

The Republic of the Union of Myanmar

Myanmar Investment Commission

Notification No. 15 /2017

The 14th Waxing of Tagu, 1378 ME

(10th April, 2017)

List of Restricted Investment Activities

1. In exercise of the powers conferred under section 42 and section 100(b) of Myanmar Investment Law, with the approval of the Union Government, Myanmar Investment Commission issued the list of restricted investment activities as follows:

(a) Investment activities allowed to be carried out only by the Union

<i>Sr. No.</i>	<i>Types of Investment Businesses</i>	<i>Industrial Code</i>
<i>1</i>	<i>2</i>	<i>3</i>
1	Manufacturing of products for security and defence being specified by the notification of the Government from time to time	ISIC 2520
2	Manufacturing and related services of Arms and ammunition for the national defense	ISIC 2520,CPC 447
3	Issuing the national postage stamps; establishment and hiring of post office and post boxes which are only to be performed by the post office operator on behalf of the Union	ISIC 1811, 1812 CPC 326

4	Air Traffic Services	See Definition/Scope
5	Pilotage Services	CPC 6752
6	Management of natural forest and forest area except the business relating to reduction of carbon emission	CPC 7221/72212
7	Feasibility study and production of radioactive metals such as uranium and thorium	ISIC 0721/07210
8	Administration of electric power system	CPC 8631
9	Inspection of electrical works	CPC 8631

(B) Investment activities that are not allowed to be carried out by foreign investors

<i>Sr. No.</i>	<i>Types of Investment Businesses</i>	<i>Industrial Code</i>
<i>1</i>	<i>2</i>	<i>3</i>
1	Publishing and distribution of periodicals in ethnic languages including Myanmar	ISIC 5813, CPC 3241, 8911, 8912
2	Fresh water fisheries and relevant services	ISIC 0312, CPC 0421, 8615
3	Establishment of quarantine station for exportation and importation of animals (Livestock Breeding and Veterinary Department shall undertake to inspect animals and to issue permits.)	CPC 8352, 8359, 8612,
4	Pet care service	CPC 8351, 86129
5	Manufacturing of forest products from forest area and government administered natural forest	ISIC 0220, 0230

6	Prospecting, surveying, performing feasibility study and developing mineral for small and medium scale businesses in accordance with the Mines Law	ISIC 0510, 0520, 0710, 0721, 0729, 0990
7	Refinement of minerals by medium scale and small scale	ISIC 2410
8	Performing shallow oil wells up	ISIC 0610
9	Printing and issuing sticker for visa and stay permit for foreigners	ISIC 5819, CPC 89122,91210
10	Prospecting, exploration and production of jade/gem stones	ISIC 0990, 3211
11	Tour-guide service	CPC 8555
12	Mini-market, convenience store (Floor area must be above (100 ft.x100 ft.) 10,000 square feet or 929squaremeter)	CPC 62

(C) Investment activities allowed only in the form of a joint venture with any citizen owned entity or any Myanmar citizen

<i>Sr. No.</i>	<i>Types of Investment Businesses</i>	<i>Remark</i>	<i>Industrial Code</i>
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
1	Construction for fish Landing site/ Fishing Harbour and Fish Auction Market	This shall be carried out in accord with the law, procedure, directive and regulation of the Fishery Department.	ISIC 5210

2	Research activities related with fishery	This shall be carried out in accord with the law, procedure, directive and regulation of the Fishery Department.	CPC 8114
3	Veterinary clinic	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	CPC 8351, 8352, 8559
4	Cultivation of crops in agriculture land, distribution them to the local market and exporting them	-	ISIC 011/ 0111, 0112, 4631, 46312, 4759, 47593
5	Manufacturing and domestic distribution of plastic products	-	ISIC 1511, 1512, 1520, 46312, 4759, 47593
6	Manufacturing and domestic distribution of chemicals based on available natural resources	-	ISIC 2011, 202, 46312, 4759, 47593

7	Manufacturing and domestic distribution of flammable solid, liquid, gaseous fuels and aerosol(Acetylene, Gasoline, Propane, Hair Sprays, Perfume, Deodorant, Insect spray)	-	ISIC 201, 202, 46312, 4759, 47593
8	Manufacturing and domestic distribution of oxidants (Oxygen, Hydrogen Peroxide), compressed Gases (Acetone, Argon, Hydrogen, Nitrogen, Acetylene)	-	ISIC 201, 202, 46312, 4759, 47593
9	Manufacturing and domestic distribution of corrosive chemicals (Sulphuric Acid, Nitric Acid)	-	ISIC 201, 2012, 46312, 4759, 47593
10	Manufacturing and distribution of industrial chemical gases including compressed, liquefied and solid forms	-	ISIC 201, 202, 46312, 4759, 47593

