

Myanmar New Investment Law – Snapshot

Prepared by British Chamber of Commerce Myanmar Oversea Partner Delivery Advisory Team

QUESTION	ANSWER
Does the new investment law replace other laws?	Yes – it combined and replaced the Foreign Investment Law 2012 and Myanmar Citizens Investment Law 2013
When did the new investment law commence?	1 April 2017
Are there any changes to the Myanmar Investment Commission (MIC)?	<p>The MIC will continue to have 11 members and a chairman (the Minister of Planning and Finance). MIC workings are formalised, similar to a board of a company, introducing more transparency and accountability.</p> <p>The Directorate of Investment and Company Administration (DICA) will continue to serve as the secretariat/administrative arm of MIC.</p>
When do you need an MIC permit?	<p>Investors will need to submit a proposal to MIC for an MIC permit if they want to conduct business that:</p> <ol style="list-style-type: none"> (1) is strategic to Myanmar; (2) is capital intensive; (3) may have a large potential impact on environment/local community; (4) will utilise state-owned land or property; or (5) is otherwise designated by the Government, <p>The Investment Rules (Rules) set out specific criteria for these categories. If your investment activities don't fall into one of these, no MIC permit is required.</p>
Are there any restrictions on investment activities?	<p>Yes. There are activities that are prohibited outright, those that are restricted and those that are in “promoted sectors”.</p> <p>The new laws include specific detail about which activities fall into the “restricted” category.</p> <p>If an investor wishes to carry out a “restricted” investment, it must notify MIC.</p>
What investment activities are promoted?	<p>The following activities are promoted:</p> <ul style="list-style-type: none"> • cultivation and other agriculture related services • farming activities • manufacturing businesses • certain activities relating to dairy products, clothing, plastic, rubber, metals, electronics, glass, machineries • establishing new urban areas and industrial zones • activities relating to waste, water supply, public transport and affordable

	<p>housing in cities</p> <ul style="list-style-type: none"> • construction of roads, rails, bridges, runways, seaports, river ports, dry ports • power generation, transmission and distribution including renewables energy • telecoms businesses • education and healthcare services • scientific research and development activities • hotels and tourism activities • information technology businesses
<p>Are there any tax incentives?</p>	<p>Yes, varying depending on in which areas the investment will be (e.g. developed vs less developed regions). Investment in less developed regions receives the most generous tax exemptions.</p>

To learn more about what we do and how we can British companies, please check the link.

For further information, please contact Wai Yan, Trade and Business Services Manager,

ksoe@britishchambermyanmar.com.