planning and Finance,

Notification No. 35 / 2017)

The Government of the Republic of the Union of Myanmar
The Ministry of Planning and Finance

Notification No. 35 / 2017

The 3rd Waxing of Tagu, 1378 M.E.
(30th March, 2017)

In exercise of the power conferred by subsection (a) of section 100 of the Myanmar Investment Law, the Ministry of Planning and Finance, with the approval of the Union Government, hereby issues these rules.

Chapter I
Title and Definition

1. These rules shall be called **the Myanmar Investment Rules**.
2. The expressions in these rules shall have the same meanings in the Myanmar Investment Law. Moreover, the following expressions shall have the meanings given hereunder:
 - (a) **Law** means the Myanmar Investment Law;
 - (b) **Associate**:
 - (i) specifically, in relation to a company, means:
 - (aa) a director or a secretary of the company;
 - (bb) a related body corporate;
 - (cc) a director or a secretary of a related body corporate; and

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- (dd) any person who controls the company, or who is controlled by the company;
- (ii) generally, in relation to any person, including a company, means:
 - (aa) any person in concert with the person who is acting, or proposes to act in relation to the relevant matter; or
 - (bb) any associated person or any person who proposes to associate formally or informally, in any other way in relation to the relevant matter; or
 - (cc) any prescribed person in relation to the relevant matter;
- (iii) who may be prescribed under above clause (i) or (ii), shall, however, not be included in any case merely by the following causes:
 - (aa) Having given advice to the person or acting on behalf of the person in the performance of the functions relating to any professional capacity or business relationship; or
 - (bb) Having been appointed as a proxy or representative of a person at a meeting of members of a company or a company depending on type;
- (c) **Government Department, Government Organization** means any Union, Region or State

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level administrative organizations, ministries, commissions and committees;

- (d) **Type of Project Required to Make Environmental Impact Assessment** means the type of project prescribed under the Environmental Conservation Law, Rules and Environmental Impact Assessment Procedures;
- (e) **Foreign Company** means the foreign company defined in the Myanmar Companies Act or the successive laws;
- (f) **Holding Company in relation to a Company** means a holding company of which the respective company is a subsidiary;
- (g) **Myanmar Company** means a company incorporated in Myanmar and registered under the Myanmar Companies Act or the successive laws;
- (h) **Small Company** means a company, other than a public company or subsidiary of a public company, which conforms to the following conditions:
 - (i) having no more than 30 employees or less than the number of employees in it or its subsidiaries or such other number as may be prescribed under the Myanmar Companies Act or any successive law;
 - (ii) Having less than 50 million kyats of total annual revenue in the previous financial year in it or its subsidiaries or less than the amount prescribed under the Myanmar Companies Act or any successive law;

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- (i) **Subsidiary** means:
- (i) a subsidiary of the other company if it conforms to any of the following circumstances:
 - (aa) the composition of the board of such company of being controlled by the other company; or
 - (bb) exercising or controlling the exercise of more than one-half of the votes out of the maximum number of votes that can be exercised at a meeting of the said company by the other company; or
 - (cc) holding more than one-half of the issued shares of the said company by the other company, other than shares that has no right to participate beyond a specified amount in a distribution of either profits or capital; or
 - (dd) having the entitlement to receive more than one-half of every dividend paid on shares issued by the said company, other than shares that have no right to participate beyond a specified amount in a distribution of either profits or capital; or
 - (ii) a subsidiary created by the subsidiary which conforms to any circumstances in

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the above clause is a subsidiary of the other company;

- (j) **HS Code (Harmonized System Code)** means the Harmonized System or Harmonized Tariff Schedule developed by the World Customs Organization and used by the customs authority of the Union from time to time;
- (k) **Investment Monitoring Division** means the investment monitoring division of the Commission Office;
- (l) **Investment Screening Application** means an application submitted to the Commission by the person who desires to invest to obtain non-binding guidance under rule 28;
- (m) **Investment Assistance Committee** means the committee formed under rule 165;
- (n) **Prohibited Investment Activity** means an investment activity which applies to stipulations under section 41 of the Law;
- (o) **Investment Promoted Sectors** means the sectors included a list of business promotion activities in the notification to be issued by the Commission in accordance with section 43 of the Law from time to time;
- (p) **Region or State Committee** means a Region or State Investment Committee formed by the Commission under rule 151;

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- (q) **Region or State Committee Office** means the branches of the Region or State Office of the Directorate of Investment and Company Administration, which undertake office works of the relevant Region or State Investment Committee;
- (r) **Proposal Assessment Team** means the proposal assessment team formed by the Commission under rule 149 to support the screening of the proposals;
- (s) **Related Body Corporate** means:
 - (i) a holding company in relation to a company;
 - (ii) a subsidiary in relation to a company; or
 - (iii) a holding company or a subsidiary in relation to a company;
- (t) **Restricted Investment Activity** means an investment activity to be stipulated by notification by the Commission from time to time in accordance with section 43 of the Law;
- (u) **Raw Material** means natural or unprocessed or unrefined materials required for goods manufacturing. Moreover, raw materials or goods required to produce finished goods, manufactured goods used to improve finished goods or partly-manufactured goods and materials necessary for packaging are included. In such raw materials, unprocessed or natural or ready-to-be-used raw materials are also included;
- (v) **Transition Period** means the period of 24 months from the date on which these rules take effect;

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- (w) **Working Day** means any day when the Commission Office is open other than a Saturday, Sunday or a public holiday;
- (x) **Application Fee** means any fees to be paid by the investor when submitting the proposal, endorsement application, tax exemption or relief application or land use application to the Commission, Region or State Committee;
- (y) **Construction Period of Investment or Preparatory Period of Investment** means the period approved by the Commission to implement, extend or prepare the proposed investment.

Chapter II

Types of Investment Activity

Types of Investment Activity Required a Permit

3. For the provision of subsection (a) of section 36 of the Law, a type of business which conforms to any of the following stipulations is stipulated as an investment activity that is essential to the National strategy:
 - (a) investment exceeding USD 20 million in any business in the area of communication and information technology, pharmaceutical technology, biotechnology, similar technologies, energy, infrastructure and urban development, extraction of natural resources and media;
 - (b) investment exceeding USD 20 million, under the grant for the land use right or use of other property, agreement on such concession or similar

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- authorization by government department and government organization;
- (c) investment by foreign investor or investment exceeding USD one million by Myanmar citizen investor along the borderline between the boundary of the Union and other country or the conflict area;
 - (d) cross-border investment by the foreign investor or investment exceeding USD one million by Myanmar citizen investor;
 - (e) investment across the Regions or States within the Union;
 - (f) investment in agriculture on more than 1000 acres of land;
 - (g) investment to carry out other business except agriculture on more than 100 acres of land.
4. For the purpose of section 36(b) of the Law, an investment is taken to be a large capital intensive investment if the expected investment value exceeds USD 100 million.
5. For the provision of subsection (c) of section 36 of the Law, an investment shall be deemed to have a large impact on the environment and the local community if it conforms to any of the following stipulations:
- (a) being or being likely to be a type of project required Environmental Impact Assessment;
 - (b) being the investment business located in designated or proposed a protected area, forest reserved area, Key Biodiversity Area or areas

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selected and specified to support the ecosystem services and cultural and natural heritage, cultural monuments and unspoiled natural areas proposed or specified under the existing laws, procedures and notifications, including the Environmental Conservation Law;

- (c) the land to be used or leased for investment activity:
 - (i) Has been or is likely to be acquired through expropriation by paying compensation, compulsory acquisition procedure or by agreement in advance of such expropriation or compulsory acquisition procedure in accordance with the laws of the Union and will either cause the relocation of at least 100 individuals permanently residing on such land or comprise an area of more than 100 acres.
 - (ii) Comprises an area of more than 100 acres and would be likely to cause involuntary restrictions on land use and access to natural resources to any person having a legal right to such land use or access;
 - (iii) is likely to cause conflict with the proposed investment activity due to litigation in good faith by a person or disputing over ownership of land in obtaining more than 100 acres of land to occupy or use;
 - (iv) may adversely impact at least 100 individuals by continual occupying such

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land scrutinized by a body which has right to scrutinize in applying to occupy or use land.

6. For the provision of subsection (d) of section 36 of the Law, investment on the land or building at the disposal of the government department and the government organization is stipulated as investment activities used state-owned land and building. Provided that it does not include the land use rights arising from the grant, alteration or other administration under the provisions and procedures of land administration within the authority of the government department and government organization.
7. The investor does not require applying for a permit under subsection (d) of section 36 of the Law in the following circumstances:
 - (a) leasing or receiving a license for the land or building for a term of 5 years or less;
 - (b) sub-leasing such state-owned land or building by the investor from any of the following persons in a manner permitted under lease agreement, agreement or other agreement:
 - (i) a person who has previously obtained the right to use the state-owned land or buildings from the government department and government organization in accordance with the laws of the Union, including the Law; and
 - (ii) a person authorized to sub-lease or sub-license the state-owned land or building in accordance with the approval of the

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government department and government organization.

8. The investor who subleases land or buildings, according to subsection (b) of section 7 shall use them in a manner permitted under the lease agreement or agreement concluded by the government department and government organization.
9. Although the investor does not require obtaining a permit when initially making his investment activity, if his investment involves in the stipulations for the investment required to obtain the permit due to a change in the type of investment, he shall submit a proposal before making such changes.
10. In determining monetary amounts and land areas in rules 3, 4 and 5, it shall be deemed that it means the total amount of investment activity of the investor and his associates and any businesses relating to the investor.
11. Nothing in these rules shall limit prescribing conditions required submitting to obtain approval of the Pyidaungsu Hluttaw under section 46 of the Law and laying down other conditions or stipulations to assess a proposal or grant a permit, including determining a minimum capital proportion to be contributed in the total investment amount.

Prohibited Investment Activities

12. The Commission may, from time to time, issue notifications of prohibited investment activities under section 41 of the Law with the approval of the Government.

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13. Without limiting other law, an investment activity which is not included in a notification referred to in rule 12 shall not be stipulated as a prohibited investment activity under the Law.
14. Any person shall not carry out a prohibited investment activity.
15. Hazardous or poisonous waste in subsection (a) of section 41 of the Law means all substances prohibited under the existing laws to be imported, exported, stored, traded, manufactured or otherwise produced within the Union. The production or use of such substances is the businesses prohibited other than the express exemption, exception, or permit under the Law.
16. The Commission:
 - (a) may request information from such investor if there is reasonable ground to believe that a prohibited investment activity or its related businesses are being engaged;
 - (b) may order any investment to suspend or cease if there is reasonable ground to believe that a prohibited investment activity is operated; and
 - (c) shall revoke the permit or endorsement if it is known that a prohibited investment is operated according to the inspection results.

Restricted Investment Activities

17. With the approval of the Government, the Commission may, under section 43 of the Law, issue notifications of investment activities restricted under section 42 of the Law and, under section 44 of the Law, amend these

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notifications. A person making a restricted investment activity shall perform in accordance with the Law and other applicable laws.

18. The rights of the Commission to discuss or to request for advice shall not be limited under section 45 of the Law when considering amendment the notification referred to in rule 17.
19. Notwithstanding any limitation in any other laws, an investment activity not included in the notification referred to in rule 17 shall not be stipulated to be a restricted investment activity under the Law.
20. The government department and government organization may conclude a contract with investor in respect of investment activity allowed to be carried out only by the Union under subsection (a) of section 42 of the Law and other applicable law, and may allow the investor to involve in the investment activity according to the extent of the contract.
21. Myanmar citizen investors may carry out investment activity stipulated under subsection (b) of section 42 of the Law.
22. Myanmar citizen investor shall contribute 20% of the minimum direct shareholding or interest proportion in the joint venture other than businesses expressly excepted by notification under subsection (c) of section 42 of the Law.

Notice for Restricted Investment Activities

23. An investor carrying out the investment activity_restricted under section 42 of the Law shall notify the Commission

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Office or Region or State Committee Office for such businesses.

24. The investor shall send the notice under rule 23 to the Commission Office or Region or State Committee Office within 3 months from the commencement of implementation of the investment activity.
25. Sending notice under rule 23 shall not apply to an investor or a small company that still submits a proposal or endorsement application for the investment activity.

Chapter III Investment Promoted Sectors

26. The Commission may, from time to time, issue notifications of investment sectors to be promoted, and amend them with the approval of the Government.
27. The Commission may, without limiting the effect of the other powers or rules, stipulate the minimum investment criteria and maximum value of tax exemption before the enjoyment of tax exemption and relief of an investment activity for the investment sector to be promoted at any time. The eligibility criteria could include a minimum cash investment that must be made as a proportion of the total investment amount.

Chapter IV Submission of Investment Screening Application and Issuance of Guidance

28. A person who desires to invest may submit an investment screening application to the Commission for non-binding

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guidance on the kinds of the following proposed investments:

- (a) businesses required to submit a proposal to the Commission under section 36 of the Law;
 - (b) businesses likely to be submitted to the Pyidaungsu Hluttaw for approval under section 46 of the Law;
 - (c) investment activities restricted under section 42 of the Law and its related notification;
 - (d) investment activities__involved in investment promoted sectors; or
 - (e) investment activities prohibited under section 41 of the Law.
29. In the investment screening application, the investor shall:
- (a) fully disclose the nature of the investment;
 - (b) disclose all information which appropriate person may consider in the assessment of the Commission; and
 - (c) right fully disclose information.
30. The Commission shall assess the application after a person, who desires to invest, submits the investment screening application and pay the stipulated application fee.
31. The Commission:
- (a) shall assess an investment screening application within 10 working days, if it is complete; and
 - (b) may extend the assessing period if it requires to ask for additional information from the investor.

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32. The Commission shall issue non-binding guidance after assessing the investment screening application within the specified period.
33. The guidance issued under rule 32 shall be assumed as advice for the continuation of the investment in accordance with law and shall not be assumed to know in advance whether a chance of an approval of being granted.
34. The Commission may revoke the application if the requested information is not provided by the investor within 10 working days from the requested date or such extension.
35. Any prescriptions under rule 29 is amended, the Commission may determine that the guidance issued under rule 32 should be amended. It shall notify the determination to the investor.

Chapter V

Submission of Investment

36. Every submission shall be carried out in accord with the following stipulations:
 - (a) it shall be in writing;
 - (b) it shall be in Myanmar or, if desired, it may be both in Myanmar and English;
 - (c) where it is a proposal, a summary of the proposed investment shall be in Myanmar or, if desired, it may be both in Myanmar and English;
 - (d) it shall be signed by a relevant applicant;
 - (e) the stipulated form shall be completed;

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- (f) it shall contain the information prescribed by the Commission;
 - (g) it shall contain the information which is true and complete and shall not be disclosed fraudulently;
 - (h) it shall be submitted to the Commission Office or relevant Region or State Committee Office; and
 - (i) the relevant application fee shall be paid.
37. The investor shall submit the following matters to the Commission after obtaining the permit or endorsement, although it is not required to mention such matters in the submission. The Commission Office shall inform such information to the Central Bank of Myanmar:
- (a) where the investment is carried out with foreign loan, the repayment schedule, including the loan amount, the sum of principal and interest, remittance amount and the timeline; and
 - (b) the receiving bank of capital and loan from abroad and the banking channel for remittance and settlement.
38. A summary of proposed investment submitted under sub rule (c) of rule 36 shall include the following information:
- (a) the investor and other person involving a significant direct or indirect interest in the investment;
 - (b) the principal location or locations of the investment;
 - (c) a description of the sector and business which the investment is to be made;

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- (d) proposed amount of the investment;
 - (e) a description of the plan, including expected timetable for the implementation of the investment;
 - (f) the number of employees to be appointed and export earnings from investment; and
 - (g) other information to be prescribed by the Commission from time to time.
39. If the investor has not yet legally established the enterprise, the person responsible for establishing such enterprise may submit the proposal as an investor. The establishment as the enterprise under the law is a condition of being issued the permit and shall not alter any of the obligations of the investor under the Law.
40. The Commission may consult with government department and government organization in considering a submission without limitation of its other powers. It may consult with other stakeholders and persons affected by the determination in relation to any proposal, and obtain information for its determination. Provided that, it may, at its discretion, decide whether to consider such information.

Chapter VI

Submission and Assessment of Proposal

41. (a) Where a proposed investment subject to sub rule (b) is involved in the investment in section 36 of the Law, an investor shall submit a proposal to the Commission to obtain permit and invest only after obtaining a permit.

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- (b) If another investor or business organization, who holds the permit, desires to make the proposed investment, it shall not require further obtaining the permit under subsection (a) except any investment involved in rule 237.
 - (c) The investor shall pay the application fees for the proposal, prescribed by the Commission.
- 42. The intended investor submitted the proposal to the Commission under rule 41 shall make investment only after obtaining the permit and comply with all conditions in the permit.
- 43. The following persons shall apply for the proposal:
 - (a) a person who desires to invest;
 - (b) the representative authorized by a person who desires to invest; or
 - (c) a subsidiary involved in the business of which a person desires to invest.
- 44. In submitting the proposal, if an investment involved in any of the following conditions among investment activities to be obtained the permit in section 36 of the Law, the proposal shall be submitted through the relevant ministry:
 - (a) having a significant ownership interest in the investment by government department and government organization;
 - (b) having been granted or intending to grant concessions to the investor by government department and government organization; or

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- (c) being required or authorized by law to do so by government department and government organization.
- 45. The Commission may, after receiving to screen the proposal, publish a summary of the proposal for public awareness within 10 working days from the date of receipt.
- 46. If a person who desires to obtain the right to use land, or tax exemption or relief, applications for them may be submitted together with the proposal.

Proposal Assessment Procedure

- 47. The Commission Office shall assess a proposal for eligibility and completeness at the Commission Office or other place designated by the Commission. If the proposal is eligible and complete, it shall be accepted. The Proposal Assessment Team shall assess it in accordance with the stipulations and then submit to the Commission's meeting.
- 48. On receipt of the proposal submitted under rule 47, the Commission shall assess whether or not an investment in the proposal should be allowed in accordance with the stipulations. It may reject the proposal within 15 working days from date of receipt if it determines inappropriate to grant permission. If a proposal is rejected, the Commission shall give the notice of the rejection with an explanation of the grounds of rejection to the investor within 5 working days from the date of rejection. If the proposal is not rejected, it shall be deemed to be accepted.
- 49. The Commission shall assess it within 60 days from the date of receipt of the proposal, and if it determines to allow, it shall issue the permit within 10 working days.

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The copy of the permit shall be delivered to the relevant Union ministries and relevant Region or State government.

50. The Commission may grant the permit to the investor or its subsidiary involved in the investment.
51. Without limitation of other rules, the permission in relation to a permit, or tax exemption or relief may be:
 - (a) granted in respect of a proposed or stipulated investment;
 - (b) granted in respect of types of investments;
 - (c) granted in accordance with the payment of a bond;
 - (d) granted for a specified duration; or
 - (e) granted in whole or in part.
52. The assessment period of the proposal under rule 49 may be suspended in any of the following conditions:
 - (a) being required by the Commission to ask for additional information from the investor or other organizations to make its assessment and determination on the permit and any related application; or
 - (b) being required to submit to the Pyidaungsu Hluttaw to obtain its approval under section 46 of the Law.
53. The Commission may make the suspension of proposal assessment period more than once under this rule and the Commission office shall inform the investor the suspension.

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54. When the Commission receives the additional information according to rule 57 or the approval of the Pyidaungsu Hluttaw, it shall end the period of suspension and resume the timeframe.
55. If the Secretary of the Commission assumed that it is beneficial to the interests of the Union to make an extension in the circumstances relating to the complexity or novelty of the proposal, he may extend the proposal assessment period under rule 49. The time of extension may be extended more than once under this rule and the extension shall be informed to the investor.
56. The Commission shall have an investor or its authorized representative attend the meetings of the proposal assessment team or the Commission. If required, experts from government departments and government organizations in relation to the nature of the business shall be invited to attend the meeting.
57. The Commission may request the investor to provide more information relevant to the proposal at any stage of the process before acceptance and submission of the proposal to the meeting of the Commission.
58. The investor shall provide more information requested by the Commission under rule 57 within 20 working days from the request date or extension approved by the Commission.
59. The Commission may reject the proposal if the investor fails to provide the requested information within the time prescribed under rule 58.
60. If the investor desires to obtain the permit for the proposed investment, although the proposal is void, he shall

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resubmit the proposal and pay the prescribed application fees.

61. In assessing the proposal, the Commission may, if required, consult with government departments and government organizations. Such departments and organizations shall provide required personnel or other resources to the Commission. Where the investment subjects to the Ethnic Rights Protection Law, the Commission may consider whether or not to consult with and to obtain the remark of the relevant Region or State Government or other stakeholders as part of the assessment process or other conditions to be included in the permit.
62. In assessing a proposal, the Commission may reject the proposal at any time if it considers being unconformity with law or ineligible to issue the permit.
63. The Commission may further issue guidelines on the procedure of the permit application and assessment.

Proposal Assessment Criteria

64. In assessing the proposal, the Commission shall consider objectives, principles, rights and responsibilities of the Law, emphasizing on the interest of the Union. In assessing the investor and investment proposal, the Commission shall consider whether or not the following criteria are met with:
 - (a) acting and carrying out investment in accordance with the laws of the Union by the intended investor;

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- (b) being an investment activity required to obtain a permit;
- (c) being the proposal which is consistent with the Law;
- (d) demonstrating a commitment to carry out the investment in a responsible and sustainable manner by reducing and avoiding any adverse environmental and social impacts by the investor; such commitment without limiting environmental conservation actions, compliance with environmental conservation policies and human right, and application of effective technology for natural resource and practices of waste management strategy being included;
- (e) having business experience and acumen in respect of the investment by the investor or holding company or an associate involving the management of investment;
- (f) making financial commitment to the investment activity by the investor, associate, and holding company;
- (g) being the investor, an associate, and holding company of good character and business reputation; and
- (h) inconsideration of the policies and objectives of national development, security, economics, social and culture issued by the Union Government or Region or State Governments, being the investment which is compatible with the policies

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and objectives of them to be affected by the investment.

65. In assessing the proposal in accordance with rule 64, the Commission:
- (a) shall take all criteria into consideration and determine that the investor and the proposed investment shall be met mandatorily with the criteria in rule 64 (a) to (c) and are met with the most relevant criteria in of rule 64(d) to (h); and
 - (b) shall determine whether or not the investor and the proposed investment meet with the mandatory criteria and the relevant non-mandatory criteria.
66. For the provision of rule 64 (g), in assessing whether the investor has a good character and business reputation, the Commission may consider whether or not the investor, an associate or a person involved in the investment was penalized under or contravened the laws relating to any environment, labour, tax, anti-corruption or human rights.

Chapter VII

Submission and Assessment of Endorsement Application

67. In respect of an investment activity not involved in section 36 of the Law, the following persons may submit an endorsement application to the Commission Office or relevant Region or State Committee Office:
- (a) the investor;
 - (b) the authorized representative of the investor; or
 - (c) the subsidiary involved in the investment.

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68. The investor:
- (a) may submit the relevant land use application or tax exemption or relief application with the endorsement application concurrently; and
 - (b) shall pay endorsement application fee prescribed by the Commission .
69. In the initial implementation of the investment, the investor, who applies endorsement application, shall submit recommendations, approvals, licenses, permits, and similar authorized documents required by section 38 of the Law with the endorsement application. Provided that where the business is a kind of business required to obtain recommendation, license or similar authorized document in the implementation process of the investment after obtaining the endorsement application according to the nature of business, such documents shall be obtained and submitted to the Commission after the submission of the endorsement application.
70. The endorsement application submitted under rule 68 shall be assessed whether or not to be eligibility and completeness at the Commission Office or the relevant Region or State Committee Office. If the endorsement application is complete with the stipulations, the endorsement application shall be submitted for review and approval of the Commission, Region or State Committee.

Endorsement Application Assessment Procedure

71. When receiving the endorsement application according to rule 70, the Commission or relevant Region or State Committee, may reject it within 15 working days from the date of the receipt of the endorsement application, if it is

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deemed to be incomplete, ineligible for the stipulations or inappropriate for approval under other situations. If rejected, the Commission or relevant Region or State Committee shall notify the rejection and an explanation of the grounds of rejection within five working days from the date of the rejection to the investor. If not rejected, the endorsement application shall be deemed to be accepted.

72. (a) If the Commission decides to approve the endorsement application, after screening it within 30 days from the date of receipt, the Commission shall issue the endorsement within 10 working days from the date of decision;
 - (b) If the Committee decides to approve the endorsement application, after screening it within 30 days from the date of receipt by the relevant Region or State Committee, the Committee shall issue the endorsement within 10 working days from the date of decision;
 - (c) The Commission or Region or State Committee shall also deliver the copy of endorsement to the relevant Union Ministries and Region or State Governments.
73. The Commission or relevant Region or State Committee may grant the endorsement to the investor or its subsidiary involved in the investment.
74. The Commission or relevant Region or State Committee may request more information relating to the endorsement application at any stage of the assessment process of endorsement application to the investor.

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75. Application may be rejected if the investor does not provide the information requested by the Commission or relevant Region or State Committee within 20 working days from the requested date, or such extension approved by the Commission. If the endorsement application is void, the investor who desires to obtain the land use right or tax exemption or relief shall resubmit the endorsement application and pay the prescribed application fee.
76. The Commission may consult with government departments or government organizations in assessing an endorsement application, and request government department or government organizations to provide relevant personnel or other resource to complete the assessment process of endorsement application within the timeframe.
77. In assessing the endorsement application, the Commission may reject an endorsement application at any time if it deems to be non-compliance with law or ineligible for endorsement.
78. The Commission may issue further guidelines for the endorsement application assessment procedure.

