



CONVENIENCE TRANSLATION - ACCURACY NOT GUARANTEED

Republic of the Union of Myanmar
State Administration Council
Private Education Law
State Administration Council Law No. 50/2023
1385, 9th Waning Day of Kason
(12 May 2023)

The State Administration Council enacted this law in accordance with section 419 of the Constitution of the Republic of the Union of Myanmar.

Chapter 1
Title and definitions

1. This law shall be called the Private Education Law.
2. The expressions in this law shall have the same meanings as in the National Education Law. Furthermore, the following expressions shall have the following meanings:
 - (a) “**Ministry**” means the Ministry of Education of the Union Government.
 - (b) “**Department**” means the department designated by the ministry to implement the tasks of this law.
 - (c) “**Supervisory board**” means the supervisory board for autonomous or private schools established by the ministry.
 - (d) “**Regional supervisory board**” means the supervisory board for autonomous or private schools established according to this law in the respective region or state or in the Union Territory.
 - (e) “**Autonomous or private school**” means a school registered and established according to this law. This expression also includes branches of schools registered under this law.
 - (f) “**Private education**” means education provided by autonomous or private school in accordance with the educational policies of the ministry.
 - (g) “**Founder**” means an individual or organisation who/that invested capital and established and opened an autonomous or private school.



- (h) “**Administrator**” means an individual or organisation in charge of administrative, management, and educational matters of an autonomous or private school.
- (i) “**Private school teacher**” means an instructor who is registered under this law and has the qualifications specified in the relevant law to teach at an autonomous or private school.
- (j) “**Additional subject**” means languages and subjects taught with the approval of the ministry in addition to the prescribed school subjects.
- (k) “**Additional lessons**” means lessons in an additional subject taught in addition to lessons in school subjects.
- (l) “**Advertisement**” means any communication in relation to an autonomous or private school in writing, orally, with gestures, by voice, or in other ways, intended to inform an individual or the public.

Chapter 2

Objectives of private education

- 3. The objectives of private education are as follows:
 - (a) By promoting the private sector in education, producing educated people with knowledge and skills to improve the Union’s socio-economic status;
 - (b) systematically developing autonomous or private schools in various educational sectors and implementing education at an international level;
 - (c) developing research activities in line with the national education policy;
 - (d) training and nurturing knowledge and skills that encourage thinking that creates employment opportunities;
 - (e) teaching and training in various disciplines to support livelihoods.

Chapter 3

Principles of private education

- 4. The principles of private education are as follows:
 - (a) Private sector participation in educational development activities in accordance with the education policies of the Union;



- (b) continuous improvement of the high performance of private school teachers, learners and staff;
- (c) promotion of the private sector and international cooperation in various fields of education;
- (d) emergence of autonomous and private schools that are internationally recognised and whose quality is assured;
- (e) right of every citizen to study freely and creating educational opportunities for lifelong learning;
- (f) protecting the interests of founders, administrators, private school teachers and staff of autonomous or private schools in accordance with the law;
- (g) protection in accordance with the law so that learners at autonomous and private schools do not lose their rights and parents of students do not incur losses;
- (h) if the autonomous or private school is a university, applying a university admission system that allows a student to choose based on the student's wishes and according to the specified qualifications in accordance with the university's charter;
- (i) freedom from religious and political influence and interference in autonomous or private schools.

Chapter 4

Types of autonomous or private schools

- 5. (a) The types of autonomous or private schools that must be registered according to this law are as follows:
 - (1) autonomous or private basic education school;
 - (2) autonomous or private technical and vocational education and training school;
 - (3) autonomous or private higher education school;
 - (4) any autonomous or private school designated by the ministry from time to time.
- (b) The types of autonomous or private schools that must be registered under sub-section (a) include non-profit autonomous or private schools that, instead of enjoying a profit like a for-profit autonomous or private school, use it only for educational activities of the school.



Chapter 5

Establishing an autonomous or private school

6. If an autonomous or private school under section 5 is covered by the Myanmar Investment Law or other relevant laws in force, it must be registered and established in accordance with this law.
7. A person wishing to establish an autonomous or private school shall apply to the regional supervisory board as prescribed.
8. An autonomous or private school
 - (a) may form a joint venture with a state school in accordance with the specifications of the relevant ministries or government organisation;
 - (b) may collaborate, partner, or in other ways cooperate with other types of schools that are not state schools in accordance with the specifications of the ministry and the relevant ministry.

