



LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

CONVENIENCE TRANSLATION - ACCURACY NOT GUARANTEED

Government of the Republic of the Union if Myanmar
Ministry of Information
Notification No. 31/2024
1385, 4th Waxing Day of Tabaung
(13 March 2024)

Order Designating Film Broadcasting Businesses Using a Telecommunications Network as an Essential Service

The Ministry of Information has issued the following order by exercising the right to issue an order conferred by the Union Government according to section 4 (c) Essential Supplies and Services Law:

1. The Ministry of Information has designated film broadcasting businesses using a telecommunications network as an essential service according to section 4 (c) Essential Supplies and Services Law.
2. Any person engaging in a film broadcasting business using a telecommunications network shall apply for a registration certificate.
3. Starting 1 month from the publication of this notification, any person found to be operating a film broadcasting business using a telecommunications network without a registration certificate shall be subject to prosecution according to section 5 Essential Supplies and Services Law.

(Signed)
Maung Maung Ohn
Union Minister

Letter No. 2-6(7)/2024 (887)

Date: 13 March 2024

Copies: [Omitted.]

[Order No. 23/2024 to follow on the next pages.]



LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

Government of the Republic of the Union of Myanmar
Ministry of Information

Order on the Right to Operate a Film Broadcasting Business Using a Telecommunications Network
Order No. 23/2024
1385, 4th Waxing Day of Tabaung
(13 March 2024)

The Ministry of Information has issued the following order by exercising the right to issue an order conferred by the Union Government according to section 4 (c) Essential Supplies and Services Law:

Chapter 1 Title and definitions

1. (a) This order shall be known as the Order on the Right to Operate a Film Broadcasting Business Using a Telecommunications Network.
- (b) This order shall not apply if the telecommunications network is not used in an activity covered by the Motion Picture Law or the Television and Video Law.
2. The following expressions in this order shall have the following meanings:
 - (a) **“Film broadcasting business using a telecommunications network”** means the business of publishing, sharing, selling or displaying through a telecommunication network films or videos that were filmed and produced as feature films, documentaries, films for archives, newsreels, entertainment films, or educational films. This expression also includes the establishment of film theatres and the launching of film-related applications using a telecommunications network.
 - (b) **“Telecommunications network”** means a system that can be used in conjunction with network equipment, telecommunications equipment, computer, and equipment similar to a computer, and a wired or wireless system that interconnects the equipment, all using any telecommunications technology. This expression includes an online system.
 - (c) **“Screening team”** means the team formed by the Department by notification and assigned the task of screening with regard to businesses broadcasting films using a telecommunications network.
 - (d) **“Registration certificate”** means the registration certificate for a film broadcasting business using a telecommunications network issued by the Department under this order.



- (e) “**Ministry**” means the Ministry of Information of the Government of the Republic of the Union of Myanmar.
- (f) “**Department**” means the Information and Public Relations Department of the Ministry of Information.

Chapter 2

Application for a registration certificate

- 3. One application form shall be submitted for each business category below:
 - (a) Establishment of a film theatre using a telecommunications network;
 - (b) launching film-related applications;
 - (c) broadcasting films using a telecommunications network.
- 4. A person desirous of engaging in any business category in para. 3 shall apply to the Department with Form A through the office of the Information and Public Relations Department in the relevant Region or State. A 300 kyats office tax stamp shall be affixed to Form A.
- 5. If the applicant for the registration certificate according to para. 4 is a company or business organisation, it must fulfill any of the following criteria:
 - (a) Being a company or business organisation established according to the Myanmar Companies Law, the Special Company Act, the Cooperative Societies Law or any other law in force;
 - (b) being a company or business organisation that has a website under its own name;
 - (c) being a company or business organisation that can show a *[physical]* location where it conducts the film broadcasting business using a telecommunications network.
- 6. The applicant for the registration certificate must have the following qualifications:
 - (a) Must be a citizen of the Republic of the Union of Myanmar;
 - (b) must be at least 18 years of age;
 - (c) must have permission according to the laws and rules in force necessary to possess the equipment used for the broadcasting of films using a telecommunications network;
 - (d) must be able to show a *[physical]* location where the film broadcasting business using a telecommunications network is conducted.