Endorsement Application Assessment Criteria

79. The commission or relevant state or regional committee must assess every application for an endorsement, and determine whether to issue an endorsement, after considering the objectives, principles, rights and responsibilities in the Law and applying the following criteria:
 - (a) acting and carrying out investment in accordance with the laws of the Union by the investor;

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- (b) the business of being required to obtain the endorsement application under section 37 of the Law;
- (c) being an endorsement application in conformity with the Law;
- (d) the application of being involved in the investment prescribed by the Law; and
- (e) being an investor who is eligible to receive one or both of the land use right or tax exemption or relief by the endorsement.

Chapter VIII

Submission and Assessment of Tax Exemption or Relief Application

- 80. If an investor who has obtained a permit or an endorsement, or who still applies for a permit or endorsement, desires to enjoy tax exemption or reliefs in sections 75, 77 and 78 of the Law, the investor may submit the tax exemption or relief application.
- 81. If an investor who has obtained a permit or an endorsement, or who still applies for a permit or an endorsement, desires to make an additional capital investment within the Union, tax exemption or relief shall only be applicable to such additional capital investment.
- 82. Tax exemption or relief application may be submitted with a proposal or an endorsement application. Tax exemption or relief under sections 77 and 78 of the Law may be submitted as an additional. The investor shall accurately

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specify tax exemption or relief to be enjoyed in its application.

83. In applying the income tax exemption under subsection (a) of section 75 of the Law, the application for tax exemption or relief shall state the zone in which the investor has being invested or carried out or the investor has being invested or carried out more than 65% of the value of the investment calculated in accordance with rule 96. If necessary, the investor shall give other information.
84. If an investor applies for custom duties or other internal tax exemptions or reliefs under subsections (a) and (d) of section 77 of the Law, the investor shall provide without limiting the request of other information:
 - (a) list of machineries, equipments, instruments, machinery components, spare parts, materials used in the business and construction materials unavailable locally for the investment construction and investment preparation, and goods in details with four digit HS Code in the HS Code chapter; and
 - (b) a calculation of the total value of materials to be imported which the investor desires to apply for tax exemption or relief, including customs duty or other internal tax.

Tax Exemption or Relief Application Assessment Procedure

85. When receiving tax exemption or relief application under rule 80, if the Commission thinks that the application is incomplete or ineligible for the criteria or inappropriate for approval under other situations, it may reject the application within 15 working days from the date of

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- receipt. If the Commission rejects the tax exemption or relief, the Commission office or relevant Region or State Committee office shall notify the investor within 5 working days from the date of rejection with the grounds of rejection. If not rejected, it shall be deemed to be accepted.
86. The Commission office may request to provide further information relating to the tax exemption or relief application at any stage of the assessment process. The investor shall submit the information within 20 working days from the requested date or such extension approved by the Commission. If the investor fails to submit the information within such timeframe, the Commission may reject the tax exemption or relief application.
 87. If the Commission decides to approve it, after assessing the tax exemption or relief within 30 days from the date of receipt, it shall issue the tax exemption or relief within 10 working days. The copy of tax exemption or relief shall also be delivered to the relevant Union Ministries and Region or State Governments.
 88. The Commission may grant tax exemption or relief to the investor or its subsidiary involved in investment.
 89. Without limiting any other rules, the approval of a tax exemption or relief may be:
 - (a) granted in respect of a proposed or stipulated investment;
 - (b) granted by the payment of a bond;
 - (c) granted for a prescribed duration; or
 - (d) granted in whole or in part.

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90. The Commission may issue guidelines on submission and assessment of tax exemption or relief application procedure.

Tax Exemption or Relief Assessment Criteria

91. The Commission shall consider whether the investment is consistent with the following criteria or not, based on the objectives, principles, rights and responsibilities of the Law:
- (a) acting and making investment in accordance with the laws within the Union;
 - (b) submitting and applying tax exemption or relief application in accordance with the Law;
 - (c) making all investment in the promoted sectors for income tax exemption;
 - (d) exceeding the amount of USD 300,000 for the expenditure of additional funds or further capital within the Union;
 - (e) obtaining a permit or endorsement or process in application;
 - (f) in the case of applying income tax exemption, making investment in zone 1, zone 2, zone 3 or more than one zone, by notification, stipulated by the Commission;
 - (g) the development of a skilled labour force supporting the creation of new employment opportunities;
 - (h) bring or enhancing new technology or business skills into the Union;

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- (i) causing competition, development of capacity building or productivity, or enhancing services or infrastructure within the Union; and
 - (j) increasing export earnings of the Union.
92. In such assessing, the Commission shall:
- (a) take all criteria into consideration and determine that the investor and the proposed investment shall be met mandatorily with the criteria in of rule 91 (a) to (f) and with the most relevant criteria out of rule 91 (g) to (j);
 - (b) determine whether or not to meet the mandatory criteria and to fulfill the relevant non-mandatory criteria; and
 - (c) consider the effect on the receipt of the Union budget due to the applied tax exemptions and reliefs;
93. (a) The Commission may grant or refuse all or some tax exemption or reliefs applied by the investor. It may grant the tax exemption or relief in whole or in part, stipulating the regulations, including the conditions for the performance relating to the investment between the investor and an associate person.
- (b) If the Commission grants the tax exemption or relief to the investor according to subsections (a) and (d) of section 77 of the Law, it shall approve and notify the investment construction period or investment preparatory period to be enjoyed.

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94. The Commission may refuse to grant a tax exemption or relief if any investor or associate suspended or significantly reduced an initial investment for which a tax exemption or relief was enjoyed under any law within the previous 3 years.
95. Tax exemption or relief applies to the investment allowed to enjoy tax exemption or relief. It does not apply to the other business or other income carried out by the investors and its subsidiary.
96. Where the investor makes investment in more than one zone;
 - (a) the zone in which more than 65% of the value of the investment is invested shall be deemed as the location of investment.
 - (b) if more than 65% of the total value of the investment is invested in:
 - (1) zone 1 and zone 2, the investment shall be deemed to be in zone 2;
 - (2) zone 2 and zone 3, the investment shall be deemed to be in zone 3; and
 - (3) zone 1 and zone 3, the investment shall be deemed to be in zone 3.
97. Customs duty exemption or relief under subsection (b) of section 77 of the Law shall be granted only if at least 80% of the income expected to be earned from the investment is in foreign currency from exports. It may be granted on a pro-rata basis on income in excess of this amount expected to be earned in foreign currency from exports of that investment.

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98. The Commission shall calculate a reimbursement of customs duty paid under subsection (c) of section 77 of the Law on a pro-rata basis of the customs duties paid by the investor based on the proportion of income from the investment earned in foreign currency from export. The reimbursement may be applied for the custom duties paid in the assessment year at the end of an assessment year. The reimbursement may be made in the offset form of a customs duties and future customs duties to be paid by the investor.
99. (a) The Commission may grant a tax exemption or relief from income tax, in respect of reinvestment, if the following criteria are met with:
- (i) the profits reinvested are earnings received by the investor in the assessment year in which the income tax exemption under subsection (a) of section 78 of the Law was claimed;
 - (ii) the re-investment of said profit has occurred in the assessment year following the assessment year in which the income tax exemption under subsection (a) of section 78 of the Law was claimed ; and
 - (iii) being duly paid for income tax and other taxes in the assessment year in which the income tax under subsection (a) of section 78 of the Law was claimed.
- (b) In making reinvestment according to subsection (a) of section 78 of the Law relating to income tax

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exemption, the payment of operating expenses shall not be calculated.

- (c) Tax exemption or relief to be enjoyed under subsection (a) of section 78 of the Law shall not be enjoyed if the profit from the investment is reinvested during the investment construction period or investment preparatory period.
 - (d) In granting an exemption or relief under subsection (a) of section 78 of the Law, the Commission shall consider whether the investor complies to the law and the conditions of the permit or endorsement or tax exemption or relief or not , including the effects and benefits of tax exemption or reliefs for reinvestment.
 - (e) No investor shall enjoy further exemption or relief to be enjoyed under subsection (a) of section 78 of the Law to an investor, if the investor fails to make an reinvestment in the relevant year in which investor applies to enjoy tax exemptions or reliefs and enjoys previous tax exemptions or reliefs under subsection (a) of section 78of the Law.
100. The Commission may grant the investor the right to depreciate his assets at the rate permitted under the applicable laws of the Union or at an equal to 1.5 times rate to be stipulated from time to time.
101. The Commission may grant the investor the right to deduct research and development expenses up to a maximum of 10% of his assessable income under subsection (c) of section 78 of the Law in the following conditions:

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- (a) the research and development activities applied to only the permitted investment;
 - (b) the research and development activities essential for the economic development of the Union; and
 - (c) the research and development activities of being recognized by the applicable statistics standards of the Union;
102. The Commission may make any further decision for any limitations or stipulations of the amount of or process for applying or administering the tax exemption or relief, including the consideration for the research and development expenses in excess of 10% of assessable income, if the Commission thinks necessary for the interest of the Union.

Other Matters Relating to the Issuance of Tax Exemption or Relief

103. In granting the income tax exemption under subsection (a) of section 75 of the Law, the Commission may reassess tax exemption or relief after making the operation from three years to five years at the zone(s) in which the investment is made more than 65% of the value of investment. It may amend the tax exemption or relief according to the means of rule 96 depending on the zone(s) in which the actual investment is made if the value of actual investment in the zone(s) is different from the value assessed when granting tax exemption or relief. Any amendment may have retrospective effect. If it is found that the investor enjoyed more than tax exemption or relief to be enjoyed under the reassessment, he shall be liable for such amount to pay tax, and shall be payable in its

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following assessment year. Provided that no adjustment shall be made if it is found that the investor enjoyed less than tax exemption or relief to be enjoyed under reassessment.

104. The expansion of the volume of investment by the investor under subsection (d) of section 77 of the Law means that it shall be deemed that the volume of investment is expanded only after 80% of the proposed capital investment has been contributed.
105. The investor shall import the materials for expansion of the volume of investment according to subsection (d) of section 77 of the Law within two years from the date of receipt of tax exemption or relief. If investor shall not import the materials within such duration, such exemption or relief shall be voluntarily void.
106. The import of materials according to subsection (a) of section 77 of the Law shall only be carried out during the investment construction period or investment preparatory period. If not, it shall be voluntarily terminated.
107. The investment construction period or investment preparatory period shall come to an end on the date of commencement of commercial operation except rule 146(d).
108. Without having the approval of the Commission, if the machinery equipment, instruments, machinery components, spare parts and construction materials imported under the tax exemption or relief under subsections (a) and (d) of section 77 of the Law are used for any purpose other than the construction or implementation of the investment, the investor shall pay

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all applicable duties and taxes to be paid at the time of such importation. The Commission may impose any of administrative penalties prescribed under section 85 of the Law on such investor.

109. Before granting a customs duty exemption or relief under subsection (a) and (d) of section 77 of the Law, the Commission shall assess whether or not the goods imported are to be used in the construction and implementation of investment or not.
110. If a custom duty exemption or relief is granted under subsection (b) of section 77 of the Law and the percentage of income actually earned in foreign currency from exports in an assessment year is less than the expectation stated in the tax exemption or relief application, the customs duty exemption or relief shall be reduced to a pro-rata exemption on the actual export earnings in that period, and the investor shall repay any excess customs duties exempted under the tax exemption or relief.
111. If investor enjoys tax exemption or relief with the depreciation rate less than the stipulated period under subsection (b) of section 78 of the Law, he shall use such depreciation rate from the commencing year of commercial operation.
112. If the investor authorizes, without importing themselves for the intended materials, a person or company to import the materials for the investment that obtained a permit or an endorsement according to subsections (a) and (d) of section 77 of the Law, the investor shall state such person or company and obtain the approval after submitting to the Commission.

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113. Before to the investor enjoys benefits of any tax exemption or relief under sections 75 and 78 of the Law, the investor shall apply the Internal Revenue Department to accept the tax assessment for the relevant assessment year.
114. In evaluating a tax assessment of an investor enjoying a tax exemption or relief under sections 75 and 78 of the Law, the Internal Revenue Department shall review whether the investor complies with the provisions of the law relating to the tax exemption or relief and any conditions prescribed in the tax exemption or relief granted to the investor or not.
115. The Commission may revoke approval if it thinks that approval has been obtained through fraud or other misleading conduct relating to the permit or tax exemption or relief or the investment has not been carried out in accord with the application. Without limiting other relevant laws, the investor whose approval has been revoked shall repay tax exemption or relief granted to him.

Chapter IX

Submission and Assessment of Land Use Application

116. The investor who is in the application process or has already obtained the permit or endorsement may submit the land use application for investment.
117. The following facts shall be included at least in the land use application and the Commission may request the other necessary facts from the investor;
 - (a) area, type and location of the land or buildings;

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- (b) the facts relating to the owners of the land or buildings;
- (c) recommendation or similar document or permission obtained from Region or State Government, the government department or government organization to approve the change of land use to perform investment;
- (d) whether investors require to make significantly alteration of topography or elevation of the proposed land according to the subsection (f) of section 65 or not;
- (e) the period for right to use the proposed land; and
- (f) the land or buildings lease agreements (draft).

Land Use Application Assessment Procedures

118. The Commission may:
- (a) assign the Region or State Committee to assess the land use application; and
 - (b) delegate its powers to any officer whose position is at least director level at the Commission office or Region or State Committee office formed for such purpose or commission officers to assess the land use application.
119. When receiving the land use application submitted under rule 116, the Commission or relevant Region or State Committee may reject it within 15 working days from the date of receipt of the land use application, if it is deemed to be incomplete, ineligible for the stipulations or inappropriate for approval under other situations. If rejected, the Commission or relevant Region or State

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Committee shall notify the rejection and an explanation of the grounds of rejection within five working days from the date of rejection to the investor. If not rejected, the land use application shall be deemed to be accepted.

120. (a) After assessing the land use application within 30 days from the date of receipt by the Commission, if the Commission decides to approve it, it shall issue the right to use land within 10 working days.
 - (b) After assessing the land use application within 30 days from the date of receipt by the relevant Region or State Committee, if the Committee decides to approve it, the Committee shall issue the right to use land within 10 working days.
 - (c) The Commission, Region or State Committee shall also deliver the copy of the right to use land to the relevant Union Ministries and Region or State Governments.
121. The Commission office and Region or State Committee office may request further information in relating to the right to use land from the investor at any stage of the process.
122. The land use application may be rejected if the investor does not provide the information requested under rule 121 within 20 working days from the requested date, or timeframe approved by the Commission. If the application is rejected, the investor who desires to obtain the land use right, he shall resubmit the land use application.
123. The Commission may grant the permission of the land use right to the investor or its subsidiary.

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124. The Commission, Region or State Committee shall maintain the assessment, review and decision made in accord with the criteria for the assessment of the land use right under rule 126.
125. The Commission may issue necessary guidelines for land use application and assessment process.

Land Use Right Assessment Criteria

126. The Commission shall determine whether to issue the land use right or not after consideration the land use application is consistent with the following criteria, including objectives, principles, rights and responsibilities in the Law:
 - (a) acting and making an investment in accordance with the laws of the Union;
 - (b) submission of the land use application in accordance with the Law;
 - (c) being obtained or being permitted by the investor a permit or endorsement in respect of the investment;
 - (d) on the proposed land ~~of~~ being able to be used by the investor for the investment objectives under applicable law at the present time or at the completion of the change of the land use right or similar statutory procedures; and
 - (e) requirement to make significantly alteration of topography or elevation of the proposed land or being likely to make alteration of topography or elevation of the proposed land by the investor, and being unable to mitigate properly the impact,

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arising a material adverse impact on the environment due to such change.

127. When assessing the land use application in accordance with rule 126, the Commission shall determine whether is met with the criteria or not.
128. The Commission may grant or reject the right to use land applied in whole or part.

Other Matters Relating to Issuance of the Land Use Right

129. When obtaining the land use right from the Commission under the applicable laws and the conditions stipulated by the Commission, the investor may commence to enjoy land use right. The relevant authorized organization shall perform to enforce these rules.
130. The investor shall implement the change process in accordance with the law for the change of the land use when necessary to alter the land use right to be consistent with the investment or to perform completely the similar legal process.
131. The Commission or Region or State Committee may, without obtaining any recommendation or approval, directly permit the land use right to the investor, when the investor applies the right to use land located in the relevant business zone, such as the industrial zone, hotel zone and trading zone to operate the relevant business.
132. If the primary objectives of the land not located in the stipulated zone is inconsistent with the types of the proposed investment, the Commission shall request the recommendation of relevant Region or State Government. If the relevant Region or State Government thinks that the

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proposed business is fit to operate on the land and permit to do, the Commission may allow the investor to use the land notwithstanding the objective of the land. Such permission shall not be deemed to exempt the responsibility under the applicable law.

133. When submitting the ownership of the land to be carried out the investment, if the land which the investor owns or leases is not the name of current owner, the land owner shall have the right to submit the credible evidence and document of his ownership of that land. The Commission shall accept such submission if it reasonably thinks true of land ownership according to attached evidences and documents by the land owner. If the land is in process for applying the grant to be carried out the investment, such evidence shall be submitted.
134. The following investors shall not be required to obtain the land use right from the Commission through submission in connection with section 50 of the law:
 - (a) Myanmar citizen investors; or
 - (b) an investor who has been granted under the laws to make investment in a company that retains its status as a Myanmar company after dealing with foreign investors.
135. If the investor proposes to sublease land or buildings under the approval of the Authority who has interests in such land or buildings; to implement as a part of the investment, it shall not be required to apply for the separate land use right. In that case, the investor must notify the commission in the prescribed form and after that can lease land or building for long term according to

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section 50 of the law and must comply with registration obligations and other applicable law:

- (a) having previously obtained the land use right for the land and buildings;
- (b) abiding the terms and conditions in the land use right; and
- (c) having the right to sublease the land and buildings according to the land use right and approval of the government department and government organization that have interest of the land and buildings.

Chapter X

Matters relating to Permit, Endorsement, Tax Exemption or Relief, or Land Use Right

136. The Commission may, when the investor applies to it, without limiting any other rules:
- (a) vary the permit, endorsement, a tax exemption or relief or land use right, which is granted by law with the consent of the investor;
 - (b) vary or add any terms and conditions of the permit, endorsement, tax exemption or relief or land use right with the consent of the investor; and
 - (c) revoke any terms and conditions of the permit, endorsement, tax exemption or relief or land use right with the consent of the investor.
137. The investor may submit the application in writing to the commission with the application fee for the variation of the permit, endorsement, tax exemption or relief or land

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- use right or conversion of any conditions of the permit, endorsement, tax exemption or relief or land use right.
138. The following facts are the conditions, whether or not it is expressed in, of every permit, endorsement, tax exemption or relief or land use right:
- (a) the information expressed when the investor submits an application to the Commission shall be correct;
 - (b) except where compliance shall reasonably be excused, each investor and applicant shall comply with the presentations and plans submitted to support the application; and
 - (c) The permit, endorsement, tax incentive or land use right is granted subject to continuing compliance with all applicable law.

Chapter XI

Criteria for the Tax Exemption or Relief Applicant

139. The investment construction period or investment preparatory period shall be counted from the date of approval by the relevant government department or government organization for investment construction or preparation. The investor shall submit the copy of such approval to the Commission within 10 working days from the date of receipt.
140. The investor shall complete the construction process within the investment construction period or investment preparatory period or extended period if so. The completion of the construction shall be informed to the commission within 30 days soon after it was completed.

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The investor shall commence manufacturing or rendering service after the end of investment construction period or investment preparatory period.

141. If the construction or preparatory activities are not completed within the stipulated construction period or preparatory period due to credible ground, the investor shall apply to the Commission for extension of the construction period or preparatory period at least 30 days in advance before the expiry date of the original stipulated construction period or preparatory period with the explanation for the delay. If the investor applies for extension of the investment construction period or investment preparatory period, the Commission may extend the investment construction period or investment preparatory period no longer than 50 percent of the original permitted construction period or preparatory period based on the inspection of reasonable circumstances for extension.
142. The extension for investment construction period or preparatory period shall not be allowed more than twice except the situations of force majeure, including natural disasters, instabilities, riots, strikes, State emergency, armed conflict, insurgency or outbreak of war and the approval of the Commission because of the reasonable ground.
143. The investment construction period or investment preparatory period shall be stipulated according to the terms and conditions of the contract concluded by the permission of the Commission for the surveying and feasibility study of exploration, extraction, upgrading and

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operation for the production of commercial scale of oil, gas and minerals.

144. The Commission shall withdraw the permit issued to the investor if the construction activity is not completed within the original investment construction period or investment preparatory period or extension. The investor shall have no right to claim for the reimbursement of remedy, compensation or any other financial terms or right to the investor due to withdrawal of the permit.
145. If the extension of investment construction period or investment preparatory period is allowed, the investor shall complete the investment construction or investment preparation within such extension. The investor shall submit the completion of the construction or preparation to the Commission within 30 days from the date of completion.
146. The commencement date of the commercial operation of any manufacturing or service business shall be stipulated as follows:
 - (a) the date specified in bill of lading or air consignment note or similar documents used in international trade for the export of manufacturing business; such date shall not exceed 180 days from the date of completion of the investment construction period or investment preparatory period;
 - (b) the date of the first income derived from the local sales of the manufacturing business; such date shall not exceed 90 days from the date of

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- completion of the investment construction period or investment preparatory period;
- (c) the commencement date of service business; such date shall not exceed 90 days from the date of completion the investment construction period or investment preparatory period; and
 - (d) If the investment earns income during the investment construction period or investment preparatory period, the date on which any tax assessable income earns may be regarded as the commencement date of commercial operation. The determination of the commencement date of commercial operation shall not cause any loss of tax incentives available to the investor subject to section 77 (a) and (d) of the Law under the approval of the commission.
147. After received a tax exemption or relief, the investor shall maintain all accounts, receipts, records, books, other documents, computer records and other trading electronic records for:
- (a) 7 years; or
 - (b) the period stipulated by any other applicable law, or longer period out of above two periods from the following year of assessment year in which the investor had enjoyed the tax exemption or relief.

Chapter XII Report of the Commission

148. The Commission shall annually report the completion and development situation of the investment permitted by it to

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the Pyidaungsu Hluttaw through the Government in accordance with the subsection (g) of section 24 of the Law. The Commission shall publish the summary of report in Myanmar and English within 20 working days after submitting the report to the Pyidaungsu Hluttaw. The annual report shall include the following facts:

- (a) the investment trend;
- (b) the main activities of the Commission, including the summary of the activities of the Investment Monitoring Division and Investment Assistance Committee and activities of One Stop Services;
- (c) the summary of settlement for investor grievances; and
- (d) the list of all administrative penalties imposed on investors.

Chapter XIII Proposal Assessment Team

149. The Commission shall, in assessing the applications, form the Proposal Assessment Team by notification to assist the Commission, which comprises with the officers from the Ministries, relevant government department and government organization and assign duty to the team.
150. The Secretary of the Commission or Deputy Director General of Directorate of Investment and Companies Administration shall perform as a leader of the Proposal Assessment Team. The team leader may issue the guidelines necessary to implement efficiently functions of the Proposal Assessment Team.

Chapter XIV Region or State Committee

151. The Commission shall form Region or State Committee consisting of up to 7 members with odd number, with the approval of the government;
 - (a) the Chief Minister of the Region or State, who will be appointed as the chairman;
 - (b) the head of the Region or State Committee office, who will be appointed as the secretary; and
 - (c) other appropriate qualified person from the region or state minister or other government department or government organization to be appointed by the Chairman of Region or State Committee as member.
152. The Commission shall issue the procedures to assess the investment to be performed within the Region or State.
153. In assessing the investment within the Region or State, the Region or State Committee shall perform in accordance with the Law, rule and procedures issued under rule 152.
154. The chairman of the Region or State Committee may resign voluntarily during the tenure with the approval of the chairman of the Commission if he desires to resign.
155. If the investment invests up to any monetary amount, by notification, stipulated by the Commission, the duties and powers of the Region or State Committee are as follows:
 - (a) assessing the proposal under proposal assessment procedure and recommending whether or not to

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- approve the proposal to the Commission to issue the permit;
- (b) assessing the endorsement application under the endorsement assessment procedures and issuing the endorsement; and
 - (c) monitoring the investment under the laws, rules and regulations after obtaining the permit and endorsement.
156. The Commission shall only assess the proposal or endorsement application in the following conditions:
- (a) investing in more than one Region or State; and
 - (b) the investment which may be performed with the approval of the relevant ministries out of the investment restricted by notification under the subsection (d) section 42 of the Law and rule 17.
157. The investor may also submit an endorsement application to the Commission as well as Region or State Committee for investments that the Region or State Committees can be issued endorsement under rule 155.
158. The Commission may:
- (a) assign the Region or State Committee to approve the endorsement and land use application; and
 - (b) delegate its powers of assessing the endorsement application and the land use application to any officers whose minimum level is director of the Commission Office or officers of Region or State Committee formed for such purpose or the Commission officers.

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Chapter XV Use of the Third Party Service Provider

159. In accordance with the subsection (j) of section 25 of the Law, the Commission may engage an independent contractor, advisor or third party service provider to assist it in performing its duties and functions under the Law and these rules. Provided that, the Commission shall not delegate any of its powers to such independent contractor, advisor or third party service provider.

