NEWSLETTER 199 - 15 July 2025

Dear Readers,

Welcome to a new edition of our newsletter.

1. Visa extension situation relaxed

There was no official announcement, but business visa extensions in Myanmar (e.g., with a recommendation from the Directorate of Investment and Company Administration "**DICA**") were in practice limited to 3-month stay periods since April 2025, down from a maximum of 1 year previously.

We are not sure if this issue has been resolved, but the situation seems to have become more relaxed again since the end of June. We are aware of two extensions that were granted again for a 1-year stay period. Immigration officials are advising to apply just as previously for the desired stay period, although it is not guaranteed that the desired stay period will be granted.

We are not aware by whom and how the stay period is decided. The Immigration Department offices in Yangon display their criteria for reviewing applications for stay permit extensions on their notice boards (<u>full translation</u>). According to these criteria, last consulted in the end of June 2025, the following is checked:

- Whether the applicant is currently working in the relevant department/organisation;
- valid company registration certificate;
- application made by the director/managing director on original stationary with the company's letterhead (to include the company's business and the applicant's occupation);
- copy of a valid Myanmar Investment Commission permit; business license (Yangon City Development Committee/Industrial Supervision/Hotels Tourism);
- copy of a valid Foreigner Registration Certificate (FRC);
- copy of a valid passport;



NEWSLETTER 199 - 15 July 2025

- copy of a valid Form of Arrival (Form C); Form C to be filed at the place where the foreigner arrived for the business;
- the company that applied for the visa and the company that applies for the stay extension must be the same;
- to submit the change in the company's address if it changes;
- the work address must be the same as the address in the FRC. If there is a change of address, the change must be applied for as prescribed;
- to submit the application 30 days before the expiry of the stay period;
- blacklisted import companies, traffickers, gambling, and related companies that are being prosecuted or on trial, may not sponsor the extension of stay permits;
- as support may be provided by various means, applications for stay permit extensions from areas where terrorist organisations are active must be rejected and such rejections systematically recorded;
- applications for the extension of stay permits of foreigners in certain areas under martial law announced in Regions and States must be accompanied by a guarantee from the relevant security organisations and the comments from the Region and State heads of the Ministry of Immigration and Population;
- to strictly enforce the prohibition of foreigners residing and working in restricted areas designated by the Ministry of Home Affairs.

2. Applications for stay permits in areas with poor security

The Immigration Department offices in Yangon also explain on their notice boards the process for granting stay permits in areas with poor security:



NEWSLETTER 199 - 15 July 2025

- Companies wishing to operate in Regions and States with poor security must submit their application for the stay and work permit of foreigners to the relevant Region or State Government.
- The relevant Region and State Governments must request comments from the Region and State heads of the Ministry of Immigration and Population.
- The Region and State heads must review the applications for the stay permits and their extensions and the work permits of these foreigners as prescribed, present the matter to the Director General of the Immigration Department, and ask for the Department's opinion.
- The Immigration Department must proceed to present the matter to the Union Minister's Office together with its analysis.
- Upon the receipt of a reply stating that there are no objections as per the directives of the Union Minister's Office, the Region and State heads must reply to the Region or State Government that there are no objections, without stating that the stay permit of the foreigners is approved.

3. FATF and NGOs/INGOs

The FATF is an intergovernmental organisation established to develop policies to combat money laundering and terrorism financing.

In its <u>2018 evaluation report</u> on Myanmar, it rated the country as being (only) partially compliant with FATF's recommendation concerning non-profit organisations.

In 2022, it called on its members to oblige their financial institutions to apply enhanced due diligence to business relations and transactions with Myanmar. On 13 June 2025, the FATF announced that if Myanmar does not make progress with addressing perceived deficiencies in its regulatory and enforcement framework by October 2025, it might go a step further and ask its members to apply countermeasures (e.g., prohibiting their banks to effect Myanmar-related transactions).

Around the same time, the "Risk Assessment Committee on Terrorism Financing Related to Non-profit Organizations (NPO)" under the State Administration Council ("SAC") sent a survey with



NEWSLETTER 199 - 15 July 2025

about 200 detailed questions to registered NGOs and INGOs to "gather necessary information in line with FATF's recommendation to evaluate the risk of NPOs being exploited by terrorists"; the survey request specifically stated that participation was voluntary and provided the contact details of two police officers for queries.

