

Government of the Republic of the Union of Myanmar

Ministry of Construction

(Office of the Minister)

(Myanmar Architect Council Rules)

Notification No. (242/2016)

Nay Pyi Taw 1378 ME. 2<sup>nd</sup> Waxing day of Pyatho

(December 30, 2016)

The Republic of the Union of Myanmar, the Ministry of Construction, in consultation with the Myanmar Architect Council, exercising the power conferred under sub-section (a) of Section 52 of the Myanmar Architect Council Law, these rules are promulgated with the approval of the Union Government.

## Chapter 1

### Name and description

1. These rules shall be called the Myanmar Architect Council Rules .
2. The wording of these rules shall apply in the context of the Myanmar Architect Council Law. In addition, the following expressions shall have the following meanings:
  - (a) **Law** means the Myanmar Architect Council Law;
  - (b) **Ministry** means the Ministry of Construction, which is the responsible Ministry designated by the Union Government to carry out the activities under this Law;
  - (c) **Ethics** means the architectural ethics;
  - (d) **Architectural ethics** means the beliefs and practices, the promises and the professional duties and responsibilities of architects;

- (e) **Professional Certificate** means a certificate of acknowledgement for the professional license obtained by a foreign architect in order to issue a certificate of registration of a foreign architect;
- (f) **Architectural consultancy** means working as an architectural consultant on the architectural project, quality and standards, architectural forms, supervising and managing the documentation and documentation of the business and the construction section belongs to the architect.

## Chapter (2)

### Establishment of Myanmar Architect Council

#### Establishment of Architect Council

3. The Council shall elect the Chairman of the Council as follows:
  - (a) the members of the Council may nominate a member of the Council of their choice, including himself, as the candidate for the Chairman;
  - (b) the Council shall scrutinize the nominations and publish the list of candidates for the Chairman;
  - (c) the members of the Council shall vote by secret ballot for the person of their choice from the list of candidates for the Chairman;
  - (d) the Council shall count the votes in the presence of the members of the Council and declare the candidate with the highest number of votes as the Chairman of the Council. If more than one presidential candidate receives the same number of votes, the same presidential candidate shall be re-elected by secret ballot;

4. The Council shall elect two Vice-Chairmen of the Council as follows:
  - (a) the members of the Council may nominate any member of the Council of their choice, including himself, as the candidate for Vice-Chairman;
  - (b) the Council shall scrutinize the nominations and publish the list of candidates for the Vice-Chairman;
  - (c) the members of the Council shall vote by secret ballot for two of their favorite candidates from the list of Vice-Chairman candidates;
  - (d) the Council shall count the votes in the presence of the members of the Council and declare the two candidates for the Vice-Chairman with the highest number of votes as the Vice-Chairmen. If more than two Vice-Chairman candidate receive the same number of votes, the same Vice-Chairman candidates shall be re-elected by secret ballot.
5. The Council shall elect a Secretary and a Treasurer in accordance with Rule 3.
6. The Council shall conduct the election of two Joint Secretaries of the Council in accordance with Rule 4.
7. The Council shall conduct the election of eight members of the Executive Committee in accordance with Rule 3. The nominee of the Executive Committee shall not be absent at the time of the election.
8. Council members must refrain from campaigning in a derogatory manner in elections.
9. If a member of the Council considers that the council's actions in relation to the election are not fair, he / she may write a letter to the Ministry within 15 days after the election.

10. The Ministry has the power to investigate and decide on electoral complaints. The Council shall comply with the decision of the Ministry. The decision of the Ministry is final and inclusive.
11. The members of the Council shall take the following oath in the presence of the Union Minister or a Deputy Minister of the Ministry of Construction:
  - (a) I, who has been assigned as a member of the Council of Myanmar Architect Council shall fulfill our responsibilities and powers under the Myanmar Architect Council Law;
  - (b) I, who have committed for striving to fulfill the responsibilities and authority of the Council as long as I have the capacity;
  - (c) I, as members of the Council, pledge to refrain from abusing the name of the Council and the powers of the Council for my own benefit.
12. The Council shall assume the responsibilities of the Professional Regulatory Authority (Architect) established under the ASEAN Mutual Recognition Arrangement (MRA) on Architectural Services.

