



**Dear Readers,**

Welcome to a new edition of our newsletter.

**1. Visa extensions for foreign private school teachers no longer processed through DICA**

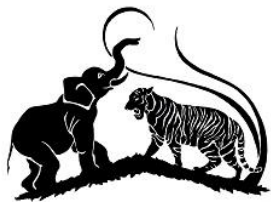
On 11 September 2023, DICA [announced](#) on its website that visa extensions for foreign private school teachers and their dependents will no longer be processed through DICA. Rather, applications for a recommendation letter will have to be filed with the Ministry of Education, akin to the situation for foreigners working in the tourism industry who seem to have to go through the Ministry of Hotels and Tourism if they want to renew their visa in-country.

The background seems to be that foreign private school teachers have to register with the relevant regional supervisory board, a panel established by a new Private Education Law which the SAC issued in May this year. Such registration may only be possible if the school itself is registered with the regional supervisory board.

Please find below the text of DICA's announcement (English in the original).

**Announcement Regarding Visa Extension Recommendation for Foreigners from Companies Engaging in Educational Service Businesses**

1. Ministry of Investment and Foreign Economic Relations, Directorate of Investment and Company Administration had provided support for foreigners and their family members from companies engaged in educational services to extend their visas and obtain recommendation for multiple re-entry visas.
2. Now, the "Private Educational Law" has been enacted. So, companies engaged in educational services among companies which registered on Myanmar Companies Online (MyCO) whether they have Permit/ Endorsement from Myanmar Investment Commission or not must comply with Chapter (5), (9) and (10) of the law to employ foreigners.
3. Therefore, it is no longer necessary to apply at <http://movas.dica.gov.mm> and <https://visaonline.dica.gov.mm> for recommendation to obtain business visas and visa extension of foreign employees and their family members who will employ or are serving in educational service companies, but to apply directly to the Ministry



of Education. Please be informed that the Ministry of Immigration and Population will continue to act only if you can submit endorsement from the Ministry of Education.

### Directorate of Investment and Company Administration

*[Published on DICA's webpage on 11 September 2023. English in the original.]*

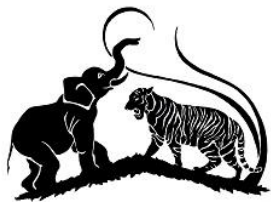
*Sections 36 and 37 of the SAC's Private Education Law 2023 read:*

- "36. (a) A person wishing to work as a private school teacher at an autonomous or private school shall, in order to obtain a registration certificate,
- (1) apply as prescribed to the relevant regional supervisory board if he is a Myanmar citizen;
  - (2) apply to the relevant regional supervisory board with a recommendation letter from the respective autonomous or private school if he is a foreigner.
- (b) A private school teacher registration certificate is valid for 3 years from the date of issue. An application to renew it must be filed 3 months prior to its expiry.
37. A person who has obtained the right to register as a private school teacher shall pay the specified registration fee and annual fee to the relevant department's bank account and collect the registration certificate."

## 2. Production sharing ratio in the pearl industry

On 1 September 2023, the Ministry of Natural Resources and Environmental Conservation under the SAC set the production sharing ratio in oyster and pearl growing between a private producer and state-owned Myanma Pearl Enterprise to 90:10 in the first 5 years and to 75:25 thereafter.

*[Section 39 Pearl Law: "The Ministry may, regarding pearl production, allow Myanma Pearl Enterprise to enter into contracts with the permit holder for business operation*



*through a production sharing business or a cooperation method determined by the Ministry.”]*

Government of the Republic of the Union of Myanmar  
Ministry of Natural Resources and Environmental Conservation  
Setting the distribution ratio for pearls and shells  
Directive No. 27/2023  
1385, 1<sup>st</sup> Waning Day of Wagaung  
(1 September 2023)

The Ministry of Natural Resources and Environmental Conservation has issued this directive in exercise of the power conferred by section 41(b) Myanmar Pearl Law.

1. The Ministry of Natural Resources and Environmental Conservation has set the pearl and shell distribution ratio for cooperation with Myanmar Pearl Enterprise as follows:

“The distribution between Myanmar Pearl Enterprise and an oyster breeding and pearl growing business is set as follows: The pearl and shell distribution ratio is 10% for Myanmar Pearl Enterprise and 90% for the company from 1-1-2024 during the 5 year period while capital is being injected in case of a local/foreign joint venture company, and after the initial 5 years, it is 25% for Myanmar Pearl Enterprise and 75% for the company.”

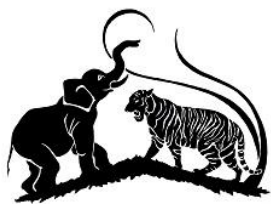
2. Directive no. 1/2019 issued on 22-7-2019 by Myanmar Pearl Enterprise, Ministry of Natural Resources and Environmental Conservation is repealed by this directive.

(Signed) Khin Maung Yi  
Union Minister  
Ministry of Natural Resources and Environmental  
Conservation

We hope that you have found this information useful.

Sebastian Pawlita  
Managing Director

Nyein Chan Zaw  
Director



## LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

NEWSLETTER 127 - 13 September 2023

### 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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