

Re: Ministry of Foreign Affairs (“MOFA”) approval for returning to Myanmar

Published: June 7, 2021

Updated: February 4, 2022

Background

Many foreigners have expressed interest in returning to Myanmar and subsequently contacted FocusCore Myanmar to receive an update on the process and approval required to return.

Update

FocusCore is pleased to report that foreigners returning to Myanmar for the third time since 1 February 2021 can skip steps 1 to 4 and proceed directly to the Myanmar Embassy where they are residing. A valid Foreign Registration Certificate (“FRC”), Long-Term Stay Permit (“SP”) and Multiple Journey Special Reentry VISA (“MJSRV”) will be required when applying.

Process

We understand the process and documentation required (set out below) to be as follows:

1. Step 1, the applicant will need to submit a request letter to their line Ministry in Myanmar. For example, if the applicant works for a foreign-owned services company, they would need to submit a letter of request to the Directorate of Investment and Company Administration (“DICA”). If they work for a bank or insurance company, then the request would need to be submitted to the Central Bank of Myanmar (“CBM”).
2. Step 2, the respective line Ministry will request clearance from the Ministry of Labour, Immigration and Population (“MOLIP”) whether the foreigner is on the denylist (blacklist)
3. Step 3, MOLIP will inform and send the blacklist clearance to the line Ministry. The line ministry will prepare the request letter for the applicant to enter Myanmar and submit to MOFA and the blacklist clearance letter from MOLIP.
4. Step 4, MOFA will then send the Embassy the final approval letter.
5. Step 5, the foreigner will then need to submit a letter of request to the Myanmar Embassy in the country where they are currently staying. Upon receipt of the MOFA approval letter to the Embassy, they will refer the applicant to the respective airline to book a seat to return and simultaneously process and issue the required business visa (if needed).

Please note that the authorities will not share the approval letter sent from MOFA in Myanmar to the Embassy in your country. However, upon approval, a case number can be requested if needed.

Steps 2, 3 and 4 are managed internally within the respective Ministries in Myanmar. The normal processing time will take approximately four to six weeks, five weeks is normal.

As you can appreciate, whilst this is the position and procedures at the time of writing, procedures and timing could change at short notice so we would encourage you to keep in contact with FocusCore Myanmar for the latest updates.

Documents to be submitted

The returning foreigner will need to prepare and submit the following documents to their nearest Myanmar Embassy and their line Ministry in Myanmar:

- a) Request letter from the sponsoring company to the applicants line ministry
- b) Cover letter addressed to the Myanmar Embassy

Upon submitting the above and approval is obtained, the returning foreigner can book a seat on a relief flight. Unfortunately, we cannot assist with the flight details since we are not a tour operator. The respective Embassy in their home country should be able to advise accordingly.

We can, however, assist with document preparation, drafting and the extension of stay permit, FRC registration and renewal and updating of Form C in Myanmar if and when required. (See below for further information).

*Stay permit application

Pursuant to the Registration of Foreigners Act (1940) and the Registration of Foreigners Rules (1948), foreigners who work and reside in Myanmar for more than (90) consecutive days are required to apply for a Foreign Registration Certificate ("FRC"), Long-Term Stay Permit ("SP") and Multiple Journey Special Reentry VISA ("MJSRV").

The initial application will be valid for six (6) months from the expiry date of your arrival visa, subsequent renewals will be valid for twelve (12) months and then renewed every twelve (12) months thereafter. The processing time after submission of all documents will take approximately seven (7) weeks.

To qualify, the applicant must submit the following documents with their application:

1. Recommendation letter from your employer
2. Cover letter on Company Letterhead
3. Certificate of Incorporation (DICA)
4. MIC permit / endorsement (if any)
5. Evidence of payment for corporate income tax
6. Copy of valid Foreign Registration Card ("FRC")
7. Copy of valid Passport page and last entry seal
8. Copy of Form C.

Important information pertaining to **FORM C**: The FORM C is a document that is used to register foreigners at their place of residence with the Government. When the employees sign their lease and move into their rented accommodation, the landlord must register them as a tenant with the local authority. The landlord will then submit the passport and lease agreement to the township officer to obtain the FORM C. According to the official regulations, the FORM C must be applied for within 24 hours upon arrival to Myanmar. FocusCore can assist with the process on behalf of the applicants landlord, however by law, this is the ultimate responsibility of the landlord. If you need our assistance, please contact us.

If you have any questions about this, please contact yingying.aye@focuscorecs.com and if you would like to receive our fee proposal outlining the government and FocusCore's services fees for assistance with any of the above.