

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်အတွင်း နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု
ပြုလုပ်ရန် ကမကထပြုသူ၏ ဆောင်ရွက်ရန်
အဆိုပြုချက်

**PROPOSAL OF THE PROMOTER TO MAKE
FOREIGN INVESTMENT IN THE
REPUBLIC OF THE UNION OF MYANMAR**

**Proposal Form of Investor/Promoter for the investment to be made
in the Republic of the Union of Myanmar**

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 Foreign Investment Law by furnishing the following particulars:-

1. The Investor's or Promoter'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) Name of principle organization
- (g) Type of business
- (h) 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
- (e) Address:

 - (i) Address in Myanmar
 - (ii) Residence abroad

- (f) Parent company
- (g) Type of business
- (h) Parent company's address:

Remark: The following documents need to attach 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. Type of proposed investment business:-

- (a) Manufacturing
- (b) Service business related with manufacturing
- (c) Service
- (d) Others

Remark: Expressions about the nature of business with regard to the above paragraph (3)

4. Type of business organization to be formed:-

- (a) One hundred percent
- (b) Joint Venture:
 - (i) Foreigner and citizen
 - (ii) Foreigner and Government department/organization
- (c) By contractual basis:
 - (i) Foreigner and citizen
 - (ii) Foreigner and Government department/organization

Remark: The following information needs to attach for the above Paragraph (4):-

- (i) Share ratio for the authorized capital from abroad and local, names, citizenships, addresses and occupations of the directors;
- (ii) Joint Venture Agreement (Draft) and recommendation of the Union Attorney General Office if the investment is related with the State;
- (iii) Contract (Agreement) (Draft)

5. Particulars relating to company incorporation

- (a) Authorized capital
- (b) Type of share
- (c) Number of shares

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

6. Particulars relating to 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) Last date of capital brought in | |
| (e) Proposed duration of investment | |
| (f) Commencement date of construction | |
| (g) Construction period | |

Remark: Describe with annexure if it is required for the above Para 6 (c)

7. Detail list of foreign capital to be brought in -

- | | Foreign Currency
(Million) | Equivalent Kyat
(Million) |
|--|---------------------------------------|--------------------------------------|
| (a) Foreign currency (Type and amount) | | |
| (b) Machinery and equipment and value (to enclose detail list) | | |
| (c) List of initial raw materials and value (to enclose detail list) | | |

(d)	Value of licence, intellectual property, industrial design, trade mark, patent rights, etc.	.....	.....
(e)	Value of technical know-how	.....	.....
(f)	Others	.....	.....
	Total	.....	.....

Remark: The evidence of permission shall be submitted for the above para 7 (d) and (e).

8. Details of local capital to be contributed -

	Kyat (Million)	
(a)	Amount	.....
(b)	Value of machinery and equipment (to enclose detail list)	.....
(c)	Rental rate for building/land	.....
(d)	Cost of building construction	.....
(e)	Value of furniture and assets (to enclose detail list)	.....
(f)	Value of initial raw material requirement (to enclose detail list)	.....
(g)	Others	.....
	Total	.....

9. Particulars about the investment business -

- (a) Investment location(s)/place
-
- (b) Type and area requirement for land or land and building
 - (i) Location
 - (ii) Number of land/building and area

- (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 _____

Remark: Following particulars have to enclosed for above Para 9 (b)

- (i) to enclose land map, land ownership and ownership evidences;
- (ii) draft land lease agreement, recommendation from the Union Attorney General Office if the land is related to the State;
- (c) Requirement of building to be constructed;
 - (i) Type / number of building _____
 - (ii) Area _____
- (d) Product to be produced/ Service _____
 - (1) Name of product _____
 - (2) Estimate amount to be produced annually _____
 - (3) Type of service _____
 - (4) Estimate value of service annually _____

Remark: Detail list shall be enclosed with regard to the above para 9 (d).

(e) Annual requirement of materials/ raw materials

Remark: According to the above para 9 (e) detail list of products in terms of type of products, quantity, value, technical specifications for the production shall be listed and enclosed.