According to our research, the survey seems to be indeed driven by a desire to address the FATF's recommendation, and participation seems to be completely voluntary. We will report it when we have reason to believe that this has changed.

4. Private security services licensing directive

On 18 June 2025, the Private Security Services Supervisory Central Committee under the SAC issued a Directive on Applications for a Private Security Services Licence or Permit (English translation, including the forms) that specifies the procedure, forms and fees for license and permit applications, applications for renewals, and applications for the issuance of license duplicates.

According to the <u>Private Security Services Law</u> decreed by the SAC on 18 February 2025 (<u>detailed analysis</u>), security services companies such as, e.g., Exera, require a license, and businesses that employ their own security personnel require a permit if they employ more than 10 such personnel. Furthermore, private security companies offering training courses need a separate permit.

Existing outfits have 6 months to apply for a license or permit. This grace period expires on 18 August 2025 according to our calculation.

5. Committee to control the gold and currency market

On 24 June 2025, the SAC reshuffled the Gold and Currency Market Monitoring, Control and Supervisory Working Committee (English translation of the order). Among others, the duties of the Committee are:

- The enforcement of provisions that (i) penalise the violations of rules and other by-laws under the Foreign Exchange Management Law, (ii) oblige exporters to deposit export earnings in a Myanmar bank account and convert them to MMK as prescribed, and (iii) cap cash payments at MMK 20,000,000;
- inspecting transaction records to investigate and identify speculative purchases/sales in the domestic gold market, inspecting compliance with payment regulations issued by the Central Bank of Myanmar, and having relevant officials investigate and identify those who act with the intention of disrupting the stability of the domestic gold market;



NEWSLETTER 199 - 15 July 2025

- monitoring and inspecting the foreign exchange inflow/outflow records of state-owned banks, private banks and money changers, and inspecting documents, individuals and companies related to the export/import of goods;
- having relevant officials investigate and identify those who illegally hold, illegally trade, and speculate with foreign currencies;
- having relevant departments investigate whether payments exceeding MMK 20,000,000 are made using the banking system, among others in transactions where fixed assets such as houses, land and vehicles are sold; and
- having relevant authorities investigate and identify cash withdrawals where a percentage is taken from the monies deposited in the bank when cash is withdrawn, and cash withdrawals where those who hold cash outside a bank charge a percentage to those who want to exchange for cash the monies that they deposited in their bank account.

6. Central Bank Digital Currency

On 24 June 2025, the Central Bank under the SAC established a committee to prepare the introduction of a "Central Bank Digital Currency" (English translation of the notification).

7. Non-automatic and automatic licensing of imports

With Export/Import Newsletter <u>2/2025</u> dated 9 June 2025, the Department of Trade shifted 97 lines of goods from the non-automatic to the automatic import licensing system from 15 June to 31 August 2025 to help with earthquake recovery.

With Export/Import Newsletter <u>3/2025</u> dated 11 July 2025, the Department of Trade shifted these 97 lines of goods back to the non-automatic licensing system if they are imported via the land border. The automatic licensing system still applies if the goods are imported by sea.

8. Energy news

The Myanmar Gazette editions dated 13, 20 and 27 June 2025 reported the award of the following blocks for the production of oil and natural gas:

- Onshore Block IOR-7 (Shwe Pyithar Area) Area-2, to Future Engineering and Gold, Mining Co.,
 Ltd.
- Onshore Block IOR-4 (Onshore Area) Area-1, to HNA Myanmar Oil & Gas Ltd.



NEWSLETTER 199 - 15 July 2025

Mottama Offshore Block (M-10), to Gulf Petroleum Myanmar Co., Ltd.

We hope that you have found this information useful.

Sebastian Pawlita Managing Director

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 E-Mail: sebastian@lincolnmyanmar.com

Phone: +95-9-262546284 (English) or +95-9-886699332 (Myanmar)

Office address: No. 35 (D), Inya Myaing Road, Golden Valley, Bahan Township, Yangon Region

Web: www.lincolnmyanmar.com