7. The applicant shall submit the application for the registration certificate together with the following particulars:
 - (a) In case of a company or business organisation, a colour photograph of the person in charge in the company or business organisation, or in case of an individual, a colour photograph of this person;
 - (b) in case of a company or business organisation, a copy of the citizenship scrutiny card of the person in charge in the company or business organisation, or in case of an individual, a copy of the citizenship scrutiny card of this person;
 - (c) endorsement from the Ward or Village Administration Office that the person resides in the ward/village;
 - (d) endorsement from the relevant Township Police Chief's Office that the person has no criminal record;
 - (e) list of business equipment;
 - (f) copies of legal evidence of ownership for the business equipment;
 - (g) copies of necessary documents if owned by a partnership;
 - (h) endorsement from the Myanmar Motion Picture Organization;
 - (i) undertaking to comply with the terms and conditions issued by the Ministry and the Department from time to time.

Chapter 3

Issuance, application for an amendment and application for renewal of the registration certificate

8. The Information and Public Relations Department in the Region or State shall review whether the Form A that it received complies with the criteria in paras. 6 and 7 and submit it to the Department.
9. The Department shall review Form A received from the Information and Public Relations Department in the Region or State and if it complies with the criteria and is complete and correct, notify the applicant and the Information and Public Relations Department in the Region or State that the registration fee of 200,000 kyats (exactly two hundred thousand kyats) shall be transferred to the designated bank account of the Department with Myanma Economic Bank, Branch 5 (Yangon), account no. MD - 014960.

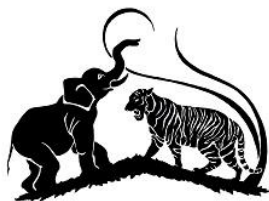


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10. The Information and Public Relations Department in the relevant Region or State shall submit to the Department evidence that the applicant paid the registration fee.
11. The Department shall issue the registration certificate with Form C within 7 days (excluding holidays).
12. The Department may, after reviewing Form A, reject the application if it does not comply with the criteria.
13. The registration certificate is valid for 1 year from the date of issuance.
14. If there is a change in the data contained in Form A, the registration certificate holder shall submit this to the Department in writing within 30 days from the date of such change.
15. If the registration certificate holder has lost or damaged the registration certificate, he shall apply to the Information and Public Relations Department in the relevant Region or State.
16. The Department shall review the application according to para. 15 and, if it complies with the criteria, shall issue a new registration certificate upon payment of 10,000 kyats (exactly ten thousand kyats) for each item to be amended.
17. The registration certificate holder shall apply for its renewal within 30 days before its expiry with Form B according to the method in para. 4, paying a fee of 100,000 kyats (exactly one hundred thousand kyats).
18. If the application for renewal is filed after the expiry of the registration certificate, a fine of 5,000 kyats (exactly five thousand kyats) shall be paid per month starting from the expiration date.
19. The registration certificate holder shall submit each film to be broadcast using a telecommunications network to the screening team and undergo screening.
20. The registration certificate holder shall pay to the Department's account a screening fee of 1,000 kyats (exactly one thousand kyats) for each film submitted according to para. 19 that does not exceed 120 minutes, and of 2,000 kyats (exactly two thousand kyats) for each film submitted according to para. 19 that exceeds 120 minutes.

Chapter 4 **Terms**

21. No one shall carry on a film broadcasting business using a telecommunications network without a registration certificate issued under this order.



22. The registration certificate holder shall not transfer the registration certificate without obtaining the Department's permission.
23. Any person having obtained a registration certificate shall comply with the terms and conditions issued by the Ministry and the Department from time to time.
24. The occurrence of any of the following invalidates the registration certificate:
 - (a) Failure to apply for renewal within 6 months after the expiration of the registration certificate;
 - (b) revocation of the registration certificate;
 - (c) return of the registration certificate by its holder;
 - (d) conviction under the Essential Supplies and Services Law.
25. The registration certificate holder shall not broadcast a film without submitting it to the screening team and undergoing screening.
26. No one may publish, and no one may share, display or promote to harm individuals and organisations contrary to the decision of the screening team.

Chapter 5 Supervision and action

27. The Department may access and inspect film broadcasting businesses using a telecommunications network with a team formed from time to time.
28. If the registration certificate holder violates any of the rules of this order, the Department may either temporarily or permanently revoke the registration certificate or prosecute under the Essential Supplies and Services Law, depending on the violator's violation.

Chapter 6 Miscellaneous

29. If the registration certificate holder wishes to cease the film broadcasting business using a telecommunications network for any reason before the expiration of the registration certificate, he shall submit the matter to the Department or the Information and Public Relations Department in the relevant Region or State and return the registration certificate.
30. The Information and Public Relations Department in the Region or State shall submit list of registration certificate holders to the Department before the 5th day in the beginning of each month.



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Maung Maung Ohn
Union Minister

Form A, Form B, Form C *[omitted]*

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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