Chapter XVI One Stop Service

160. In respect of the following matters, One Stop Services shall be carried out by comprising the relevant departments:
- (a) providing guideline to the investors in implementing their investments;
 - (b) in implementing the investment, acceptance of the application required to be submitted under the applicable law on behalf of the government departments or government organizations;
 - (c) acceptance the request for information of any measures or decisions which may be made by government department and government organization under the subsection (a) of section 48;
 - (d) assistance to the Investment Assistance Committee to resolve grievances and providing assistance to investors; and

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- (e) assistance to the Investment Monitoring Division.
161. If any application submitted for One Stop Service is consistent with all the conditions of the relevant application or other submission process, it shall be deemed as to be duly submitted. The relevant government department and government organization may determine not to accept or reject the following applications or other applications for one stop service:
- (a) the application or submission which requires the payment of the fees or other type of security to the relevant government department and government organization;
 - (b) the application or submission that is inconsistent with or have not been met the requirements; or
 - (c) no appointment of any officer of the government department and government organization to assess the application or submission yet.
162. One stop service team shall request in writing all information requested by the investor under sub rule(c) of rule 160 to the relevant government department and government organization. Such government department and government organization shall reply in writing within 15 days.
163. One Stop Service shall be carried out by the team which consists of the authorized officers from the following government departments and government organizations or any their successors;
- (a) Directorate of Investment and Companies Administration;

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- (b) Directorate of Trade;
 - (c) Customs Department;
 - (d) Internal Revenue Department;
 - (e) Livestock Breeding and Veterinary Department;
 - (f) Department of Fisheries;
 - (g) Department of Agriculture;
 - (h) Environmental Conservation Department;
 - (i) Department of Mines;
 - (j) Department of Immigration and National Registration;
 - (k) Department of Labour;
 - (l) Directorate of Industrial Supervision and Inspection;
 - (m) Department of Urban and Housing Development;
 - (n) Directorate of Hotels and Tourism;
 - (o) Yangon Electricity Supply Corporation; and
 - (p) Other Departments stipulated by the Commission from time to time.
164. The Secretary of the Commission shall assign a Deputy Director General to administer at the One Stop Service Centre. The Secretary of the Commission shall issue the orders and directives of the measures of the One Stop Service Centre.

Chapter XVII Investment Assistance Committee

165. According to the section 27 of the Law, the Commission may form the Investment Assistance Committee comprised of the appropriate persons to perform the following duties:
- (a) cooperating with the government departments and government organizations to effectively implement the investment in accordance with the applicable laws;
 - (b) receipt of notices according to rule 170;
 - (c) receipt of complaint sent by the affected person due to the investment project performing with the permit of the Commission;
 - (d) assistance, if required, between the investor and the complainant, the other affected persons, the concerned persons relating to damages due to the investment project performing with the permit of the Commission;
 - (e) notifying about complaint according to above sub rule (c) to the Investment Monitoring Division and relevant government department and government organization; and
 - (f) assistance to the establishment and administration of a grievance or dispute mechanism according to subsection (n) of section 25, section 82 and 83 of the Law.

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166. The Investment Assistance Committee has the right to perform the following matters:
- (a) if it thinks necessary, claim to submit the information of grievance or disputes;
 - (b) suspension from the performance in the grievance or disputes activities until it received the information submitted according to the sub rule (a);
 - (c) request of assistance from departments which carry out the One Stop Service;
 - (d) consultation with the relevant government department and government organization, including explanation of the facts and nature of grievance or disputes and advice of ways to effectively settle in accordance with the applicable laws after receiving the application from the investor;
 - (e) arrangement for meeting of the government department and government organization and the investor, if requested by the investor to meet with the responsible officials from the relevant government department and government organization to find effective ways to tackle the grievance and dispute;
 - (f) submission to the chairman of the Commission to consult with the minister for focal ministry responsible for the government department and government organization, if necessary, for effective settlement before prosecuting the investment grievance or disputes occurred between

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the investor and the Union or between each investor according to section 83 of the Law in the court or arbitration tribunal; and

- (g) request legal advice from the Union Attorney General's Office or external experts for the matters of grievance or disputes.
167. The Commission shall set the detailed process to tackle the disputes relating to the following matters before the end of transition period:
- (a) determining the compensation to be paid under sections 52 and 53 of the Law and inquiring under section 55 of the Law; and
 - (b) use of the due attempt by the investor to settle amicably in accordance with section 83 of the Law regarding the investment disputes occurred between the Union and investor or between each investor relating to the investment.
168. The Government shall suspend deciding the claims referred to the Chapter XIV of the Law before completing the process in rule 167.
169. In implementing the process to be set according to the grievance mechanism of section 82 of the Law, the Commission may substitute such organization for the Investment Assistance Committee after establishing the organization responsible to administer the disputes according to section 83 of the law.

Chapter XVIII Disputes of Investors

170. The investor shall deliver the notice to the Investment Assistance Committee if he has a grievance or dispute matters relating to the following facts:
- (a) a decision made incorrectly by the government department and government organization relating to the investment;
 - (b) wrongfully refusal on the application to obtain the permit and license, to register or to obtain approval, by the government department and government organization; or
 - (c) causing any legal right, protection or approval void.
171. The notices sent under rule 170 shall be submitted as follows:
- (a) it shall be in writing;
 - (b) it shall be written in Myanmar or both Myanmar and English if desired;
 - (c) it shall be signed by the applicant;
 - (d) the applicant shall pay the service fees for relevant application; and
 - (e) it shall be attached together with the required documents.
172. The Investment Assistance Committee may reject to accept the notice that does not meet the criteria and shall notify the investor in that case.

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173. The investor may file investment dispute occurred between the Union and investor under section 83 of the Law in any court or arbitration tribunal after conducting the following matters:
- (a) sending the notice under rule 170; and
 - (b) performing the processes prescribed in the rule and notification to settle the disputes amicably.
174. The investor shall settle amicably the investment dispute occurred between investors in accord with the agreement and the conditions concluded between them. Unless they reach the reconciliation, they may file investment dispute in the court or arbitration tribunal.

Chapter XIX

Investment Monitoring Division

175. The Investment Monitoring Division is mainly responsible to perform the following functions:
- (a) receipt of the submission for amendment of permit, endorsement, tax exemption or relief or land use rights;
 - (b) to receive the application of the investor obtained the permit or endorsement, in order to obtain other approvals relating to investment;
 - (c) to receive the report submitted by the investor;
 - (d) to receive the complaint sent by the affected person due to investment project performing with the permit of the Commission by Investment Assistance Committee;

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- (e) to inquire into whether or not investor abides by law;
 - (f) to make the plan to investigate whether or not the investor comply with the duties in section 65 of the Law;
 - (g) to submit the suggestion to the Commission to impose the administrative penalties according to section 85 of the Law;
 - (h) to assist when the government department and government organization collect necessary information on investors; and
 - (i) to receive the information that the investor does not comply with the Law.
176. It is the role of the Investment Monitoring Division to inspect the investor and investment to ensure that he complies with the duties in the permit obtained in accordance with the Law.
177. The investor shall submit the application according to the criteria and procedure prescribed in the Law and these rules when he desires to amend the permit or obtain the additional approval.
178. In recommending whether or not any investor should be imposed the administrative penalties according to section 85 of the Law to the Commission, the Investment Monitoring Division shall submit the report, including with the following facts:
- (a) the act or omission of any investor, which causes to breach the law or terms and conditions of the permit;

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- (b) the steps taken by the Investment Monitoring Division to investigate the breach of law or terms and conditions of the permit;
 - (c) whether or not to notify the investor about the breach of law;
 - (d) whether or not the investor has been requested to remedy the breach of law or terms and conditions of the permit;
 - (e) whether or not the investor previously breached the law or terms and conditions of the permit or had previously been imposed administrative penalties;
 - (f) whether or not the investor makes any performance upon the request to be remedied the breach of law;
 - (g) the explanation of recommended administrative penalty that is proportionate to the circumstances of the breach; and
 - (h) confirmation of the imposed administrative penalty that is consistent with the other imposed administrative penalty on the other similar circumstances.
179. It is the duty of the Investment Monitoring Division to submit the administrative penalty to be imposed by the Commission for non-compliance with the condition. Such duty shall not preclude taking action of the other relevant government department and government organization for any breach of law. The government department and government organization are responsible for the applicable laws of the State to be enforced. The

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Commission may share the relevant information of the investor to the relevant government department and government organization to set regulations and preservation discipline.

180. The Investment Monitoring Division may provide the information obtained from the investor or investment to the government department and government organization in assistance according to the sub rule (h) of the rule 175. The Investment Monitoring Division may request the investor to give the information for the objective of rule 175.
181. The Investment Monitoring Division may request necessary supports, including on-site inspections from government departments, government organizations and One Stop Service departments. The respective government departments and government organizations shall provide necessary information and supports.
182. The Investment Monitoring Division may request more information from the investor and may make on-site inspections to assess the investment.
183. The Investment Monitoring Division may request in writing and receive the information relating to performances or decisions made under subsection (a) of section 48 of the Law from relevant government departments and government organizations. The respective government departments and government organizations shall reply in writing within 15 working days.

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184. If the Investment Monitoring Division thinks necessary for the following purposes, it may request the investor to provide information or evidences by sending notice:
- (a) to monitor whether or not to comply with the conditions in law and permit;
 - (b) to confirm the information mentioned in submissions and attached documents; and
 - (c) to collect statistical information relating to investment which is carried out within the Union.
185. In request under rule 184, the Investment Monitoring Division shall request for the only purposes referred in law and these rules and to the required extent to carry out the duties of the Commission. Although the investor does not require providing unnecessary information to be disclosed, the requested information shall be provided within the period prescribed by the Commission.

Chapter XX Responsibilities of Investor

186. The records and information to be kept under subsection (h) of section 65 of the Law are the financial records and information to be kept under the laws relating to company and tax, and shall be kept in accordance with the standards provided in those laws.
187. The power of the Commission to make the inspection under subsection (p) of section 65 of the Law includes the right to inspect records relating to the investment and to interview any director, manager or employee of the investor.

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188. If it is reasonable grounds that the investor violates the law, the Commission shall send the notice to such investor for inspection prior to the inspection in accordance with rule 187.
189. After obtaining the permit, the investor who requires environmental and social impact assessments shall submit the required performances on environmental and social impact assessments to the Commission along the course of operating business.
190. Investor involved in subsection (q) of section 65 of the Law shall submit the confirmation of implementation of initial environmental impact assessment, reporting of the environmental impact assessment, taking the applicable certification of environmental conservation, and carrying out environmental management programme in accordance with Environmental Conservation Law, rules and procedures of environmental impact assessment. The Commission shall make the decision whether or not to continue the investment based on its compliance.
191. In transfer of shares or business directly or indirectly under section 72 of the Law, if the investor transfers to a person who is not a related body corporate of the investor, prior approval of the Commission shall be taken in the following matters:
 - (a) taking and transferring majority ownership or control of the investor; and
 - (b) taking and transferring more than 50% of the assets owned by the investor.

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192. The proposed transferee of share or business under rule 191 shall not carry out other activities except the investment contained in permit of the transferred business.
193. In application for prior approval to the Commission under rule 191, the investor shall submit the application, including proposed activity to be carried out by him, commitment of proposed transferee to meet stipulations prescribed in sub rules (d), (e), (f) and (g) of rule 64 and to comply with the terms and conditions of the permit.
194. Where the application is met with the requirements in rule 193 or the transfer does not impact the interests of the Union, the Commission may give its approval.
195. In considering the submission of investor, the Commission may consult and share information with relevant government departments and government organizations.
196. The investor obtained a permit or tax exemption or relief shall, within 3 months of the end of the financial year, submit an annual report, including the following matters in details with prescribed form to the Commission:
 - (a) the progress in implementing the investment;
 - (b) the following material variations for the investment in implementation of the description in the application:
 - (i) whether or not change of the amount of the investment and capital investment;
 - (ii) whether or not change of the investors and shareholders or beneficiaries in the investment;

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- (iii) appointment of employment for the investment;
 - (iv) impact of the investment on the environment and local community; and
 - (v) whether or not change of the land use right and land or use of land in the investment;
- (c) how the investor and the investment are supporting the objectives of the section 3 of the Law;
 - (d) the compliance with the terms and conditions of the permit by the investor and reason for omission, if omitted to comply with;
 - (e) the business licenses, permits and approvals obtained by the investor from the date of approval or submission of previous annual report;
 - (f) how the investment being carried out with the responsible and sustainable commitment;
 - (g) in the case of investor obtained tax exemption or relief:
 - (i) within one year, the estimated value of the tax exemption or relief claimed or value of the tax exemption or relief which has been enjoyed by him and classification of types of tax exemption or relief;
 - (ii) the recalculation and reimbursement of tax exemption or relief under these rules or confirmation that no such recalculation and reimbursement is required;

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- (iii) the confirmation of the applicable zone of the investment if the investor enjoyed the exemption under section 75 of the Law; and
 - (iv) the export earning of the investment;
 - (h) the audited financial statements of the investor; and
 - (i) other requirements prescribed by the Commission.
197. The investor shall, during the operation period under the permit of the Commission, submit business report quarterly in the form prescribed by the Commission.
198. The investor shall describe information relating to sublease or mortgage of right to use land, transfer of share or business under section 72 of the Law in business report.
199. The investor shall publish the summary of the submitted report under rule 196 for public awareness on his website or website of the Commission within 3 days from the date of the submission. If it is published on the website of the investor, the website address shall be notified to the Commission.
200. The investor who obtains the land use right:
- (a) shall conclude the land or building lease agreements related to the land use right and submit the details to the Commission;
 - (b) shall submit the details to the Commission, if the period of land or building lease agreements related to the land use right is extended; and

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- (c) shall obtain the approval of relevant government departments and government organizations for change of land use related to the land use right and shall submit a copy of the respective documents to the Commission.
201. The Commission may prescribe other reporting stipulations, as it thinks, necessary for all sector or particular sector of the investment to be provided by the investor periodically or temporarily.
 202. The investor shall comply with all terms and conditions in the permit and other applicable laws when the investment is carried out.
 203. The investor shall fully assist the negotiating processes with the relevant government departments and government organizations for the affected persons due to investment plans.
 204. The responsibilities of the investor under the Law shall apply to the only extent of the laws of the Union except as expressly provided in these rules or subsequent amendment rules or notifications. Additional responsibilities shall not be imposed again on the investor without contrary to other laws of the Union.
 205. The provisions of the sections 69 and 70 of the Law shall only apply to contracts to be initially obtained permit or endorsement before entering into relevant contracts by the investors. Such provisions shall not apply to contracts concluded under the ordinary course of the establishment or operation of the investment. The contracts applied to such sections of the Law shall be concluded in accord with

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the permit, endorsement or approval for extension or amendment.

206. If the investor desires to appoint expert foreigner as senior manager, technical and operational expert or advisor according to subsection (a) of the section 51 of the Law, he shall submit the application attached with passport, expertise evidence or degree certificate and summary of biography of such foreigner to the Commission and obtain the approval.

Chapter XXI Transfer of Funds

207. The responsibilities of the investor in sections 57, 59 and 61 of the Law shall apply to the only extent of the laws of the Union except as otherwise expressly provided in these rules, subsequent supplement rules or notifications. These sections do not contrary to other laws nor impose additional obligations on the investor.
208. In the rights enjoyed by Myanmar citizen investors for transfer of funds under section 58 of the Law, transfer of dividends includes.
209. Without limiting section 59 of the Law, the foreign investor shall submit the application, including all information relating to tax obligations, the proposed transfer of funds and the proposed manner to be operated to obtain approval to the Commission if the following matters arise:
- (a) proposing to transfer of types of funds referred to in subsections (c), (e) and (f) of the section 56 of the Law; and

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- (b) obligations to pay tax in the Union or remains to perform the responsibilities that are likely to be and occurring disputes.
210. The Commission shall issue its approval if the transfer under the matters in rule 209 does not impact the interests of the Union. In considering the submission of the investor, the Commission may consult and share information with other relevant government department and government organization.
211. The legal permit referred to in section 60 of the Law means any approval or authorization issued by relevant government departments and government organizations which permits a person to earn income or carry out business within the Union.

Chapter XXII Insurance

212. The investor obtained the permit or tax exemption or relief shall insure the relevant insurance out of the following types of the insurance at any insurance business entitled to carry out insurance business within the Union based on the nature of the business:
- (a) Property and Business Interruption Insurance;
 - (b) Engineering Insurance;
 - (c) Professional Liability Insurance;
 - (d) Bodily Injury Insurance;
 - (e) Marine Insurance; or
 - (f) Workmen Compensation Insurance.

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213. This rule shall not limit the responsibilities of the investor who shall insure any other insurance due to insurance policy required under other applicable law.

Chapter XXIII Stipulation of Service Fees

214. According to section 26 of the Law, the Commission may prescribe service fees to be charged by the investors for the performance of relevant functions, including application fees and service fees for issuance of permit, endorsement, tax exemption or relief and the land use right. The Commission:
- (a) shall issue rate of current service fees in Myanmar and English on website used by it;
 - (b) shall describe rate of current service fees at any prominent places of the Commission;
 - (c) shall not charge other fees except service fees issued in schedule of service fees;
 - (d) shall charge service fees without nondiscrimination by compulsory system in accordance with rule 215; and
 - (e) shall issue receipts upon the payment of the applicable fees.
215. The Commission may stipulate differential service fees or relief from service fees according to the type and size of investment based on just and fair provisions.

Chapter XXIV Administrative Penalties

216. Any administrative penalties imposed under section 85 of the Law shall be proportionate to the circumstances of the breach and shall be consistent with administrative penalties imposed on other investors in similar circumstances.
217. Before imposing any administrative penalty, the Commission:
- (a) shall analysis the report submitted by the Investment Monitoring Division under rule 178;
 - (b) shall decide on the proposed administrative penalty;
 - (c) shall send the investor notice, including the following facts under subsection (b) of the section 85 of the Law:
 - (i) the act or omission of the investor which constitutes the breach of the law or the terms and conditions of the permit or endorsement or tax exemption or relief or land use right;
 - (ii) administrative penalty to be imposed; and
 - (iii) the reasoning for such decision;
 - (d) shall describe in writing the steps which the investor shall remedy the breach and prescribed period in which the investor complete such steps in the notice, if it believes that the breach is capable of remedy by the investor;

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- (e) shall describe the conditions to be performed to revoke the temporary suspension in the notice if the proposed administrative penalty is a temporary suspension under clauses (ii) and (iii) of subsection (a) of the section 85 of the Law;
 - (f) shall, if it is credible evidence that any associate or other person involves in the breach and the Commission desires to impose administrative penalty on such person, describe full name of such person to be included in the blacklist of business under clause (5) of the subsection (a) of the section 85 of the Law; and
 - (g) shall prescribe the period not less than 10 working days from the date of receiving the notice for responding the notice and the administrative penalty required to be imposed under subsection (b) of the section 85 of the Law to the investor. If the Commission believes that there is reasonable ground to take immediate action due to the effect of the breach, it may reduce such prescribed period.
218. In resolving and submitting the notice issued under rule 217, the investor shall submit whether to be just and fair of the extent of the breach and administrative penalty or commitment to comply with the steps prescribed by the Commission to remedy the breach within the period prescribed in the notice.
219. The Commission shall notify final decision to the investor if the resolving and submitting of the investor are accepted and considered under rule 218 or if the resolving and

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submitting is not made until end of the period prescribed in the notice or if the Commission imposes any different penalty from initially proposed administrative penalty or if it does not take action.

220. In the notice under rule 219, date of commencing effect of penalty shall be described. The Commission shall notify the investor, other relevant person or organization and relevant government department, government organization at the instant of receiving final decision under rule 219 and subsection (b) of the section 86 of the Law and shall arrange the necessary activities.
221. Any person who has been imposed with the penalty shall comply with the administrative penalty as final decision.
222. The Commission may remove the investor or associate from the blacklist referred in clause (5) of the subsection (a) of the section 85 of the Law where the Commission believes that there is reasonable ground to be the interests of the Union and that no further breach of the Law and other applicable law is demonstrated by the investor or associate.
223. The Commission may recommend to the relevant government departments and government organizations to prosecute or take action the investor in accordance with the laws of the Union.

Chapter XXV

Transitional and Miscellaneous Provisions

224. The permit issued to the investor under the previous Investment Laws shall continue to be effective until the permit expires in accordance with the provisions of the

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section 93 of the Law. The investor shall be entitled to continue carrying out the investment and enjoys the benefits of the investment in accord with the terms and conditions of the permit.

225. Although the investor has enjoyed the exemption and relief in accord with the permit under the previous Investment Laws, if he desires to enjoy other benefits, he shall submit the application to obtain the exemption and relief in accordance with the Law.
226. The investor obtained permit under the previous Investment Laws shall be deemed to have been obtained the permit for the purposes of the Myanmar Investment Law and shall comply with the provisions relating to maintenance of the permit.
227. At the date commencing effect of these rules:
- (a) the investor who is operating the investment involved in section 42 of the Law; and
 - (b) the investor, who does not obtain legal permit in respect of an investment, including the types of investment referred in section 93 of the Law, shall take appropriate steps during the transition period to ensure the compliance with the Law and these rules. Provided that, if the investor requires for sending the notice for the restricted investment activity under rule 23, the notice shall be sent only if the investor is the foreign investor.
228. In the calculation of monetary amount described as USD in these rules with Myanmar kyat, it shall be calculated according to the set exchange rate of the Central Bank of Myanmar at that time.

Myanmar Investment Rules

229. In the exercise of powers of the Commission under section 100 of the Law, it may, by notification, amend and prescribe the monetary amount or other quantitative measure prescribed in these rules from time to time.
230. The investor who makes the investment under the Law may import machinery equipment, goods or material relating to the investment, complying with other applicable laws without any specific approval from the Commission.
231. If a license or other approval is required under applicable laws to import under rule 230, relevant government departments and government organizations shall proceed the application of the investor and issue a license if the requirements under applicable laws are met.
232. If suspension of investment is due to the following circumstances, it shall not apply to provisions in section 68 of the Law relating to tax exemptions or relief which had been enjoyed under subsections (a) or (d) of the section 77 of the Law:
- (a) sale or transfer of the investment to other investor who intends to continues the investment; or
 - (b) the investment being abolished involuntarily without his consent.
233. In respect of subsection (b) of the section 48 of the Law:
- (a) if the investor reasonably believes that the Commission made incorrect decision in respect of an application due to omission to undertake in accordance with the stipulations relating to making decision provided in these rules, he may request in

Myanmar Investment Rules

- writing the explanation to the chairman or authorized person or organization for such matters;
- (b) in request the explanation under subsection (a), the investor shall request the explanation within 15 working days from the date of decision made by the Commission; and
 - (c) the chairman or other authorized person or organization shall review the request for explanation of the investor with the cooperation of the Commission and shall notify in writing to the investor referring such matter back to the Commission for reconsideration or he shall proceed according to the decision of the Commission.
234. These rules shall not apply to investors or investments made under the Special Economic Zone Law. However, if the investor, who has enjoyed or enjoyed the income tax exemption or relief under the permit or endorsement of the Commission, desires to move such investment into the special economic zone, the income tax exemption or relief, which has already been enjoyed, shall set off from income tax exemption or relief to be enjoyed in special economic zone.
235. If the investor or investment has already enjoyed tax exemptions or reliefs under this Law, tax exemptions or reliefs shall not be entitled again under this Law.
236. The duty to obtain permit under section 36 of the Law shall not apply to the investor who has obtained all required permits and licenses and has already complied with all requirements under the laws of the Union to

Myanmar Investment Rules

commence implementation or operation of investment prior to coming into effect of these rules, including permit under the Foreign Investment Law or the Myanmar Citizens Investment Law.

237. Notwithstanding anything contained in rule 236, if the investor, who has already commenced implementation of the construction or investment before these rules coming into effect, makes any changes to investment and such change which are separately from the original investment and involves in the investment required to obtain permit, the investor shall submit proposal to obtain permit before making such changes to investment.
238. The proposal or endorsement application is not required to be submitted to the Commission in case where Myanmar citizen investment which obtains permit or endorsement is changed into foreign investment or vice versa.

Union Minister
Ministry of Planning
and Finance

Investment Screening Form

To

**Secretary
Myanmar Investment Commission**

Reference. No.

Date.

According to Myanmar Investment Rule 28, I hereby submit the Investment Screening Form to the commission by disclosing the following information for non-binding guidance on whether my proposed investment is of the kind:

- Whether investment activities which required to submit a proposal or not
- Whether investment activities likely to be submitted to the Pyidaungsu Hluttaw for approval prior to the issue of the Permit or not
- Whether the investment activities are allowed to carry out by Government only or restricted to foreign investors or allowed only in form of joint venture with a citizen owned entity or a citizen of Myanmar or permitted with the recommendation of the relevant ministries or not.
- Whether the investment activities include in promoted investment sector with respect to tax exemptions and reliefs or not
- Whether Prohibited Investment Activities or not
- Others

.....

.....

.....

Application Forms

1. The Investor's:
 - (a) Name
 - (b) National Registration Card No./Passport No.
 - (c) Citizenship.
 - (d) Address:
 - (e) Phone/ Fax:
 - (f) E -mail address
2. If the investor doesn't submit for the investment screening form by himself/herself, the applicant's;
 - (a) Name
 - (b) Name of Contact Person
(In case applicant is business organization)
 - (c) National Registration Card No. / Passport No..
 - (d) Citizenship
 - (e) Address in Myanmar:
 - (f) Phone / Fax:
 - (g) E-mail:
3. Particulars of Company Incorporation
 - (a) Authorized Capital and Share Ratio
 - (i) Amount of Authorized Capital of Investment Business
 - (ii) Foreigner%, Citizen%,
Government Department/Organization%
 - (b) Describe regarding to the Type of Investment Business to be invested in detail-
.
 - (c) Location(s) to be invested
(Describe all locations of investment if it is more than one)
.
 - (d) Size and Amount of Investment Project
 - (e) Investment Area (Total Land Area)
 - (f) Type of Land of Investment and Current Administrator
 - (g) Land or Building Lease Period/ Used Period
 - (h) Whether it is sub-leased from the following person in regarding to Land Lease or not-

Application Forms

Person who has the rights to use the land or building of the Government from Government Department and Organization in accordance with the national laws.

Authorized Person to get the Sub License or Sub Lease of the building or land owned by the Government in accordance with the permission of the Government department and Organization.

