

The Government of the Republic of the Union of Myanmar

Ministry of Immigration and Population

Notification No. 1/ 2014

12th Waning Day of Tazaungmone 1376 ME

18-11-2014

The Ministry of Immigration and Population hereby issues the following rules in exercising the power conferred under Section 16 of the Myanmar Immigration (Emergency Provisions) Act, 1947.

Chapter I

Title and Definition

1. These rules shall be called **the Permanent Residence of a Foreigner Rules**.
2. The expressions contained in these rules shall have the same meanings as contained in the Myanmar Immigration (Emergency Provisions) Act, 1947. Moreover, the following expressions shall have the meanings given hereunder:
 - (a) **Law** means the Myanmar Immigration (Emergency Provisions) Act, 1947.
 - (b) **Permanent Residence** means granting the permanent residence in Myanmar within the stipulated period permitted to a foreigner who is in conformity with the qualifications contained in these rules;

- (c) **Permanent Residence Certificate** means the certificate and card issued under these rules to emigrate into Myanmar within the period granted the permanent residence in Myanmar to a foreigner;
- (d) **Myanmar Citizen** means a citizen who is prescribed by the Myanmar Citizenship Law;
- (e) **Associate Citizen** means an associate citizen who is prescribed by the Myanmar Citizenship Law;
- (f) **Naturalized Citizen** means a naturalized citizen who is prescribed by the Myanmar Citizenship Law;
- (g) **Holder of the National Registration Card** means a person who is holding the certificate issued in accord with rules made under Registration of Residents in the Union of Myanmar Act, 1949;
- (h) **Ex- Myanmar Citizen** means a citizen who is prescribed by the Myanmar Citizenship Law or a person who has held associate citizen scrutiny card or naturalized citizen scrutiny card or national registration card and a person who adopts a citizenship of any foreign countries;
- (i) **Expert** means a qualified scholar in the respective fields according to the requirement of work;
- (j) **Person who Desires to Invest and Operate Business** means a person who desires to come and invest in business of Myanmar in accord with the Foreign Investment Laws;
- (k) **Foreigners Related to the Myanmar Citizen** means a foreigner wife or husband who has married to a Myanmar Citizen in accord with Myanmar Customary Law, existing

laws relating to marriage of Myanmar Citizens who are not Buddhism and directives and, offsprings who are unmarried and under 18 years of age born or adopted by them;

- (l) **Contributor to Long Term Benefits of the State** means a person who is enable to the extent of his ability in any of education, economic and social sectors of the State for the development of the State;
- (m) **Implementation Central Committee** means the Central Committee relating to Implementation for granting the permanent residence for foreigners which is formed, by notification, by the President of the Union of Myanmar;
- (n) **Implementation Working Committee** means the Implementation Working Committee for granting the permanent residence for foreigners which is formed by the Central Committee for Implementation in order to scrutinize the applications of the permanent residence for foreigners in accord with laws and rules;
- (o) **Ministry** means the Ministry of Immigration and Population;
- (p) **Department** means the Department of Immigration and National Registration;
- (q) **Section** means the section of Permanent Residence of a foreigner of the Department;
- (r) **Office of Township Staff Officer-in-Charge** means the Department of Township Immigration and National Registration;

- (s) **Inspection Officer** means the Immigration Officer from the Department of Immigration and National Registration who is assigned duty by the Ministry to inspect the relevant person at the necessary time and place whether or not in conformity with orders and directives issued under these rules in applying the permanent residence in Myanmar in holding and using of the permanent residence certificate;
- (t) **Form** means the prescribed form contained in these rules.
- (u) **Appendix** means the appendix prescribed by the requirements of these rules.