(f) Production system

(g) Technology

(h) System of sales

(i) Annual fuel requirement

(to prescribe type and quantity)

(j) Annual electricity requirement

(k) Annual water requirement

(to prescribe daily requirement, if any)

10. Detail 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 para 10.

11. Number of personnel required for the proposed economic activity:-

(a) Local personnel () number ()%

(b) Foreign experts and technicians () number ()%

(Engineer, QC, Buyer, Management, etc. based on the nature of business and required period)

Remark: As per para 11 the following information shall be enclosed: -

(i) Number of personnel, occupation, salary, etc;

(ii) Social security and welfare arrangements for personnel;

(iii) family accompany with foreign employee;

12. Particulars relating to economic justification: -

	Foreign Currency	Equivalent Estimated Kyat
(a) Annual income
(b) Annual expenditure
(c) Annual net profit
(d) Yearly investments
(e) Recoupment period
(f) Other benefits
(to enclose detail calculations)		

13. Evaluation of environmental impact:-

- (a) Organization for evaluation of environmental assessment;
- (b) Duration of the evaluation for environmental assessment;
- (c) Compensation programme for environmental damages
- (d) Water purification system and waste water treatment system;
- (e) Waste management system;
- (f) System for storage of chemicals

14. Evaluation on social impact assessments;

- (a) Organization for evaluation of social impact assessments;
- (b) Duration of the evaluation for social impact assessments;
- (c) Corporate social responsibility programme;

Signature

Name

Designation

The Republic of the Union of Myanmar
Myanmar Investment Commission
Permit

Permit No.

Date

This Permit is issued by the Myanmar Investment Commission according to the section 13, sub-section (b) of the Republic of the Union of Myanmar Foreign Investment Law:-

- (a) Name of Investor/Promoter
- (b) Citizenship
- (c) Residence address
-
- (d) Name and address of Principle Organization
-
- (e) Place of Incorporation
- (f) Type of business in which investment is to be made
- (g) Place(s) at which investment is permitted
-
- (h) Amount of foreign capital
- (i) Period for bringing in foreign capital
- (j) Total amount of capital (Kyat)
-
- (k) Construction period
- (l) Validity of investment permit
- (m) Form of investment
- (n) Name of company incorporated in Myanmar
-

Chairman

Myanmar Investment Commission

To,

Chairman
Myanmar Investment Commission
The Republic of the Union of Myanmar

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 Foreign Investment Rules.

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

(a) Name of Investor / Promoter

(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

Designation

To,

**Chairman
Myanmar Investment Commission
The Republic of the Union of Myanmar**

Reference No.

Date.

Subject: Sub-leasing of permitted land and building

I, hereby submitted the application with the following particulars for the sub leasing of permitted land and building to be used under section 17, sub-section (e) of the Foreign Investment Law: -

1. Particulars about the original owner of land and building:

- (a) Name of owner/organization
- (b) Area
- (c) Location
- (d) Original period permitted to use the land (validity of land grant)
- (e) Payment of long term lease as capital Yes () No ()
- (f) Agreed by original lessor Yes () No ()

2. Lessor

- (a) Name of investor/promoter
- (b) Myanmar Investment Commission Permit No.

3. Lessee

- (a) Name
- (b) ID No./National Registration Card No./Passport No.
- (c) Citizenship
- (d) Company's Name
-
- (e) Address
-

4. Particulars relating to land and building in which investment is permitted by Myanmar Investment Commission: -

- (a) Type of investment
- (b) Investment location (s)
.....
- (c) Area
- (d) Size and number of building(s)
- (e) Value of land/building

5. Original validity period permitted by Commission:

6. Period for sub-leasing

7. Important particulars from the original Land and Building Leasing Agreement signed by both parties:

- (a) Lessor
- (b) Lessee
- (c) Area
- (d) Location
.....
- (e) Lease Period

8. Submission of sub-lease agreement (Draft)

(to enclose recommendation letter from the Union Attorney General Office for Government organization)

Applicant

Investor / Promoter

To,

**Chairman
Myanmar Investment Commission
The Republic of the Union of Myanmar**

Reference No.

Date.

Subject: Mortgage of land and building permitted for investment

I, hereby submitted the application with the following particulars for mortgage the land and building to be used for the business permitted under section 17, sub-section(c) of the Foreign Investment Law: -

1. Particulars about the original owner of land and building:

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

2. Mortgagor

- (a) Name of investor/promoter
- (b) Myanmar Investment Commission Permit No.