(i) Land Expropriation or regarding investment, displacement of local people or against the will of the people who are using the land

Yes No

If it has, describe the number of person impacted

(j) Investing across border of the Nation

Yes No

(k) Investing across border of the State or Region

Yes No

4. I hereby do submit and sign to send the other related documents/ information other than the above.

Signature

Name of applicant

Designation

Date.....

Application Forms

Form (2)

Proposal Form

To,

Chairman
Myanmar Investment Commission

Reference No.

Date.

I do apply for the permission to make investment in the Republic of the Union of Myanmar in accordance with the Section 36 of the Myanmar Investment Law by furnishing the following particulars:-

1. The Investor's:-

- (a) Name
- (b) Father's name
- (c) ID No./National Registration Card No./Passport No.
- (d) Citizenship
- (e) Address:
 - (i) Address in Myanmar
 - (ii) Residence abroad
- (f) Phone /Fax
- (g) E -mail address
- (h) Name of principle organization
- (i) Type of Business
- (j) Principle company's address:
.

2. If the investment business is formed under Joint Venture, partners':-

- (a) Name
- (b) Father's name
- (c) ID No./ National Registration Card No./Passport No.
- (d) Citizenship

Application Forms

- (e) Address:
- (i) Address in Myanmar
- (ii) Residence abroad
- (f) Parent company
- (g) Parent company's address

Note: The following documents need to be attached according to the above paragraph (1) and (2):-

- (1) Company registration certificate (copy);
- (2) National Registration Card (copy) and passport (copy);
- (3) Evidences about the business and financial conditions of the participants of the proposed investment business;

3. If the investor don't apply for permission to make investment by himself/herself, the applicant;

- (a) Name
- (b) Name of Contact Person
(if applicant is business organization)

Remark: To submit the official letter of legal representative as attachment

- (c) ID No./ National Registration Card No./Passport No.
- (d) Citizenship
- (e) Address in Myanmar:
- (f) Phone / Fax :
- (g) E-mail :

4. Type of proposed investment business:-

5. Type of business organization to be formed:-

- One Hundred Percent Joint Venture (To attach the draft of JV agreement)
- Type of Contractual basis (To attach contract (agreement) draft)

6. List of shareholders

No	Name of Shareholder	Citizenship	Share Percentage

Application Forms

7. Particulars of Company incorporation

- (a) Authorized Capital _____
- (b) Type of Share _____
- (c) Number of Shares _____

Note: Memorandum of Association and Articles of Association of the Company shall be submitted with regard to above paragraph 7.

8. Particulars of Paid-up Capital of the investment business

- | | Kyat/US\$ (Million) |
|---|----------------------------|
| (a) Amount/percentage of local capital to be contributed | |
| (b) Amount/percentage of foreign capital to be brought in | _____ |
| Total | _____ |
| (c) Annually or period of proposed capital to be brought in | _____ |
| (d) Value /Amount of investment | _____ |
| (e) Investment period | _____ |
| (f) Construction /Preparation period | _____ |

Note: Describe with annexure if it is required for the specific condition in regard to the above Paragraph 8 (e).

9. Detailed list of foreign capital to be brought in -

	Foreign Currency (Million)	Equivalent Kyat (Million)
(a) Foreign currency (Type and Value)	_____	_____
(b) Machinery and equipment (to enclose detailed list)	_____	_____

Application Forms

- (c) The value of initial raw materials and other similar materials
(to enclose detailed list)
 - (d) Value of license, intellectual property, industrial design, trade mark, patent, etc.
 - (e) Value of technical know-how _____
 - (f) Others(eg: Construction materials) _____
- Total** _____

Remark: The evidence of permission shall be submitted for the above paragraph 9 (d) and (e).

10. Details of local capital to be contributed -

Kyat (Million)

- (a) Amount
 - (b) Value of machinery and equipment
(to enclose the detailed list)
 - (c) Value or rental rate of land and buildings
 - (d) Cost of building construction
 - (e) Value of furniture and assets
(to enclose the detailed list) _____
 - (f) Value of initial raw material
(to enclose the detailed list) _____
 - (g) Others _____
- Total** _____

11. Particulars of Loans-

- Loan (local) _____ Kyat(s)
_____ US\$
- Loan (abroad) _____ US\$

Application Forms

12. Particulars about the Investment Business -

- (a) Investment location(s)/place
- (b) Type and area requirement for land or land and building
 - (i) Location
 - (ii) Area and number of land/building
 - (iii) Owner of the land
 - (aa) Name/company/department
 - (bb) National Registration Card No.
 - (cc) Address
 - (iv) Type of land
 - (v) Period of land lease contract
 - (vi) Lease period From To (. . .) year
 - (vii) Lease rate
 - (aa) Land
 - (bb) Building
 - (viii) Ward
 - (ix) Township
 - (x) State/Region
 - (xi) Lessee
 - (aa) Name/ Name of Company/ Department
 - (bb) Father's name
 - (cc) Citizenship
 - (dd) ID No./Passport No.
 - (ee) Residence Address

Note: The following documents have to be enclosed for above Paragraph 12 (b)

- (i) to enclose land ownership and ownership evidences(except industrial zone) and land map;
- (ii) land lease agreement(draft);
- (c) Requirement of building to be constructed;
 - (i) Type / number of building
 - (ii) Area
- (d) Annual products to be produced/ Services

Application Forms

- (e) Annual electricity requirement
- (f) Annual requirement of water supply

13. Detailed information about financial standing -

- (a) Name/company's name
- (b) ID No./National Registration Card No./Passport No.
- (c) Bank Account No.

Remark: To enclose bank statement from resident country or annual audit report of the principle company with regard to the above paragraph 13.

14. List of Employment:-

Item	Designation /Rank	Citizen	Foreign	Total
a	Senior management (Managers, Senior officials)			
b	Other management level (Except from Senior management)			
c	Professionals			
d	Technicians			
e	Advisors			
f	Skilled Labour		/	
h	Workers		/	
Total				

The following information shall be enclosed: -

- (i) Social security and welfare arrangements for all employees;
- (ii) Evaluation of environmental impact arrangements

15. Describe whether other Applications are being submitted together with the Proposal or not :

- Land Rights Authorisation Application
- Tax Incentive Application

Application Forms

16. Describe with annexure the summary of proposed investment.

Signature of the applicant

Name:

Title:

Department /Company
(Seal/Stamp)

Date:-----

Application Forms

Summary of Proposed Investment (Rule 38)

1. Please describe any other person who has a significant direct or indirect interest in the investment.
 - (a) Please describe an Enterprise or individual who are entitled to possess more than 10% of the profit distribution:
 - (1) Name -----
 - (2) Address -----
 - (3) Company Registration No. or -----
N.R.C No./ Passport No.
 - (b) If there is directly participated Subsidiary in carrying out the proposed investment, please describe the name of that companies:
 - (1) -----
 - (2) -----
 - (3) -----
2. The principal location or locations of the investment: -----

3. A description of the sector in which the investment is to be made and the activities and operations to be conducted: -----

4. The proposed amount of the investment -----
(in Kyat and US\$) -----
5. A description of the plan for the implementation of the Investment including expected timetable:
 - (a) Construction or Preparatory Period
(Decribe MM/YY) -----
 - (b) Commercial Operation Date (Decribe
MM/YY) -----

Application Forms

6. Number of employees to be appointed:

- (a) Local -----
- (b) Foreign (Expert/ Technician) -----

7. Please specify the detailed list of foreign capital (Capital in-Cash and Capital in-Kinds) in Kyat and US\$:

- (a) Capital in-cash to be brought in -----
- (b) Capital in-kind to be brought in -----

Note: The investor may request the Commission to refrain from publishing commercial-in-confidential information of its investment.

Application Forms

Undertaking

I / We hereby declare that the above statements are true and correct to the best of my/our knowledge and belief.

I /We fully understand that proposal may be denied or unnecessarily delayed if the applicant fails to provide required information to access by Commission for issuance of permit.

I/We hereby declare to strictly comply with terms and conditions set out by the Myanmar Investment Commission.

Signature of the applicant

Name:

Title:

Department /Company

(Seal/Stamp)

Date:-----

Application Forms

Form (3)

Myanmar Investment Commission Permit

Permit No.

Date

This permit is issued by the Myanmar Investment Commission according to the Section 25, Sub-section (c) of the Myanmar Investment Law:-

- (1) Name of Investor
- (2) Citizenship
- (3) Residence Address
.
- (4) Name and Address of Principle Organization
.
- (5) Place of Incorporation
- (6) Type of Business
- (7) Place(s) of Investment Project
.
- (8) Amount of Foreign Capital
- (9) Period for Foreign Capital to be Brought in
- (10) Total Amount of Capital (Kyat)
.
- (11) Construction Period
- (12) Validity of Investment Permit
- (13) Form of Investment
- (14) Name of Company Incorporated in Myanmar
.

Chairman
Myanmar Investment Commission

Endorsement Application Form

To,

Chairman
Myanmar Investment Commission

Reference No.

Date.

I do apply for the endorsement in accordance with the Section 37 of the Myanmar Investment Law by furnishing the following particulars:

1. The Investor's :-
 - (a) Name
 - (b) Company Registration No/ ID No/ National Registration Card No /Passport
.
 - (c) Citizenship
 - (d) Address/ Address of Registered Office
.
 - (e) Phone /Fax / E-mail:
 - (f) Type of Business(to describe in detail)

Note: The following documents need to be attached according to the above paragraph (1) :-

- (1) Company Registration Certificate (copy);
- (2) ID No/ National Registration Card (copy) and Passport (copy);

2. If the investor don't apply for endorsement by himself / herself, the applicant;
 - (a) Name.
 - (b) Name of contact person
(if applicant is business organization)

Note: describe with attachment of letter of legal representative

- (c) ID No./ National Registration Card No./Passport No.
- (d) Citizenship
- (e) Address in Myanmar:
- (f) Phone / Fax :
- (g) E-mail :

Application Forms

3. Type of business organization to be formed:-

- One Hundred Percent Joint Venture (To attach the draft of JV agreement)
 Type of Contractual Basis (To attach draft contract/agreement)

Share Ratio (Local) _____ %

Share Ratio(Government Department/Organization) _____ %

Share Ratio(Foreigner) _____ %

4. List of Shareholders Owned 10 % of the Shares and Above

No	Name of Shareholder	Citizenship	Share Percentage

5. Particulars of Company Incorporation

(a) Authorized Capital _____

(b) Type of Share _____

(c) Number of Shares _____

Note: Memorandum of Association and Articles of Association of the Company shall be submitted with regard to above paragraph 5.

6. Particulars of Paid-up Capital of the Investment

Kyat/US\$ (Million)

(a) Amount/Percentage of local capital
to be contributed _____

(b) Amount/Percentage of foreign capital
to be brought in _____

Total _____

Application Forms

7. Particulars of the Investment Project-

(a) Investment location(s)/place(s)
.

8. Amount of Investment

9. The license, Permit, Permission, and etc; of the relevant organizations shall be attached if they are received.

10. Commencement of Business Yes No

If it is commenced , describe the performance of business activities;
.

11. Describe whether other applications are being submitted together with the Endorsement Form or not:

Land Rights Authorization Application

Tax Incentive Application

Signature of the applicant

Name:

Title:

Department /Company
(Seal/Stamp)

Date:-----

Application Forms

Undertaking

I / We hereby declare that the above statements are true and correct to the best of my/our knowledge and belief.

I /We fully understand that endorsement application may be denied or unnecessarily delayed if applicant fails to provide required information to access by Commission for issuance of endorsement.

I/We hereby declare to strictly comply with terms and conditions set out by the Myanmar Investment Commission .

Signature of the applicant

Name:

Title:

Department /Company

(Seal/Stamp)

Date:-----

Endorsement Application Form

To,

Chairman

-----**Region/State Investment Committee**

Reference No.

Date.

I do apply for the endorsement in accordance with the Section 37 of the Myanmar Investment Law by furnishing the following particulars:

1. The Investor's :-
 - (a) Name
 - (b) Company Registration No/ ID No/ National Registration Card No /Passport
.
 - (c) Citizenship
 - (d) Address/ Address of Registered Office
.
 - (e) Phone /Fax / E-mail:
 - (f) Type of Business(to describe in detail)

Note: The following documents need to be attached according to the above paragraph (1) :-

- (1) Company Registration Certificate (copy);
- (2) ID No/ National Registration Card (copy) and Passport (copy);

2. If the investor don't apply for endorsement by himself / herself, the applicant;
 - (a) Name.
 - (b) Name of contact person
(if applicant is business organization)

Note: describe with attachment of letter of legal representative

- (c) ID No./ National Registration Card No./Passport No.
- (d) Citizenship
- (e) Address in Myanmar:
- (f) Phone / Fax :
- (g) E-mail :

Application Forms

3. Type of business organization to be formed:-

- One Hundred Percent Joint Venture (To attach the draft of JV agreement)
 Type of Contractual Basis (To attach draft contract/agreement)

Share Ratio (Local) _____ %
 Share Ratio(Government Department/Organization) _____ %
 Share Ratio(Foreigner) _____ %

4. List of Shareholders Owned 10 % of the Shares and Above

No	Name of Shareholder	Citizenship	Share Percentage

5. Particulars of Company Incorporation

- (a) Authorized Capital _____
 (b) Type of Share _____
 (c) Number of Shares _____

Note: Memorandum of Association and Articles of Association of the Company shall be submitted with regard to above paragraph 5.

6. Particulars of Paid-up Capital of the Investment

	Kyat/US\$ (Million)
(a) Amount/Percentage of local capital to be contributed
(b) Amount/Percentage of foreign capital to be brought in	_____
Total	_____

Application Forms

7. Particulars of the Investment Project-

(a) Investment location(s)/place(s)
.

8. Amount of Investment

9. The license, Permit, Permission, and etc; of the relevant organizations shall be attached if they are received.

10. Commencement of Business Yes No

If it is commenced , describe the performance of business activities;
.

11. Describe whether other applications are being submitted together with the Endorsement Form or not:

Land Rights Authorization Application

Tax Incentive Application

Signature of the applicant

Name:

Title:

Department /Company

(Seal/Stamp)

Date:-----

Application Forms

Undertaking

I / We hereby declare that the above statements are true and correct to the best of my/our knowledge and belief.

I /We fully understand that endorsement application may be denied or unnecessarily delayed if applicant fails to provide required information to access by Commission for issuance of endorsement.

I/We hereby declare to strictly comply with terms and conditions set out by the Myanmar Investment Commission .

Signature of the applicant

Name:

Title:

Department /Company

(Seal/Stamp)

Date:-----

Application Forms

Form (5-A)

Myanmar Investment Commission Endorsement

Endorsement No.

Date

This endorsement is issued by the Myanmar Investment Commission according to the Section 25, Sub-section (d) of the Myanmar Investment Law:-

- (1) Name of Investor
- (2) Citizenship
- (3) Residence Address
.
- (4) Name and Address of Principle Organization
.
- (5) Place of Incorporation
- (6) Type of business
- (7) Place(s) of investment Project
.
- (8) Amount of Foreign Capital
- (9) Period for Foreign Capital to be brought in
- (10) Total Amount of Capital (Kyat)
.
- (11) Construction Period
- (12) Validity of Endorsement
- (13) Form of Investment
- (14) Name of Company Incorporated in Myanmar
.

Chairman
Myanmar Investment Commission

Application Forms

Form (5-B)

-----Region/State Investment Committee Endorsement

Endorsement No.

Date

This endorsement is issued by the Myanmar Investment Commission according to the Section 25, Sub-section (d) of the Myanmar Investment Law:-

- (1) Name of Investor
- (2) Citizenship
- (3) Residence Address
.
- (4) Name and Address of Principle Organization
.
- (5) Place of Incorporation
- (6) Type of business
- (7) Place(s) of investment Project
.
- (8) Amount of Foreign Capital
- (9) Period for Foreign Capital to be brought in
- (10) Total Amount of Capital (Kyat)
.
- (11) Construction Period
- (12) Validity of Endorsement
- (13) Form of Investment
- (14) Name of Company Incorporated in Myanmar
.

Chairman
Myanmar Investment Commission

Application Forms

Tax Incentive Application

To

Chairman
Myanmar Investment Commission

Ref.No:

Dated:

Subject: **Application for Tax Incentive**

I do hereby apply with the following particulars for the tax incentive under section 74 of Myanmar Investment Law:

1. Applicant
 - (a) Name of Investor _____
 - (b) Name of Company _____
 - (c) Type of Business _____
 - (d) Myanmar Investment Commission Permit or Endorsement No. (If a permit or endorsement is still processing, please describe the information.) _____
2. If investor doesn't submit by himself/herself, the applicant's;
 - (a) Name of contact Person _____
 - (b) National Registration Card No/ Passport No _____
3. Construction period or Preparatory period _____
4. Commencement date for commercial operation _____
5. Applied for the following tax incentive :
 - (a) Exemption or Relief under section 75(a) _____
 - (-) _____
 - (-) _____
 - (-) _____

Note: The applicaton must specify precise tax incentives applied for .
6. If the investor apply for tax incentive under section 75(a), Please state the Zone in accordance rule 83 or the Zone in which more than 65% of the value of the investment is invested or carried out in accordance with rule 96. _____
7. If the investor apply for tax incentive under section 77(a) and (d) , please fill the information in schedule (1) .

Application Forms

8. If the investor apply for tax incentive under section 77(b) , Please state the following information and fill in schedule (2) :
- (a) an expected amount as per year to be _____
earned from the investment
 - (b) Foreign Currency from export as per _____
year
9. If the investor apply for tax incentive under section 78(a) , please state the following information in accordance with rule 99:
- (a) Please describe, which financial year _____
the profits reinvested are earning by
the investor.
 - (b) Please describe which financial year _____
the profits are reinvested by the
investor.
 - (c) Please describe the amount of _____
reinvestment.
10. If the investor apply for tax incentive under section 78(b) , please describe the following information:
- (a) Provide the depreciation schedule of assets for which the depreciation rate is to be adjusted, showing both the depreciation at the standard rate and at a rate of 1.5 times the depreciation rate permitted under the relevant laws of the Union.
 - (b) Has the investor separately applied for or obtained an adjustment to the depreciation rate from the relevant authority.
11. If the investor apply for tax incentive under section 78(c) ,provide an itemised list of actual research and development expenses for the current financial year.

Signature

Name of Investor

Designation.....

Department/Company
(Seal/Stamp)

SCHEDULE (1)-LIST OF PRODUCTION EQUIPMENTS NEEDED

NO.	LIST OF ITEM	HS CODE (WITH FORU DIGIST)	UNIT	QUANTITY	UNIT PRICE (USD)	TOTAL VALUE	SOURCE	
							LOCAL	IMPORT
	1	2	3	4	5	6	7	8
	TOTAL							

Application Forms

Note : Please specify the brand new item or reconditioned item.

Application Forms

Form (7- A)

Application form for Land Rights Authorization

To,

**Chairman
Myanmar Investment Commission**

Reference No.

Date.

Subject: **Application for Land Lease or land Rights Authorization to be invested**

I do hereby apply with the following information for permit to lease the land or permit to use the land according to the Myanmar Investment Rules 116: -

1. Particulars relating to Owner of land / building

- (a) Name of owner/organization _____
- (b) Area _____
- (c) Location _____
- (d) Initial period permitted to use the land (Validity of land grant) _____
- (e) Payment of long term lease as equity Yes () No ()
- (f) Agreed by Original Lessor Yes () No ()
- (g) Type of Land _____

2. Lessor

- (a) Name / Company's name/ Department/ organization _____
- (b) National Registration Card No _____
- (c) Address _____

3. Lessee

- (a) Name / Company's name /Department/ Organization _____
- (b) National Registration Card No /Passport No. _____
- (c) Citizenship _____
- (d) Address _____

4. Particulars of the proposed Land Lease

- (a) Type of Investment _____
- (b) Investment Location(s) _____

Application₂ Forms

- (c) Location(Ward, Township,State /Region) ___ ___ ___ ___ ___
- (d) Area of Land ___ ___ ___ ___ ___ ___ ___ ___
- (e) Size and Number of Building (s) ___ ___ ___ ___ ___ ___
- (e) Value of Building ___ ___ ___ ___ ___ ___ ___ ___
5. To enclose land ownership and Land Grant , ownership evidences (except Industrial Zone) , Land map and Land Lease Agreement(Draft)
6. Whether it is sub-leased from the following person in regarding to Land Lease or not-
- Person who has the rights to use the land or Building of the Government from Government Department and Organization in accordance with the national laws.
- Authorized Person to get the Sub License or Sub Lease of the building or land owned by the Government in accordance with the permission of the Government department and Organization.
7. Land / Building lease rate (per square meter per year) ___ ___ ___ ___ ___
- ___ ___ ___ ___ ___ ___ ___ ___ ___
- ___ ___ ___ ___ ___ ___ ___ ___ ___
8. Land Use Premium – (LUP) (If it is leased from the land belonged to Government Department / Organization ,the LUP shall be paid in cash by the lessee.)
- Rate per Acre: ___ ___ ___ ___ ___ ___ ___ ___
9. Whether it is agreed by original land lessor or land tenant not. ___ ___ ___ ___
10. Proposed land or building use/lease period ___ ___ ___ ___ ___ ___
11. Whether it is the land located ___ ___ ___ ___ ___ ___
- in the relevant business zone ___ ___ ___ ___ ___ ___
- area such as Industrial Zone, ___ ___ ___ ___ ___ ___
- Hotel Zone, Trade Zone and etc ___ ___ ___ ___ ___ ___
- or not (To describe Zone) ___ ___ ___ ___ ___ ___

Signature

Name of Investor

Designation.....

Department/Company
(Seal/Stamp)

Application Forms

Form (7- B)

Application form for Land Rights Authorization

To,

Chairman

----- **Region/State Investment Committee**

Reference No.

Date.

Subject: **Application for Land Lease or land Rights Authorization to be invested**

I do hereby apply with the following information for permit to lease the land or permit to use the land according to the Myanmar Investment Rules 116: -

1. Particulars relating to Owner of land / building

- (a) Name of owner/organization _____
- (b) Area _____
- (c) Location _____
- (d) Initial period permitted to use the land (Validity of land grant) _____
- (e) Payment of long term lease as equity Yes () No ()
- (f) Agreed by Original Lessor Yes () No ()
- (g) Type of Land _____

2. Lessor

- (a) Name / Company's name/ Department/ organization _____
- (b) National Registration Card No _____
- (c) Address _____

3. Lessee

- (a) Name / Company's name /Department/ Organization _____
- (b) National Registration Card No /Passport No. _____
- (c) Citizenship _____
- (d) Address _____

4. Particulars of the proposed Land Lease

- (a) Type of Investment _____
- (b) Investment Location(s) _____

Application₂ Forms

- (c) Location(Ward, Township,State /Region) ___ ___ ___ ___ ___
- (d) Area of Land ___ ___ ___ ___ ___ ___ ___ ___
- (e) Size and Number of Building (s) ___ ___ ___ ___ ___ ___
- (f) Value of Building ___ ___ ___ ___ ___ ___ ___ ___
5. To enclose land ownership and Land Grant , ownership evidences (except Industrial Zone) , Land map and Land Lease Agreement(Draft)
6. Whether it is sub-leased from the following person in regarding to Land Lease or not-
- Person who has the rights to use the land or Building of the Government from Government Department and Organization in accordance with the national laws.
- Authorized Person to get the Sub License or Sub Lease of the building or land owned by the Government in accordance with the permission of the Government department and Organization.
7. Land / Building lease rate (per square meter per year) ___ ___ ___ ___ ___
- ___ ___ ___ ___ ___ ___ ___ ___ ___
- ___ ___ ___ ___ ___ ___ ___ ___ ___
8. Land Use Premium – (LUP) (If it is leased from the land belonged to Government Department / Organization ,the LUP shall be paid in cash by the lessee.)
- Rate per Acre: ___ ___ ___ ___ ___ ___ ___ ___
9. Whether it is agreed by original land lessor or land tenant not. ___ ___ ___ ___
10. Proposed land or building use/lease period ___ ___ ___ ___ ___ ___
11. Whether it is the land located ___ ___ ___ ___ ___ ___
- in the relevant business zone ___ ___ ___ ___ ___ ___
- area such as Industrial Zone, ___ ___ ___ ___ ___ ___
- Hotel Zone, Trade Zone and etc ___ ___ ___ ___ ___ ___
- or not (To describe Zone) ___ ___ ___ ___ ___ ___

Signature

Name of Investor

Designation.....

Department/Company
(Seal/Stamp)

Application Forms

Application form for transfer of Share or Business

To

Chairman

Myanmar Investment Commission

Reference No.

Date.

**Subject: Submission for Transfer of share or business which granted
Endorsement or Permit**

I do hereby submit where hold a Permit or Endorsement majority ownership or control of transfer and it is more than 50% of assets according to the Myanmar Investment Rule 191 by the following information: -

1. Investor's (Transferor's):

- (a) Name
- (b) Permit No/ Date
- (c) Company Name/Company Registration No.
- (d) National Registration Card No. / Passport No
- (e) Type of Business
- (f) Address/ Registered Office Address
.
.

(g) Phone / Fax / E-mail address

2. If the investor does not submit by himself/ herself, applicant's:

- (a) Name
 - (b) Name of Contact Person
- (In case applicant is business organization)

Remark: To submit the official letter of legal representative as attachment

- (c) National Registration Card No. / Passport No.
- (d) Address in Myanmar:

Application Forms

- (e) Phone / Fax:
- (f) E-mail

3. Purchaser of the Investment:

- (a) Name
- (b) Permit No/ Date
- (c) Company Name/Company Registration No.
- (d) National Registration Card No./Passport No
- (e) Type of Business
- (f) Address/Registered Office Address

Remark: Please specify the document for Tax Registration in accordance with the above paragraph 1 and 3.