Chapter II

Provisions Relating to the Application of the Permanent Residence

3. The ex-Myanmar Citizen or foreigner is entitled to apply the permanent residence as an expert if it is in conformity with the following particulars:
 - (a) being the holder of a type of visa which is not entitled to settle in Myanmar before obtaining the permanent residence if he/she is the ex-Myanmar Citizen;
 - (b) being the holder of a type of visa which is not entitled to settle before the date of application of the permanent residence within the consecutive 10 years of such date if he/she is the foreigner and he/she accesses and resides in Myanmar not less than 3 years consecutively; and if he/she departs to abroad while residing as such, the period of his/her stay in abroad does not exceed the consecutive 90 days within one year;

- (c) being an expert who has experience of workplace in the respective fields and is able to perform the interests of the State which are consistent with the requirement of the State;
- (d) being a person who is able to submit the certificate or document of the relevant State organizations as an expert in the respective business adopted by the relevant Ministry of Myanmar;
- (e) being a person who is able to pay tax in accord with the existing laws, rules, regulations and directives according to the category of business operated in the country if he/she gets the permanent residence;
- (f) not being a person who is regarded as an international refugee;
- (g) not being a person who has the political asylum in any country;
- (h) not being a person listed in local, foreign or international criminal record;
- (i) being a person who is able to submit the original copy of official recommendation of the relevant country which is in good health and free from contagious disease;
- (j) being a person who gives admission that he/she respects the sovereignty of the Union of Myanmar and he/she is a person who desires to respect and provide the interests of the State;

- (k) being a person who is enable to be examined by appearing himself/herself when informs the Implementation Central Committee.

4. The ex-Myanmar citizen or foreigner, if it is conformity with the following particulars, is entitled to apply the permanent residence as the person who desires to invest and operate business:

- (a) being the holder of a type of visa which is not entitled to settle in Myanmar before getting the permanent residence if he/she is the ex-Myanmar Citizen;
- (b) being the holder of a type of visa which is not entitled to settle before the date of application of the permanent residence and within the consecutive 10 years of such date if he/she is the foreigner and he/she accesses and resides in Myanmar not less than 3 years consecutively; and if he/she departs to abroad while residing as such, the period of his/her stay in abroad does not exceed the consecutive 90 days within one year;
- (c) being a person who is enable to invest in accord with Laws related to foreign investment if he/she invests in productions and services;
- (d) being a person who is enable to pay tax in accord with the existing laws, rules, regulations and directives according to the category of business operated in the country if he/she is granted the permanent residence;
- (e) being a person who is enable to submit the official document taken in possession of amount of money equivalent to the volume of investment;

- (f) not being a person who is regarded as an international refugee;
- (g) not being a person who has the political asylum in any country;
- (h) not being a person listed in local, foreign or in the international criminal record;
- (i) being a person who is able to submit the original copy of official recommendation of the relevant country which is in good health and free from contagious disease;
- (j) being a person who gives admission that he/she respects the sovereignty of the Union of Myanmar and he/she is a person who desires to respect and provide the interests of the State;
- (k) being a person who is able to be examined by appearing himself/herself when informs the Implementation Central Committee.

5. The ex-Myanmar Citizen who is not intended to perform as an expert or a person who desires to invest and operate business is entitled to apply the permanent residence if it is in conformity with the following particulars:

- (a) being the holder of a type of visa which is not entitled to settle in Myanmar before getting the permanent residence;
- (b) being a person who is able to contribute long term benefits of the State;
- (c) being a person who has adequate money for livelihood during the stay in Myanmar or who is able to submit

guarantee that the citizen of Myanmar who settles within Myanmar takes responsibility for his/her livelihood;

- (d) being a person who is able to pay tax in accord with the existing laws, rules, regulations and directives if he/she operates any of earned income businesses;
- (e) not being a person who is regarded as an international refugee;
- (f) not being a person who has the political asylum in any country;
- (g) not being a person listed in local, foreign or in the international criminal record;
- (h) being a person who is able to submit the original copy of official recommendation of the relevant countries which is in good health and free from contagious disease;
- (i) being a person who gives admission that he/she respects the sovereignty of the Union of Myanmar and he/she is a person who desires to respect and provide the interests of the State;
- (j) being a person who is able to be examined by appearing himself/herself when informs by the Implementation Central Committee.

