



Dear Readers,

Welcome to a new edition of our newsletter.

### 1. **Petroleum products testing license order**

On 24 June 2024, the Ministry of Energy under the State Administration Council (“SAC”) issued an order ([English translation](#)) setting the terms and conditions for businesses wishing to test petroleum products, for license renewal and for the issuance of test certificates. The order repeals a previous order by the civilian Ministry of Electricity and Energy from 2019.

Among others, the order specifies two types of licenses (Grade-B and Grade-A) and sets the conditions for license application, renewal and record keeping as follows:

*CONVENIENCE TRANSLATION - ACCURACY NOT GUARANTEED*

**Government of the Republic of the Union of Myanmar**

**Ministry of Energy**

**Order No. 40/2024**

**1386, 4<sup>th</sup> Waning Day of Nayon**

**(24 June 2024)**

[...]

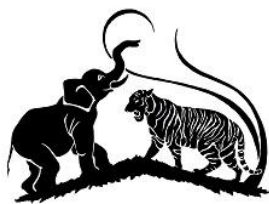
3. When applying for a testing business license, the applicant shall apply to the Department with the following information and evidence:
  - (a) Name, address (copy of the registration certificate in case of a company or organisation);
  - (b) in case of a foreign company, copy of the certificate of incorporation showing that it is registered in Myanmar;
  - (c) the location where the petroleum and petroleum products quality testing will be conducted and its area [= size] and the layout plan and detailed design drawings of the laboratory building;



- (d) the types of petroleum and petroleum products that can be tested;
- (e) the testing devices, testing methods and testing chemicals used for testing the quality and standards of petroleum and petroleum products;
- (f) the amount of capital and the estimated time until business commencement;
- (g) structure of the staff to be assigned to the laboratory;
- (h) Evidence of past work (if any).

[...]

6. If the applicant submits evidence that the establishment of the laboratory is completed and he has obtained for the laboratory ISO 9001 issued by the International Organization for Standardization, the Department shall conduct a field inspection with a team assigned by the Department.
7. The field inspection team shall verify whether the following particulars are met and submit its findings to the Ministry through the Department:
  - (a) Whether there is a complete set of testing devices and testing chemicals that can test for the prescribed quality and standards of petroleum and petroleum products and render correct test results;
  - (b) whether the chemicals used in the laboratory are laboratory testing chemicals for quality testing of international standard (analytical reagent grade) or laboratory testing chemicals specified in the test method (reagent grade);
  - (c) other particulars determined by the Ministry from time to time.
8. The Ministry shall review the submission according to para. 7 and if satisfactory issue a 1-year testing business license (Grade-B) to the applicant upon payment of the prescribed fee.
9. If the holder of a testing business license (Grade-B) acquires ISO/IEC 17025



certification issued by the International Organization for Standardization, the Ministry shall if satisfactory issue a 2-year testing business license (Grade-A) upon payment of the prescribed fee.

[...]

12. The holder of a testing business license (Grade-B) may test the quality of imported fuels only after obtaining the Ministry's approval.

13. The holder of a testing business license (Grade-A) may test the quality of petroleum and petroleum products from within the country and abroad.

[...]

15. A license holder wishing to renew the term of the testing business license shall apply to the Ministry through the Department 30 days before the term expires.

[...]

24. The license holder shall make records of his operations and submit them to the Department within 7 days from the beginning of each month.

[...]

**2. Overseas employment agent license fees and other particulars**

On 2 July 2024, the Ministry of Labour under the SAC specified the overseas employment agent license fees and other particulars as follows:

*CONVENIENCE TRANSLATION - ACCURACY NOT GUARANTEED*

**Government of the Republic of the Union of Myanmar  
Ministry of Labour**

**(Agent license fee, security deposit, renewal fee, overdue fee and determination of the license period)**

**Notification No. 87/2024**

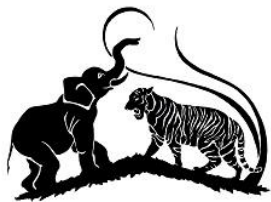


1386, 11<sup>th</sup> Waning Day of Nayon  
(2 July 2024)

The Ministry of Labour has issued this notification exercising the powers conferred by sections 17 and 31 (b) Law Relating to Overseas Employment.

