



# LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

CONVENIENCE TRANSLATION - ACCURACY NOT GUARANTEED

**Republic of the Union of Myanmar  
Central Bank of Myanmar**

Letter No.: FE - 1/540 2022

Date: 16<sup>th</sup> June 2022

**Subject: To comply with the decisions of the meeting on Notification No. 12/2022**

1. On 7<sup>th</sup> June 2022 at 2:30 pm, a virtual meeting was held between the CBM and AD licensed banks.
2. AD licensed banks are advised to comply with the decisions of the meeting.

On behalf of the Governor  
May Toe Win, Director General

Distribution list: *[Omitted.]*

**On 7<sup>th</sup> June 2022 at 2:30 pm, a virtual meeting between the Central Bank of Myanmar and AD licensed banks was held.**

1. The purpose of the meeting was to explain the latest development regarding the CBM's Notification No. 12/2022.

### **Meeting attendees**

2. The meeting was chaired by the Deputy Director of the CBM and attended virtually by the Director General, Deputy Director General, Director and officers of the Foreign Exchange Management Department, and officials from 44 AD *[authorised dealer]* licensed banks, in total 149 persons. List of meeting attendees as per Attachment-1, Attachment-2

### **Discussions**

3. At the meeting, the Deputy Governor of the CBM and the Director General of the Foreign Exchange Management Department explained the directives issued in relation to Notification No. 12/2022 and answered questions asked by AD licensed banks.

### **Meeting decisions**

4. The meeting decided the following:



## LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

### AD banks to implement:

- (a) If in companies doing business with permission of the Directorate of Investment and Company Administration (DICA) there is 10% or more foreign investment, they may do such business exempted from the CBM's Notification 12/2022.

### AD banks to implement

- (b) For exempted businesses and for non-exempted businesses, make a list of the remaining balances in foreign currency accounts after subtracting the purchased amount until 10<sup>th</sup> June 2022 (reported to the CBM) from the balances before 4<sup>th</sup> April 2022, and submit by 5:00 pm on 10<sup>th</sup> June 2022 at the latest.

### AD banks to implement

- (c) On matters from before 4<sup>th</sup> April 2022, if a ship arrived and goods are to be unloaded and paid for, and there are sufficient funds in the customer's foreign currency account, transactions are only allowed if the import license was issued before 4<sup>th</sup> April 2022, or the ID [*import declaration*] was made before 4<sup>th</sup> April 2022 if no license is needed, and the following points have to be shown -
- (1) Showing that the customer has sufficient funds in the foreign currency account (showing the balance amount, or stating that the balance is sufficient, or showing that the margin has been deducted);
  - (2) showing the import license date;
  - (3) showing the ID date if no license is needed.
- (d) For transactions that have not been approved by the CBM due to an incomplete submission, but that comply with the above points, to resubmit the above points.

### AD banks to implement

- (e) Make sure that the directives issued by the CBM are understood not only by the managers of the bank, but also by those who are dealing with the operations.

### AD banks to implement

- (f) Care should be taken to ensure that foreign currency accounts allocated by a decision of the Foreign Exchange Supervisory Committee are not resold by AC [*account*] transfer.

### AD banks to implement



## LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

- (g) To sell foreign currency to petrol companies with the permission of the Foreign Exchange Supervisory Committee as soon as possible according to business needs.

AD banks to implement

- (h) Businesses, organisations and companies exempted from Notification No. 12/2022 may transfer between their own accounts at different AD banks, but the bank shall take responsibility for the transfer and make sure that no mistakes are made.

(Para. 4(g)(1) of the minutes of the meeting dated 22<sup>nd</sup> April 2022 is replaced by this decision.)

AD banks to implement

- (i) Exempted organisations such as the UN do not have to convert the salary of local staff to MMK on the same day, but if the employee wants to withdraw it to use it, this may be done in MMK only.

AD banks to implement

- (j) Para. 4(a)(6) and para. 4(f)(3) of the minutes of the meeting dated 22<sup>nd</sup> April 2022 shall be amended to read Myanmar Economic Corporation (MEC) instead of Myanmar Economic Holdings Limited (MEC).

- (k) Things to keep in mind when making entries in the ERS [*electronic reporting system*]:

State-owned banks to implement

- (1) State-owned banks should take care not to erroneously enter the revenue of the Union Government and Union Ministries in the Non-trade Inward (Real-time) and Export Proceeds Utilization list.
- (2) Banks should monitor and supervise every step to prevent erroneous entries when reporting with the ERS.

AD banks to implement

- (l) Para. 4(g)(2) of the minutes of the meeting on 22th April 2022 stipulate that no transfers shall be made from one foreign currency account to another without exceptions. However, a transfer from an exempted business that may hold foreign currency in its foreign currency account to an account of a Ministry shall be carried out.

AD banks to implement



## LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

- (m) Requests for the purchase of foreign currency may be submitted to the Foreign Exchange Supervisory Committee through the Ministry of Commerce if an import license was already issued or, if no license is needed, an ID was already made before 4<sup>th</sup> April 2022.
5. The meeting ended at 5:00 pm.

Recorded by  
(16<sup>th</sup> June 2022)  
Deputy Director General

**Distribution:** All participants

### 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:

- Sebastian Pawlita, Managing Director  
Phone: +95-9-262546284 (English)  
E-Mail: [sebastian@lincolnmyanmar.com](mailto:sebastian@lincolnmyanmar.com)
- Nyein Chan Zaw, Director  
Phone: +95-9-790488268 (Myanmar)  
E-Mail: [nyeinchanzaw@lincolnmyanmar.com](mailto:nyeinchanzaw@lincolnmyanmar.com)

Office address: La Pyi Wun Plaza, Room 409 (4<sup>th</sup> Floor), 37 Alan Pya Pagoda Road, Dagon Township, Yangon

Web: [www.lincolnmyanmar.com](http://www.lincolnmyanmar.com)