3. Mortgagee

- (a) Name
- (b) ID No./National Registration Card No./Passport No.
- (c) Citizenship
- (d) Company's Name
- (e) Address
-

4. Particulars relating to land and building in which investment is permitted by Myanmar Investment Commission:-

- (a) Type of investment
- (b) Investment location (s)
.....
- (c) Area
- (d) Size and number of building (s).....
- (e) Value of land/building

5. Original validity period permitted by Commission:

6. Period of Mortgage

7. Important particulars from the original Land and Building Lease Agreement signed by both parties:

- (a) Lessor
- (b) Lessee
- (c) Land area
- (d) Location
-
- (e) Lease period

8. Submission of Mortgagee Agreement (Draft)
(to enclose recommendation letter from the Union Attorney General Office for Government organization)

Applicant

Investor / Promoter

To,

**Chairman
Myanmar Investment Commission
The Republic of the Union of Myanmar**

Reference No.

Date.

Subject: **Transfer of all shares**

I do hereby submit the following information and applied for the transfer of all shares in accordance with the section 17, sub-section (i) of the Foreign Investment Law: -

- 1. Transferor
 - (a) Name of Investor/Promoter _____
 - (b) Company Name /Type of business _____
 - (c) Company Registration No. _____

- 2. Transferee
 - (a) Name _____
 - (b) Company Name / Type of business _____
 - (c) Company Registration No. _____
 - (d) ID No./National Registration Card No./Passport No. _____
 - (e) Citizenship _____
 - (f) Designation/Responsibilities _____
 - (g) Residence Address/Company Address _____

3. Information relating to the transfer of shares

(a) Total number of shares -----

(b) Par value -----

(c) Number of shares to be transferred -----

4. Validity of investment permitted by Commission -----

5. Submitted with the share transfer form Yes ()

No ()

6. Resolution of Board of Director (BOD) of the Company permitted by the Commission

Yes ()

No ()

Applicant

Investor / Promoter

To,

Chairman
Myanmar Investment Commission
The Republic of the Union of Myanmar

Reference No.

Date.

Subject: Transfer of part of shares

I hereby submitted the following information and applied for the transfer of part of shares in accordance with the section 17, sub-section (j) of the Foreign Investment Law: -

1. **Transferor**

- (a) Name of Investor / Promoter
- (b) Company Name / Type of business
- (c) Company Registration No.

2. **Transferee**

- (a) Name
 - (b) Company Name / Type of business
 - (c) Company Registration No.
 - (d) ID No./National Registration Card No./Passport No.
 - (e) Citizenship
 - (f) Designation/Responsibilities
 - (g) Residence Address/Company Address
-

3. Information relating to the transferred shares
- (a) Total number of shares
 - (b) Par value
 - (c) Number of shares to be transferred
4. Validity investment period permitted by Commission
5. Submitted with the share transfer form Yes ()
- No ()
6. Resolution of Board of Director (BOD) of the Company permitted by the Commission
- Yes ()
- No ()

Applicant

Investor / Promoter

To,

Chairman
Myanmar Investment Commission
The Republic of the Union of Myanmar

Reference No.

Date.

Subject: Application of work permit for the foreign employees to appoint at the investment business permitted by the Myanmar Investment Commission

I do hereby submit the following information and apply for the work permit for the foreign employee who is working at the investment business permitted under the Foreign Investment Law in accordance with the section 25 of the Foreign Investment Law: -

1. Applicant

(a) Name of Investor/Promoter

(b) Myanmar Investment Commission Permit No.

2. Particulars relating to the applicant

(a) Name

(b) ID No./Passport No.

(c) Citizenship

(d) Residence Address

.....

(e) Number of proposed employee in the original proposal

(f) Number of already appointed employees

3. Recommended by Directorate of Labour Yes ()

No ()

Applicant

Investor / Promoter

To,

**Chairman
Myanmar Investment Commission
The Republic of the Union of Myanmar**

Reference No.

Date.

Subject: Application of stay permit for the foreign employees to appoint at the investment business permitted by the Myanmar Investment Commission

I do hereby submit the following information and applied for the stay permit for the foreign employee who is working at the investment business permitted under the Foreign Investment Law in accordance with the section 25 of the Foreign Investment Law: -

1. Applicant

- (a) Name of Investor/Promoter
- (b) Myanmar Investment Commission Permit No.

2. Particulars relating to the applicant

- (a) Name
- (b) ID No./ Passport No.
- (c) Citizenship
- (d) Residence Address
-

3. Particulars relating to the dependent(s) to the applicant

- (a) Name
- (b) ID No./Passport No.
- (c) Citizenship
- (d) Residence Address
-

4. Number of proposed employees in the original proposal

5. Number of appointed employees

6. Recommended by Department of Immigration and National Registration

Yes ()

No ()

Applicant

Investor / Promoter

To,

**Chairman
Myanmar Investment Commission
The Republic of the Union of Myanmar**

Reference No.