Chapter 6

Formation of the supervisory board and its duties and powers

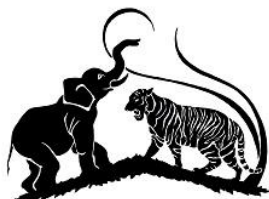
9. The ministry
 - (a) shall constitute the supervisory board as follows:

(1)	Union Minister, Ministry of Education	Chairman
(2)	Deputy Minister, Ministry of Education	Vice-chairman (1)
(3)	Deputy Minister, Ministry of Education	Vice-chairman (2)
(4)	Director General, Department of Alternative Education	Member
(5)	Director General, Department of Myanmar Examinations	Member
(6)	Director General, Department of Myanmar Nationalities' Languages	Member
(7)	Director General, Department of Research and Evaluation	Member
(8)	Representatives from relevant ministries	Member



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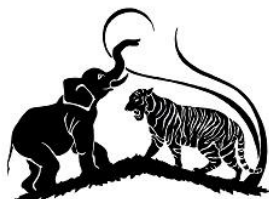
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| (9) | Three members from the National Curriculum Committee | Member |
| (10) | Three members from the National Accreditation and Quality Assurance Assessment Committee | Member |
| (11) | Director General / Permanent Secretary, Ministry of Education | Secretary |
| (12) | Director General, Department of Higher Education | Joint Secretary (1) |
| (13) | Director General, Department of Basic Education | Joint Secretary (2) |
| (14) | Director General, Department of Teacher Education | Joint Secretary (3) |
- (b) The supervisory board may be reconstituted as required according to the specifications in sub-section (a).
10. The duties and powers of the supervisory board are as follows:
- (a) Setting standards to be maintained by autonomous or private schools;
 - (b) setting criteria to be fulfilled when applying for an autonomous or private school and a private school teacher registration;
 - (c) allowing or denying the issuance or renewal of registration certificates for autonomous or private higher education schools, autonomous or private schools with an international curriculum, and autonomous or private schools where foreign private school teachers teach, and allowing or denying their merger, closure, and the suspension of their courses;
 - (d) when an autonomous or private school mentioned in sub-section (c) applies to suspend courses while the school is registered, setting the terms and conditions so that learners do not lose their rights and parents of students do not incur losses, and allowing the suspension;
 - (e) determining the registration fee, the annual fee and other fees to be paid under this law, and prescribing and granting exemptions and reliefs from these matters in accordance with the criteria set by the ministry and relevant ministry;



- (f) allowing or denying the change of a founder or administrator of an autonomous or private school under sub-section (c), and the change of name or relocation of an autonomous or private school;
- (g) allowing or denying the issuance of a private school teacher registration certificate for a foreigner, its renewal and cancellation;
- (h) supervising and guiding the regional supervisory board, chief registrar and registrar;
- (i) establishing working groups as required and determining the tasks of these groups;
- (j) carrying out the tasks assigned by the ministry from time to time in relation to autonomous or private schools.

11. The supervisory board

- (a) shall, with regard to the issuance or renewal of registration certificates for autonomous or private higher education schools, autonomous or private schools with an international curriculum, and autonomous or private schools where foreign private school teachers teach, their merger, closure, and the suspension of their courses, review and decide upon the evaluation report of the regional supervisory board within the specified time.
- (b) shall, with regard to a foreign private school teacher registration certificate, review and decide upon the evaluation report of the regional supervisory board within the specified time.
- (c) shall monitor the compliance of the curriculum and syllabus of autonomous or private schools with the specifications of the National Curriculum Committee.
- (d) shall assist the National Accreditation and Quality Assurance Assessment Committee in assessing the education standards and quality of autonomous or private schools.
- (e) shall monitor the education standards and quality of autonomous or private schools in accordance with the criteria of the National Accreditation and Quality Assurance Assessment Committee.
- (f) shall review and monitor the course completion certificates, certificates of having passed an examination, diplomas, degrees, and honorary degrees awarded according to the type by an autonomous or private school as to whether they meet the criteria.