### **Chapter 3**

#### **Qualifications, Responsibilities and Powers of the Council Members**

13. The Chairman and the Vice-Chairmen of the Council shall have the following qualifications:
  - (a) an Architect License holder of senior Myanmar citizen who has attained the age of 55 years;
  - (b) having at least 30 years of working experience in the field of architecture.
  - (c) having ethics, dignity and integrity of Architects;
  - (d) getting respect by Myanmar Architects due to his performance for the development of the architecture;

- (e) loyal to the State and its people;
  - (f) a person who has not been convicted under any existing law.
  - (g) a person who is not defined as negligent as prescribed by the relevant law.
  - (h) a person who has been released from being declared indigent by the relevant court.
14. The duties and powers of the Chairman of the Council are as follows:
- (a) achieving the objectives of the law.
  - (b) scrutinizing and signing the registration certificates.
  - (c) acting as the Chairman at the Council meetings and executive committee meetings.
  - (d) managing the Council's funds in accordance with the existing financial regulations.
  - (e) allocating responsibilities to carry out the duties and powers of the Council assigned by the law, supervising and guiding.
15. The duties and powers of the Vice-Chairman of the Council are as follows:
- (a) taking responsibility on behalf of the Chairman of the Council if assigned by the Chairman of the Council.
  - (b) advising and assisting to the Chairman of the Council regarding the duties and responsibilities of the Council.
16. Secretary, Joint Secretary, the Treasurer of the Council and the Executive Committee member must have the following qualifications:
- (a) a senior architectural license holder who is a senior Myanmar citizen with over 40 years of age;
  - (b) at least 15 years of working experience in the field of architecture;

- (c) a person who possesses the qualifications specified in Rule 13 except for age and work experience restrictions.
17. The duties and powers of the Secretary of the Council are as follows:
- (a) administering for the fair and equality of the Executive Committee meetings;
  - (b) obtaining approval from the Executive Committee for the submissions of the respective Working Committees;
  - (c) supervising and administering the Chief Registration Officer and the Offices;
  - (d) signing and issuing the orders and directives of the Council with the permission of the Chairman;
  - (e) Compiling the fund requirements of each Working Committee and submitting to the Chairman by coordinating with the Treasurer;
  - (f) assigning duties to the Joint Secretary to attend the Council meeting or the Executive Committee meeting while the various circumstances is occurred;
  - (g) performing the duties assigned by the Chairman of the Council from time to time.
18. The duties and powers of the Joint Secretary of the Council are as follows:
- (a) advising and assisting in relation to the duties and responsibilities of the Secretary of the Council;
  - (b) performing duties assigned by the Secretary of the Council from time to time.
19. The duties and powers of the Council Treasurer are as follows:
- (a) informing the receipt of funds, expenses, balance and provisions at the every meeting of the Executive Committee;

- (b) supervising the financial matters compliance with the rules and regulations of the Council in accordance with the existing law;
  - (c) scrutinizing and supervising the records of financial transactions and bookkeeping accurately;
  - (d) supervising the depositing of the receipts to the bank in time and the banking transactions systematically;
  - (e) preparation of the Council's budget and submitting to the Ministry if there are insufficient funds.
20. The duties and powers of the Executive Committee are as follows:
- (a) each member of the Executive Committee serves as the Chairman or member of the Working Committee with the approval of the Executive Committee in any working committee;
  - (b) attending the meetings held by the Council;
  - (c) performing duties assigned by the Council from time to time.
21. The Council shall arrange to re-elect if there is a vacancy in the position of the Chairman of the Council, Vice Chairman, Secretary, Joint Secretary, Treasurer or Executive Committee member, in accordance with the Rule 3 and Rule 4.

## **Chapter 4**

### **Establishment of working committees and working groups**

22. The Council shall appoint a member of the Executive Committee or a member of the Council as the Chairman of the Executive Committee in the formation of a Working Committee necessary to carry out its duties effectively. No more than eight Council members or architects shall be included as members.

23. The Registration Certification Working Committee shall perform the following duties:
  - (a) scrutinizing the application of registration certificate, renewal, damage or losses in accordance with the regulations and submitted to the Executive Committee with the remarks;
  - (b) coordinating with relevant working committees for the trainings with regard to the development planning;
  - (c) conducting necessary qualification examinations;
  - (d) examining records of experience and quality;
  - (e) conduct an interview if necessary.
24. The Registration Certification Working Committee shall review the following and submit to the Executive Committee with remarks:
  - (a) application of registration certificate;
  - (b) application for renewal of registration certificate;
  - (c) re-applying for registration certificate as registration certificate has been revoked;
  - (d) re-applying for a registration certificate due to damage;
  - (e) re-applying due to loss of registration certificate.
25. The Registration Certification Working Committee shall submit to the Executive Committee with the opinion that it should be refused to issue the registration certificate if any of the following conditions are found:
  - (a) that the applicant does not meet the prescribed qualifications or the requirements could not be fulfilled or found a good reason for refusal by the Registration Certification Working Committee;
  - (b) failure to renew for five consecutive years or more by the applicant;
  - (c) incomplete period of revocation of registration certificate;
  - (d) it is found that the applicant submitted the fake degree or diploma;