11	Value added manufacturing and domestic distribution of cereal products such as biscuits, wafers, all kinds of noodles and vermicelli	-	ISIC 1074m 46312, 4759, 47593
12	Manufacturing and domestic distribution of all kind of confectionery including those of sweet, cocoa and chocolate	-	ISIC 1073, 46312, 4759, 47593
13	Processing, canning, manufacturing and marketing of food products except milk and dairy products	-	ISIC 1075, 46312, 4759, 47593
14	Manufacturing and domestic distribution of malt and malt liquors and non-aerated products	-	ISIC 1103, 46312, 4759, 47593
15	Manufacturing, distilling, blending, rectifying, bottling and domestic distribution of all kinds of spirits, alcohol, alcoholic beverages and nonalcoholic beverages	-	ISIC 1101, 1102, 46312, 4759, 47593
16	Manufacturing and domestic distribution of all kinds of purified ice	-	ISIC 1079, 46312, 4759, 47593

17	Manufacturing and distribution of purified drinking water	-	ISIC 1105
18	Manufacturing and domestic distribution of all kinds of soap	-	ISIC 2023/ 20231, 46312, 4759, 47593
19	Manufacturing and domestic wholesale of all kinds of cosmetic products	-	ISIC 2023/ 20232, 46312, 4759, 47593
20	Development, sales and lease of residential apartments and condominiums	-	ISIC 4100/ 41001, 6810, CPC 5411, 7211
21	Local tour service	-	CPC 8554
22	Transportation Agency for patients to overseas hospitals	-	CPC 93121

(D) Investment activities to be carried out with the approval of the relevant ministries

<i>Sr. No.</i>	<i>Types of Investment Businesses</i>	<i>Restriction</i>	<i>Industrial Code</i>
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
1	Investment activities to obtain the approval of the Ministry of Home Affairs		

	1	Manufacturing and distribution of medicines which are produced by using narcotic drugs and psychotropic substances		ISIC 2100
2	Investment activities to obtain the approval of the Ministry of Information			
	1	Cross ownership between Print Media and Broadcasting Media Service	-	ISIC 6010, 6020, CPC 8912, 846, 9616
	2	Publishing of periodical newspapers in foreign languages	-	ISIC 1811, 5813, CPC 3241, 8911, 8912
	3	Broadcasting FM radio programmes	-	ISIC 6010, CPC 8461, 8462
	4	Broadcasting Direct to Home (DTH) programmes	-	ISIC6020, CPC 846
	5	Broadcasting DVB-T2 programmes	-	ISIC6020, CPC 846
	6	Cable TV	-	ISIC6020, CPC 846
3	Investment activities to obtain the approval of the Ministry of Agriculture, Livestock and Irrigation			
	1	Investment relation to fisheries resources and fish species	-	ISIC 03

	2	Marine fishing	-	ISIC 0311
	3	Manufacturing and distribution of veterinary biological products	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	ISIC 2100
	4	Manufacturing and distribution of veterinary medicines	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	ISIC 2100
	5	Commercial Livestock farming	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	ISIC 014/ 0141, 0142, 0143, 0144, 0145, 0146

	6	Breeder farm and hatchery (poultry)	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	ISIC 0146
	7	Genetical research, genetic conservation and distribution of animal breeds	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	ISIC 014, 0162 (01620), 7500
	8	Importation, production and marketing of animal breeds (breeding animals, frozen semen straw and embryos)	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	ISIC 014, 0162

	9	Laboratory services for the safety of animal feeds and animal products	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	CPC 8112 (81121), 8351, 83520
	10	Laboratory services for the animal diseases diagnosis	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	CPC 8351, 83520
	11	11 Services on research and surveillance for animal health	This shall be carried out in accord with the law, procedure, directive and regulation of the Livestock Breeding and Veterinary Department.	CPC 8351, 8352
	12	Importing, production, domestic marketing and re-exporting of seed	-	ISIC 0164, 46312, 4759, 47593