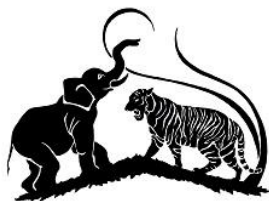


- (g) shall review the ability to invest the amount according to the type of school when an autonomous or private school is established.
 - (h) shall review whether the quality level of foreign private school teachers is in line with the policy established by the ministry.
 - (i) shall review whether a foreign private school teacher may teach in the subject for which he has a degree or another subject of expertise and allow it.
12. The supervisory board and the working groups formed by it may visit any autonomous or private school from time to time and, if necessary, obtain photo and video records, make enquiries, and view and copy relevant documents.
13. The department shall be responsible for the office work of the supervisory board and bear the costs of the board.

Chapter 7

Formation of the regional supervisory board and its duties and powers

14. The supervisory board
- (a) shall constitute the Union Territory autonomous or private school supervisory board as follows:
 - (1) Councillor nominated by the Nay Pyi Taw Council Chairman
 - (2) Rector from a university in the Union Territory Member
 - (3) Two representatives from the relevant ministry Member
 - (4) Representative from the General Administration Department of the Union Territory Member
 - (5) Representative from the Department of Medical Services Member
 - (6) Representative of the Department of Labour Member
 - (7) Rector from a technical and vocational education and training school in the Union Territory Member
 - (8) Union Territory Education Commissioner Secretary



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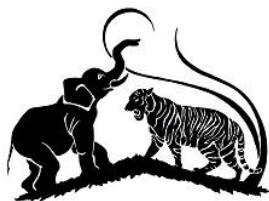
(b) shall constitute the Region or State autonomous or private school supervisory board as follows:

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| (1) | Minister nominated by the Region or State government | Chairman |
| (2) | Rector from a university in the Region or State | Member |
| (3) | Two Region or State level representatives from the relevant ministry | Member |
| (4) | A Region or State level representative from the General Administration Department of the respective Region or State | Member |
| (5) | A Region or State level representative from the Department of Medical Services | Member |
| (6) | A Region or State level representative from the Department of Labour | Member |
| (7) | Rector from a technical and vocational education and training school in the respective Region or State | Member |
| (8) | Education commissioner of the respective Region or State | Secretary |

(c) A regional supervisory board may be reconstituted as required according to the specifications in sub-sections (a) and (b).

15. The duties and powers of a regional supervisory board are as follows:

- (a) Submitting the issuance or renewal of registration certificates for autonomous or private higher education schools, autonomous or private schools with an international curriculum, and autonomous or private schools where foreign private school teachers teach, their merger, closure, and the suspension of their courses to the supervisory board for review and acting in accordance with its decision;
- (b) except for autonomous or private schools in sub-section (a), allowing or denying the issuance or renewal of registration certificates of autonomous or private schools in the respective Region or State or the Union Territory, their merger, closure, and the suspension of their courses;



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- (c) reviewing and allowing or denying the issuance of a registration certificate for a Myanmar private school teacher, its renewal and cancellation;
- (d) submitting the issuance of a registration certificate for a foreign private school teacher, the refusal to issue it, its renewal, the refusal to renew it, and its cancellation to the supervisory board for review and acting in accordance with its decision;
- (e) supervision and inspection to ensure that the quality level of private school teachers is in line with the policy established by the ministry;
- (f) shall review whether a Myanmar private school teacher may teach in the subject for which he has a degree or another subject of expertise and allow it;
- (g) supervision to ensure that the education standards and quality of autonomous or private schools in the relevant Region or State or in the Union Territory are in accordance with the criteria of the National Accreditation and Quality Assurance Assessment Committee;
- (h) except for autonomous or private schools in sub-section (a), allowing or denying the change of a founder or administrator of an autonomous or private school in the respective Region or State or the Union Territory, and the change of name or relocation of an autonomous or private school;
- (i) submitting the change of the name, founder, manager or location of an autonomous or private school in sub-section (a) to the supervisory board for review and acting in accordance with its decision;
- (j) when an autonomous or private school in the respective Region or State or the Union Territory, except for autonomous or private schools in sub-section (a), applies to suspend courses while the school is registered, setting the terms and conditions so that learners do not lose their rights and parents of students do not incur losses, and allowing the suspension;
- (k) overseeing whether a registered autonomous or private school in the respective Region or State or the Union Territory may start operations in accordance with the specifications;
- (l) compilation, maintenance and publication of statistical data related to autonomous and private schools and submission to the supervisory board as prescribed;