6. Foreigners related to a Myanmar Citizen is entitled to apply the permanent residence in taking responsibility by the relevant Myanmar citizen and if it is in conformity with the following particulars:

- (a) being a foreigner wife or husband who has married a Myanmar Citizen and being offspring who are unmarried and under 18 years of age born or adopted by them in accord with Myanmar Customary Law and existing laws and directives relating to marriage of Myanmar Citizens who are not Buddhism;
- (b) being the holder of a type of visa which is not entitled to settle in Myanmar before obtaining the permanent residence if he/she is the ex-Myanmar Citizen;
- (c) being the holder of a type of visa which is not entitled to settle before the date of application of the permanent residence and within the consecutive 10 years of such date if he/she is the foreigner and he/she accesses and resides in Myanmar not less than 3 years consecutively; and if he/she departs to abroad while residing as such, the period of his/her stay in abroad does not exceed the consecutive 90 days within one year;
- (d) not being a person who is regarded as an international refugee;
- (e) not being a person who has the political asylum in any country;
- (f) not being a person listed in local, foreign or in the international criminal record;
- (g) being a person who may submit the original copy of official recommendation of the relevant countries which is in good health and free from contagious disease;

- (h) being a person who gives admission that he/she respects the sovereignty of the Union of Myanmar and he/she is a person who desires to respect and provide the interests of the State;
- (i) being a person who is enable to be examined by appearing himself/herself when informs the Implementation Central Committee.

7. The foreigner wife or husband who has married a Myanmar Citizen under sub-rule (a) of rule 6 shall make acknowledgement that he/she has at least two years of legal marriage term and has no other wife or husband except the present legal wife or husband of Myanmar Citizen.

8. The application of the permanent residence shall be voided in applying the permanent residence for the persons in sub-rule (a) of rule 6, if the following matters arise in the responsible Myanmar Citizen applicant before obtaining the permission:

- (a) decease;
- (b) termination or revocation from being a citizenship;
- (c) divorce from being legal wife or husband to a person who desires to get the permanent residence;
- (d) abandoning from being legal offspring to a person who desires to get the permanent residence.

Chapter III

Application for the Permanent Residence

9. The applicant for permanent residence under these rules shall apply in the Section himself/ herself together with the following documents:

- (a) the application form Ah Ma Na – 1 for the permanent residence of a foreigner;
- (b) three coloured photographs sized in 1.5 inches x 2 inches which were taken during last six months;
- (c) original and copy of valid passport and travel document (to attach the original and copy of such passport if he/she holds more than one type of passport);
- (d) sufficient recognized document as being the citizenship from the State of origin of the applicant for the permanent residence;
- (e) appointment letter or invitation letter of which term is at least one year and above;
- (f) official recognized documents in respect of education qualification for the experts and valid recommendations of the relevant organizations for experience of work place, service term relating to applied business;
- (g) if the applicant of the permanent residence is accompanied by the wife or husband and legal offspring who are unmarried under 18 years of age:
 - (i) record of household members list;
 - (ii) curriculum vitae such as name, age and occupation of family members;

- (iii) original and copy of legal marriage certificate for the wife or husband;
 - (iv) birth certificate for offspring under 18 years of age which is translated into English language recognized by the relevant government;
 - (v) official guardianship certificate for adoption for adopted offspring under 18 years of age which is translated into English language recognized by the relevant government;
- (h) The following requirements of the persons who desires to invest and operate business shall be submitted:
- (i) permission and company registration document issued under the Investment Law;
 - (ii) commercial activity of the company;
 - (iii) record of company's account for three years if there are economic business in other countries;
- (i) curriculum vitae and responsibility of the responsible person in Myanmar for ex-Myanmar citizens who are enable to contribute to long-term benefits of the State who is not an expert and not enable to invest;
- (j) if he/she is the foreigner related to Myanmar Citizen:
- (i) application for foreigner which is undertaken by his/her related Myanmar Citizen;
 - (ii) official document authenticated and translated into English language by the person who is recognized and entitled to testify by the relevant Government of the said foreigner of the admission

that the foreigner has no other wife or husband except the present wife or husband of a Myanmar Citizen.