**Agent license fee, security deposit, renewal fee, overdue fee and determination of the license period**

1. Regarding overseas employment, the Ministry of Labour:
  - (a) has set the agent license fee as follows:
    - (1) the agent license fee for countries other than Thailand is MMK 300,000 (exactly three hundred thousand kyats);
    - (2) those wishing to apply for Thailand will have to pay an additional agent license fee of MMK 200,000 (exactly two hundred thousand kyats);
  - (b) has set the agent license security deposit as follows:
    - (1) the agent license security deposit for countries other than Thailand is MMK 30,000,000 (exactly thirty million kyats);
    - (2) the agent license security deposit for Thailand is MMK 10,000,000 (exactly ten million kyats);
  - (c) has set the agent license renewal fee as follows:
    - (1) the agent license renewal fee is MMK 200,000 (exactly two hundred thousand kyats);
    - (2) the agent license renewal fee for Thailand is MMK 200,000 (exactly two hundred thousand kyats);
  - (d) has set the agent license overdue fee as follows:
    - (1) if the renewal application is made within 30 days after license



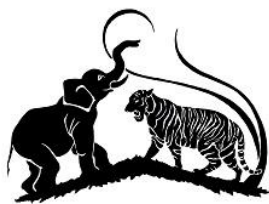
- expiry, MMK 1,000,000 (exactly one million kyats);
- (2) if the renewal application is made within 60 days after license expiry, MMK 2,000,000 (exactly two million kyats);
  - (3) if the renewal application is made within 90 days after license expiry, MMK 3,000,000 (exactly three million kyats).
2. The agent license is valid for 1 year.
  3. The agent license holder shall apply to the Department of Labour for renewal 2 months before the license expires.
  4. The Department of Labour may approve a renewal of 2 years at a time after having reviewed the application according to para. 3.
  5. An agent license holder who completed 1 year with an agent license for countries other than Thailand may apply for an additional agent license for Thailand if he meets the conditions.
  6. An agent license holder who discontinues working as an agent shall return the agent license to the Department of Labour. After such deposit, the agent license holder shall be entitled to withdraw the security deposit on the date of expiry of the employment contract of the last dispatched workers.

(Myint Naung)  
Union Minister

### 3. **Additional allowance for civil servants**

In a [press release](#) dated 26 July 2024, the Ministry of Planning and Finance under the SAC announced that civil servants will be entitled starting from 1 August 2024 to an allowance of MMK 30,000 per month in addition to their salary and in addition to a MMK 30,000/month allowance that was introduced in October 2023.

The same press release stated that starting from 1 August 2024, retired civil servants will likewise be entitled to a monthly allowance of MMK 30,000 in addition to their pension.



# LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

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This announcement concerns only civil servants and is unrelated to the minimum wage of employees in private businesses.

#### 4. Seminar invitation: Criminal procedure in Myanmar

For a variety of reasons, we have seen a sharp increase in enquiries about criminal law over the last months and would like to take this opportunity to offer a seminar on criminal procedure in Myanmar to anybody interested.

##### Proposed agenda:

- From police complaint to trial, step by step
- Summons cases and warrant cases
- When and how the police may make an arrest
- Pre-trial detention
- Access to lawyers at the pre-trial and trial stages
- When and how bail may be obtained
- When and how the police may interview witnesses and request the production of documents
- When and how the police may enter premises and conduct searches
- Managing cases in the countryside
- Unlawful Associations Act and Counter-Terrorism Law

<b>Date and time</b>	Thursday, 22 <sup>nd</sup> August 2024, 2:30pm - 4:00pm
<b>Place</b>	Rose Garden Hotel, 171 Upper Pansodan Road, Yangon
<b>Speaker</b>	Sebastian Pawlita
<b>Language</b>	English
<b>Participation fee</b>	MMK 25,000 per person, payable in cash at the reception desk
<b>Registration</b>	Please register by sending an e-mail to <a href="mailto:info@lincolnmyanmar.com">info@lincolnmyanmar.com</a> , stating the name of your organisation and the names of the participants.
<b>Suggesting a topic</b>	If you wish us to discuss a particular topic at the seminar, please do not hesitate to include this in your registration e-mail; we will be happy to amend the agenda.



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We hope that you have found this information useful.

Sebastian Pawlita  
Managing Director

### About Lincoln Legal Services (Myanmar) Limited

Lincoln Legal Services (Myanmar) Limited provides the full range of legal and tax advisory and compliance work required by investors. We pride ourselves in offering result-oriented work, high dependability and a fast response time at very competitive prices. Please do not hesitate to contact us:

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