- (m) submitting to the supervisory board for review transgressions of rules by a founder, administrator or private school teacher so that administrative action may be taken;
 - (n) establishing sector-specific working groups as required and determining the tasks of these groups;
 - (o) carrying out the tasks assigned by the supervisory board from time to time in relation to autonomous or private schools.
16. A regional supervisory board
- (a) shall submit as prescribed to the supervisory board for review an application for the issuance or renewal of registration certificates for autonomous or private higher education schools, autonomous or private schools with an international curriculum, and autonomous or private schools where foreign private school teachers teach, their merger, closure, and the suspension of their courses.
 - (b) submit as prescribed to the supervisory board for review an application for a private school teacher registration certificate for a foreigner and its renewal.
 - (c) shall send the decision of the supervisory board to the registrar within the specified time in relation to the matters in sub-sections (a) and (b).
 - (d) shall allow or deny as prescribed the application for an autonomous or private school registration certificate or its renewal, except for autonomous or private schools in sub-section (a).
 - (e) shall allow or deny as prescribed the application for a Myanmar private school teacher registration certificate or its renewal.
 - (f) shall send the decision to the registrar within the specified time in relation to the matters in sub-sections (d) and (e).
17. A regional supervisory board and the working groups formed by it may visit any autonomous or private school in the respective Region or State or the Union Territory from time to time and, if necessary, obtain photo and video records, make enquiries, and view and copy relevant documents.
18. The Education Commissioner's Office of the Region or State or Union Territory shall be responsible for the office work of the respective regional supervisory board and bear the costs of the board.



Chapter 7

Chief registrar, deputy chief registrar, and registrar

19. The ministry
 - (a) shall appoint the Director General / Permanent Secretary of the Ministry of Education as the chief registrar.
 - (b) shall appoint the Directors General of the Department of Basic Education, Department of Higher Education, and Department of Teacher Education as deputy chief registrars.
 - (c) shall specify the duties of the chief registrar and the deputy chief registrars.
20. The chief registrar
 - (a) shall appoint the Education Commissioner of the Union Territory or a Region or State as the registrar for the Union Territory or the respective Region or State to carry out registration work under this law.
 - (b) shall supervise and guide the registrars in relation to registration work.
21. The deputy chief registrars shall supervise the registration work in accordance with the ministry's specifications.
22. The department shall be responsible for the office work of the chief registrar and bear the chief registrar's office costs.
23. The duties and powers of the registrar are as follows:
 - (a) Conducting the registration of autonomous or private schools in the respective Region or State or the Union Territory;
 - (b) collecting the registration fee, annual fee, other fees and fines to be paid under this law according to the decision of the supervisory board and the regional supervisory board;
 - (c) carrying out duties assigned by the supervisory committee, chief registrar and deputy chief registrar from time to time.
24. The registrar shall issue the registration certificate within 30 days from the date of receipt of the decision sent under section 16(c) and (f) after payment of the registration fee and the annual fee.



25. The Education Officer of the Union Territory or the respective Region or State shall be responsible for the office work of the registrar and bear the registrar's office costs.

Chapter 9

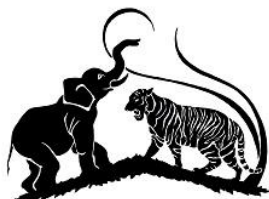
Conditions for establishing an autonomous or private school

26. When applying for a registration certificate to establish and open an autonomous or private school, the person wishing to establish it shall apply to the regional supervisory board according to the specifications of the supervisory board and fulfill the basic requirements specified by the ministry or the relevant ministry.
27. A person wishing to establish an autonomous or private school shall submit the following evidence and documents when applying for a private school registration certificate:
- (a) Evidence of the permission to establish an autonomous or private school in accordance with the Myanmar Investment Law and other applicable laws;
 - (b) evidence of the ownership or lease of the land and building or the building to be used for the autonomous or private school;
 - (c) teaching plan to teach according to the prescribed curriculum and syllabus;
 - (d) if there are dormitories for male and female students, evidence that they are in conformity with the specifications of the supervisory board;
 - (e) evidence that the premises, environment and classrooms of the autonomous or private school are clean, healthy and hygienic;
 - (f) emergency health care plans;
 - (g) school safety and fire prevention plans.
28. The founder shall start the courses of the autonomous or private school within 1 year from the date of obtaining the registration certificate in accordance with this law.
29. (a) The registration of an autonomous or private school is 5 years from the date of issue.
- (b) An autonomous or private school shall apply to the relevant regional supervisory board for renewal of the registration certificate 6 months prior to its expiry, along with a report covering the period of validity.