10. If the application under rule 9 is received, it shall be scrutinized, as may be necessary, by the officer in charge of the Section and submitted as soon as possible to the Implementation Working Committee.

11. The Implementation Working Committee shall, when it receives the submission under rule 10, after scrutinizing whether such submission is in conformity with the relevant prescribed documents contained in these rules or not and whether such submission is in conformity with orders and directives issued by the Ministry or not:

- (a) submit as soon as possible to the Implementation Central Committee together with the recommendation for granting the permanent residence if it is in conformity with the documents;
- (b) request the requirements from the applicant if it is not in conformity with the stipulation or incomplete with documents;
- (c) submit the objection to the Implementation Central Committee together with reason if the requirements are not able to be submitted completely by the applicant although it is requested under sub-rule (b).

12. When the Implementation Central Committee receives the submission under sub-rules (a) and (c) of rule 11:

- (a) it shall inform in writing as the permanent residence is granted to the relevant applicant if it decides to grant the permanent residence after summoning the relevant

applicant and verifying with the documents in application if the submission is under sub-rule (a) of rule 11;

- (b) it shall decide not to grant the permanent residence after scrutinizing the submission and inform in writing as the permanent residence is not granted to the relevant applicant if it receives the submission under sub-rule (c) of rule 11.

Chapter IV

Application to Issue the Permanent Residence Certificate

13. If the applicant of the permanent residence receives the notice of the Implementation Central Committee that the permanent residence is granted under sub-rule (a) of rule 12, he/she shall come to the Section within 60 days from the day of such notice and apply himself/ herself to issue the permanent residence certificate together with the following documents:

- (a) application form Ah Ma Na – 2 to issue the permanent residence certificate;
- (b) valid passport, and original and copy of travel document and sufficient recognized certificate that he/she is a citizen from the State of origin of the applicant of the permanent residence;
- (c) original notice to the applicant as the permanent residence is granted by the Implementation Central Committee relating to the permanent residence of a foreigner;

(d) the following documents shall be submitted if the applicant of the permanent residence is accompanied by his/her family member:

- (i) record of household members list;
- (ii) background such as name, age and occupation of the family members;
- (iii) birth certificate for offspring;
- (iv) official guardianship certificate for adoption if he/she has the adoptive offspring under 18 years of age.

14. If the officer-in-charge of the Section receives the application under rule 13, shall issue the permanent residence certificate after scrutinizing this application in accord with orders and directives prescribed by the Ministry and causing the prescribed fees to be paid by the person who obtains the permanent residence.

15. If the applicant of the permanent residence does not apply and draw the permanent residence certificate within 60 days prescribed under rule 13, he/she shall submit the sufficient ground to the Implementation Central Committee within 120 days commencing from such day.

Chapter V**Validation and Registration for the Term of the Permanent Residence and the Annual Term**

16. (a) The person who obtains the permanent residence certificate shall have initial stay for five years as the term of the permanent residence;
- (b) If the initial stay for five years of the term of the permanent residence has been expired, he/she may reapply the renewal of five years at a time;
- (c) The person who obtains the permanent residence certificate shall apply to the Section himself/herself to register the term of certificate once in a year within the term of the permanent residence in sub-rule (a) together with the following documents within 30 days from the date of completion of one year:
- (i) application form Ah Ma Na-3 to register the validity term of the permanent residence certificate;
 - (ii) valid passport, and original and copy of travel document and sufficient recognized certificate that he/she is a citizen from the State of origin of the applicant of the permanent residence;
 - (iii) original and copy of the permanent residence certificate;
 - (iv) document permitted to continue to operate business from the relevant department;
 - (v) tax exemption certificate issued in accord with the existing law, and original and copies of valid company registration which has not been expired for the persons who desires to invest and operate business.

- (d) If the officer-in-charge of the Section receives the application under sub-rule (b) of rule 16, registration for the approval of term of the permanent residence certificate shall be made after scrutinizing in accord with orders and directives prescribed and issued by the Ministry and causing the prescribed fees to be paid by the person who obtains the permanent residence.