4. **Structure of Investor**

- (a) Complete table in Schedule 1 to provide details on Enterprises or Individuals that own or control, directly, an ownership interest in the investor following the business transfer.
- (b) Complete table in Schedule 2 to provide details on Enterprises or Individuals that own or control, indirectly, an ownership interest of 25% or more of the shares in the investor following the business transfer.

5. **Share Transfer**

Complete and share transfer form if the business transfer is through a share transfer

- (a) Transferee
- (b) Transferor
- (c) Number of shares being transferred and
Express percentage of total shares
- issued by the Investor
- (d) Per Value of Share

Application Forms

6. Asset Transfer

Complete if the Business Transfer is through an asset transfer-

- (a) Percentage of being purchased
(Percentage of the assets of the Original Investor)

Remark: Whether it is agreed by the Shareholders Meeting and Board of Directors or not and to be attach the Resolution of Board of Directors.

7. Financial Commitment

- (a) If the Investment needs additional investment to what extent have financial resources been committed to the investment.
.
.

- (b) Provide the following documents;
- (i) Any documents demonstrating financial commitments which have been made for the Investment (Example: Bank Commitment letter)
- (ii) The latest audited annual report of the purchaser of the asset or shares of the investor.

(Signature of the Applicant)

Name

Designation

Company/Company (Seal/Stamp)

Application Forms

4

18.
170

Schedule-1, Shareholders

Enterprises and individuals directly owning more than 5% of the shares or voting interests in the Investor:

	Shareholder 1	Shareholder 2	Shareholder 3
Name			
Nationality			
Company Registration No / Passport No			
Registered Address			
Mailing Address			
Telephone number			
E-mail Address			
Corporate income tax/ Personal Income Tax Registration No(if Myanmar tax resident)			
Number of Shares held			
Class of Shares and details of class			
Type of Business activity			
Is the shareholder an ultimate beneficial shareholder?*			

* Ultimate beneficial owners are the private individuals (or State Owned Enterprises) who directly or indirectly ultimately own or control the Investor.

Application Forms

9. Schedule-2, Indirect Shareholders

Enterprises and individuals indirectly owning more than 25% of the shares or voting interests in the Investor:

	Shareholder 1	Shareholder 2	Shareholder 3
Name			
Nationality			
Company Registration No / Passport No			
Registered Address			
Corporate income tax / Personal Income Tax Registration No (if Myanmar tax resident)			
Nature of indirect interest			
Percentage of indirect interest			
Is the shareholder an ultimate beneficial shareholder?*			

* Ultimate beneficial owners are the private individuals (or State Owned Enterprises) who directly or indirectly ultimately own or control the Investor.

Notify letter for carrying out the Restricted Investment Business

To

Chairman
Myanmar Investment Commission

Reference No.

Date.

I hereby inform the following particulars of investment business which is mentioned under Section 42 is being carried out in accordance with Myanmar Investment Rule 23 :-

1. The Investor's:
 - (a) Name _____
 - (b) Father Name _____
 - (c) National Registration Card No./
Passport No Location _____
 - (d) Citizenship _____
 - (e) Address _____
 - (i) Local _____
 - (ii) Aboard _____
 - (f) Phone /Fax _____
 - (g) E-mail address _____
 - (h) Name of Parent Company _____
 - (i) Type of Investment Business _____
 - (j) Address of Parent Company _____

(To attach the following documents-

 - (i) Company Registration Card(Copy)
 - (ii) National Registration Card and Passport(Copy)
2. Type of Business to be invested
3. Describe whether the Investment Activities include which type of Restricted Investment ;
 - Investment business that are not allowed to carry out by foreign investors
 - investment businesses allowed only in the form of joint venture with any citizen owned entity or any Myanmar citizen
 - investment businesses to be carry out with the approval of the relevant ministries.

Application Forms

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4. Commencement date of Investment Business

5. Type of business organization to be formed:-

- One Hundred Percent Joint Venture (To attach the draft of JV agreement)
 Type of Contractual basis (To attach contract (agreement) draft)

Share Ratio (Local) %

Share Ratio(Government Department/Organization) %

Share Ratio(Foreigner) %

6. Location(s)of Investment Project (Describe all locations if it is more than one)

.
.

7. Investment Area (Total Land Area)

8. Type of Land of Investment and Current Administrator

9. I hereby sign that the above statements which are furnished are true and correct .

(Signature)

Name of Investor

Designation

Date

Application Forms

Form (10)

Quarterly Performance Report

To,

Chairman
Myanmar Investment Commission

Reference. No.

Date.

Subject: **Submission of Quarterly Performance Report**

1. I do submit the Quarterly Performance Report which is approved by the Permit of Myanmar Investment Commission (MIC) according to the Myanmar Investment Rule 197.

2. The particulars about the business permitted by Myanmar Investment Commission (MIC) are as follow:

(a) Name of Investor

(b) Myanmar Investment Commission (MIC) Permit No

3. Hereby submitted within three months period from, (month)
..... (year) to (month) (year), of
.....
(Company) enclosed herewith the required documents.

Signature

Name of Investor

Designation.....

Department/Company

(Seal/Stamp)

Application Forms

20 - 20 Quarterly Performance Report for the Fiscal Year
(20 to 20 ,up to the end of)

Construction / Transports & Communication / Other Services

Serial No.	Particulars	As per initial proposal	As per performance
1.	Name of Enterprise		
2.	Permit/Endorsement No. & Date		
3.	Type of Business		
4.	Date of signing of the contracts <ul style="list-style-type: none"> - JV Agreement - Lease Agreement - B.O.T Agreement - Others 		
5.	Date & No. of Incorporation		
6.	Company Address		
7.	Address of Factory/Location of business		
8.	Date of Approval of other relevant Government Agencies (a) (b) (c)		
9.	Amount of Land Use Premium Payment, Annual Land Lease Payment etc., and the Date of payment for each payment		
10	Amount of Performance Bank Guarantee & the Date of Bank insured Issue / Repayment		
11.	Bank Insurance Amount & Insured date to the Bank		
12.	Date of Ground Breaking, Construction, Renovation etc.		
13.	Progress in Construction, Renovation, etc.,		
14.	End of Construction Period <ul style="list-style-type: none"> - initial Opening Date - Official Opening Date 		
15.	Date of Commencement of Operation		
16.	Others where described		

Application Forms

Note

To specify:

- Licenses/Permits issued by the relevant ministries
- Others where necessary

To state if any changes such as implementation process and timeframe being different as per initial proposal

Application Forms

2. (month year to month year) Fiscal Year -20 20 (Value in Thousand)

Serial No.	Particulars	as per initial proposal			Equity for 20.....-20...			Total Equity		
		Local Equity (Kyat)	Foreign Equity Eq. Kyat US\$	Total Amt (Kyat)	Local Equity (Kyat)	Foreign Equity Eq. Kyat US\$	Total Amt (Kyat)	Local Equity (Kyat)	Foreign Equity Eq. Kyat US\$	Total Amt (Kyat)
1.	Capital									
2.	Machineries & equipment									
3.	Construction Material									
4.	Vehicle/ Machinery									
5.	Land									
6.	Building									
7.	Furniture & office used material									
8.	Share, Stock & Debenture									
9.	Technology knowhow, Patent, Industrial Design, Trademark, etc.									
	(Intellectual Property rights)									
170.	Others									
	Total									

Application Forms

3. Loan

(Value in Thousand)

Serial No.	Particulars	Loan to be acquired as per initial proposal	Loan acquired up to end of , 20	Debt payment up to end....* of , 20
1	2			
1	Domestic			
	1 Principal			
	2 Interest (Rate)			
2	Foreign			
	1 Principal			
	2 Interest (Rate)			

Note- * To specify yearly payment for cash or the value of machines separately.

4. Receipt from Operation

(Value in thousand)

S	r.	N	o	Particulars	------(Month), 20 to		
					------(Month), 20		
					Local (Kyat)	Foreign	
	Eq. Kyat	US\$					
				Income			
			1	Charges for land use			
			1	vechile (Under 1 ton)			
			2	Vechile (Medium) (1 ton and 2/3/4 ton)			
			3	Passenger Bus (Large)			
			4	Truck Car (Medium) (Up to10 ton)			
			5	Turck Car (Up to 20 ton)			
			2	Income from charge of use of Bridge			
			3	Income from Others			
			2	Others			

Application Forms

*Performance as atday of month 20.....

Note: *To fill up the relevant facts according to type of business

5. Cost of Operation

(Value in Thousand)

Serial No.	Particulars	------(Month), 20----- to ----- (Month), 20-----	
		Total (Kyat)	Amt US\$
1.	Maintenance Cost		
2.	Salaries / Wages		
3.	Sevices Cost (Electricity/Water)		
4.	Administrative Cost		
5.	Other cost of operation		
6.	Deposit to State		
7.	Insurance		
8.	Depreciation		
9.	Interest		
10.	Commercial Tax		
11.	Income Tax		
12.	Other		
Total			

Note: *To fill up the relevant facts according to type of business

6. Manpower

(Nos)

Serial No.	Particulars	Salary Rate	As per initial proposal		Appointed Staff (up to ----, 20)	
			Local	Expatriate	Local	Expatriate
1.	Executive Level Management (Executive Officers and managers)					
2.	Other level management except Executive Level					
3.	Professionals					
4.	Technical and Professional Personnel					
5.	Advisor					
6.	Skilled Workers					
7.	Unskilled Workers					
Total						

7. Financial Position

(Value in Thousand)

Serial No.	Particulars	20 - 20 (as of the end of March)	-----Month, ----20 to-----	20 - 20 (Estimate)
			Month, ----- ----20	
1.	Income			
	1. In Kyat			

Application Forms

	2.	In US\$ (in equivalent Kyat)			
2.		Expenditure			
	1.	In Kyat			
	2.	In US\$ (in equivalent Kyat)			
3.		Net Profit before tax			
	1.	In Kyat			
	2.	In US\$ (in equivalent Kyat)			
4.		Commercial Tax			
	1.	In Kyat			
	2.	In US\$ (in equivalent Kyat)			
5.		Income Tax			
	1.	In Kyat			
	2.	In US\$ (in equivalent Kyat)			
6.		Net Profit/Loss after tax			
	1.	In Kyat			
	2.	In US\$ (in equivalent Kyat)			

Application Forms

20 - 20 Quarterly Performance Report for the Fiscal Year
(20 to 20 ,up to the end of)

Hotel & Tourism/ Real Estate/ Industrial Estate

Serial No.	Particulars	As per initial proposal	As per performance
1.	Name of Enterprise		
2.	Permit/Endorsement No. & Date		
3.	Type of Business		
4.	Date of signing of the contracts <ul style="list-style-type: none"> - JV Agreement - Lease Agreement - B.O.T Agreement - Others 		
5.	Date & No. of Incorporation		
6.	Company Address		
7.	Address of Factory/Location of business		
8.	Date of Approval of other relevant Government Agencies (a) (b) (c)		
9.	Amount of Land Use Premium Payment, Annual Land Lease Payment etc., and the Date of payment for each payment		
10.	Amount of Performance Bank Guarantee & the Date of Bank insured Issue / Repayment		
11.	Bank Insurance Amount & Insured date to the Bank		
12.	Number of building, floor and room		
13.	Date of Ground Breaking, Construction, Renovation etc.		
14.	Progress in Construction, Renovation, etc.,		
15.	End of Construction Period <ul style="list-style-type: none"> - initial Opening Date - Official Opening Date 		
16.	Date of Commencement of Operation		

Application Forms

Serial No.	Particulars	As per initial proposal	As per performance
17.	Others where described		

Note

To specify:

- Licenses/Permits issued by the relevant ministries
- Others where necessary

To state if any changes such as implementation process and timeframe being different as per initial proposal

Application Forms

2. (month year to month year) Fiscal Year (Value in Thousand)

Serial No.	Particulars	as per initial proposal			Equity for 20.....-20...			Total Equity		
		Local Equity (Kyat)	Foreign Equity Eq. Kyat US\$	Total Amt (Kyat)	Local Equity (Kyat)	Foreign Equity Eq. Kyat US\$	Total Amt (Kyat)	Local Equity (Kyat)	Foreign Equity Eq. Kyat US\$	Total Amt (Kyat)
1.	Capital									
2.	Machineries & equipment									
3.	Construction Material									
4.	Vehicle/ Machinery									
5.	Land									
6.	Building									
7.	Furniture & office used material									
8.	Share, Stock & Debenture									
9.	Technology knowhow, Patent, Industrial Design, Trademark, etc.									
	(Intellectual Property rights)									
30.	Others									
	Total									



Application Forms

3. Loan

(Value in Thousand)

Serial No.	Particulars	Loan to be acquired as per initial proposal	Loan acquired up to end of , 20	Debt payment up to end....* of , 20
1	2			
1	Domestic			
2	1 Principal			
	2 Interest (Rate)			
	Foreign			
	1 Principal			
	2 Interest (Rate)			

Note- * To specify yearly payment for cash or the value of machines separately.

4. Receipt from Operation

(Value in thousand)

S r. N o	Particulars	------(Month), 20 to ------(Month), 20			
		Local (Kyat)	Foreign		Total
			Eq. Kyat	US\$	
1	Income				
1	Room Rental Fee				
2	Food and Beverage (Cost of Sales)				
3	Car Rental Fee				
4	Other operation Fees				
2	Others				

*Performance as atday of month 20.....

Note: *To fill up the relevant facts according to type of business

5. Cost of Operation

(Value in Thousand)

Serial No.	Particulars	------(Month), 20----- to ----- (Month), 20-----	
		Total Amt (Kyat)	US\$
1.	Room Rental Fee		
2.	Food and Beverage (Cost of Sales)		

Application Forms

Serial No.	Particulars	------(Month), 20----- to ----- (Month), 20-----	
		Total Amt (Kyat)	US\$
3.	Other Operation Cost		
4.	Administrative Cost		
5.	Salaries/Wages		
6.	Sevices Cost (Electricity/Water)		
7.	Land Lease		
8.	Insurance		
9.	Depreciation		
10.	Interest		
11.	Commercial Tax		
12.	Income Tax		
13.	Other		
Total			

Note: *To fill up the relevant facts according to type of business

6. Manpower

(Nos)

Serial No.	Particulars	Salary Rate	As per initial proposal		Appointed Staff (up to ---, 20)	
			Local	Expatriate	Local	Expatriate
1.	Executive Level Management (Executive Officers and managers)					
2.	Other level management except Executive Level					
3.	Professionals					
4.	Technical and Professional Personnel					
5.	Advisor					
6.	Skilled Workers					
7.	Unskilled Workers					
Total						

7. Financial Position

(Value in Thousand)

Serial No.	Particulars	20 - 20 (as of the end of March)	-----Month, ---20 to----- Month, ----- ---20	20 - 20 (Estimate)
1.	Income			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
2.	Expenditure			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
3.	Net Profit before tax			

Application Forms

Serial No.	Particulars	20 - 20 (as of the end of March)	-----Month, ----20 to----- Month, ----- ----20	20 - 20 (Estimate)
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
4.	Commercial Tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
5.	Income Tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
6.	Net Profit/Loss after tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			

Application Forms

20 - 20 Quarterly Performance Report for the Fiscal Year
(20 to 20 ,up to the end of)

Manufacturing/ Agriculture / Livestock & Fisheries

Serial No.	Particulars	As per initial proposal	As per performance
1.	Name of Enterprise		
2.	Permit/Endorsement No. & Date		
3.	Type of Business		
4.	Date of signing of the contracts - JV Agreement - Lease Agreement - B.O.T Agreement - Others		
5.	Date & No. of Incorporation		
6.	Company Address		
7.	Address of Factory/Location of business		
8.	Date of Approval of other relevant Government Agencies (a) (b) (c)		
9.	Amount of Land Use Premium Payment, Annual Land Lease Payment etc., and the Date of payment for each payment		
10	Amount of Performance Bank Guarantee & the Date of Bank insured Issue / Repayment		
11.	Bank Insurance Amount & Insured date to the Bank		
12.	Commencement Date of Maintenance of Land, Construction, Renovation & Machine operation-test.		
13.	Progress in Feasibility Study, Progress in Construction & Renovation, etc.,		
14.	Date of Commencement of Operation		
15.	Others where described		

Note

To specify:

- Licenses/Permits issued by the relevant ministries
- Others where necessary

To state if any changes such as implementation process and timeframe being different as per initial proposal

Application Forms

3. Loan

(Value in Thousand)

Serial No.	Particulars	Loan to be acquired as per initial proposal	Loan acquired up to end of , 20	Debt payment up to end....* of , 20
1	2			
1	Domestic			
2	Foreign			
1	1 Principal			
2	2 Interest (Rate)			
1	1 Principal			
2	2 Interest (Rate)			

Note- * To specify yearly payment for cash or the value of machines separately.

4. Production

(Value in Thousand)

Serial No.	Particulars	Counting	------(Month), 20----- to ----- (Month), 20-----	
			Qty	Value
1.	Production			
2.	Export(f.o.b) in US\$ (in equivalent kyat) -CMP in US\$ (in equivalent kyat)			
3.	Local Sale in US\$			
4.	Local Sale in kyat			

Note- To specify type of raw materials

5. Cost of Operation

(Value in Thousand)

Serial No.	Particulars	20 - 20			------(Month), 20----- to ----- (Month), 20-----		
		Total (Kyat)	Amt	US\$	Total (Kyat)	Amt	US\$
1.	Raw Materials						
2.	Direct Labour Costs						
3.	Administrative Cost						
4.	Factory Overhead Cost						
5.	Distribution Costs						
6.	Depreciation						
7.	Interest						
8.	Commercial Tax						
9.	Income Tax						
10.	Other						
Total							

Note: *To fill up the relevant facts according to type of business

Application Forms

6. Manpower

(Nos)

Serial No.	Particulars	Salary Rate	As per initial proposal		Appointed Staff (up to ----, 20)	
			Local	Expatriate	Local	Expatriate
1.	Executive Level Management (Executive Officers and managers)					
2.	Other level management except Executive Level					
3.	Professionals					
4.	Technical and Professional Personnel					
5.	Advisor					
6.	Skilled Workers					
7.	Unskilled Workers					
Total						

7. Financial Position

(Value in Thousand)

Serial No.	Particulars	20 - 20 (as of the end of March)	-----Month, ----20 to-----Month, -----20	20 - 20 (Estimate)
1.	Income			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
2.	Expenditure			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
3.	Net Profit before tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
4.	Commercial Tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
5.	Income Tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
6.	Net Profit/Loss after tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			

Application Forms

20 - 20 Quarterly Performance Report for the Fiscal Year
(20 to 20 ,up to the end of)

Oil & Gas/ Mining/ Power

Serial No.	Particulars	As per initial proposal	As per performance
1.	Name of Enterprise		
2.	Permit/Endorsement No. & Date		
3.	Type of Business		
4.	Date of signing of the contracts - JV Agreement - Lease Agreement - B.O.T Agreement - Others		
5.	Date & No. of Incorporation		
6.	Company Address		
7.	Address of Factory/Location of business		
8.	Date of Approval of other relevant Government Agencies (a) (b) (c)		
9.	Amount of Land Use Premium Payment, Annual Land Lease Payment etc., and the Date of payment for each payment		
10	Amount of Performance Bank Guarantee & the Date of Bank insured Issue / Repayment		
11.	Bank Insurance Amount & Insured date to the Bank		
12.	Commencement Date of Maintenance of Land, Construction, Renovation & Machine operation-test.		
13.	Progress in Exploration, Feasibility study, Progress in Construction & Renovation, etc.,		
14.	Date of Commencement of Operation		
15.	Others where described		

Note

To specify:

- Licenses/Permits issued by the relevant ministries
- Others where necessary

To state if any changes such as implementation process and timeframe being different as per initial proposal

Application Forms

3. Loan

(Value in Thousand)

Serial No.	Particulars	Loan to be acquired as per initial proposal	Loan acquired up to end of , 20	Debt payment up to end....* of , 20
1	2			
1	Domestic			
	1 Principal			
	2 Interest (Rate)			
2	Foreign			
	1 Principal			
	2 Interest (Rate)			

Note- * To specify yearly payment for cash or the value of machines separately.

4. Production (Oil&Gas/Mining)

(Value in Thousand)

Serial No.	Particulars	Counting	----- (Month), 20----- to ----- (Month), 20-----	
			Qty	Value
1.	Total Production			
2.	Local Sale			
	- In Kyat			
	- In US\$ (in equivalent Kyat)			
	Export			
	- In US\$ (in equivalent Kyat)			

Note- To specify type of raw materials

5. Production (Electricity)

S r. N o.	Particular	Counting	----- (Month), 20--- --- to ----- (Month), 20-----		20 - 20 (Estimate)	
			Quantity	Value	Quantity	Value
1	Amount of Electricity Produced	Kilowatt (Total Hours in million)				

Application Forms

S r. N o.	Particular	Counting	------(Month), 20--- --- to ----- (Month), 20-----		20 - 20 (Estimate)	
			Quantity	Value	Quantity	Value
2	The Loss in Production, Emission and the amount of electricity for organization					
3	The Amount of Electricity for Sale - For utility of governmental orignation - For public utility - For utility of staff/ retired staff - For Commercial use					

6. Cost of Operation

(Value in Thousand)

Serial No.	Particulars	20 - 20			------(Month), 20----- to ----- (Month), 20-----		
		Total (Kyat)	Amt	US\$	Total (Kyat)	Amt	US\$
1.	Operation Cost						
2.	Salaries / Wages						
3.	Administrative Cost						
4.	Depreciation						
5.	Interest						
6.	Commercial Tax						
7.	Income Tax						
8.	Land Lease Fee						
9.	others						
Total							

Note: *To fill up the relevant facts according to type of business

7. Manpower

(Nos)

Serial No.	Particulars	Salary Rate	As per initial proposal		Appointed Staff (up to ---, 20)	
			Local	Expatriate	Local	Expatriate
1.	Executive Level Management (Executive Officers and managers)					
2.	Other level management except Executive Level					

Application Forms

Serial No.	Particulars	Salary Rate	As per initial proposal		Appointed Staff (up to ---, 20)	
			Local	Expatriate	Local	Expatriate
3.	Professionals					
4.	Technical and Professional Personnel					
5.	Advisor					
6.	Skilled Workers					
7.	Unskilled Workers					
Total						

8. Financial Position

(Value in Thousand)

Serial No.	Particulars	20 - 20 (as of the end of March)	-----Month, ---20 to-----Month, -----20	20 - 20 (Estimate)
1.	Income			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
2.	Expenditure			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
3.	Net Profit before tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
4.	Commercial Tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
5.	Income Tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
6.	Net Profit/Loss after tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			

Application Forms

Form (11)

Annual Performance Report

To,

Chairman
Myanmar Investment Commission

Reference. No.

Date.

Subject: **Submission of Annual Performance Report**

1. I do submit the Annual Performance Report which is approved by the Permit of Myanmar Investment Commission (MIC) according to the Myanmar Investment Rule 196.

2. The particulars about the business permitted by Myanmar Investment Commission (MIC) are as follow:

(a) Name of Investor

(b) Myanmar Investment Commission (MIC) Permit No

3. Hereby submitted within three months period from, (year) to(year), of (Company) enclosed herewith the required documents.

Signature

Name of Investor

Designation.....

Department/Company
(Seal/Stamp)

Application Forms

20 - 20 Annual Performance Report for the Fiscal Year
(20 to 20)

Construction / Transports & Communication / Other Services

Serial No.	Particulars	As per initial proposal	As per performance
1.	Name of Enterprise		
2.	Permit/Endorsement No. & Date		
3.	Type of Business		
4.	Date of signing of the contracts <ul style="list-style-type: none"> - JV Agreement - Lease Agreement - B.O.T Agreement - Others 		
5.	Date & No. of Incorporation		
6.	Company Address		
7.	Address of Factory/Location of business		
8.	Date of Approval of other relevant Government Agencies (a) (b) (c)		
9.	Amount of Land Use Premium Payment, Annual Land Lease Payment etc., and the Date of payment for each payment		
10.	Amount of Performance Bank Guarantee & the Date of Bank insured Issue / Repayment		
11.	Bank Insurance Amount & Insured date to the Bank		
12.	Date of Ground Breaking, Construction, Renovation etc.		
13.	Progress in Construction, Renovation, etc.,		
14.	End of Construction Period <ul style="list-style-type: none"> - initial Opening Date - Official Opening Date 		
15.	Date of Commencement of Operation		
16.	Others where described		

Application Forms

Note

To specify:

- Licenses/Permits issued by the relevant ministries
- Others where necessary

To state if any changes such as implementation process and timeframe being different as per initial proposal

Application Forms

2. (20 - 20 Fiscal Year (Value in Thousand)
 year to year)

Serial No.	Particulars	as per initial proposal			Equity for 20.....20...			Total Equity		
		Local Equity (Kyat)	Foreign Equity Eq. Kyat US\$	Total Amt (Kyat)	Local Equity (Kyat)	Foreign Equity Eq. Kyat US\$	Total Amt (Kyat)	Local Equity (Kyat)	Foreign Equity Eq. Kyat US\$	Total Amt (Kyat)
1.	Paid-up Capital									
2.	Machineries & equipment									
3.	Construction Material									
4.	Vehicle/ Machinery									
5.	Land									
6.	Building									
7.	Furniture & office used material									
8.	Share, Stock & Debenture									
9.	Technology knowhow, Patent, Industrial Design, Trademark, etc. (Intellectual Property rights)									
10.	Others									
	Total									

Application Forms

3. Loan

(Value in Thousand)

Serial No.	Particulars	Loan to be acquired as per initial proposal	Loan acquired up to end of , 20	Debt payment up to end....* of , 20
1	2			
1	Domestic			
1	1 Principal			
2	2 Interest			
2	Foreign			
1	1 Principal			
2	2 Interest (Rate)			

Note- * To specify yearly payment for cash or the value of machines separately.