- (e) It is found that the applicant has been evoked for his registration certificate.
26. The Architectural Qualification Assessment Working Committee shall perform the following functions:
- (a) preparation and submission to the Executive Committee for the Bachelor of Architecture, Degree in Architecture and Diploma in Architecture which should be recognized by the Council;
  - (b) submission to the Executive Committee to determine the professional qualifications required for the Degree in Architecture and diploma holders to be recognized by the Council;
  - (c) providing necessary suggestion and assisting and coordinating with the relevant ministries to announce the recognized list of universities, colleges and institutes to liaise with the International and regional organizations related to architecture;
  - (d) Establishing professional qualifications and accreditation for the recognition of diploma holders of architecture graduated from the Institute of Engineering or a College or University from local and abroad;
  - (e) advising, supporting and cooperating with the governmental and non-governmental organizations of relevant Ministries and government departments for the preparation of Architectural Code of Conduct;
  - (f) screening and analyzing to maintain the quality and standard of architecture, by liaising with government departments, government organizations and non-governmental organizations, if necessary;
  - (g) submitting the activities of the Working Committee on Accreditation of Architectural Qualifications to the Council from time to time.

27. The Ethics Working Committee shall perform the following duties:
  - (a) establishing a code of ethics to be followed by Architect, Architecture Graduates, technicians and technologists with the approval of the Council;
  - (b) carrying out for the dissemination of the spirit of ethics among the Architect, Architecture Graduates, technicians and technologists;
  - (c) ensuring that Architect, Architecture Graduates, technology professionals and technologists are familiar with the code of ethics;
  - (d) dissemination of pamphlets to raise awareness of ethical integrity among Architect, Architecture Graduates, and technical experts by giving lectures, conducting trainings and raising awareness through internet and news media.
  
28. The Disciplinary Working Committee shall perform the following duties:
  - (a) investigating whether the certificate holders are complying with the code of ethics and rules and taking necessary action;
  - (b) investigating and taking necessary action if it is found out that the holder of the registration certificate had submitted a fake diploma or degree;
  - (c) investigating and taking necessary action in relation to the grievance of the holder of the registration certificate.
  - (d) examining the findings report of the investigation team and submitting it to the executive committee with remarks.
  
29. The Disciplinary Working Committee may, in any case, find out that the holder of the registration certificate or the applicant has violated the code of ethics and rules, when it is known in any way that a fake diploma has been submitted, if the registrant submits his grievance, shall form an investigation

team with appropriate persons in consultation with the Ethics Working Committee.

30. The investigation team:

- (a) shall notify a suitable place, date and time of the investigation to investigate the accused;
- (b) shall arrange for hearing in the presence of the accused;
- (c) shall allow the accused to defend adequately by himself;
- (d) shall prescribe the facts which are violated by and informed that to the accused and the accused shall be notified at a reasonable time to state the report of the investigation team;
- (e) shall give sufficient time to the accused to defend himself in respect of the charges;
- (f) shall allow the accused to testify as a witness and must be allowed to cross-examine.
- (g) shall allow to accompany the person or a friend who can provide professional assistance to the accused;
- (h) shall scrutinize the statement of the accused and the findings of the investigation team and submit the analysis of the investigation team to the Disciplinary Working Committee;
- (i) if the accused does not show up on the date prescribed under sub-rule (a), an investigation under sub-rule (d) may be carried out in the absence of a response to the notice;
- (j) shall complete the investigation within six months from the date of investigation without the separate permission of the Disciplinary Working Committee.

31. The Standards and Architectural Code of Conduct Working Committee shall perform the following functions:
  - (a) provide the advices, support and cooperate with the relevant Ministries, government departments, government organizations and non-governmental organizations for the quality of architectural and technical works, to develop basic business standards and Myanmar standards for upgrading;
  - (b) maintaining quality standards for architectural and technical skills;
  - (c) cooperating with the relevant Ministries, local and foreign organizations for the preparation of Architectural Code of Conduct;
  - (d) submitting the promulgation of necessary procedures for maintaining the quality and standard of architectural and technical work to the Council.
  