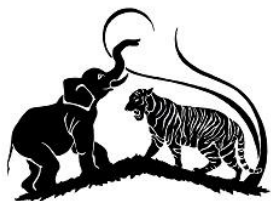


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- (c) If the founder obtains a registration to establish and open an autonomous or private school, he shall pay the registration fee and the annual fee to the account of the relevant department as prescribed.
30. The founder or administrator
- (a) shall affix the autonomous or private school registration certificate at a place where it is visible to the public.
- (b) shall allow a person who has obtained a private school teacher certificate to teach only the subject that he is permitted to teach.
- (c) shall sign a labour contract when hiring private school teachers and staff.
- (d) shall, when appointing private school teachers for the respective subjects, do so in accordance with the structure of the respective school, and the number of permanently employed private school teacher shall be at least 50%.
- (e) shall arrange for sufficient teaching and learning tools for each subject;
- (f) shall teach the lessons in a subject, additional subjects and additional lessons in the autonomous or private school without any reduction of the syllabus prescribed for the respective class.
- (g) shall strictly ensure not to teach topics pertaining to party politics, religious topics, and topics inappropriate to Myanmar culture that are not related to the prescribed curriculum.
- (h) shall change the founder, administrator, name or location of the autonomous or private school only with the approval of the supervisory board or relevant regional supervisory board.
- (i) shall, except for school holidays and public holidays in the academic year, obtain approval from the relevant regional supervisory board if he wishes to stop teaching for more than 7 consecutive days.
- (j) shall, if he wants to stop any of the courses that are currently taught at the autonomous or private school, obtain approval from the supervisory board or relevant regional supervisory board so that the rights of the learners who are still attending the course are not lost and parents of students do not incur losses.



- (k) shall repair without delay and continue the school activities if the buildings and premises of the autonomous or private school have been destroyed or become unusable due to damage or other reasons.
 - (l) shall provide correct information in the advertisements of the autonomous or private school.
 - (m) shall maintain as prescribed the records of an individual learner's personal information, learning ability, school admission, school leaving, and school transfer.
 - (n) shall test the learner's qualification and skill in accordance with the relevant course specifications and issue a course completion certificate, certificate of having passed an examination, diploma and degree as prescribed.
 - (o) shall act as prescribed when placing learners in classes, assigning classes, and issuing school transfer certificates and school leaving certificates.
 - (p) shall carry out activities in accordance with the information submitted when registering the autonomous or private school.
 - (q) shall comply with the instructions issued from time to time by the supervisory board and the relevant regional supervisory board.
31. An autonomous or private school shall comply with the following:
- (a) Conducting teaching and assessment methods in line with the curriculum framework;
 - (b) acting in accordance with the standards set by the supervisory board depending on the type of autonomous or private school;
 - (c) the qualification of a private school teacher who will teach a subject or subjects in courses at the autonomous or private school shall be consistent with the qualification policy established by the ministry, and fulfill the qualifications specified by the relevant law;
 - (d) having a sufficient number of private school teachers;
 - (e) working to improve the teaching competence of private school teachers;
 - (f) encouraging students to follow the rules, behave morally, be healthy and fit.
 - (g) awarding a course completion certificate, certificate of having passed an examination, diploma, degree, and honorary degree only if specified qualifications are met;