Chapter VI

Application for the Renewal of the Permanent Residence

17. If the person who obtains the permanent residence certificate desires to renew the term of the permanent residence, after the filling up completely of the application form Ah Ma Na -4 to permit the renewal of the permanent residence at least within 90 days before the expiry of five-year term, he/she shall apply himself/ herself to the Section according to procedure together with the documents submitted in the initial application contained in rule 9.

Chapter VII

Application for the Household Member List of the Person Who Obtains the Permanent Residence Certificate

18. The person who obtains the permanent residence certificate shall apply himself/herself in the relevant Office of Township Staff Officer in Charge together with the following documents for issue of the household member list

of the person who obtains the permanent residence in order to reside in the area to be settled in accord with the existing laws:

- (a) application form Ah Ma Na – 5 to draw permit of the household member list of the person who obtains the permanent residence;
- (b) original and copy of passport of the applicant;
- (c) original and copy of the permanent residence certificate of the applicant;
- (d) curriculum vitae of household members who are to be in the household (original/ copy of document);
- (e) recommendation of the relevant ward or village-tract administrator that the applicant resides in his/her ward or village-tract;
- (f) original and copy of tenancy agreement if the applicant hires a house and resides in it and procurement agreement if he/she purchases a house and resides in it.

Chapter VIII

Application for the Copy of the Permanent Residence Certificate for Loss or Damage

19. If the loss or damage of the permanent residence certificate occurs, the person who obtains the permanent residence shall complain himself/herself to the relevant Township Police Station and Office of the Township Staff Officer-in-Charge together with the following documents after reporting to the relevant ward or village-tract administrator within 72 hours from the time of such occurrence:

- (a) original and copy of application written by himself/herself to issue the copy for loss or damage;
- (b) five coloured photographs sized in 1.5 inches x 2 inches which were taken during last six months;
- (c) number and date of loss or damage of the permanent residence certificate;
- (d) original and copy of valid passport;
- (e) original and copy of household member list of the person who obtains the permanent residence;
- (f) recommendation of ward or village-tract administrator for loss of the permanent residence certificate.

20. The person who obtains the permanent residence shall apply to draw permit of the copy of the permanent residence certificate himself/herself to the Section after filling up completely the application form Ah Ma Na-6 to draw permit of the copy for loss and damage of the permanent residence certificate together with documents that he/she has complained under rule 19.

21. The Section may issue the copy after scrutinizing the necessary documents in respect of the application under rule 20 in accord with orders and directives issued by the Ministry and causing the prescribed fees to be paid by the person who applies the copy of the permanent residence certificate.

Chapter IX**Particulars to be Carried Out as to the Change of the Curriculum Vitae
of the Person Who Obtains the Permanent Residence Certificate**

- 22 (a) The person who obtains the permanent residence certificate or the responsible person on behalf of him/her shall apply to the relevant Office of Township Staff Officer-in-Charge within 30 days from the date of the change if there are changing processes of passport number, education qualification or marital status relating to the person who obtains the permanent residence certificate while residing with the permanent residence.
- (b) According to the application in accord with sub-rule (a), together with the recommendation issued by the Office of Township Staff Officer in Charge, the following documents shall be submitted:
- (i) application form Ah Ma Na-7 of the change of curriculum vitae of the person who obtains the permanent residence;
 - (ii) original and copy of the permanent residence certificate;
 - (iii) original and copy of passport;
 - (iv) original and copy of household member list of the person who obtains the permanent residence;

- (v) original and copies of official documents in respect of the change of facts in curriculum vitae (passport, degree certificate, marriage certificate, etc.)
- (c) The Section shall, when it receives the application under sub-rule (b), perform in accord with the relevant orders and directives and undertake the change of curriculum vitae of the person who obtains the permanent residence.