32. The Working Committee on Continuing Education of Architecture shall perform the following functions:
  - (a) chairing workshops and conferences, international and regional meetings, conducting theoretical and practical trainings for the continuous development of architecture and technology, arranging to attend the conferences on behalf of the country;
  - (b) providing continuous education and trainings for Architect, graduate technicians and technologists and Architecture advise to the Ministry and other organizations in accordance with business requirements;
  - (c) implementing professional development system and opening trainings with the approval of the Executive Committee;
  - (d) conducting research and advising and assisting relevant ministries and organizations on development activities to raise the standard of architecture and technology;

- (e) consulting, assisting and cooperating with government departments and government agencies and non-governmental organizations to improve the quality of Architect, Architecture graduate and technical experts.
33. The Working Committee for the Scrutiny and Accreditation of Architectural Firms and Organizations shall perform the following duties:
- (a) scrutinizing the local and foreign consulting architects and companies and organizations related to architectural work, providing the opinion and reply to the relevant Ministry, if the Ministry informs to check whether it complies with the prescribed procedures and basic business standards regarding the contractors and contracting companies, in accordance with the permit;
  - (b) consulting local and foreign architects and companies and organizations engaged in architectural work, establishing procedures and standards to be followed by contractors and set with the approval of the Executive Committee.
34. The Foreign Architects Registration Certification Working Committee shall perform the following duties:
- (a) examining the application for registration of foreign architect in accordance with the stipulations and submitting to the Executive Committee;
  - (b) conducting necessary qualification examinations;
  - (c) examining records of experience and qualification;
  - (d) conduct an interview if necessary.
35. The Foreign Accreditation Certification Working Committee shall scrutinize the following information in relation to the application for the Registration of Foreign Architects and submit to the Executive Committee the opinion on

whether it is appropriate to issue the Foreign Architect Registration Certificate:

- (a) Recommendation that a copy of the registration certificate of the senior Myanmar citizen license holder to be supervised and a foreign architect registration certificate should be issued;
  - (b) Certificate of Architecture of a Foreign Architect and evidence documents;
  - (c) Working experience records and evidences of foreign architect;
  - (d) Passport, visa and other required documents;
  - (e) Evidence prescribed by the Council from time to time.
36. The Foreign Accreditation Certification Working Committee shall consider whether or not a foreign architect should be allowed to work in determining or not to issue a foreign architect registration certificate. The place and time of the permit should be submitted to the Executive Committee.
37. The Foreign Architects Registration Certification Working Committee shall submit to the Executive Committee the opinion that it should refuse to issue the Foreign Architects Registration Certificate if it is found any of the following circumstances,:
- (a) Being not allowed to stay in Myanmar legally.
  - (b) the applicant does not meet the prescribed qualifications; There is good reason to believe that the requirements of the Foreign Registration Certification Working Committee are not met.
  - (c) The applicant has a degree; Appearance of submission of fake diplomas
  - (d) The applicant has had his registration certificate or professional license revoked from the relevant country.

- (e) Failure to comply with the stipulations prescribed by the Council from time to time.
38. The International Relations Working Committee shall perform the following duties:
- (a) creating opportunities for meetings with experts, finding ways to collaborate with local and international Universities, government or non-governmental organizations (NGOs) that can support the development of qualification standards for Architect, Architecture graduate and technical experts;
  - (b) learning about qualification standards and experience in architectural and technical expertise in collaboration with local and international organizations;
  - (c) identifying potential interactions with architectural authorities, dissemination of information on Myanmar Architect Council, International Council of Architects, including ASEAN countries;
  - (d) distributing and disseminating the modern architectural technologies, new Expertise Techniques Experiences from various parts of the world regarding environmental and humane architectural technologies to the Myanmar Architects, Research and Development Architecture graduate, technology professionals and technical experts;
  - (e) arranging conference, training and study tours to gain international experience;
  - (f) establishment of Myanmar Architecture Council website and timely dissemination of Myanmar Architectural Council information from that website;
  - (g) arranging computer room and living room with internet required for international relations;

- (h) further dissemination of information received from relevant organizations to the relevant working committees, information on architectural registration being implemented internationally, Ethics, Architectural qualification certification, discipline, continuous education in architecture, basic business standards for Architectural firms.

## Chapter (5)

### Holding meetings

- 39. During the Council meeting:
  - (a) The regular meeting of the Council shall be held every three months;
  - (b) The special meeting of the Council shall be convened within 14 days if at least one-fourth of the members of the Council request it in writing;
  - (c) The meeting shall be effective if more than half of the total number of members of the Council attend the regular meeting and special meeting.
- 40. If the Chairman of the Council is unable to attend the meeting of the Council or the Executive Committee for various reasons, a Vice-Chairman shall be assigned to carry out the duties of the Chairman.
- 41. At the meeting of the Executive Committee:
  - (a) The regular meeting of the Executive Committee shall be held once a month;
  - (b) The meeting shall be effective if more than half of the total number of members of the Executive Committee attend the meeting of the Executive Committee.
- 42. Working committees may convene working committee coordination meetings as required.