Date.

Subject: Application of exemption and reliefs in accordance with the Foreign Investment Law

I do hereby as an investor/ promoter, apply the exemptions and reliefs stipulated in the Chapter XII, section 27 (b) to (k) of the Foreign Investment Law according to Foreign Investment Rules:

1. Applicant

(a) Name of Investor/Promoter

(b) Myanmar Investment Commission Permit No.

2. Construction period/ renovation period as per original proposal

3. Commencement of commercial operation date

4. Applied for the following exemptions and reliefs as per Chapter XII, section 27 (b) to (k) of the Foreign Investment Law: -

(a) Exemption/relief as per Chapter XII, section 27 (b) of the Foreign Investment Law

(b) Exemption/relief as per Chapter XII, section 27 (c) of the Foreign Investment Law

()

()

()

(j) Exemption/relief as per Chapter XII, section 27 (k) of the Foreign Investment Law

.....

Applicant

Investor / Promoter

To,

**Chairman
Myanmar Investment Commission
Republic of the Union of Myanmar**

Ref. No.:
Dated: 20 , Month, Day

Subject: Report for the commencement date of commercially operated for the manufacturing or service.

I do hereby apply for the designation of commercially commencement date for the manufacturing (or) service business in accordance with Rule 98:-

- 1. Applicant
 - (a) Name of Investor/Promoter _____
 - (b) Myanmar Investment Commission Permit No. _____
- 2. Construction Period/Renovation Period as per original proposal _____
- 3. Date of local sales for products/service _____
- 4. Type of Products / Service produced locally _____
- 5. Volume of Products / Service produced locally _____
- 6. Value of Products / Service produced locally _____
- 7. Export License No. and Date _____
- 8. Type of export Products _____
- 9. Quantity of Export Products _____
- 10. Value of Export Products _____
- 11. Commercially commencement date _____

Applicant

Investor / Promoter

To,

Chairman
Myanmar Investment Commission
The Republic of the Union of Myanmar

Reference No.

Date.

Subject: **Application for permit to lease the land for the investment business**

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

1. Particulars relating to original owner of land and building

- (a) Name of owner/organization
- (b) Area
- (c) Location
- (d) Original 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 ()

2. Lessor

- (a) Name / company's name/ department/ organization
- (b) National Registration Card No/ Passport No.
- (c) Address

3. Lessee

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

- 4. Particulars relating to the proposed lease land
 - (a) Type of investment
 - (b) Investment location(s)
.....
 - (c) Area
 - (d) Size and number of building (s)
 - (e) Value of building

- 5. Submission of Land Lease Agreement (Draft)
(to enclose recommendation letter from the Union Attorney General Office for Government organization)

- 6. Land lease rate (per square meter per year)

- 7. Land use premium – LUP) (If the land is belonged to government organization the LUP shall pay in cash by the lessee.)
Rate/ per acre:

- 8. Agreed by original land lessor or land user
Yes ()
No ()

- 9. Lease Period

Applicant

Investor / Promoter

To,

**Chairman
Myanmar Investment Commission
The Republic of the Union of Myanmar**

Reference No.

Date.

Subject: Application for the permit of foreign currency repatriation

Referring to the Foreign Exchange Management Law, I do hereby apply for the repatriation of my legal income earned from the investment business as per section 40 of the Foreign Investment Law: -

1. Applicant

- (a) Name of Investor/Promoter
- (b) Myanmar Investment Commission Permit No.

2. Particulars relating to foreign currency repatriation:

(a) Particulars of applicant:

- (i) Name
- (ii) Designation
- (iii) ID No./National Registration Card No./Passport No.
.....
- (iv) Citizenship
- (v) Address
-

- (b) Type of foreign currency mentioned in original proposal
 - (c) Source of income for the repatriation
(Transfer of share/profit share/salary/dividend, etc.)
 - (d) Amount to be repatriated
 - (e) Country of beneficiary/Name of bank
 - (f) Name of transfer bank and bank account no.
3. The following information are submitted correctly: -
- (a) Bank balance of the company
 - (b) Resolution of Company's Board of Director (BOD) meeting Yes()
 No ()
 - (c) Share ratio (%)
 - (d) Commercial operation date:
 - (e) Operation period of the business
 - (f) Foreign currency repatriation period/ frequency

Applicant

Investor / Promoter