	13	Importing, production and distribution of new species of plant	-	ISIC 0130, 46312, 4759, 47593
	14	Production, storage, distribution and exporting of agricultural insecticide, fertilizer, hormone, weed killer, etc.	-	ISIC 2021, 2012, 46312, 4759, 47593
	15	Production and exporting of hybrid seeds	-	ISIC 0164
	16	Laboratory services for agriculture	-	CPC 0161
	17	Research on agriculture and agricultural products	-	CPC 8114
	18	Production of seasonal crops	-	ISIC 01/ 011
4	Investment activities to obtain the approval of the Ministry of Transport and Communication			
	1	Inspection for Vehicle Registration	-	CPC 6799
	2	Motor Vehicle Driving Training School Business	-	CPC 6799

3	Construction of new railway track, stations and buildings related to the Train operation	-	ISIC 421/ 4210, 410/ 4100
4	Train operation	-	CPC 6739
5	Manufacturing and maintenance of locomotives, carriages, wagons and spare parts and maintenance of railway	-	ISIC 3020, 3315
6	Generation of electric power to be used for train operation	-	ISIC 3510, 35101
7	Dry port services relevant with Rail Transport	-	ISIC4220/ 42909, CPC 53112
8	Postal services	-	CPC 681
9	Telecommunication services	-	ISIC612, 613, 619
10	Production and distribution of satellite communication items	-	ISIC2639,46312, 4759 (47593)
11	Production and distribution of radar communication items and related equipment	-	ISIC2639,46312, 4759 (47593)

12	Production and distribution of radio communication items	-	ISIC 2639, 46312, 4759, 47593
13	Production and domestic marketing of mobile handset and telephone	-	ISIC 2632, 46312, 4759, 47593
14	Civil Aviation Training Services	-	See Definition/Scope
15	Aircraft Repair and Maintenance Services	-	See Definition/Scope
16	Airport Hotel Services	-	See Definition/Scope
17	Ground Handling Services	-	See Definition/Scope
18	Selling and Marketing of Air Transport Services	-	See Definition/Scope
19	Computer Reservation System (CRS) Services	-	See Definition/Scope
20	Aircraft Leasing without Crew Services	-	CPC 73116
21	Aircraft Leasing with Crew Services	-	CPC 66031
22	Air Freight Forwarding Services	-	See Definition/Scope

	23	Aircraft Line Maintenance Services	-	See Definition/ Scope
	24	Ramp Handling Services	-	See Definition/ Scope
	25	Passenger Handling Services	-	See Definition/ Scope
	26	Baggage Handling Services	-	See Definition/ Scope
	27	Cargo Handling Services	-	See Definition/ Scope
	28	Refueling Services	-	See Definition/ Scope
	29	Airport Security Services	-	See Definition/ Scope
	30	Airport Constructions, Maintenances, Managements and Operations	-	CPC 53122, 53213, 54122, 54619
	31	Domestic Air Transport Services	-	See Definition/ Scope
	32	International Air Transport Services	-	See Definition/ Scope
	33	Leasing aircraft related items	-	ISIC 7730, CPC 7312

34	Maritime Education and Training Centre	-	CPC 92919
35	Shipyards capable of operating for building and repairing of ships and afloat structures	-	ISIC 3011, CPC 6751
36	Coastal and inland water transport service for passenger	-	CPC 6423, 6412
37	Coastal and inland water transport service for cargo	-	CPC 6521, 6522
38	Supporting service for water transport	-	CPC 652
39	International transport service for passenger (not including coastal)	-	CPC 6423
40	International transport service for cargo (not including coastal)	-	CPC 6521
41	Vessel leasing Without crew	-	CPC 73115
42	Vessel leasing With crew	-	CPC 6602
43	Tow boat & Tug boat Service	-	CPC 65219, 65229
44	Ship demolition service	-	CPC 94312

	45	Brokerage service for ship	-	CPC 67910/ ISIC 5229
	46	Survey and Inspection service for ship's standard	-	CPC 67990
	47	the construction of switchback/ slipway, dockyard, wet/dry dockyard, landing and mud dock (a narrow basin at foreshore area for docking), building of jetty and landing stage and vessel landing by drainage in the river-creek boundary, bank boundary and waterfront boundary	-	ISIC 4290
	48	the construction of warehouse, soils, tanks, container yard & port related infrastructure in the bank boundary and waterfront boundary	-	ISIC 4100
	49	Construction of inland river- port	-	ISIC 4290