43. Council Meeting During special meetings and executive committee meetings:
- (a) The date and place where the Chief Registration Officer shall hold the meeting must be given at least five days before the meeting, stating the time and details of the meeting;
  - (b) The decisions decided at that meeting shall not be deemed to have been annulled due to the failure to receive the invitation for various reasons and the absence of a member of the Council;
  - (c) If necessary, with the approval of the Chairman of the Council, relevant experts who are not members of the Council may be invited to attend the meeting.
44. (a) The decisions of the Council meeting, Special meeting, Executive Committee Meeting and Working Committee meetings shall be restricted;
- (b) The Chief Registration Officer shall act as a person who records the minutes of the meeting;
  - (c) All minutes of the meeting shall be systematically recorded by the Chief Registrar;
  - (d) After holding a meeting, the Chief Registration Officer shall circulate and distribute to the concerned parties by setting the deadline for approval of the draft minutes of the meeting;
  - (e) Each minutes of the meeting are a record witness for all the decisions made at the meeting. The meeting referred to any of the minutes of the meeting shall be recorded as a formal meeting unless otherwise stated.

45. The majority of the participants in the meeting raised their hands and voted in favor of a decision on any issue that arose at the meeting. However, if one of the participants proposes to record, the list of supporters, the list of objectors and the list of neutral persons may be recorded at the meeting with the permission of the Chairman of the Council.
46. At the regular meetings of the Council and the Executive Committee, the Treasurer shall submit the financial statements as follows:
  - (a) Update on the revenue and expenditure of the Council during the current financial year;
  - (b) Statement of balance in accordance with the latest situation.

## Chapter (6)

### Office formation

47. The Council may form the following office bodies to carry out the office duties of the Council and the Executive Committee as follows:
  - (a) Chief Registration Officer (1) person
  - (b) Assistant Chief Registration Officer (1) person
  - (c) Registration Officer (2) person
  - (d) Accounting Officer (1) person
  - (e) Computer Expert (1) person
  - (f) Office staff (5) persons
48. The Council:
  - (a) may form the branch offices headed by a Registrar in the Region or State as required;
  - (b) may reorganize the number of staff for the office and branch offices as required.

49. The Council shall appoint a person with the following qualifications as the Chief Registrar:
- (a) Citizen of Myanmar;
  - (b) A person who has obtained a degree from any university;
  - (c) At least 3 years' experience in office administration;
  - (d) Computer literate;
  - (e) A person who has not been convicted of any moral offense.
50. The duties and powers of the Chief Registrar are as follows:
- (a) scrutinizing and accepting applications for registration certificate and submitting to the Executive Committee.
  - (b) notifying the relevant applicant that the registration certificate was issued or denied in accordance with the decision of the Executive Committee;
  - (c) issuance of registration certificate signed by the Chairman of the Council, with registration fee, renewal fee and overdue fee to be paid as prescribed to the applicant for registration certificate;
  - (d) recording of the registration, deleting from the registration list, preparing the registration list and publishing with the approval of the Executive Committee from time to time;
  - (e) supervising the office and branch offices.
  - (f) sending invitation for council meeting and executive committee meeting;
  - (g) recording the meeting minutes at the council meeting and the executive committee meeting;
  - (h) maintaining the meeting minutes.
  - (i) performing the duties assigned by the Council and the Executive Committee from time to time.

51. The Accounting Officer shall take responsibility for the Treasurer and be responsible for the financial affairs of the Council.
52. Offices and branch offices are entitled to receive the salaries and allowances prescribed by the Council.

## **Chapter 7**

### **Finance**

53. The Chief Registrar shall deposit the registration fee, registration renewal fee and overdue fee for failure to renew registration and fees prescribed by the Council to the bank account opened by the Council.
54. All receipts must be signed by the Chairman or a member of the Executive Committee and the Treasurer assigned by the Chairman for this purpose.
55. The accounts of the Council shall be audited by the Office of the Auditor General of the Union.