Chapter X

Particulars to be Carried Out as to the Birth or Decease of the Child in Myanmar

23. Any of the parents who have obtained the permanent residence certificate give birth to a child in Myanmar shall:
- (a) inform the relevant ward or village-tract administrator within seven days from the date of birth in order to make registration on the birth of the child within Myanmar and shall apply the change of curriculum vitae together with the correctly filled up form Ah Ma Na-7 within 30 days from the date of birth to the relevant Office of Township Departmental Officer-in-Charge;
 - (b) attach and submit the original and copy of household member list of the person who obtains the permanent residence of the parents to enter into the name list of the child who was born;
 - (c) contain original and copy of valid permanent residence certificate or national certificate of any of the parents, citizen

scrutiny card or associate citizen certificate, associate citizen scrutiny card or naturalized citizen scrutiny card or national registration card;

- (d) contain original and copy of parental valid passport of the person who obtains the permanent residence certificate;
 - (e) submit original and copy of birth certificate or register of birth of a child.
24. (a) The application under rule 23 shall be submitted to the Department for permitting to complete the name of the child in the permanent residence certificate after scrutinizing whether this application is complete and proper in conformity with the orders and directives of the Ministry or not by the relevant Office of Township Departmental Officer-in-Charge.
- (b) If the Department receives the submission of Office of the Township Departmental Officer-in-Charge under sub-rule (a), it shall issue to the relevant applicant through the Office of Township Departmental Officer-in-Charge after the complement of the name of the child in the permanent residence certificate.
- (c) The Department shall submit the performance under sub-rule (b) to the Central Implementation Committee and the Ministry.
25. Any of the parents who have obtained the permanent residence certificate shall:
- (a) inform the relevant ward or village-tract administrator within seven days from the date of decease of the child for enabling to register the decease of the child in Myanmar and apply to register the change of curriculum vitae in the relevant Office of

Township Departmental Officer-in-Charge together with form Ah Ma Na-7 completely filled up within 30 days from the date of the decease of the child;

- (b) attach and submit the original and copy of household member list of the person who obtains the permanent residence of the parents to cancel the name list of deceased child;
 - (c) contain original and copy of valid permanent residence certificate of the parents or national certificate of any of the parents, citizen scrutiny card or associate citizen certificate, associate citizen scrutiny card or naturalized citizen certificate, naturalized citizen scrutiny card or national registration card;
 - (d) contain original and copy of passport having the name of deceased child or valid passport of any of the parents;
 - (e) submit original and copy of the documentation of the decease of the child or death certificate.
- 26 (a) The application under rule 25 shall be submitted to the Department for cancellation of the name of the child in the household member list of the permanent residence certificate after scrutinizing whether the application is complete and proper in conformity with the orders and directives of the Ministry or not by the relevant Office of the Township Staff Officer in Charge.
- (b) If the Department receives the submission of Office of the Township Departmental Officer-in-Charge under sub-rule (a), it shall issue to the relevant applicant through the Office of Township Departmental Officer-in-Charge after the cancellation

of the name of the child in the household member list of the person who obtains the permanent residence.

- (c) The Department shall submit the performance under sub-rule (b) to the Central Implementation Committee and the Ministry.

Chapter XI

Particulars to be Carried Out as to the Decease of the Person Who Obtains the Permanent Residence

27. If the person who obtains the permanent residence certificate is deceased, the permanent residence certificate of the deceased shall be returned to the Section through the relevant Office of the Township Departmental Officer-in-Charge within 30 days from the date of such decease by the next of kin or responsible person together with the following documents:

- (a) application form Ah Ma Na-8 of the return of the permanent residence certificate;
- (b) copy of the notice within seven days from the date of such decease to the relevant Office of the ward or village-tract administrator where the person who obtains the permanent residence certificate resides;
- (c) original permanent residence certificate of the deceased;
- (d) original and copy of the passport;

- (e) original and copy of documentation of the decease or death certificate;
- (f) original and copy of the household member list of the person who obtains the permanent residence for cancellation of the name of the deceased.

Chapter XII

Imposition of Fees

28. The applicant for the permanent residence shall pay US \$ 500 which is not returnable for the initial application for the permanent residence to the Section.