	50	Conservation works and improvement works of waterways	-	CPC 54232
	51	Expansion of port area and port limit area	-	ISIC 4290
	52	Service for port and waterway	-	CPC 5222
	53	Service for salvage the sunken ship	-	CPC 6753
	54	Shipping agency service	-	CPC 5229
	55	Deep sea port and international multi-purpose port	-	ISIC 4290
5	Investment activities to obtain the approval of Ministry of Natural Resources and Environmental Conservation			
	1	Logging in forest land and land administered by the government	-	ISIC 0220
	2	Establishment of forest plantation (teak, hardwood, rubber, bamboo, cane etc)	-	ISIC 02101, 02102

	3	Wood-based industry and related businesses with implementation of forest plantation	-	ISIC 02101, 02102,
	4	Eco-tourism based on forest area and natural land	-	ISIC 791, CPC 855
	5	Reproduction and distribution of importing genetically modified organism and living modified organism for commercial purposes	-	ISIC 0164
	6	Advanced technical research and commercial activities in production of improved valuable and rare tree species, conservation and tissue culture production	-	ISIC 7210
	7	Development of advanced technology, research and human resource in forest sector	-	ISIC 024, 7210, CPC 8140

	8	Importing of wildlife animals and plants for breeding and production, distribution at local or overseas through importation and exportation for commercial purposes	-	ISIC 01, 01499
	9	Prospecting, survey, feasibility study and exploration with foreign investment for large scale production of mineral	-	ISIC 0710, 0729, 0899, 0990
	10	Prospecting, survey, feasibility study and exploration with citizen investment for small, medium and large scale production of mineral	-	ISIC 0710, 0729, 0899, 0990
	11	Manufacturing and marketing of gems, jewellery and finished products with foreign investment	-	ISIC 3211

	12	Exploration, finishing and marketing of gems, jewellery and its products with citizen investment	-	ISIC 0899, 3211, 3212
	13	Pearl culturing and production	-	ISIC 03118, 3211
	14	Business which produce elements impact to Ozone	-	ISIC 25
	15	Large scale manufacturing of pulp for paper		ISIC 1701
6	Investment activities to obtain the approval of Ministry of Electricity and Energy			
	1	Large scale power project (power project for more than 30 MW according to the Electricity Law)	-	ISIC 3510, 35101
	2	All works of electricity to be connected with power system	-	ISIC 35102
	3	Importing, producing, constructing and installing of equipment, accessories and part of installations as for construction of the various kind of offshore drilling	-	ISIC 2511

	4	Construction and implementation of storage tank, loading port, pipe line, related machineries and equipment and construction of building for importing, transporting, storage, distribution and selling of oil, gas and petroleum products	-	ISIC 2512,
	5	Construction of the various type of refinery, maintaining and upgrading of old refinery and implementation of work	-	ISIC 41002
	6	Importing, producing, constructing and installing of equipment, accessories and part of installations as for exploring and interpreting of oil and gas by geological, geophysical and geochemical methods	-	ISIC 0910, 0991, 7120

	7	Importing, producing, constructing and installing of equipment, accessories and part of installations as for exploiting, producing and researching of oil and gas	-	ISIC 0910
	8	Importing, producing, constructing and installing of equipment, accessories and part of installations as for transporting and constructing pipe line network for oil and gas	-	ISIC 0910
7	Investment activities to obtain the approval of Ministry of Industry			
	1	Manufacturing of vaccine		ISIC 2100
8	Investment activities to obtain the approval of Ministry of Commerce			
	1	Retailing Services		CPC 62 2
	2	Wholesale Services		CPC 61
9	Investment activities to obtain the approval of Ministry of Health and Sports			
	1	Private hospital services	-	ISIC 8620
	2	Private general health services	-	ISIC 8620, CPC 93121
	3	Private mobile health services	-	CPC 93121

	4	Private care shelter services	-	ISIC 8710 (87102), CPC 93210, 93221
	5	Private traditional hospital	-	ISIC 8620 (86201)
	6	Private traditional clinic	-	ISIC 8620 (86201)
	7	Manufacturing private traditional medicine and medical product	-	ISIC2100(2100 1, 21002)
	8	Manufacturing of traditional drugs	-	ISIC 2100 (21001, 21002)
	9	Trading of traditional pharmaceutical raw materials (herbal items)	-	ISIC 4620 (46202) , 4642 (46421), 4772
	10	Traditional herbal cultivation and production	-	ISIC 0128
	11	Traditional medicine research and laboratory	This business shall be carried out together with the Research and Development Division of the Traditional Medicine Department or experts from the Department of Medical Research.	CPC 81130