## **Chapter (8)**

### **Application and issuance of Architect Registration Certificate**

56. Architecture at home and abroad, Technology University of Engineering Applicants with a Bachelor of Architecture degree or a Diploma in Architecture awarded by a college or university must apply to the Council with the following details and credentials:
  - (a) Name and 2 passport size photos
  - (b) Guest Citizenship, allowed to be Citizenship and Citizen's Verification Card No;
  - (c) Educational qualification, Copy of Diploma in Engineering Technology or Diploma in Architecture;
  - (d) Full contact information;

- (e) Telephone number and email address.
57. A person who has obtained the Certificate of Technical Expert and has completed the prescribed period or has a degree in Architecture Technology may apply to the Council in accordance with Rule 56 for the Certificate of Technical Expert Degree.
  58. Upon receipt of the application under Rules 56 and 60, the Chief Registrar shall verify the completeness of the application and send it to the Registration Committee within seven days of receipt of the application.
  59. The Registration Certificate Scrutiny Committee scrutinizes the professional registration applications sent by the Chief Registrar:
    - (a) shall submit to the Executive Committee with the opinion that the certificate of professional registration should be issued to the holder of the degree in Architecture or Diploma in Architecture declared by the Council;
    - (b) with the opinion that a certificate of professional registration should be issued if the holder of the degree in Architecture or Diploma in Architecture who has not been declared by the Council is qualified and issued the required qualifications, if it is found that the qualifications are not met, it should be submitted to the Executive Committee with the opinion that it should refuse to issue the professional registration certificate;
    - (c) shall carry out the Qualification examination according to the specialization of Architecture in relation to whether it is appropriate to issue a Technical Expert Registration Certificate to a person who has obtained the Certificate of Technical Expert and has completed the prescribed period. An interview can be done if necessary.

60. Anyone who receives a Bachelor's degree in Architecture, from an engineering university, institute or college at local and abroad, must apply to the Council with the following details and documents:
  - (a) Name and 2 passport size photos
  - (b) Guest Citizenship, allowed to be Citizenship and Citizen's Verification Card No. or Foreigner Registration Certificate and Passport Number;
  - (c) Educational qualification such as, copy of Diploma in Architecture or Copy of Certificate of Technical Expert;
  - (d) Satisfactory recommendation of the supervising architect;
  - (e) Description of Architectural Working Experience;
  - (f) Full contact details;
  - (g) Telephone number and email address.
61. The Registration Scrutinizing Committee shall scrutinize the application of Architectural Registration Certificate sent by the Chief Registrar:
  - (a) shall submit to the Executive Committee with the opinion that the certificate of architectural degree should be issued to the person with the degree of Architect who has been declared recognized by the Council;
  - (b) with the opinion that a registered architect should be issued a certificate of architectural degree if it is found that the degree of Architecture which has not been declared by the Council has been declared and if it meets the required qualifications, if it is found that it does not meet the required qualifications, it should submit to the Executive Committee with the opinion that it should refuse to issue the registration architect certificate;

- (c) Qualification examination shall be carried out according to the specialization of Architecture in relation to whether it is appropriate to issue the Certificate of Registration Architecture to a person who has obtained the Certificate of Graduate Technical Expert and has completed the prescribed period. An interview can be done if necessary.
- 62. A person who has obtained a registered architect's certificate and has completed the required period must obtain an architectural license, or a person who has completed the specified period and wants to obtain a senior architectural license can apply to the Council in accordance with Rule 60.
- 63. The Registration Certification Working Committee:
  - (a) Qualification examination shall be conducted according to the architectural qualifications of the applicant in relation to whether it is appropriate to issue an architectural license to a person who has obtained the registered architect certificate and has completed the prescribed period. An interview can be done if necessary;
  - (b) The applicant shall be subjected to the necessary checks as to whether it is appropriate to issue a senior architectural license to a person who has obtained an architectural license and has completed the prescribed period.
- 64. Applicant for Registration Certificate:
  - (a) A person who has received the Certificate of Technical Expert Registration can apply for the Certificate of Technical Expert Certificate only after working at least four years in the field of architectural work under the supervision of a senior architect license holder or an architect license holder;

- (b) A person who has obtained the Certificate of Graduate Technical Expert can apply for the Certificate of Registration Architecture only after working at least two years in the field of architectural work under the supervision of a senior architect license holder or an architect license holder;
  - (c) A registered architect can apply for an architectural license only after working at least two years in the field of architecture under the supervision of a senior architect license holder;
  - (d) A licensed architect can apply for a senior architect's license only after working for five consecutive years as an architect in the architectural profession.
65. On behalf of the Council, the Executive Committee shall scrutinize the application for registration certificate submitted by the Registration Scrutiny Working Committee and submit the registration certificate application to the Chief Registrar with the decision to issue or reject the registration certificate.
66. The Chief Registrar shall issue the registration certificate in accordance with the decision of the Executive Committee as follows:
- (a) If the Executive Committee decides to issue the registration certificate, the applicant shall be required to pay the prescribed registration fee and issue the relevant registration certificate;
  - (b) Informing the applicant if the Executive Committee decides to refuse to issue the registration certificate;
  - (c) Registration of registration certificate.
67. Foreign architects working in the Republic of the Union of Myanmar In any business with foreign investment, in a private business, an architectural or architectural consultancy as an individual, if working with more than one



person, shall apply to the Council for a Foreign Architect Registration Certificate.