4. Receipt from Operation

(Value in thousand)

S r. N o		Particulars	20	-20	20	-20	20	-20
							(as of the end of March)	(Estemate)
1		Income						
	1	Charges for land use						
	1	vechile (Under 1 ton)						
	2	Vechile (Medium) (1 ton and 2/3/4 ton)						
	3	Passenger Bus (Large)						
	4	Truck Car (Medium) (Up to10 ton)						
	5	Turck Car (Up to 20 ton)						
2		Income from charge of use of Bridge						
3		Income from Others						
2		Others						

*Performance as atday of month 20.....

Note: *To fill up the relevant facts according to type of business

Application Forms

5. Cost of Operation

(Value in Thousand)

Serial No.	Particulars	20 -20		20 -20		20 -20 (Estimate)	
		Local (Kyat)	US\$	Local (Kyat)	US\$	Local (Kyat)	US\$
1.	Maintenance Cost						
2.	Salaries / Wages						
3.	Sevices Cost (Electricity/Water)						
4.	Administrative Cost						
5.	Other cost of operation						
6.	Deposit to State						
7.	Insurance						
8.	Depreciation						
9.	Interest						
10.	Commercial Tax						
11.	Income Tax						
12.	Other						
Total							

Note: *To fill up the relevant facts according to type of business

6. Manpower

(Nos)

Serial No.	Particulars	Salary Rate	As per initial proposal		Appointed Staff (up to ---, 20)	
			Local	Expatriate	Local	Expatriate
1.	Executive Level Management (Executive Officers and managers)					
2.	Other level management except Executive Level					
3.	Professionals					
4.	Technical and Professional Personnel					
5.	Advisor					
6.	Skilled Workers					
7.	Unskilled Workers					
Total						

7. Financial Position

(Value in Thousand)

Serial No.	Particulars	20 - 20 (as of the end of March)	----- (Month) ,	20 - 20 (Estimate)
			20 - ----- (Month), 20	
1.	Income			
	1. In Kyat			

Application Forms

Serial No.	Particulars	20 - 20 (as of the end of March)	----- (Month), 20 - ----- (Month), 20	20 - 20 (Estimate)
	2. In US\$ (in equivalent Kyat)			
2.	Expenditure			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
3.	Net Profit before tax			
	1. In Kyat			
	2. In US\$			
4.	Commercial Tax			
	1. In Kyat			
	2. In US\$			
5.	Income Tax			
	1. In Kyat			
	2. In US\$			
6.	Net Profit/Loss after tax			
	1. In Kyat			
	2. In US\$			

Application Forms

**20 - 20 Annual Performance Report for the Fiscal Year
(20 to 20)**

Hotel & Touris

m/ Real Estate/ Industrial Estate

Serial No.	Particulars	As per initial proposal	As per performance
1.	Name of Enterprise		
2.	Permit/Endorsement No. & Date		
3.	Type of Business		
4.	Date of signing of the contracts <ul style="list-style-type: none"> - JV Agreement - Lease Agreement - B.O.T Agreement - Others 		
5.	Date & No. of Incorporation		
6.	Company Address		
7.	Address of Factory/Location of business		
8.	Date of Approval of other relevant Government Agencies (a) (b) (c)		
9.	Amount of Land Use Premium Payment, Annual Land Lease Payment etc., and the Date of payment for each payment		
10	Amount of Performance Bank Guarantee & the Date of Bank insured Issue / Repayment		
11.	Bank Insurance Amount & Insured date to the Bank		
12.	Number of building, floor and room		
13.	Date of Ground Breaking, Construction, Renovation etc.		
14.	Progress in Construction, Renovation, etc.,		
15.	End of Construction Period <ul style="list-style-type: none"> - initial Opening Date - Official Opening Date 		
16.	Date of Commencement of Operation		

Application Forms

Serial No.	Particulars	As per initial proposal	As per performance
17.	Others where described		

Note

To specify:

- Licenses/Permits issued by the relevant ministries
- Others where necessary

To state if any changes such as implementation process and timeframe being different as per initial proposal

Application Forms

2. (20 - 20 Fiscal Year (Value in Thousand)
 year to year)

Serial No.	Particulars	as per initial proposal			Equity for 20.....20...			Total Equity		
		Local Equity (Kyat)	Foreign Equity Eq. Kyat US\$	Total Amt (Kyat)	Local Equity (Kyat)	Foreign Equity Eq. Kyat US\$	Total Amt (Kyat)	Local Equity (Kyat)	Foreign Equity Eq. Kyat US\$	Total Amt (Kyat)
1.	Capital									
2.	Machineries & equipment									
3.	Construction Material									
4.	Vehicle/ Machinery									
5.	Land									
6.	Building									
7.	Furniture & office used material									
8.	Share, Stock & Debenture									
9.	Technology knowhow, Patent, Industrial Design, Trademark, etc.									
10.	(Intellectual Property rights)									
	Others									
	Total									

Application Forms

3. Loan

(Value in Thousand)

Serial No.	Particulars	Loan to be acquired as per initial proposal	Loan acquired up to end of , 20	Debt payment up to end....* of , 20
1	2			
1	Domestic			
1	1 Principal			
2	2 Interest (Rate)			
2	Foreign			
1	1 Principal			
2	2 Interest (Rate)			

Note- * To specify yearly payment for cash or the value of machines separately.

4. Receipt from Operation

(Value in thousand)

S r. N o		Particulars	20 -20		20 -20		20 -20	
							(as of the end of March)	(Estimate)
1		Income						
	1	Room Rental Fee						
	2	Food and Beverage (Cost of Sales)						
	3	Car Rental Fee						
	4	Other operation Fees						
2		Others						

*Performance as atday of month 20.....

Note: *To fill up the relevant facts according to type of business

Application Forms

5. Cost of Operation

(Value in Thousand)

Serial No.	Particulars	20 -20		20 -20		20 -20 (Estimate)	
		Total Amt (Kyat)	US\$	Total Amt (Kyat)	US\$	Total Amt (Kyat)	US\$
1.	Room Rental Fee						
2.	Food and Beverage (Cost of Sales)						
3.	Other Operation Cost						
4.	Administrative Cost						
5.	Salaries/Wages						
6.	Sevices Cost (Electricity/Water)						
7.	Land Lease						
8.	Insurance						
9.	Depreciation						
10.	Interest						
11.	Commercial Tax						
12.	Income Tax						
13.	Other						
Total							

Note: *To fill up the relevant facts according to type of business

6. Manpower

(Nos)

Serial No.	Particulars	Salary Rate	As per initial proposal		Appointed Staff (up to ---, 20)	
			Local	Expatriate	Local	Expatriate
1.	Executive Level Management (Executive Officers and managers)					
2.	Other level management except Executive Level					
3.	Professionals					
4.	Technical and Professional Personnel					
5.	Advisor					
6.	Skilled Workers					
7.	Unskilled Workers					
Total						

Application Forms

7. Financial Position

(Value in Thousand)

Serial No.	Particulars	20 - 20 (as of the end of March)	----(Month), ---20 to---- (Month), ----- -----20	20 - 20 (Estimate)
1.	Income			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
2.	Expenditure			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
3.	Net Profit before tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
4.	Commercial Tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
5.	Income Tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
6.	Net Profit/Loss after tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			

Application Forms

**20 - 20 Annual Performance Report for the Fiscal Year
(20 to 20)**

Manufacturing/ Agriculture / Livestock & Fisheries

Serial No.	Particulars	As per initial proposal	As per performance
1.	Name of Enterprise		
2.	Permit/Endorsement No. & Date		
3.	Type of Business		
4.	Date of signing of the contracts <ul style="list-style-type: none"> - JV Agreement - Lease Agreement - B.O.T Agreement - Others 		
5.	Date & No. of Incorporation		
6.	Company Address		
7.	Address of Factory/Location of business		
8.	Date of Approval of other relevant Government Agencies (a) (b) (c)		
9.	Amount of Land Use Premium Payment, Annual Land Lease Payment etc., and the Date of payment for each payment		
10	Amount of Performance Bank Guarantee & the Date of Bank insured Issue / Repayment		
11.	Bank Insurance Amount & Insured date to the Bank		
12.	Commencement Date of Maintenance of Land, Construction, Renovation & Machine operation-test.		
13.	Progress in Feasibility Study, Progress in Construction & Renovation, etc.,		
14.	Date of Commencement of Operation		
15.	Others where described		

Note

To specify:

- Licenses/Permits issued by the relevant ministries
- Others where necessary

To state if any changes such as implementation process and timeframe being different as per initial proposal

Application Forms

3. Loan

(Value in Thousand)

Serial No.	Particulars	Loan to be acquired as per initial proposal	Loan acquired up to end of , 20	Debt payment up to end....* of , 20
1	2			
1	Domestic			
1	1 Principal			
2	2 Interest			
2	Foreign			
1	1 Principal			
2	2 Interest (Rate)			

Note- * To specify yearly payment for cash or the value of machines separately.

4. Production

(Value in Thousand)

Serial No.	Particulars	Counting	20 - 20 (as of the end of March)		20 - 20 (Estimate)	
			Qty	Value	Qty	Value
1.	Production					
2.	Export(f.o.b) in US\$ (in equivalent kyat) -CMP in US\$ (in equivalent kyat)					
3.	Local Sale in US\$					
4.	Local Sale in kyat					

Note- To specify type of raw materials

5. Cost of Operation

(Value in Thousand)

Serial No.	Particulars	20 - 20		Month, 20----- to Month, 20-----	
		Total (Kyat)	Amt US\$	Total (Kyat)	Amt US\$
1.	Raw Materials				
2.	Direct Labour Costs				
3.	Administrative Cost				
4.	Factory Overhead Cost				
5.	Distribution Costs				
6.	Depreciation				
7.	Interest				
8.	Commercial Tax				
9.	Income Tax				

Application Forms

Serial No.	Particulars	20 - 20		Month, 20----- to Month, 20-----		
		Total Amt (Kyat)	US\$	Total (Kyat)	Amt	US\$
10.	Other					
	Total					

Note: *To fill up the relevant facts according to type of business

6. Manpower

(Nos)

Serial No.	Particulars	Salary Rate	As per initial proposal		Appointed Staff (up to ---, 20)	
			Local	Expatriate	Local	Expatriate
1.	Executive Level Management (Executive Officers and managers)					
2.	Other level management except Executive Level					
3.	Professionals					
4.	Technical and Professional Personnel					
5.	Advisor					
6.	Skilled Workers					
7.	Unskilled Workers					
	Total					

7. Financial Position

(Value in Thousand)

Serial No.	Particulars	20 - 20 (as of the end of March)	----- (Month), 20 - ----- (Month), 20	20 - 20 (Estimate)
1.	Income			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
2.	Expenditure			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
3.	Net Profit before tax			
	1. In Kyat			
	2. In US\$			
4.	Commercial Tax			
	1. In Kyat			
	2. In US\$			
5.	Income Tax			
	1. In Kyat			
	2. In US\$			
6.	Net Profit/Loss after tax			
	1. In Kyat			
	2. In US\$			

Application Forms

**20 - 20 Annual Performance Report for the Fiscal Year
(20 to 20)**

Oil & Gas/ Mining/ Power

Serial No.	Particulars	As per initial proposal	As per performance
1.	Name of Enterprise		
2.	Permit/Endorsement No. & Date		
3.	Type of Business		
4.	Date of signing of the contracts - JV Agreement - Lease Agreement - B.O.T Agreement - Others		
5.	Date & No. of Incorporation		
6.	Company Address		
7.	Address of Factory/Location of business		
8.	Date of Approval of other relevant Government Agencies (a) (b) (c)		
9.	Amount of Land Use Premium Payment, Annual Land Lease Payment etc., and the Date of payment for each payment		
10	Amount of Performance Bank Guarantee & the Date of Bank insured Issue / Repayment		
11.	Bank Insurance Amount & Insured date to the Bank		
12.	Commencement Date of Maintenance of Land, Construction, Renovation & Machine operation-test.		
13.	Progress in Exploration, Feasibility study, Progress in Construction & Renovation, etc.,		
14.	Date of Commencement of Operation		
15.	Others where described		

Note

To specify:

- Licenses/Permits issued by the relevant ministries
- Others where necessary

To state if any changes such as implementation process and timeframe being different as per initial proposal

Application Forms

3. Loan

(Value in Thousand)

Serial No.	Particulars	Loan to be acquired as per initial proposal	Loan acquired up to end of , 20	Debt payment up to end....* of , 20
1	2			
1	Domestic			
1	1 Principal			
2	2 Interest (Rate)			
2	Foreign			
1	1 Principal			
2	2 Interest (Rate)			

Note- * To specify yearly payment for cash or the value of machines separately.

4. Production (Oil&Gas/Mining)

(Value in Thousand)

Sr No .	Particulars	Counting	20 to 20		20 to 20		20 to 20 (Estimate)	
			Qty	Value	Qty	Value	Qty	Value
1.	Total Production							
2.	Local Sale							
	- In Kyat							
	- In US\$ (in equivalent Kyat)							
	Export							
	- In US\$ (in equivalent Kyat)							

Note- To specify type of raw materials

5. Production (Electricity)

S r. N o.	Particular	Counting	20 to 20		20 –20		20 –20 (Estimate)	
			Quantity	Value	Quantity	Value	Quantity	Value
1	Amount of Electricity Produced	Kilowatt (Total Hours in million)						

Application Forms

S r. N o.	Particular	Counting	20 to 20		20 - 20		20 - 20 (Estimate)	
			Quantity	Value	Quantity	Value	Quantity	Value
2	The Loss in Production, Emission and the amount of electricity for organization							
3	The Amount of Electricity for Sale - For utility of governmental organization - For public utility - For utility of staff/retired staff - For Commercial use							

6. Cost of Operation

(Value in Thousand)

Serial No.	Particulars	20 - 20		20 -20		20 -20	
		Total Amt (Kyat)	US\$	Total Amt (Kyat)	US\$	Total Amt (Kyat)	US\$
1.	Operation Cost						
2.	Salaries / Wages						
3.	Administrative Cost						
4.	Depreciation						
5.	Interest						
6.	Commercial Tax						
7.	Income Tax						
8.	Land lease Fee						
9.	others						
Total							

Note: *To fill up the relevant facts according to type of business

Application Forms

7. Manpower

(Nos)

Serial No.	Particulars	Salary Rate	As per initial proposal		Appointed Staff (up to ----, 20)	
			Local	Expatriate	Local	Expatriate
1.	Executive Level Management (Executive Officers and managers)					
2.	Other level management except Executive Level					
3.	Professionals					
4.	Technical and Professional Personnel					
5.	Advisor					
6.	Skilled Workers					
7.	Unskilled Workers					
Total						

8. Financial Position

(Value in Thousand)

Serial No.	Particulars	20 - 20 (as of the end of March)	-----Month, ----20 to-----Month, -----20	20 - 20 (Estimate)
1.	Income			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
2.	Expenditure			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
3.	Net Profit before tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
4.	Commercial Tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
5.	Income Tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			
6.	Net Profit/Loss after tax			
	1. In Kyat			
	2. In US\$ (in equivalent Kyat)			

Application Forms

Form (12-A)

To,

**Chairman
Myanmar Investment Commission**

Reference No.

Date.

Subject: **Application of work permit for the foreign staff and management expert to appoint at the investment**

I do hereby submit the following information and apply for the work permit for the foreign staff and management expert who may work at the investment under section 51(a) of the Myanmar Investment Law and rule 206 of the Myanmar Investment Rules:

1. Applicant

- (a) Name of Investor _____
- (b) Permit No. or Endorsement No. _____
- (c) Number of proposed employee
in the proposal _____
- (d) Number of appointed employees _____

2. Particulars relating to the applicant

- (a) Name _____
- (b) ID No. or Passport No. _____
- (c) Citizenship _____
- (d) Residence Address _____
Tel: _____ Email: _____
- (e) Selection the position :
 senior manager technician operational expert
 advisor other

3. Whether has served previously in Myanmar yes No

If yes, previous

- (a) Name of Company _____
- (b) Position _____
- (c) Salary/Wage _____
- (d) Term _____

Application Forms

4. Provide a true copy of the following documents:
- (a) Passport,
 - (b) Certificate or Degree
 - (c) Curriculum Vitae

Signature

Name of Investor

Designation.....

Department/Company
(Seal/Stamp)

Application Forms

Form (12-B)

To,

Chairman

— — — **Region/State Investment Committee**

Reference No.

Date.

Subject: **Application of work permit for the foreign staff and management expert to appoint at the investment**

I do hereby submit the following information and apply for the work permit for the foreign staff and management expert who may work at the investment under section 51(a) of the Myanmar Investment Law and rule 206 of the Myanmar Investment Rules:

1. Applicant

- (a) Name of Investor _____
- (b) Permit No. or Endorsement No. _____
- (c) Number of proposed employee
in the proposal _____
- (d) Number of appointed employees _____

2. Particulars relating to the applicant

- (a) Name _____
- (b) ID No. or Passport No. _____
- (c) Citizenship _____
- (d) Residence Address _____
Tel: _____ Email: _____
- (e) Selection the position :
 senior manager technician operational expert
 advisor other

3. Whether has served previously in Myanmar yes No

If yes, previous

- (a) Name of Company _____
- (b) Position _____
- (c) Salary/Wage _____
- (d) Term _____

Application Forms

4. Provide a true copy of the following documents:
- (a) Passport,
 - (b) Certificate or Degree
 - (c) Curriculum Vitae

Signature

Name of Investor

Designation.....

Department/Company
(Seal/Stamp)

Application Forms

Form (13)

To,

**Chairman
Myanmar Investment Commission**

Reference. No.

Date.

Subject: **Application for repatriation of funds**

Referring to the Foreign Exchange Management Law, I do hereby apply for the repatriation of funds from the investment as per section 56 (c),(e) and (f) or section 58 of the Myanmar Investment Law:

1. Investor's

- (a) Name _____
- (b) Name of Company _____
- (c) Type of Business _____
- (c) Permit No. /Endorsement No. _____

(If a permit or endorsement is still processing, please describe the information)

2. If transferor doesn't submit by himself / herself, the applicant's;

- (a) Name of Contact Person _____
- (b) National Registration Card No./Passport No. _____

3. Information relating to foreign capital repatriation:

(a) Particulars of transferor:

- (i) Name _____
- (ii) Position _____
- (iii) ID No./National Registration Card No./Passport No. _____

Application Forms

Form (14)

To

**Chairman
Myanmar Investment Commission**

Reference No.

Date.

Subject: **Report for the commencement of the commercial operation date for the manufacturing or service**

I do hereby inform the commencement of the commercial operation date for the manufacturing (or) service business in accordance with the Foreign Investment Rules 145:-

1. Investor's
 - (a) Name _____
 - (b) Name of Company _____
 - (c) Type of Business _____
 - (c) Permit No. /Endorsement No. _____
(If a permit or endorsement is still processing, please describe the information)
2. Construction period/renovation period as per original proposal _____
3. Date of sales of product/service _____
4. Type of product / service _____
5. Volume of product / service _____
6. Value of product / service _____
7. Export licence No. and date _____
8. Type of product to be exported _____
9. Export Quantity _____
10. Value of Export _____
11. Commercial operation date _____

Signature

Name of Investor

Designation.....

Department/Company
(Seal/Stamp)

Application Forms

Letter of Notification for Sub-lease Land or Buildings

To

Chairman
Myanmar Investment Commission

Reference No.

Date.

I do hereby notify for sub-lease land or buildings from -----
to carry out the investment activities with the following information according to the Myanmar
Investment Rules 135:

1. Investor who make sub-lease land or buildings :

- (a) Name _____
- (b) Father's Name _____
- (c) National Registration Card No./
Passport No. _____
- (d) Citizenship _____
- (e) Address _____
 - (i) Local _____
 - (ii) Abroad _____
- (f) Phone /Fax _____
- (g) E-mail Address _____
- (h) Name of Parent Company _____
- (i) Type of Investment Business _____
- (j) Address of Parent Company _____

2. Particulars Relating to Owner of Land / Building(s):

- (a) Name of owner/Organization _____
- (b) Initial Period Permitted to Use the Land (Validity of Land Grant) _____
- (c) Type of Land _____

3. Lessor :

- (a) Name / Company's Name/ Department/ Organization _____
- (b) National Registration Card No _____
- (c) Address _____

Application Forms

4. Particulars of the Proposed Sub-lease Land

- (a) Location (Ward, Township, State /Region) _____
- (b) Area of Land _____
- (c) Size and Number of Building (s) _____
- (d) Value of Building _____
- (e) Permitted period to use the land _____

5. Land / Building(s) Lease Rate (per square meter per year) _____

6. Land Use Premium – (LUP)
Rate per Acre: _____

7. I hereby sign that the above statements which are furnished are true and correct.

(Signature)
Name of Investor
Designation
Date

(Signature)
Name of Lessor
Designation
Date

Application Forms

Form (16)

Form for the investor to submit a complaint

To

Chairman
Myanmar Investment Commission

Reference No.

Date.

I do apply for the complaint arisen from the investment by furnishing the following particulars:-

1. The investor's:-
 - (a) Name
 - (b) ID No./National Registration Card No./Passport No
 - (c) Address
2. The parent company's or owner's:-
 - (a) Name
 - (b) Citizenship
3. The specific project at issue:-
 - (a) Name
 - (b) Sector of the investment or the specified project:-
.
.
 - (c) Project Location
 - (d) Address
4. Brief description of the issue, including the name of the implicated government body or entity:

Application Forms

5. The person completing this form

(a) Name.

(b) Relationship with the investor or the investment:
.
.

(c) If completing this form on

(d) Address
Road/Street
State/ Region
Township
Telephone No./ Fax No.
E-mail Address

6. The way to receive notices

Address E-mail

Signature -----

Name -----

Occupation -----

Date -----



The Republic of the Union of Myanmar

Designation of Development Zone

(Myanmar Investment Commission, Notification No. 10 / 2017)

The Republic of the Union of Myanmar

Myanmar Investment Commission

Notification No. 10 / 2017

The 11th of Waning of Dapotwe, 1378 ME
(22nd February 2017)

Designation of Development Zone

1. The Republic of the Union of Myanmar, Myanmar Investment Commission in exercise of the powers conferred under Section 100 (b) of Myanmar Investment Law, with the approval of Union Government, issued this notification to specify Less Developed Regions as Zone 1, Moderate Developed Regions as Zone 2 and Developed Regions as Zone 3 as follows for the purpose of income tax exemption and relief as described in Section 75 (a) of the said Law:

(A) Zone 1: Less Developed Regions

Sr. No.	Region/ State	District	Township	
1	Kachin State	Myitkyina District	1	Chibwe Township
			2	Tsawlaw Township
			3	In-Jangyang Township
			4	Tanai Township
		Moenyin District	5	Mogaung Township
		Bahmo District	6	Shwegu Township

Designation of Development Zone

Sr. No.	Region/ State	District	Township	
			7	Momauk Township
			8	Mansi Township
			9	Bahmo Township
		Putao District	10	Putao Township
			11	Naungmung Township
			12	Machanbaw Township
			13	Sumprabum Township
			14	Kaunglanhpu Township
2	Kayah State	Bawlakhe District	1	Bawlakhe Township
			2	Hpasaung Township
			3	Mese Township
		Loikaw District	4	Loikaw Township
			5	Demawso Township
			6	Hpruso Township
			7	Shataw Township
3	Kayin State	Hpa-an District	1	Hpa-an Township
			2	Hlaignbwe Township
			3	Papun Township
			4	Thandaunggyi Township
		Kawkareik District	5	Kawkareik Township

Designation of Development Zone

Sr. No.	Region/ State	District	Township	
			6	Kyain Seikkyi Township
		Myawady District	7	Myawady Township
4	Chin State	Falam District	1	Falam Township
			2	Tiddim Township
			3	Hton Zan Township
		Haka District	4	Haka Township
			5	Htan Ta Lang Township
		Mindat District	6	Mindat Township
			7	Matupi Township
			8	Kanpetlet Township
			9	Paletwa Township
5	Sagaing Region	Sagaing District	1	Myinmu Township
			2	Myaung Township
		Shwebo District	3	Khin-U Township
			4	Wetlet Township
			5	Kanbalu Township
			6	Taze Township
			7	Ye-U Township
			8	Kyunhla Township
			9	Tabayin Township

Designation of Development Zone

Sr. No.	Region/ State	District	Township	
		Monywa District	10	Budalin Township
			11	Ayadaw Township
			12	Salingyi Township
			13	Pale Township
			14	Yinmabin Township
			15	Kani Township
			16	Chaung-U Township
		Hkamti District	17	Hkamti Township
			18	Homalin Township
			19	Leshi Township
			20	Lahe Township
			21	Namyung Township
		Katha District	22	Katha Township
			23	Kawlin Township
			24	Indaw Township
			25	Wuntho Township
			26	Pinlebu Township
			27	Banmouk Township
			28	Tigyain Township

Designation of Development Zone

Sr. No.	Region/ State	District	Township	
		Mawlaik District	29	Mawlaik Township
			30	Phaungbyin Township
		Kale District	31	Kale Township
			32	Mingin Township
			33	Kalewa Township
		Tamu District	34	Tamu Township
6	Tanintharyi Region	Dawei District	1	Thayetchaung Township
		Myeik District	2	Palaw Township
			3	Tanintharyi Township
			4	Khamaukgyi Township
7	Bago Region	Bago District	1	Shwegyin Township
		Thayarwady District	2	Monyo Township
		Taungoo District	3	Htantabin Township
			4	Kyaukgyi Township
		Pyay District	5	Paukkaung Township
8	Magwe Region	Magwe District	1	Chauk Township
			2	Myothit Township
			3	Natmauk Township