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- (h) awarding a course completion certificate, certificate of having passed an examination, diploma, or degree within the specified time;
 - (i) setting school attendance times and school leaving times in advance;
 - (j) submitting an annual report to the relevant regional supervisory board every year as prescribed;
 - (k) statistical data related to autonomous or private schools shall be properly compiled and maintained, and submitted if requested by the relevant regional supervisory board;
 - (l) submitting the case to the supervisory board through the relevant regional supervisory board within 14 days from the event when hiring, suspending from duty, dismissing, or terminating the employment contract of, a foreign private school teacher, foreign administrator, or foreign staff;
 - (m) complying with the instructions issued by the supervisory board and relevant regional supervisory board from time to time;
 - (n) carrying out tasks assigned from time to time by the supervisory board and relevant regional supervisory board for the development of autonomous or private school education.
32. Autonomous or private basic education schools shall comply with the following:
- (a) Except for autonomous or private basic education schools that teach an international curriculum, promoting the spirit of the Union in autonomous or private basic education, and teaching the full curriculum set by the National Curriculum Committee, including Myanmar language, Myanmar history and Myanmar geography, to prevent Myanmar culture from disappearing;
 - (b) promoting the spirit of the Union to Myanmar citizen learners in autonomous or private basic education schools that teach an international curriculum, and teaching the full curriculum of Myanmar language, Myanmar history and Myanmar geography set by the National Curriculum Committee to prevent Myanmar culture from disappearing;
 - (c) teaching foreign learners who want to learn the Myanmar language in autonomous or private basic education schools that teach an international curriculum with the Myanmar curriculum set by the National Curriculum Committee which is appropriate for the relevant class.



33. Autonomous or private technical and vocational education and training schools shall comply with the following:
- (a) Complying with relevant laws;
 - (b) complying with the specifications set by the relevant ministry;
 - (c) systematically designing and establishing transfer and connected learning programmes for learners who want to continue their education, irrespective of whether they are still attending specified courses or have successfully completed them;
 - (d) awarding a course completion certificate, certificate of having passed an examination, diploma, degree, and honorary degree in accordance with the criteria of the National Accreditation and Quality Assurance Assessment Committee;
 - (e) classifying technical and vocational education levels in accordance with the National Education Law.
34. Autonomous or private higher education schools shall comply with the following:
- (a) If the autonomous or private higher education school is a university, drafting a charter fit for the relevant university and obtaining the ministry's approval;
 - (b) conducting the administration of the university in accordance with the relevant university charter;
 - (c) conducting applied research in a systematic manner;
 - (d) awarding honorary degrees with the approval of the ministry;
 - (e) establishing associations for an academic subject, social and cultural associations in accordance with the relevant university charter;
 - (f) systematically designing and establishing transfer and connected learning programmes for learners who want to continue their education, irrespective of whether they are still attending specified courses or have successfully completed them.
35. Learners at an autonomous or private school
- (a) shall have the same schooling and educational development opportunities as state school students depending on the relevant quality specifications.

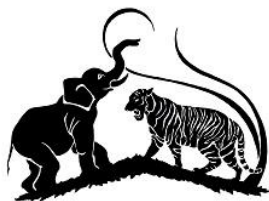


- (b) may transfer between autonomous or private schools and state schools depending on quality specifications;
- (c) may sit a state exam measuring the completion of an education level if they meet the criteria.

Chapter 10

Private school teacher

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 to the relevant regional supervisory board as prescribed 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.
38. A private basic education school teacher shall have at least one of the following qualifications:
- (a) Master's degree, doctorate degree or bachelor of education in the relevant subject from any local or foreign university;
 - (b) having graduated from any local or foreign university and holding a diploma or certificate in teacher education;
 - (c) having graduated from any local or foreign university and obtained a short-term teacher training certificate issued by the ministry;
 - (d) a person who does not fulfill the qualifications specified in sub-sections (a)-(c), but has graduated from a local or foreign university, has worked as a teacher for a subject with the permission of the state at a university, college or basic education school, and has at least 5 years of teaching experience in the subject;



39. A private technical and vocational education and training school teacher shall be qualified and competent in accordance with the relevant laws.
40. A private higher education school teacher shall have a master's degree or doctorate degree in a relevant field of study from a local or foreign university.
41. A private school teacher
 - (a) shall be loyal and respectful to the Union;
 - (b) shall comply with the constitution and the laws in force;
 - (c) shall fulfill the duties and obligations assigned to him;
 - (d) shall refrain from moral turpitude and unethical behaviour;
 - (e) shall refrain from abusing the authority conferred by his function;
 - (f) shall refrain from taking bribes.

