



LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

CONVENIENCE TRANSLATION - ACCURACY NOT GUARANTEED

Republic of the Union of Myanmar

Central Bank of Myanmar

5th April 2022

Directive 6/2022

Subject: Directive on procedures with regard to Notification 12/2022

Reference: Notification 12/2022 dated 3rd April 2022 issued by the Central Bank of Myanmar

1. In the referenced notification, the CBM issues directives with regard to foreign currency received by Myanmar residents from abroad, the transfer of foreign currency to a destination abroad, and the foreign currency in foreign currency accounts of residents.
2. According to the referenced notification, Authorised Dealer banks must do the following within 1 working day with regard to the foreign currency coming into foreign currency accounts of residents.
 - (a) If the incoming amount is export earnings, the foreign currency must be credited to the respective corporate account on the incoming day; the Authorised Dealer bank must purchase this amount at the exchange rate specified by the CBM and credit the amount to the MMK account.
 - (b) If the incoming amount is a service fee or of another type, the foreign currency must be credited to the respective corporate or personal account on the incoming day; the Authorised Dealer bank must purchase this amount at the exchange rate specified by the CBM and credit the amount to the MMK account.
 - (c) If the incoming amount is for investment, all funds except foreign currency exempted with the approval of the Foreign Exchange Regulatory Committee must be credited to the respective corporate account on the incoming day; the Authorised Dealer bank must purchase this amount at the exchange rate specified by the CBM and credit the amount to the MMK account.
 - (d) If the incoming amount is a loan for investment, the bank must verify whether it was approved by the CBM according to section 29A Foreign Exchange Management Law and para. 48 Foreign Exchange Management Regulation, and if the approval was obtained, all funds except foreign currency exempted with the approval of the Foreign Exchange Regulatory Committee must be credited to the respective corporate account on the incoming day; the Authorised Dealer bank must purchase this amount on the day of the



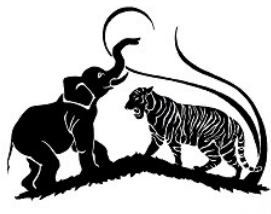
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crediting at the exchange rate specified by the CBM and credit the amount to the MMK account.

- (e) If the incoming amount is a unilateral transfer, the bank must verify whether it was approved by the CBM according to paras. 55, 56 Foreign Exchange Management Regulation, and if the approval was obtained, the amount must be credited to the respective corporate [*sic*] account on the incoming day; the Authorised Dealer bank must purchase this amount on the day of the crediting at the exchange rate specified by the CBM and credit the amount to the MMK account.
3. The transfer by residents of foreign currency to a destination abroad may only be done with the approval of the Foreign Exchange Regulatory Committee according to Notification 12/2022. Therefore, any transfer, including those specified below, must be submitted for approval according to the Foreign Exchange Management Law and Regulation.
 - (a) Payment for imported goods (including advance payment);
 - (b) payment of service and other fees;
 - (c) with regard to foreign investment, transfer of profit from the investment;
 - (d) payment made for investment abroad;
 - (e) payment for loans from abroad and interest thereon;
 - (f) payment of expenses specified in para. 27 Foreign Exchange Management Regulation
4. If the transfer of funds to a destination abroad has been approved by the Foreign Exchange Regulatory Committee, the Authorised Dealer Bank shall sell the foreign currency at the exchange rate specified by the CBM to the approved transferor and may collect MMK 3 per USD as service fee.

On behalf of the Governor
Win Thaw, Deputy Governor

Distribution list: [Omitted.]



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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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