68. A foreign architect may apply to the Council for a professional degree or diploma of his or her degree before commencing with the responsibilities and responsibilities of any architectural work to be carried out in the Republic of the Union of Myanmar.
69. A foreign architect who wants to apply for a foreign architect registration certificate must have the following qualifications:
  - (a) A person who has been granted legal residency in Myanmar;
  - (b) A person who can work under the supervision of a senior Myanmar citizen license holder;
  - (c) A person with a degree in Architecture recognized by the Council;
  - (d) A person who has the required qualifications according to the architecture of the country of origin;
  - (e) At least five years' experience in architectural work;
  - (f) A person who meets the requirements issued by the Council from time to time.
70. If a foreign architect wants to get a foreign architect registration certificate or professional certificate, he / she must apply to the Council with the following details and documents:
  - (a) Name and 2 passport size photos;
  - (b) True copy of passport;
  - (c) Letter of notification from the relevant ministry or business owner;
  - (d) Educational qualification, Original and Certificate of Architecture Degree;
  - (e) Recommendation of the senior Myanmar architect license holder who will be in charge;

- (f) Statement and evidence of architectural working experience;
  - (g) Full address of the country of permanent residence and current full address;
  - (h) Telephone number and email address.
71. Upon receipt of the application under Rule 70, the Chief Registrar shall verify the completeness of the application and submit it to the Foreign Architects Registration Certification Working Committee within seven days of receipt of the application.
72. The Working Committee for the Certification of Foreign Architects for Registration of Foreign Architects scrutinizes the application for registration of foreign architects sent by the Chief Registrar:
- (a) if it is found as qualified architect, it shall submit to the Executive Committee with the opinion that the foreign architect registration certificate should be issued;
  - (b) If it is found that he does not meet the required qualifications, shall submit to the Executive Committee with the opinion that the foreign architect registration certificate should be refused;
  - (c) the type of architecture that should be allowed and Status, Place and time must be provided to operate if it is considered that a foreign architect registration certificate should be issued.
73. The Foreign Architects Registration Certification Working Committee shall review and submit to the Executive Committee the opinion that the application for professional certification sent by the Chief Registrar should be recognized or rejected.

74. The Executive Committee, on behalf of the Council, shall, with the decision of the Foreign Architects Registration Certification Working Committee, scrutinize the application for registration of foreign architects or professional certification submitted by the Working Committee on the approval and rejection of the registration certificate, it shall be sent to the Chief Registrar by decision either recognizing or refusing to recognize.
75. The Chief Registrar shall, in accordance with the decision of the Executive Committee, apply for the Foreign Architect Registration Certificate or Professional Certificate:
  - (a) If the Executive Committee decides to issue the registration certificate, the foreign architect shall be required to pay the prescribed registration fee and issue the foreigner registration certificate signed by the Chairman of the Council;
  - (b) Describe the type of architecture allowed Status, the Place and Time to operate in the foreign architect registration certificate;
  - (c) If the Executive Committee decides to issue a professional certificate, the applicant shall be notified of the recognition of the professional license obtained by the foreign architect;
  - (d) informing the applicant if the Executive Committee decides that it refuses to issue the registration certificate or refuses to recognize it;
  - (e) Issuance of registration or recognition of foreign architects.
76. A foreign architect who has received the Certificate of Foreign Architect Registration shall comply with the following:
  - (a) Must work under the supervision of a senior Myanmar license holder;
  - (b) Not allow to submit proposals or apply for permits against the restrictions set by the Council;

- (c) Shall submit if requested by the Council for proof of architectural qualifications;
  - (d) Follow the rules set out to support the technology transfer study;
  - (e) Must have a good understanding about the Law, the standards and qualification standards;
  - (f) Shall abide by the code of ethics prescribed by the Council;
  - (g) To carry out only architectural works permitted by the Council;
  - (h) Must abide by the existing laws of Myanmar;
  - (i) Shall pay the income tax prescribed by the State;
  - (j) Shall abide by the rules set by the Council from time to time.
77. A certified foreign architect must comply with the following:
- (a) Must work with a person who has obtained a senior architect license from a Myanmar citizen.
  - (b) No liability or responsibility shall be granted for licensing or assignment submitting a proposal against the restrictions set by the Council;
  - (c) The rules set forth to support technology transfer must be followed;
  - (d) Delegation and succession shall be carried out only after obtaining the professional certificate;
  - (e) The Myanmar Senior Citizens who have a joint venture license must be recognized as a registered architect;
  - (f) In business advertisement, the name of the senior Myanmar architect licensee of the joint venture must be included in the business report;
  - (g) Must abide by the existing laws of Myanmar;
  - (h) Shall pay the taxes and income tax prescribed by the State;
  - (i) Shall abide by the rules set by the Council from time to time.