Designation of Development Zone

Sr. No.	Region/ State	District	Township	
		Minbu District	4	Sidoktaya Township
		Thayet District	5	Kanma Township
			6	Mindon Township
			7	Sinbaungwe Township
		Pakokku District	8	Myaing Township
			9	Pauk Township
			10	Seikphyu Township
		Gangaw District	11	Gangaw Township
			12	Htilin Township
			13	Saw Township
9	Mandalay Region	Myingyan District	1	Myingyan (Myotha) Township
			2	Ngazun Township
10	Mon State	Mawlamyine District	1	Chaungzon Township
			2	Kyaikmayaw Township
11	Rakhine State	Kyaukphyu District	1	Kyaukphyu Township
			2	Manaung Township
			3	Rambree Township
			4	Ann Township
		Maungdaw District	5	Maungdaw Township
		Buthidaung District	6	Buthidaung Township

Designation of Development Zone

Sr. No.	Region/ State	District	Township	
		Sittwe District	7	Sittwe Township
			8	Ponnagyun Township
			9	Mrauk-U Township
			10	Kyauktaw Township
			11	Minbya Township
			12	Myebon Township
			13	Pauktaw Township
			14	Rathedaung Township
		Thandwe District	15	Thandwe Township
			16	Taunggup Township
			17	Gwa Township
12	Shan State	Taunggyi District	1	Hopong Township
			2	Hsi Hseng Township
			3	Pingdaya Township
			4	Ywangan Township
			5	Yatsauk Township
			6	Pinlaung Township
			7	Pekon Township
		Loilem District	8	Kunhein Township
			9	Kyethi Township

Designation of Development Zone

Sr. No.	Region/ State	District	Township	
			10	Mong Kung Township
			11	Mong Hsu Township
		Lengkhe District	12	Lengkhe Township
			13	Moh Nai Township
			14	Mawkmai Township
			15	Mong Pan Township
		Kengtong District	16	Mong Hkat Township
			17	Mong Yang Township
			18	Mong La Township
		Mong Sat District	19	Mong Sat Township
			20	Mong Ton Township
			21	Mong Pying Township
		Tachileik District	22	Tachileik Township
		Mong Hpyak District	23	Mong Hpyak Township
			24	Mong Yaung Township
		Lashio District	26	Theinni Township
			27	Mongyai Township
		Muse District	28	Namkam Township
			29	Kutkai Township
		Kyaukme District	30	Namtu Township

Designation of Development Zone

Sr. No.	Region/ State	District	Township	
			31	Namhsan Township
			32	Mantone Township
			33	Moemaik Township
			34	Mabein Township
		Laukkai District	35	Laukkai Township
			36	Konggyan Township
		Hopang District	37	Hopang Township
			38	Mongmao Township
			39	Pangwaing Township
		Metman District	40	Metman Township
			41	Nahpan Township
			42	Pangsang Township
13	Ayeyarwady Region	Pathein District	1	Thabaung Township
			2	Ngapudaw Township
			3	Pathein Township (Only Shwetaungyan Town, ChaungThar Town, Ngwesaung Town in Pathein Township)
		Hinthada District	4	Myanaung Township
			5	Kyangin Township

Designation of Development Zone

Sr. No.	Region/ State	District	Township	
			6	Ingabu Township
			7	Lemyethna Township
		Labutta District	8	Labutta Township
			9	Mawlamyinekyun Township
		Pyapon District	10	Bogale Township

(B) Zone 2: Moderate Developed Regions

Sr. No.	Region/ State	District	Township	
1	Kachin State	Myitkyina District	1	Myitkyina Township
			2	Waingmaw Township
			3	Mohnyin Township
			4	Hpakant Township
2	Sagaing Region	Sagaing District	1	Sagaing Township
		Shwebo District	2	Shwebo Township
		Monywa District	3	Monywa Township
3	Tanintharyi Region	Dawei District	1	Dawei Township
			2	Yebyu Township

Designation of Development Zone

			3	Launglon Township
		Myeik District	4	Kyunsu Township
			5	Myeik Township
		Kawthoung District	6	Kawthoung Township
			7	Bokpyin Township
4	Bago Region	Thayawady District	1	Thayawady Township
			2	Minhla Township
			3	Letpadan Township
			4	Okpo Township
			5	Gyobingauk Township
			6	Zigon Township
			7	Nattalin Township
		Pyay District	8	Pyay Township
			9	Padaung Township
			10	Paungde Township
			11	Shwedaung Township
			12	Thegon Township
		Taungoo District	13	Taungoo Township
			14	Yedashe Township
			15	Oktwin Township
			16	Phyu Township

Designation of Development Zone

		Bago District	17	Kyaukdaga Township
			18	Daik-U Township
			19	Nyaunglaybin Township
			20	Bago Township
			21	Kawa Township
			22	Thanatpin Township
			23	Waw Township
5	Magwe Region	Magwe District	1	Magwe Township
			2	Yenangyaung Township
			3	Taungdwingyi Township
		Minbu District	4	Minbu Township
			5	Pwintbyu Township
			6	Salin Township
			7	Ngape Township
		Thayet District	8	Thayet Township
			9	Minhla Township
			10	Aunglan Township
		Pakokku District	11	Pakokku Township
			12	Yesagyo Township
6	Mandalay Region	Myingyan District	1	Myingyan Township

Designation of Development Zone

			2	Nahtogyi Township
			3	Kyaukpadaung Township
			4	Taungtha Township
		Meiktila District	5	Mahlaing Township
			6	Thazi Township
		Kyaukse District	7	Kyaukse Township
			8	Tada-U Township
		Pyinoolwin District	9	Pyinoolwin Township
			10	Thabeikkyin Township
			11	Singu Township
			12	Madaya Township
			13	Mogok Township
7	Mon State	Thaton District	1	Thaton Township
			2	Kyaikhto Township
			3	Paung Township
			4	Bilin Township
		Mawlamyine District	5	Mawlamyine Township
			6	Thanbyuzayat Township
			7	Mudon Township
			8	Ye Township

Designation of Development Zone

8	Yangon Region	Yangon(South) District	1	Kyauktan Township
			2	Dala Township
			3	Seikgyi Kanaungto Township
			4	Kawmu Township
			5	Kayan Township
			6	Kungyangon Township
			7	Thongwa Township
			8	Twante Township
			9	Cocokyun Township
		Yangon(North) District	10	Hlegu Township
			11	Taikgyi Township
			12	Hmawbi Township
		Yangon (East) District	13	Thanlyin Township
9	Shan State	Taunggyi District	1	Taunggyi Township
			2	Kalaw Township
			3	Nyaungshwe Township
		Loilen District	4	Loilen Township
			5	Lai-Hka Township
			6	Nansan Township
		Kengtong District	7	Kengtong Township
		Lashio District	8	Lashio Township

Designation of Development Zone

			9	Tangyan Township
		Kunlong District	10	Kunlong Township
		Muse District	11	Muse Township
		Kyaukme District	12	Kyaukme Township
			13	Hsipaw Township
			14	Naungcho Township
10	Ayeyarwady Region	Patheingyi District	1	Patheingyi Township (except Shwetaungyan Town, ChaungThar Town, Ngwesaung Town in Patheingyi Township)
			2	Kangyidaung Township
			3	Yegyi Township
			4	Kyaunggone Township
			5	Kyonpyaw Township
		Hinthada District	6	Hinthada Township
			7	Zalun Township
		Ma-ubin District	8	Ma-ubin Township
			9	Pantanaw Township
			10	Nyaungdon Township
			11	Danubyu Township
		Myaungmya District	12	Myaungmya Township

Designation of Development Zone

			13	Einme Township
			14	Wakema Township
		Pyapon District	15	Pyapon Township
			16	Kyaiklat Township
			17	Dedaye Township
11	Nay Pyi Taw Union Territory	Dekkhina District	1	Zabuthiri Township
			2	Dekkhinathiri Township
			3	Lewe Township
			4	Pyinmana Township
		Oktara District	5	Oktarathiri Township
			6	Zeyathiri Township
			7	Pobbathiri Township
			8	Tatkon Township

(C) Zone 3: Developed Regions

Sr. No.	Region/ State	District	Township	
1	Mandalay Region	Mandalay District	1	Aungmyaythazan Township
			2	Chanayetharzan Township
			3	Mahaaungmye Township
			4	Chanmyatharzi Township

Designation of Development Zone

			5	Pyigyidagon Township
			6	Amarapura Township
			7	Patheingyi Township
		Kyaukse District	8	Myittha Township
			9	Singaing Township
		Meikhtila District	10	Meikhtila Township
			11	Wundwin Township
		Nyaung-U District	12	Nyaung-U Township
		Yamethin District	13	Yamethin Township
			14	Pyawbwe Township
2	Yangon Region	Yangon (East) District	1	Botataung Township
			2	North Okkalapa Township
			3	Pazundaung Township
			4	South Okkalapa Township
			5	Thingangyun Township
			6	Yankin Township
			7	Dawbon Township

Designation of Development Zone

			8	Mingalar Taungnyunt Township
			9	Tamwe Township
			10	Thaketa Township
			11	East Dagon Township
			12	North Dagon Township
			13	Dagon Seikkan Township
			14	Mingaladon Township
			15	Shwepyitha Township
			16	Hlaingthaya Township
			17	South Dagon Township
		Yangon (North) District	18	Insein Township
			19	Htantabin Township
		Yangon (West) District	20	Hlaing Township
			21	Kamayut Township
			22	Mayangon Township
			23	Ahlon Township
			24	Bahan Township
			25	Dagon Township

Designation of Development Zone

			26	Kyauktada Township
			27	Kyimyindaing Township
			28	Lanmadaw Township
			29	Latha Township
			30	Pabedan Township
			31	Sanchaung Township
			32	Seikkan Township

2. Myanmar Investment Commission may amend, with the approval of the Union Government, if necessary, the designation of the types of zones as described in para 1 on the basis of the development of Regions and States and the necessity.

By Kyaw Win
Chairman

Designation of Development Zone



The Republic of the Union of Myanmar

**Prescribing Investment Capital Amount for
Investment Activities for State and Regional
Investment Committees to Issue Endorsement
(Myanmar Investment Commission, Notification No. 11 / 2017)**

The Republic of the Union of Myanmar

Myanmar Investment Commission

Notification No. 11/2017

The 6th Waxing of Tabaung, 1378 ME

(3rd March 2017)

**Prescribing investment capital amount for investment activities for
State and Regional Investment Committees to issue endorsement**

In exercise of the power conferred under Section 24 (h) of the Republic of the Union of Myanmar, Myanmar Investment Commission has prescribed the investment capital amount up to USD 5 million or MMK 6 billion for State and Regional Investment Committees for issuance of endorsement order.

(Kyaw
Win)
Chairman



The Republic of the Union of Myanmar

Classification of Promoted Sector

(Myanmar Investment Commission, Notification No. 13 / 2017)

The Republic of the Union of Myanmar

Myanmar Investment Commission

Notification No. 13 /2017

The 5th Waxing of Tagu, 1378 ME

(1st April, 2017)

Classification of Promoted Sector

1. In exercises of the power conferred under section 43 and sub- section (b) of Section 100 of the Myanmar Investment Law. The Myanmar Investment Commission has prescribed this investment promoted sectors with the approval of Union Government:

Sr. No.	Sector/ Type of Business	Industrial Code
(A)	Agriculture and its related services (except cultivation and production of tobacco and virginia)	
1	Cultivation of Cereals (except rice), pulses and oil seed crops	ISIC 0111
2	Cultivation and production of Rice	ISIC 0112
3	Cultivation of vegetables, melon/cucumber and root crops	ISIC 0113
4	Cultivation of Sugarcane	ISIC 0114
5	Cultivation of Cotton and Allied Fiber Crops	ISIC 0116
6	Cultivation of annual crops	ISIC 0119
7	Cultivation of grapes (perennial crops)	ISIC 0121

Classification of Promoted Sector

Sr. No.	Sector/ Type of Business	Industrial Code
8	Cultivation of tropical zone and temperate fruit crops (Banana, Mango, Durian, Rambutan, Papaya, Pineapple, Dragon Fruit, Tamarind, and other tropical and temperate zone fruit such as Custard Apple, Jackfruit, Mangosteen, Longan Tambuten, Avocado, Fig, Date Palm.)	ISIC 0122
9	Cultivation of citrus (Pomelo, Sweet Lime, Lemon, Lime, Orange and other kinds of lime and lemon)	ISIC 0123
10	Cultivation of nuts (guava, palm, damson, apple and lychee, and cultivation other nuts like pear)	ISIC 0124
11	Cultivation of other trees and bush type fruit crops and nuts	ISIC 0125
12	Cultivation of Oil trees (Oil palm,....)	ISIC 0126
13	Cultivation of cordial plants	ISIC 0127
14	Cultivation of culinary crops, herbal, inhalant and medicinal plants (pepper, sweet chili, spicy chili, nutmeg, ginger, turmeric and other seasoning plants)	ISIC 0128
15	Cultivation of Perennial crops	ISIC 012/ ISIC 0129
16	Plant Breeding and multiplication	ISIC 0130
17	Supportive activities on crop production	ISIC 0161
18	Post harvest activities	ISIC 0163

Classification of Promoted Sector

Sr. No.	Sector/ Type of Business	Industrial Code
19	Seed treatment activities for multiplication	ISIC 0164
20	Weeding activities and Sanitation of pest and pathogens	ISIC 0161
21	Mechanized harvesting service	CPC 8611
22	Milling and processing service	CPC 861
23	Water resource and irrigation service	CPC 861
24	Service on drying facilities	ISIC 0163
25	Service on Storage facilities	CPC 861
26	Laboratory service on food crop	CPC 861
27	Soil testing service	CPC 861
28	Renting service on Agriculture machines	CPC 7312
29	establishing the infrastructure for whole-sale market for agricultural products	CPC 545
30	Other services from crop cultivation to production of crops(service for crops after harvesting period, service for production of seeds, other services)	CPC 861
(B)	Establishment of forest plantations, conservation and other forest related businesses	
1	Establishment of forest plantation	ISIC 0210
2	Establishment of teak plantation	ISIC 0210
3	Production of rubber wood	ISIC 0220
4	Carried out of forest and forest plantation with charges or contract system	ISIC 0240

Classification of Promoted Sector

Sr. No.	Sector/ Type of Business	Industrial Code
(C)	Livestock production, breeding and production of fishery products, and its related services	
1	Cattle and buffalo farming, breeding and production	ISIC 0141
2	Farming of Equine family	ISIC 0142
3	Sheep and goat farming, breeding and production	ISIC 0144
4	Pig farming, breeding and production	ISIC 0145
5	Poultry farming, breeding and production	ISIC 0146
6	Farming of other animals	ISIC 0149
7	Mixed farming	ISIC 0150
8	Supporting activities for animal production	ISIC 0162
9	Pearl culturing and production	ISIC 0311
10	Breeding and production of fresh water and marine organisms	ISIC 0321, 0322
(D)	Manufacturing (Except manufacturing of cigarette, liqueur, beer, and other harmful products to health)	
1	Slaughtering and packing (excluding native chicken, duck and other fowls)	ISIC 1010
2	Slaughtering, packing and preservation of poultry (layers and broilers)	ISIC 1010

Classification of Promoted Sector

Sr. No.	Sector/ Type of Business	Industrial Code
3	Production, processing and freezing fish and fisheries products	ISIC 1020
4	Production of canned fish	ISIC 1020
5	Value-added production of shellfish and mollusc such as prawn and crab	ISIC 1020
6	Manufacturing of canned shellfish and mollusc such as prawn and crab	ISIC 1020
7	Production of seaweed and moss, etc.	ISIC 1020
8	Production of veterinary medicine	ISIC 2100
9	Processing the vegetables and fruits for long-term storage	ISIC 1030
10	Production of canned vegetable and fruit	ISIC 1030
11	Production of edible oil and fat from other vegetables and animals not expressly specified	ISIC 1040
12	Production of edible oil and fat from vegetables	ISIC 1040
13	Production of bread and food from coconut oil, kernel and coconut	ISIC 1030, 1071
14	Production of palm oil	ISIC 1040
15	Production of maize oil	ISIC 1040
16	production of animal oil and fat	ISIC 1040

Classification of Promoted Sector

Sr. No.	Sector/ Type of Business	Industrial Code
17	Production of edible oil and fat from other vegetables and crops not expressly specified (nut which could produce fat, production of food and powder from crop seeds, production of margarine, production of similar mixed foods, production of mixed fat to be used for frying)	ISIC 1040
18	Production of fresh milk and value-added dairy products	ISIC 1050
19	Production of milk powder, evaporated milk and condensed milk	ISIC 1050
20	Production of other dairy product	ISIC 1050
21	Grinding the crops (except rice and maize)	ISIC 1061
22	Grinding rice/maize and production of rice-flour/ maize flour	ISIC 1061
23	Bakery	ISIC 1071
24	Production of sugar	ISIC 1072
25	Manufacturing of Cocoa, Chocolate and sugar confectionary	ISIC 1073
26	Manufacturing of macaroni noodles, biscuit, dry cake and food with flour	ISIC 1074
27	Production of prepared meals and dishes	ISIC 1075
28	Production of coffee, Tea and Traditional Medicinal Plants	ISIC 1079
29	Production of seasoning, sauce, other	ISIC 1079

Classification of Promoted Sector

Sr. No.	Sector/ Type of Business	Industrial Code
	objects used for cooking (production of seasoning, sauce and pepper; production of food including mayonnaise, mustard, rice-flour; production of mustard, rice-flour, vinegar; production of emulated honey with smoked sugar; squeezing meat, fish, shellfish or mollusc; production of edible salt such as iodine salt; production of energy drink)	
30	Production of animal feed	ISIC 1080
31	Production of veneer (production of wood-based products such as plywood, fiber board (horizontal), particle board (wood piece))	ISIC 1621
32	Production of finished wood products for buildings	ISIC 1622
33	Production of boxes with wood	ISIC 1623
34	Production of other objects with wood (production of products with raw materials such as cork, hay, water hyacinth, dried banana tree by folding many layers, twisting, entwining and weaving)	ISIC 1629
35	Making furniture with wood (including bamboo and cane)	ISIC 3100
36	Production of soap, soap powder, perfume and cleaner materials	ISIC 2023

Classification of Promoted Sector

Sr. No.	Sector/ Type of Business	Industrial Code
37	Spinning, weaving, dyeing and finalizing	ISIC 131, 1312, 1313
38	production of rope , varieties of rope and net	ISIC 1394
39	Production of clothes	ISIC 1410
40	Production of women' underwear	ISIC 1410
41	Production of varieties of hat	ISIC 1410
42	Production of varieties of bags including baggage, hand bag and haversack	ISIC 1512
43	Production of sport items	ISIC 3230
44	Production of varieties of shoe	ISIC 3290
45	Production of finished leather products	ISIC 1511
46	Production of leather baggages and hand bags	ISIC 1512
47	Processing and production of wool and fur	ISIC 1420
48	Manufacturing of varieties of plastic products	ISIC 2220
49	Manufacturing of products for household and personal use	ISIC 3290
50	Manufacturing of pulp, paper and paper board	ISIC 1701

Classification of Promoted Sector

Sr. No.	Sector/ Type of Business	Industrial Code
51	Production of fertilizer and Nitrogen compound	ISIC 2012
52	Production of insecticide and chemical products to be used in farming	ISIC 2021
53	Production of fibre (emulated fibre)	ISIC 2030
54	Production of medicine, chemical products for medicine and botanical products	ISIC 2100
55	Manufacturing the varieties of tyre	ISIC 2211
56	Production and revision of rubber tyre and tube	ISIC 2211
57	Production of concrete, cement, limestone, brick, ceramic and plaster	ISIC 2394
58	Manufacturing of construction materials	ISIC 2395
59	Manufacturing of Plastic products for construction business (tank, water containers, reservoirs)	ISIC 2220
60	Production of iron and steel	ISIC 2410
61	Production of refine metal except machine and mechanical equipment	ISIC 25
62	Manufacturing of finished jade and gem and jewellery	ISIC 3211
63	Manufacturing of computer, electronic and optical products	ISIC 26
64	Manufacturing of electric motor, generator(generating electricity), transformer(diode), electricity distributing	ISIC 271

Classification of Promoted Sector

Sr. No.	Sector/ Type of Business	Industrial Code
	and control apparatus	
65	Manufacturing of electricity distributing and control apparatus	ISIC 2710
66	Manufacturing of consumer electronics (manufacturing of video, TV equipment, manufacturing of broadcasts studio equipment)	ISIC 264
67	Manufacturing of telecommunication equipment (production of telephone, fax, wireless, private branch exchange)	ISIC 2630
68	Manufacturing of electronic indicator and other components	ISIC 2610
69	Manufacturing of data cable for communication business	ISIC 2630
70	Manufacturing of batteries and accumulators	ISIC 2720
71	Manufacturing of wiring and wiring devices	ISIC 273
72	Manufacturing of aluminum and related materials	ISIC 2420
73	Manufacturing of glass and glass products	ISIC 2310
74	Manufacturing of glass fiber	ISIC 2310
75	Manufacturing firming machines	ISIC 2821
76	Manufacturing and installation of different types vehicles	ISIC 2910
77	Production of bodies (coachwork) for motor vehicles and trailers	ISIC 2910
78	Production of vehicle related fixtures and	ISIC 2930

Classification of Promoted Sector

Sr. No.	Sector/ Type of Business	Industrial Code
	parts of machines	
79	Production of motorcycles (production of motorcycles, engine and spare parts)	ISIC 3091
80	Production of machinery and equipment	ISIC 28
81	Production of general purpose machinery	ISIC 281
82	Building of ships and floating structure	ISIC 3011
83	Building and production of pleasure crafts and Sporting boats	ISIC 3012
84	Production of locomotives, coaches and wagons, Bridge girders and trusses and concrete sleepers	ISIC 302
85	Manufacture of Air and Spacecraft and Related Machinery	ISIC 303
86	Production and selling of airframe, engine and components of aircraft	ISIC 3030
87	Production of Petroleum chemical items	ISIC 1920
88	Production of chemical items	ISIC 20
89	Manufacturing business based on rubber	ISIC 221
90	Production of engine oils	ISIC 1920
91	Manufacturing of Traditional Medicine Drugs	ISIC 10762
92	Production of medical equipment and supply	ISIC 1079

Classification of Promoted Sector

Sr. No.	Sector/ Type of Business	Industrial Code
(E)	<p>Establishment of Industrial Zone/ Industrial Complex</p> <p>The Development shall construct the industrial zone/ industrial park with provision of proper technical infrastructure and utility services such as roads, water supply, electricity, drainage, waste water treatment and solid waste and hazard waste management system, and provision of social and administrative amenities such as hospital and clinic, vocational training school, offices, fire station, park and green in line with planning and zoning regulation of industrial zone development</p>	-
(F)	<p>Establishment of new urban areas</p> <p>The developer shall construct the new urban areas with provision of proper technical infrastructure and utility services such as roads, water supply, electricity, communication, drainage, waste water treatment and solid waste management system, and provision of social, commercial and administrative amenities such as hospital and clinic, schools and training education, offices, market, commercial area, fire station, park, green and recreation in line with planning and</p>	-

Classification of Promoted Sector

Sr. No.	Sector/ Type of Business	Industrial Code
	zoning regulation of urban development	
(G)	City development activities	
1	Water supply	ISIC 4220
2	Water supply through waste water purification	CPC 953
3	Waste collection	CPC 942
4	Building and leasing of the affordable housing	ISIC 4100, CPC 7211
5	Public transport in/out bound of the city	ISIC 492
(H)	Construction of road, bridge and railway line	
1	Construction of new highways and the bridges on those roads	ISIC 4210
2	Construction of railway line	ISIC 4210
3	Construction of runway (including taxiway, apron, access road, parameter road)	ISIC 4210
4	Upgrading the bridges and highways, and construction of tunnels	ISIC 4210
(I)	Construction of seaport, river port and dry port	ISIC 4290
(J)	Management, operation and maintenance of airport	

Classification of Promoted Sector

Sr. No.	Sector/ Type of Business	Industrial Code
(K)	Aircraft Repair and Maintenance Services	ISIC 3315
(L)	Supply and transport services	
1	Passenger transport by train	ISIC 4911
2	Freight transport by train	ISIC 4912
3	Container transport by train	ISIC 4912
4	Passenger Transportation by Road Transport	ISIC 4922
5	Freight Transportation and Storage by Road Transport	ISIC 4923
6	Inland water transport for passengers	ISIC 5021
7	Inland water transport services for freight	ISIC 5022
8	Domestic air transport for passengers	ISIC 5110
9	International air transport for passengers	ISIC 5110
10	Services for constructing and hiring warehouse, silos and tank	CPC 54422, 53121, 72112
11	Establishment of cold chain	CPC 83116
12	Service for packing the goods	CPC 854
(M)	Power generation, transmission and distribution	ISIC 351

Classification of Promoted Sector

Sr. No.	Sector/ Type of Business	Industrial Code
(N)	Production of renewable energy	
1	Power generation, transmission and distribution by using solar power, wind power and geothermal power	ISIC 3510
2	Engineering services for power generation and transmission by using solar power, wind power and geothermal power	CPC 83324
(O)	Telecommunication businesses	
1	Installation of fibre pipeline, telecommunication and power transmission line, and construction of telecommunication tower	CPC 83325
2	Business related to regional fibre pipeline	CPC 83325
3	Telecommunication services	CPC841
(P)	Education services	
1	Private schools	ISIC 85
2	Schools which apply international curriculum	ISIC 85
3	Technology and vocational institutes	ISIC 8530
4	Higher education services	ISIC 8530
5	Sport education services	ISIC 8541
6	Civil Aviation Training Services	CPC 92919

Classification of Promoted Sector

Sr. No.	Sector/ Type of Business	Industrial Code
7	Training and developing health service support human resources	ISIC 854
(Q)	Health services	
1	Hospital service	ISIC 861
2	Medical laboratory service	ISIC 861
3	Traditional Medicine Hospital Service	ISIC 8610
4	Private clinic service	ISIC 8690
(R)	Information technology services	
1	Service for information and technology infrastructure	ISIC 63
2	Software development	ISIC 5820
(S)	Hotel and tourism	
1	Providing services by construction of hotels and resorts	CPC 53129
2	Transport services for tourists and sight-seeing	CPC 6413
3	Eco-tourism business	CPC 8556
(T)	Science research development business	
1	Science research and development projects for agriculture and breeding	ISIC 7210
2	Research for medical education and medicine	ISIC 7210
3	Research for Industrial development, engineering and technology	ISIC 7210

Classification of Promoted Sector

Sr. No.	Sector/ Type of Business	Industrial Code
4	Research for post-harvesting technology	ISIC 7210
5	Preliminary research on agricultural science (services for practicing the agriculture, technology, crops nursery, forest plantation, animal husbandry, fish culturing)	ISIC 7210
6	Research on traditional medicine and laboratory service	ISIC 7210
7	Research on geology science	ISIC 7210

2. In accordance with the sub- section (c) of the Section 75, the investments covered in the above investment promoted sectors shall be granted income tax exemptions if it is apply to Commission.