Chapter 11

Quality assessment and quality assurance

42. An autonomous or private school shall, with reference to the National Qualification Framework, strive to improve the quality of education according to the standards of education quality established by the National Accreditation and Quality Assurance Assessment Committee.
43. Every autonomous or private school:
 - (a) Shall comply with the criteria of the National Accreditation and Quality Assurance Assessment Committee regarding matters of accreditation and quality assurance.
 - (b) Shall undergo quality assurance inspections for the levels specified by the National Accreditation and Quality Assurance Assessment Committee.
44. The following autonomous or private schools shall comply with the National Qualification Framework and the standards, both set in accordance with the relevant law:
 - (a) Autonomous or private technical and vocational education and training school;
 - (b) autonomous or private school as specified by the ministry from time to time.

Chapter 12

Closure and deregistration of an autonomous or private school

- 18 -



45. The founder of an autonomous or private school wishing to close the school shall apply 120 days in advance for permission to close the autonomous or private school to the relevant regional supervisory board with valid reasons.
46. The founder shall comply with the relevant laws to settle the accounts in connection with the closure of the autonomous or private school.
47. A founder closing an autonomous or private school shall proceed in accordance with the employment agreements concluded with the private school teachers and staff.
48. A founder closing an autonomous or private school shall fully refund school fees, tuition fees, and other fees if any that learners paid in advance for the remaining academic year, except for a completed academic year.
49. A founder wishing to close an autonomous or private school may apply to the relevant regional supervisory board only after having completed the matters in section 48 and having settled the accounts as prescribed.
50. When an autonomous or private school is allowed to close and a certificate for or evidence of the learner's education has to be issued, the ministry or the department directed by the relevant ministry shall issue to the learner the certificate for or evidence of the education on behalf of the school if the criteria are met.

Chapter 13

Administrative action and appeal

51. In case of failure to comply with any of the provisions of sections 28, 30, 31, 32, 33 and 34 and any of the specifications of the rules, regulations [*literally, "regulations and disciplines"*], orders, notifications, directives and procedures issued under this law, the supervisory board may take any of the following administrative actions against the founder or administrator of an autonomous or private school:
 - (a) Written warning;
 - (b) imposition of a fine;
 - (c) suspension of the autonomous or private school registration certificate for a limited period of time;
 - (d) cancellation of the autonomous or private school registration certificate;
 - (e) cancellation of the autonomous or private school registration certificate and blacklisting.



52. The supervisory board shall issue a written warning to a private school teacher who fails to comply with any of the terms [*literally, "disciplines"*] of the registration certificate or suspend the registration certificate for a limited period of time or cancel the registration certificate.
53. A person dissatisfied with an administrative order issued by the supervisory board may within 60 days from the date of the order appeal to the board of appeals established by the ministry.
54. The ministry shall constitute a board of appeals consisting of at least 3 suitable persons.
55. The board of appeals may confirm, modify or cancel the decision of the supervisory board.
56. The decision of the board of appeals is final.

Chapter 14 Prohibitions

57. Noone may establish and open an autonomous or private school without an autonomous or private school registration certificate.
58. Noone may operate an autonomous or private school during the period in which the registration certificate of the autonomous or private school is temporarily suspended or cancelled as administrative action.
59. Noone
 - (a) may provide false information in an autonomous or private school registration application;
 - (b) may amend or change any information in an autonomous or private school registration certificate without the permission of the supervisory board or the relevant regional supervisory board;
 - (c) may make false advertisements in relation to an autonomous or private school;
 - (d) shall be allowed to transfer an autonomous or private school registration certificate to any other person or organisation;
 - (e) may close or merge any autonomous or private school without the approval of the supervisory board or the relevant regional supervisory board.
60. Noone shall use names and expressions in connection with the name of an autonomous or private school that mislead the public into thinking that there is a legal affiliation with any local or foreign school or educational institution.