78. Recipient of any type of registration certificate:
  - (a) shall apply to the Council at least 60 days ahead of the expiration date if desire to renew the registration certificate;
  - (b) shall settle the prescribed overdue fee if the application is extended after the expiration date;
  - (c) shall apply to the Council for a registration certificate when it is damage or lost;
  - (d) shall apply for the renewal of professional registration certificate, damage or loss, to the Council in accordance with Rule 56;
  - (e) shall apply for the renewal of architectural registration certificate; damage or loss, to the Council in accordance with Rule 60.
79. The Executive Committee on behalf of the Council may review the application for renewal of the registration certificate and, if any of the following is found, may refuse to renew the registration:
  - (a) Emergence of imprisonment for any crime related to morality;
  - (b) Dismissed by the Ethics Working Committee or Discipline Working Committee as immoral;
  - (c) Inability to perform the duties of the registrant due to loss of consciousness or mental illness for any other reason.
80. The Executive Committee on behalf of the Council may revoke or revoke the registration certificate which refuses to renew the registration under Rule 79.
81. The Executive Committee shall reject the application for registration of a person who has been ordered to be deregistered by administrative means until the order is approved.

## Chapter 9

### Taking Administrative Action

82. If the Executive Committee finds that the accused is innocent, he or she can dismiss the charges. If the accused is registered and found guilty, the following administrative order may be issued:
- (a) Notifying the complainant in writing or orally;
  - (b) Payment of appropriate fine;
  - (c) Revocation of registration certificate of the accused within the period of not more than two years;
  - (d) Cancellation of registration certificate;
  - (e) Carrying out a lawsuit in the relevant court.
83. The Executive Committee shall issue a written order to the accused under Rule 82.

## Chapter (10)

### Appeal

84. Any executive order or decision made by the Executive Committee with regard to the application for registration certificate, renewal of registration certificate, in order to issue one kind of registration certificate for local and foreign architects, if a person dissatisfied with any order or decision made in connection with the application for recognition of the recipients of the a degree or diploma awarded by a college or university or Technology University of Engineering may appeal to the Council within 60 days from the date of receipt of that decision or order:
- (a) Name of the appellant and guest citizen, Citizenship Verification Card Number or Foreigner Registration Number and Passport No;
  - (b) Application signed by the appealant;

- (c) Reasons for appeal and evidence.
  - (d) A true copy of the order or decision of the Executive Committee.
85. The Council shall convene a special meeting of the Council within 30 days from the date of receipt of the appeal to discuss the submissions of the appeal and amend the order or decision of the Executive Committee by a majority vote of the members of the Council. Cancellation or confirmation must be made.
86. The decision of the Council under Rule 85 is final and inclusive.

## **Chapter 11**

### **Prohibited and restricted activities**

87. Registered Architect Certificate Holders of Graduate Technician Certificate and Certified Technician shall carry out the architectural work designated by the Myanmar Architect Council only under the supervision of a senior architect or licensee.
88. The licensee of the Architects shall carry out other building projects other than the following. The following activities can be carried out only under the supervision of a senior architect license holder:
- (a) Public buildings up to 1,000 people, types of buildings referred to as Assembly in the Myanmar National Building Code (MNBC, Chapter 2) and types of buildings designated by the Council of Architects from time to time;
  - (b) Design of building projects located on major intersections;
  - (c) Design of building project with floor area above 10,000 square feet;
  - (d) Building project up to 12 stories and above.
89. If the architect meets the relevant requirements, he can perform the following tasks as per the relevant experts:

- (a) Interior Design;
- (b) Landscape Design;
- (c) Heritage Building & Sites Conservation;
- (d) Urban, Regional Planning & Urban Design;
- (e) Construction Management;
- (f) Real Estate Development Planning.

## Chapter 12

### General

90. Members of the Council may use the Council logo with the approval of the Ministry.
91. The Council:
- (a) have the right to use the own office logo;
  - (b) shall keep the office seal from being used in any case other than the official letters of the Council;
  - (c) shall assign to the Chief Registrar to maintain the office seal.

Win Khaing;

Union Minister

Government of the Republic of the Union of Myanmar;

Ministry of Construction