(Kyaw Win)
Chairman

Classification of Promoted Sector



The Republic of the Union of Myanmar

List of Restricted Investment Activities

(Myanmar Investment Commission, Notification No. 15 / 2017)

The Republic of the Union of Myanmar

Myanmar Investment Commission

Notification No. 15 /2017

The 14th Waxing of Tagu, 1378 ME

(10th April, 2017)

List of Restricted Investment Activities

1. In exercise of the powers conferred under section 42 and section 100(b) of Myanmar Investment Law, with the approval of the Union Government, Myanmar Investment Commission issued the list of restricted investment activities as follows:

(e) Investment activities allowed to be carried out only by the Union

Sr. No.	Types of Investment Businesses	Industrial Code
1	Manufacturing of products for security and defence being specified by the notification of the Government from time to time	ISIC 2520
2	Manufacturing and related services of Arms and ammunition for the national defence	ISIC 2520, CPC 447
3	Issuing the national postage stamps; establishment and hiring of post office and post boxes which are only to be performed by the post office operator on behalf of the Union	ISIC 1811, 1812 CPC 326

List of Restricted Investment Activities

4	Air Traffic Services	See Definition/ Scope
5	Pilotage Services	CPC 6752
6	Management of natural forest and forest area except the business relating to reduction of carbon emission	CPC 7221/72212
7	Feasibility study and production of radioactive metals such as uranium and thorium	ISIC 0721/07210
8	Control of electric power system	CPC 8631
9	Inspection of Electrical business	CPC 8631

(B) Investment activities that are not allowed to be carried out by foreign investors

Sr. No.	Types of Investment Businesses	Industrial Code
1	Publishing and distribution of periodicals in ethnic languages including Myanmar	ISIC 5813, CPC 3241, 8911, 8912
2	Fresh water fisheries and relevant services	ISIC 0312, CPC 0421, 8615

List of Restricted Investment Activities

3	Establishment of quarantine station for exportation and importation of animals (Livestock Breeding and Veterinary Department shall undertake to inspect animals and to issue permits)	CPC 8352, 8359, 8612,
4	Pets care service	CPC 8351, 86129
5	Manufacturing of forest products from forest area and government administered natural forest	ISIC 0220, 0230
6	Prospecting, exploration, feasibility study and production mineral for small and medium scale businesses in accordance with the Mines Law	ISIC 0510, 0520, 0710, 0721, 0729, 0990
7	Refinement of minerals by medium scale and small scale	ISIC 2410
8	Performing shallow oil wells up	ISIC 0610
9	Printing and issuing sticker for visa and stay permit for foreigners	ISIC 5819, CPC 89122, 91210
10	Prospecting, exploration and production of jade/gem stones	ISIC 0990, 3211
11	Tour-guide service	CPC 8555

List of Restricted Investment Activities

12	Mini-market, convenience store (Floor area must be below (100 ft.x100 ft.) 10,000 square feet or 929 squaremeter)	CPC 62
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(C) Investment activities allowed only in the form of a joint venture with any Myanmar citizen owned entity or any Myanmar citizen

Sr. No.	Types of Investment Businesses	Remark	Industrial Code
1	Construction for Fish Landing Site/ Fishing Harbour and Fish Auction Market	This shall be carried out in accord with the law, procedure, directive and regulation of the Fishery Department.	ISIC 5210
2	Research activities related with fishery	This shall be carried out in accord with the law, procedure, directive and regulation of the Fishery Department.	CPC 8114

List of Restricted Investment Activities

3	Veterinary clinic	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	CPC 8351, 8352, 8559
4	Cultivation of crops in agriculture land, distribution them to the local market and exporting them	-	ISIC 011/0111, 0112, 4631, 46312, 4759, 47593
5	Manufacturing and domestic marketing of plastic products	-	ISIC 1511, 1512, 1520, 46312, 4759, 47593
6	Manufacturing and domestic distribution of chemicals based on available natural resources	-	ISIC 2011, 202, 46312, 4759, 47593

List of Restricted Investment Activities

7	Manufacturing and domestic distribution of flammable solid, liquid, gaseous fuels and aerosol (Acetylene, Gasoline, Propane, Hair Sprays, Perfume, Deodorant, Insect spray)	-	ISIC 201, 202, 46312, 4759, 47593
8	Manufacturing and domestic marketing of oxidants (Oxygen, Hydrogen Peroxide), compressed gases (Acetone, Argon, Hydrogen, Nitrogen, Acetylene)	-	ISIC 201, 202, 46312, 4759, 47593
9	Manufacturing and domestic marketing of corrosive chemicals (Sulphuric Acid, Nitric Acid)	-	ISIC 201, 2012, 46312, 4759, 47593
10	Manufacturing and distribution of industrial chemical gases including compressed, liquefied and solid forms	-	ISIC 201, 202, 46312, 4759, 47593

List of Restricted Investment Activities

11	Value added manufacturing and domestic distribution of cereal products such as biscuits, wafers, all kinds of noodles and vermicelli	-	ISIC 1074m 46312, 4759, 47593
12	Manufacturing and domestic distribution of all kinds of confectionery including those of sweet, cocoa and chocolate	-	ISIC 1073, 46312,4759, 47593
13	Manufacturing, preserving, canning, processing and domestic distribution of food products except milk and dairy products	-	ISIC 1075, 46312,4759, 47593
14	Manufacturing and domestic distribution of malt and malt liquors and non-aerated products	-	ISIC 1103, 46312,4759, 47593
15	Manufacturing, distilling, blending, rectifying, bottling and domestic distribution of all kinds of spirits, alcohol, alcoholic beverages and non-alcoholic beverages	-	ISIC 1101, 1102,46312, 4759,47593

List of Restricted Investment Activities

16	Manufacturing and domestic distribution of all kinds of purified ice	-	ISIC 1079, 46312, 4759, 47593
17	Manufacturing and distribution of purified drinking water	-	ISIC 1105
18	Manufacturing and domestic distribution of all kinds of soap	-	ISIC 2023/20231, 46312, 4759, 47593
19	Manufacturing and domestic wholesale of all kinds of cosmetic products	-	ISIC 2023/20232, 46312, 4759, 47593
20	Development, sales and lease of residential apartments and condominiums	-	ISIC 4100/41001, 6810, CPC 5411, 7211
21	Local tour service	-	CPC 8554
22	Transportation Agency for patients to overseas hospitals	-	CPC 93121

List of Restricted Investment Activities

(D) Investment activities to be carried out with the approval of the relevant ministries

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
1	Investment activities to obtain the approval of the Ministry of Home Affairs		
1	Manufacturing and distribution of medicines which are produced by using narcotic and psychotropic substances	This business shall be carried out in compliance with Rules relating to the Supervision of Controlled Precursor Chemicals	ISIC 2100
2	Investment activities to obtain the approval of the Ministry of Information		
1	Cross ownership between private broadcasting institution and private newspaper media institution Services	-	ISIC 6010, 6020, CPC 8912, 846, 9616
2	Publishing of periodical newspapers in foreign languages	-	ISIC 1811, 5813, CPC 3241, 8911, 8912,
3	FM Radio Programmes Broadcasting Services	-	ISIC 6010, CPC 8461, 8462

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
4	Direct to Home(DTH) Transmission Services	-	ISIC6020, CPC 846
5	DVB-T2 Transmission Services	-	ISIC6020, CPC 846
6	Cable TV Transmission Services	-	ISIC6020, CPC 846
3	Investment activities to obtain the approval of the Ministry of Agriculture, Livestock and Irrigation		
1	Investment relation to fisheries resources and fish species	-	ISIC 03
2	Marine fishing	-	ISIC 0311
3	Manufacturing and distribution of veterinary biological products	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	ISIC 2100

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
4	Manufacturing and distribution of veterinary medicines	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	ISIC 2100
5	Commercial Livestock Farming	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	ISIC 014/ 0141, 0142, 0143, 0144, 0145, 0146
6	Breeder farm and hatchery (poultry)	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	ISIC 0146

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
7	Genetical research, genetic conservation and distribution of animal breeds	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	ISIC 014, 0162 (01620), 7500
8	Importation, production and marketing of the animal breeds (breeding animals, frozen semen straw and embryos)	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	ISIC 014, 0162
9	Laboratory services for the safety of animal feeds and animal products	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	CPC 8112 (81121), 8351, 83520

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
10	Laboratory services for the animal diseases diagnosis	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	CPC 8351, 83520
11	Services on research and surveillance for animal health	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	CPC 8351, 8352
12	Importing, production, domestic marketing and re-exporting of seed	This shall be carried out in accord with the law, procedure, directive and regulation of the Agriculture Department.	ISIC 0164, 46312, 4759, 47593
13	Importing, production and distribution of	This shall be carried out in	ISIC 0130, 46312,

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
	varieties of plant	accord with the law, procedure, directive and regulation of the Agriculture Department.	4759, 47593
14	Manufacturing, storage, distribution and exporting of agricultural pesticide, fertilizer, hormone, etc.	This shall be carried out in accord with the law, procedure, directive and regulation of the Agriculture Department.	ISIC 2021, 2012, 46312, 4759, 47593
15	Production and exporting of hybrid seeds	This shall be carried out in accord with the law, procedure, directive and regulation of the Agriculture Department.	ISIC 0164
16	Laboratory services for agriculture	This shall be carried out in accord with the law, procedure, directive and regulation of the Agriculture Department.	CPC 0161
17	Research on agriculture and agricultural products	This shall be carried out in accord with the law, procedure, directive and regulation of	CPC 8114

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
		the Agriculture Department.	
18	Production of seasonal crops	This shall be carried out in accord with the law, procedure, directive and regulation of the Agriculture Department.	ISIC 01/011
4	Investment activities to obtain the approval of the Ministry of Transport and Communication		
1	Inspection for Vehicle Registration	-	CPC 6799
2	Motor Vehicle Driving Training School Business	-	CPC 6799
3	Construction of new railway track, stations and buildings related to the train operation	-	ISIC 421/4210, 410/4100
4	Train operation	-	CPC 6739
5	Manufacturing and maintenance of locomotives, carriages, wagons and spare parts and maintenance of railway	-	ISIC 3020, 3315
6	Generation of electric power to be used for train operation	-	ISIC 3510, 35101
7	Dry port services relevant with rail	-	ISIC4220/42909, CPC 53112

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
	transport		
8	Postal services	-	CPC 681
9	Telecommunication services	-	ISIC612, 613, 619
10	Production and distribution of satellite communication items	-	ISIC2639,4 6312, 4759 (47593)
11	Production and distribution of radar communication items and related equipment	-	ISIC2639, 46312, 4759 (47593)
12	Production and distribution of radio communication items	-	ISIC 2639, 46312, 4759, 47593
13	Production and domestic marketing of mobile handset and telephone	-	ISIC 2632, 46312, 4759, 47593
14	Civil Aviation Training Services	-	See Definition/ Scope
15	Aircraft Repair and Maintenance Services	-	See Definition/ Scope
16	Airport Hotel Services	-	See Definition/ Scope

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
17	Ground Handling Services	-	See Definition/Scope
18	Selling and Marketing of Air Transport Services	-	See Definition/Scope
19	Computer Reservation System (CRS) Services	-	See Definition/Scope
20	Aircraft Leasing without Crew Services	-	CPC 73116
21	Aircraft Leasing with Crew Services	-	CPC 66031
22	Air Freight Forwarding Services	-	See Definition/Scope
23	Aircraft Line Maintenance Services	-	See Definition/Scope
24	Ramp Handling Services	-	See Definition/Scope
25	Passenger Handling Services	-	See Definition/Scope
26	Baggage Handling	-	See Definition/

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
	Services		Scope
27	Cargo Handling Services	-	See Definition/ Scope
28	Refueling Service	-	See Definition/ Scope
29	Airport Security Services	-	See Definition/ Scope
30	Airport Constructions, Maintenances, Managements and Operations	-	CPC 53122, 53213, 54122, 54619
31	Domestic Air Transport Services	-	See Definition/ Scope
32	International Air Transport Services	-	See Definition/ Scope
33	Leasing aircraft related items	-	ISIC 7730, CPC 7312
34	Maritime Education and Training Centre	-	CPC 92919
35	Shipyards capable of operating for building and repairing of ships	-	ISIC 3011, CPC 6751

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
	and afloat structures		
36	Coastal and inland water transport service for passenger	-	CPC 6423, 6412
37	Coastal and inland water transport service for cargo	-	CPC 6521, 6522
38	Supporting service for water transport	-	CPC 652
39	International transport service for passenger (not including coastal)	-	CPC 6423
40	International transport service for cargo (not including coastal)	-	CPC 6521
41	Vessel leasing without crew	-	CPC 73115
42	Vessel leasing with crew	-	CPC 6602
43	Tow Boat & Tug Boat Service	-	CPC 65219, 65229
44	Ship demolition service	-	CPC 94312
45	Brokerage service for ship	-	CPC 67910/ ISIC 5229
46	Survey and Inspection Service for Ship's Standard	-	CPC 67990
47	The construction of switchback/ slipway,	-	ISIC 4290

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
	dockyard, wet/dry dockyard, landing and mud dock (a narrow basin at foreshore area for docking), building of jetty and landing stage and vessel landing by drainage in the river-creek boundary, bank boundary and waterfront boundary		
48	The construction of warehouse, soils, tanks, container yard and port related infrastructure in the bank boundary and waterfront boundary	-	ISIC 4100
49	Construction of inland river-port		ISIC 4290
50	Conservation works and improvement works of waterways	-	CPC 54232
51	Expansion of port area and port limit area	-	ISIC 4290
52	Service for port and waterway	-	CPC 5222
53	Service for salvage the sunken ship	-	CPC 6753
54	Shipping agency service	-	CPC 5229
55	Deep sea port and international multi-purpose port	-	ISIC 4290

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
5	Investment activities to obtain the approval of Ministry of Natural Resources and Environmental Conservation		
1	Extraction of wood in forest land and forest covered land at the disposal of the government	-	ISIC 0220
2	Establishment of forest plantations for the production purpose in forest lands (reserve forests and protected public forest) with long term leases	-	ISIC 02101, 02102
3	Wood-based industries and related services (Restriction-must establish the forest plantations)	-	ISIC 02101, 02102, 16
4	Ecotourism	-	ISIC 791, CPC 855
5	Import, multiplication and sale genetically modified organism and living modified organism	-	ISIC 0164
6	High technology research and business	-	ISIC 7210

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
	related to breeding, culture and production of genetically superior quality seeds, propagules, tissues etc., of valuable and rare flora species		
7	Development of high technology, research and human resources in forestry sector	-	ISIC 024, 7210, CPC 8140
8	Importing, exporting, breeding and production of wild flora and fauna species for commercial purposes	-	ISIC 01, 01499
9	Prospecting, exploration, feasibility study and production with foreign investment for large scale production of mineral	-	ISIC 0710, 0729, 0899, 0990
10	Prospecting, exploration, feasibility study and small, medium and large scale production with citizen investment for production of mineral	-	ISIC 0710, 0729, 0899, 0990

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
11	Manufacturing and marketing of gems, jewellery and finished products with foreign investment	-	ISIC 3211
12	Exploration, finishing and marketing of gems, jewellery and its products with citizen investment	-	ISIC 0899, 3211, 3212
13	Pearl culturing and production	-	ISIC 03118, 3211
14	Business which produce elements impact to Ozone	-	ISIC 25
15	Large scale manufacturing of pulp for paper		ISIC 1701
6	Investment activities to obtain the approval of Ministry of Electricity and Energy		
1	Large-Scale Electrical Business (electrical business which generates more than 30 megawatts according to the Electricity Law)	-	ISIC 3510

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
2	All electrical business to be connected to the electric power system	-	ISIC 3510
3	Constructing and installing of all kinds of offshore platforms, and importing, producing, constructing and installing as for such related businesses	-	ISIC 2511
4	Importing, exporting, transporting, storage, distribution and selling of oil, gas and petroleum products, and construction and implementation of storage tank, loading and unloading port, pipeline, related machineries and equipment and building for such related businesses	-	ISIC 2512,
5	Construction of the various type of refinery, maintaining and upgrading of old refinery and implementation of work	-	ISIC 4100
6	Exploring and interpret	-	ISIC 0910,

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
	-ing of oil and gas by geological and geochemical methods, and importing, producing, constructing and installing of equipment, accessories and part of installation for such related businesses		0991, 7120
7	Exploiting, producing and testing of oil and gas importing, producing, construction and installing of equipment, accessories and part of installation as for such related businesses	-	ISIC 0910
8	Transporting and constructing pipeline network for oil and gas, and importing, producing, construction and installing of equipment, accessories and part of installation as for such related businesses	-	ISIC 0910
7	Investment activities to obtain the approval of Ministry of Industry		
1	Manufacturing of Vaccine	-	ISIC 2100

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
8	Investment activities to obtain the approval of Ministry of Commerce		
1	Retailing Services		CPC 62
2	Wholesale Services		CPC 61
9	Investment activities to obtain the approval of Ministry of Health and Sports		
1	Private hospital services	-	ISIC 8620
2	Private general health services	-	ISIC 8620, CPC 93121
3	Private mobile health services	-	CPC 93121
4	Private care shelter services	-	ISIC 8710, CPC 93210, 93221
5	Private traditional hospital	-	ISIC 8620
6	Private traditional clinic	-	ISIC 8620
7	Manufacturing private traditional medicine and medical product	-	ISIC2100
8	Manufacturing of traditional drugs	-	ISIC 2100
9	Trading of traditional pharmaceutical raw materials (herbal items)	-	ISIC 4620, 4642, 4772
10	Traditional herbal cultivation and production	-	ISIC 0128
11	Traditional medicine research and laboratory	This business shall be carried out together with the	CPC 81130

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code	
		Research and Development Division of the Traditional Medicine Department or experts from the Department of Medical Research.		
	12	Research on vaccine and diagnostic test kit production	This business shall be carried out together with the Vaccine Research Division of the Department of Medical Research.	ISIC 2100, CPC 81130
10	Investment activities to obtain the approval of Ministry of Construction			
	1	Construction of roads administered by Ministry of Construction, and all the parallel new lane, bypass roads, link ways connected to those roads	Ministry of Construction shall administer the road area. All matters to be carried out in the road area shall require the approval of Ministry of Construction.	ISIC 4210
	2	Construction of	-	ISIC 4210

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
	elevated express way, tunnel, inner ring road, outer ring road, interchange, underpass, over pass or flyover, semi underground road and submersible tunnel		
3	Construction of 180 feet and above bridges	-	ISIC 4210
4	Production and domestic distribution of bridge-construction related materials such as: PC Strand, PC bar, Anchor, steel frame, bally frame, plate girder, steel truss, reinforced cement concrete and pre-stressed concrete	-	ISIC 2395, 24100
5	100 Acres and above urban development projects	-	ISIC 4100, 421, 422, CPC 532, (53290)
6	Construction and marketing of total floor of 50,000 square meter and above housing projects inconnection with industrial zone development and affordable housing projects	-	ISIC 4100, 6810
7	Urban Redevelopment	-	ISIC 4100,

List of Restricted Investment Activities

Sr. No.	Types of Investment Businesses	Restriction	Industrial Code
	which is above 4 acres of land in the capital of the Region or State excluding Nay Pyi Taw, Yangon and Mandalay		421, 422, 4290, CPC 532, (53290)
8	Development of new city/town	-	ISIC 410, 421, 422, CPC 5411, 8321

- Note :** (1) If the restrictions for investment are described in the laws administered by the concerned ministries and organizations it shall follow in accord with such law.
- (2) For banking, insurance and financial services, it can be allowed according to the plan of the relevant Ministries and organizations.
- (3) If the investments which make export/import shall perform in accord with the policy of Ministry of Commerce.

2. The Notification No.26/2016 issued by the Myanmar Investment Commission on 21st March 2017 was repealed by this Notification.

(Kyaw Win)
Chairman

List of Restricted Investment Activities

Definition Scope

1. Air Traffic Services

Air Traffic Services include Flight Information Service, Alerting Service, Air Traffic Advisory Service, Air Traffic Control Service (Area Control Service, Approach Control Service and Aerodrome Control Service).

2. Civil Aviation Training Services

Civil Aviation Training Services cover all aviation related training.

3. Aircraft Repair and Maintenance Services

Aircraft Repair and Maintenance Services mean such activities when undertaken on an aircraft or a part thereof while it is withdrawn from service and do not include so-called line maintenance.

4. Airport Hotel Services

Airport Hotel Services mean room or unit accommodation services, provided within certain area of an airport, for visitors.

5. Ground Handling Services

Ground Handling Services cover ramp handling services, passenger handling services, baggage handling services and cargo handling services.

List of Restricted Investment Activities

6.Selling and Marketing of Air Transport Services

Selling and Marketing of Air Transport Services mean opportunities for the air carrier concerned to sell and market freely its air transport services including all aspects of marketing such as market research, advertising and distribution. These activities do not include the pricing of air transport services nor the applicable conditions.

7.Computer Reservation Systems (CRS) Services

Computer Reservation Systems (CRS) Services mean services provided by computerized systems that contain information about air carriers' schedules, availability, fares and fare rules, through which reservations can be made or tickets may be issued.

8.Air Freight Forwarding Services

Air Freight Forwarding Services mean the activity and arrangement of air transport and related services provided to or performed on behalf of the shipper/consignee for the transportation of goods by air from port of origin to final destination.

Scope of services includes the following services:

- (a) Securing cargo space with airline
- (b) Preparing necessary export/import documents

List of Restricted Investment Activities

- (c) Processing customs formalities
- (d) Pick-up and delivery
- (e) Packing/ warehousing
- (f) Freight consolidation & break-bulk
- (g) Door to door and logistics services
- (h) Inland Freight Services

9.Aircraft Line Maintenance Services

Aircraft Line Maintenance Services mean Routine and non routine inspection and malfunction ratification performed enroute and at base station with turnaround time up to 24 hours (Source: IATA Planning and Production Control).

10.Ramp Handling Services

Ramp Handling Services mean services provided by ground support equipments to an aircraft upon arrival, during parking until departure.

The services include the following facilities:

- (a) Ground Support Equipment i.e. Aircraft Towing Tractor, Air Condition Unit, Air Start Unit, Ground Power Unit, Loading Equipment, Unit Load Devices (ULDs).
- (b) Ramp Bus Services to transfer passengers and crews to and from the aircraft to the passenger terminal.

List of Restricted Investment Activities

- (c) Security Services to the aircraft as well as passengers in the ramp area.
- (d) Toilet and aircraft interior cleaning servicing.
- (e) Portable water servicing.
- (f) Post and mail servicing.
- (g) GSE and ULDs maintenance.

11. Passenger Handling Services

Passenger Handling Services mean responsibility in providing services to passengers from check-in point to aircraft side as per the carrier's procedures and instructions.

12. Baggage Handling Services

Baggage Handling Services mean a process on departure and arrival system at terminals.

On departure, baggage handling consists of three activities:

- (1) in-town check-in passenger checks outside the airport boundary;
- (2) check-in at the airport terminal;
- (3) check-in passenger carries baggage at the aircraft gate and check-in at that point.

On arrival, baggage handling consists of three activities:

- (1) off-loading of baggage from the aircraft:

List of Restricted Investment Activities

- (2) transport of baggage between aircraft and reclaim area;
- (3) loading of baggage onto the reclaim unit. (From Dictionary of Air Traffic and Traffic Control by E.B. Oeran)

13.Cargo Handling Services

Cargo Handling Services mean services to provide or arrange for warehouse, facilities, and services for storage and handling of any type of shipment that transported by air. Cargo handling services cover physical handling of outbound/ inbound, transit shipments, document handling of outbound/ inbound, transit shipments, irregularities handling, control of Unit Load Device, and services relate to customs control. (Source: IATA AHM 810 version January 2004 on section concerning cargo services).

14.Refueling Service

Refueling Service means the management and operation of fuel tankers for aircraft and airport motor vehicles and distribution of fuelling products.

15.Airport Security Services

Airport Security Services cover the followings;

- (a) Airport Access Control Services
- (b) Security guard and Patrol of Landside and Airside of Airport Services

List of Restricted Investment Activities

- (c) Airport Screening check point Services
- (d) Aircraft Security Search and check Services
- (e) Air Cargo and mail Security Access point Services
- (f) Airport Car Parking Control Services
- (g) Civil Aviation Security Equipment Maintenance Services
- (h) Civil Aviation Security Training Services
- (i) Civil Aviation Security Quality Control Services

16.Domestic Air Transport Services

Domestic Air Transport Services mean air services performed by aircraft, wholly within the territory of Myanmar, for the public transport of passengers, cargo or mail for remuneration or hire.

17.International Air Transport Services

International Air Transport Services mean air services performed by aircraft, between the territories of Myanmar and another State as well as between the territories of other States, for the public transport of passengers, cargo or mail for remuneration or hire.