61. Noone may be appointed or allowed to teach as a private school teacher without a private school teacher registration certificate.
62. Noone may engage in activities on the premises or in the building of an autonomous or private school which are against the law, are harmful to the public, or are not proper to the business of the school.
63. Noone in an autonomous or private school shall act in any way that may harm the stability and security of the Union or national culture.
64. Noone shall act as a private school teacher without a private school teacher registration certificate.
65. Noone shall act as a private school teacher during the period in which the private school teacher registration certificate is temporarily suspended or cancelled as administrative action.
66. Noone
 - (a) may provide false information in a private school teacher registration application;
 - (b) may amend or change any information in a private school teacher registration certificate without permission;
 - (c) may transfer a private school teacher registration certificate to another person.
67. Noone in an autonomous or private school may preach, lecture, comment on, teach or discuss topics that may harm religion or topics that are incompatible with Myanmar culture, or organise to do so.
68. Noone in an autonomous or private school may preach, lecture, comment on, teach or discuss topics concerning party politics or political topics that are contrary to national policy, or organise to do so.
69. Noone other than the person referred to in the autonomous or private school registration certificate may act as founder and administrator.

Chapter 15

Offences and penalties

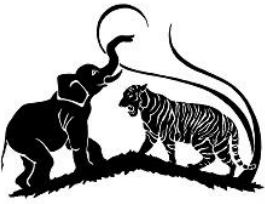
70. Anyone convicted of having violated the prohibition in section 57 shall be punished with imprisonment for a minimum of 1 year to a maximum of 2 years, with a fine ranging from a minimum of MMK 30,000,000 to a maximum of MMK 50,000,000, or with both.



71. Anyone convicted of having violated any of the prohibitions in sections 58, 59 and 60 shall be punished with imprisonment for a minimum of 6 months to a maximum of 1 year, with a fine ranging from a minimum of MMK 20,000,000 to a maximum of MMK 30,000,000, or with both.
72. Anyone convicted of having violated any of the prohibitions in sections 61, 62 and 63 shall be punished with imprisonment for a minimum of 1 year to a maximum of 2 years, with a fine ranging from a minimum of MMK 30,000,000 to a maximum of MMK 50,000,000, or with both.
73. Anyone convicted of having violated any of the prohibitions in sections 64 and 65 shall be punished with a fine ranging from a minimum of MMK 3,000,000 to a maximum of MMK 5,000,000.
74. Anyone convicted of having violated any of the prohibitions in sections 66, 67 and 68 shall be punished with imprisonment for a minimum of 6 months to a maximum of 1 year, with a fine ranging from a minimum of MMK 3,000,000 to a maximum of MMK 5,000,000, or with both.
75. Anyone convicted of having violated any of the prohibitions in sections 69 shall be punished with imprisonment for a minimum of 6 months to a maximum of 1 year, with a fine ranging from a minimum of MMK 5,000,000 to a maximum of MMK 10,000,000, or with both.

Chapter 16 Miscellaneous

76. The founder or administrator shall keep accurate records describing documentation of the donation agreement, the donor's name and the type and quantity, required documentation and use and management of donated items if money, equipment, school supplies, technology, intellectual property rights, land, buildings, the classroom or furniture are donated.
77. An administrative penalty imposed according to this law does not hinder *[other]* criminal or civil proceedings.
78.
 - (a) Offences prosecuted according to this law are defined as cognisable offences.
 - (b) Prior approval shall be obtained from the ministry for a prosecution according to this law.
 - (c) A person convicted of an offence according to this law may also be sued by the aggrieved person for damages.

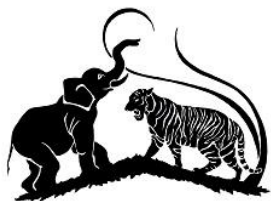


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79. An autonomous or private school shall have the right to operate under its name and with its mark, the right of continuous succession and the right to sue and be sued from the date of the receipt of the registration certificate.
80. All autonomous or private schools established before this law comes into force shall be registered and operated according to this law within 1 year from the date on which this law comes into force.
81. (a) The Private School Registration Law (Pyidaungsu Hluttaw Law No. 11/2011) is repealed by this law.
- (b) The rules, notifications, orders, directives, procedures and regulations and terms issued under the repealed Private School Registration Law may still be applied if they are not contrary to this law.
82. When implementing the provisions of this law:
- (a) The ministry may issue rules and regulations and terms with the approval of the Union Government.
- (b) The ministry and relevant ministries may issue notifications, orders, directives and procedures.
- (c) The supervisory board and the regional supervisory board may issue notifications and directives.

I hereby sign according to article 419 of the Constitution of the Republic of the Republic of Myanmar.

Min Aung Hlaing
Senior General
Chairman
State Administration Council



LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

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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