29. The person who has obtained the notice of the permanent residence under sub-rule (a) of this rule 12 shall, after applying to draw permit of the permanent residence certificate in accord with rule 13 to the Section, and in drawing the permanent residence certificate in accord with rule 14 and in registering the term of the permanent residence certificate in accord with rule 16, pay the fees as follows:

- (a) US \$ 1000 per annum for a foreigner;
- (b) US \$ 500 per annum for ex-Myanmar citizen;
- (c) US \$ 300 per annum for each of their legal offspring at the age of seven years to 18 years of age applied for the permanent residence along with the persons in sub-rule (a) or (b).

Proviso: If the legal offspring applied for the permanent residence along with the persons in sub-rule (a) or (b) are seven years and under of age, they are allowed to reside free of charge.

30. If the registration is made within 90 days after exceeding 30 days without the registration of term approval within 30 days after the expiry of one year in accord with rule 16, US \$ 200 shall be paid as a fine and if the registration of term approval is made within 180 days after 90 days, US \$ 500 shall be paid as a fine.

31. The applicant shall pay US \$ 300 as a fee for the issue of a copy of loss if the permanent residence certificate is issued according to the application to issue copy of the permanent residence certificate for loss or damage of it in accord with rules 19 and 20.

32. The relevant applicant shall pay himself/herself for the imposed fees for application and issue of the permanent residence, annual approval of the registration for the permanent residence certificate, paying the imposed fine and the drawal of copy for loss and damage of the permanent residence certificate to the Section.

Chapter XIII

Duties and Rights of the Person Who Obtains the Permanent Residence Certificate

Duties

33. The duties of the person who obtains the permanent residence certificate shall:

- (a) respect the sovereignty of Myanmar and existing laws and laws of the respective country and reside peacefully;
- (b) pay tax in accord with the provisions of the existing revenue law upon the income which is earned within Myanmar;
- (c) submit the sufficient ground and obtain the permission if desires to reside one year and above consecutively beyond the territory of Myanmar within five years term of the permanent residence;
- (d) apply and reside in accord with rules 18 in the relevant Office of the Township Departmental Officer in Charge in the Region or State to be settled for obtaining the household member list of the person who obtains the permanent residence;
- (e) hold and keep systematically the permanent residence certificate so not as to damage and loss.

Rights

34. The person who obtains the permanent residence certificate:

- (a) has the right to do the apartment of the complex building bought by own name in accord with the existing laws;
- (b) may apply in order to make the household member list of the person who obtains the permanent residence in accord with the stipulation in the apartment of the complex building bought by

own name to the Office of Township Departmental Officer-in-Charge in accord with the stipulation;

- (c) may have the right to enter into the household member list of the person who obtains the permanent residence to the next of kin as follows and may reside with visa without having the right to settle and have the right to reside by applying the renewal of visa if they are not the persons who obtain permanent residence:
 - (i) legal wife or husband;
 - (ii) legal parents;
 - (iii) legal offsprings;
- (d) has the right to access several times into Myanmar by holding the permanent residence certificate and valid passport of the relevant country until the period before the expiry of the term of the permanent residence certificate;
- (e) has the right to apply to determine as Myanmar Citizenship together with admission to be relinquished the citizenship of other country if he/she is ex-Myanmar Citizen and regranted the citizenship after residing five years in Myanmar with the permanent residence certificate and may apply to permit to continue to enjoy the benefits of the permanent residence certificate if he/she is not determined as Myanmar Citizenship;
- (f) has the right to free of customs duties in accord with the existing notifications and directives of the Customs Department if his/her own properties are imported from abroad within 90 days after obtaining the permanent residence certificate;

- (g) has the right to stay and work in other areas except the restricted or prohibited area officially declared by the State in accord with the existing procedures;
- (h) has the right to operate economic business in the businesses permitted to him/her in accord with the existing laws related to foreign investment;
- (i) has the right to take medical treatment as Myanmar citizens in Myanmar;
- (j) has the right to study in accord with the stipulation of the Ministry of Education.

Chapter XIV

Prohibitions and Restrictions

Prohibitions

35. The person who obtains the permanent residence certificate shall:
- (a) not allow to transfer, return, hold and use the permanent residence certificate to anybody;
 - (b) not change, edit and add the particulars mentioned in the permanent residence certificate except under rule 22;
 - (c) not refuse when the Inspection Officer requests to inspect the permanent residence certificate and other requirements and documents according to his/her responsibilities.

Restrictions

36. The person who obtains the permanent residence certificate shall:
- (a) not be entitled to elect as a representative of any Hluttaw or a representative who has been elected by the public;
 - (b) not be entitled to vote for any Hluttaw in constituencies;
 - (c) not be entitled to serve as a permanent staff who enjoys the State budget in the functions of the Government.

Chapter XV

Revocation and Cancellation of the Permanent Residence

Revocation

37. The person who obtains the permanent residence certificate shall be revoked the permanent residence if any of the following matters arises:
- (a) breaching of any of the prohibitions issued by the Central Implementation Committee from time to time for the interests of the State;
 - (b) participating, doing activity, performing or contributing in State Parties and State Parties Organization;
 - (c) making activity, instigating or contributing to be dissented in race and religion;
 - (d) finding that incorrect, fraudulent, forged or created by any illegal means to the particulars in original application;

- (e) finding on the fact that his/her marriage is aimed to apply the permanent residence;
- (f) terminating or revocating of wife or husband who is a citizen of Myanmar from being the citizenship after obtaining the permanent residence for the foreigner wife or husband who has married Myanmar citizen in accord with the Myanmar Customary Law and existing laws and directives relating to marriage of Myanmar citizen who are not Buddhism, divorcing from legal wife or husband and late marriage of the person who obtains the permanent residence;
- (g) terminating or revocating of father or mother who is a citizen of Myanmar from being the citizenship after obtaining the permanent residence for legal offsprings who are under 18 years of age born or adopted by the foreigner wife or husband who has married Myanmar citizen in accord with the Myanmar Customary Law and existing laws and directives relating to marriage of Myanmar citizens who are not Buddhism;
- (h) changing operation of original business without the approval of the Central Implementation Committee after obtaining the permanent residence within three years if he/she is expert or investor;
- (i) failing to register the term approval of the permanent residence certificate under rule 30 after the expiry of one year up to 180 days;
- (j) breaching of prohibitions and restrictions of the permanent residence.

Cancellation

38. The person who obtains the permanent residence certificate shall be cancelled the permitted permanent residence if any of the following matters arises:

- (a) death of the person who obtains the permanent residence certificate;
- (b) deportation after being punished under the existing law due to committing any offence.

39. The decision of the Central Implementation Committee shall, relating to permit or not to permit the application of permanent residence, revocation and cancellation of the permanent residence, be final and conclusive.

Chapter XVI**Appointment of Inspection Officers**

40. The President of the Union may assign duties to the Ministry to appoint the Immigration Officers from the Department as the Inspection Officers in order to inspect whether or not whom it concerns comply with these rules and orders and directives issued under these rules in respect of the application of the permanent residence for foreigners in Myanmar and the matters relating to hold and use of the permanent residence certificate.

41. The Ministry shall, by notification, appoint Inspection Officers and prescribe the functions and duties thereof.

Chapter XVII**Miscellaneous**

42. The applicant of the permanent residence shall renew a term of further residence by limitation of period in accord with the provisions of existing laws until the period before he/she obtains the permanent residence certificate.

43. If the expert or the person who invests and operates business desires to change own business within three years after obtaining the permanent residence, he/she shall submit to the Central Implementation Committee with the approval of the relevant Ministry for obtaining the permission.

44. The Ministry may direct the requirements for the purpose of systematic implementation of the provisions contained in the rules in respect of the application of the permanent residence and the matters thereof.

45. The Department shall, the tasks completion conditions of issuing permanent residence certificate and registering of term approval, issuing of the copy of permanent residence certificate, changing the curriculum vitae of the person who obtains the permanent residence, report to the Implementation Working Committee.

46. The relevant government departments and government organizations shall submit the required qualification norms in the respective fields and number to permit respectively in the prescribed type for granting the permanent residence of a foreigner in Myanmar to the Central Implementation Committee.

By order,

(Khin Yi)

Union Minister