	12	Research on vaccine and diagnostic test kit production	This business shall be carried out together with the Vaccine Research Division of the Department of Medical Research.	ISIC 2100, CPC 81130
10	Investment activities to obtain the approval of Ministry of Construction			
	1	All roads administered by Ministry of Construction, all parallel roads to be constructed at those existing roads, city by pass roads to be newly constructed on those roads as necessary, all roads to be linked with those roads	Ministry of Construction shall administer the road area. All matters to be carried out in the road area shall require the approval of Ministry of Construction.	ISIC 4210
	2	Construction of elevated express way, tunnel, inner ring road, outer ring road, interchange, underpass, over pass or flyover, semi underground road and submersible tunnel	-	ISIC 4210, (42103, 42104, 42105, 42101, 42102)

	3	Construction of bridge which is over 180 ft. and above	-	ISIC 4210 (42102), (42103)
	4	Production and domestic marketing of bridge connection items (PC Strand, PC bar, Anchor, etc.), steel frame, bally frame, plate girder, steel truss, bridge and related steel structure concrete, steel concrete, compressive strength of concrete and etc.	-	ISIC 2395, 24100
	5	Urban development which is above 100 acres	-	ISIC 4100, 421, 422, CPC 532, (53290)
	6	Building and marketing of residential apartment having the floor of 50,000 square meter and affordable housing which related to Industrial Zone	-	ISIC 4100, 6810

	7	Urban Redevelopment which is above 4 acres of land in the capital of the Region or State excluding Nay Pyi Taw, Yangon and Mandalay	-	ISIC 4100, 421, 422, 4290, CPC 532, (53290)
	8	Development of new city/town	-	ISIC 410, 421, 422, CPC 5411, 8321

- Note : (1) If the restrictions for investment are described in the laws administered by the concerned ministries and organizations it shall follow in accord with such law.
- (2) For banking, insurance and financial services, it can be allowed according to the plan of the relevant Ministries and organizations.
- (3) If the investments which make export/import shall perform in accord with the policy of Ministry of Commerce. 2. The Notification No.26/2016 issued by the Myanmar Investment Commission on 21st March 2017 was repealed by this Notification.

By Kyaw Win

Chairman

Definition/Scope for Investment Activities regarding Air Transport

1. **Air Traffic Services** include Flight Information Service, Alerting Service, Air Traffic Advisory Service, Air Traffic Control Service (Area Control Service, Approach Control Service and Aerodrome Control Service).
2. **Civil Aviation Training Services** cover all aviation related training.
3. **Aircraft Repair and Maintenance Services** mean such activities when undertaken on an aircraft or a part thereof while it is withdrawn from service and do not include so-called line maintenance.
4. **Airport Hotel Services** mean room or unit accommodation services, provided within certain area of an airport, for visitors.
5. **Ground Handling Services** cover ramp handling services, passenger handling services, baggage handling services and cargo handling services.
6. **Selling and Marketing of Air Transport Services** mean opportunities for the air carrier concerned to sell and market freely its air transport services including all aspects of marketing such as market research, advertising and distribution. These activities do not include the pricing of air transport services nor the applicable conditions.
7. **Computer Reservation Systems (CRS) Services** mean services provided by computerized systems that contain information about air carriers' schedules, availability, fares and fare rules, through which reservations can be made or tickets may be issued.

8. Air Freight Forwarding Services mean the activity and arrangement of air transport and related services provided to or performed on behalf of the shipper/consignee for the transportation of goods by air from port of origin to final destination.

Scope of services includes the following services:

- Securing cargo space with airline
- Preparing necessary export/import documents
- Processing customs formalities
- Pick-up and delivery
- Packing/ warehousing
- Freight consolidation & break-bulk
- Door to door and logistics services
- Inland Freight Services

9. Aircraft Line Maintenance Services mean Routine and non routine inspection and malfunction ratification performed enroute and at base station with turnaround time up to 24 hours (Source: IATA Planning and Production Control).

10. Ramp Handling Services mean services provided by ground support equipments to an aircraft upon arrival, during parking until departure.

The services include the following facilities:

- Ground Support Equipment i.e. Aircraft Towing Tractor, Air Condition Unit, Air Start Unit, Ground Power Unit, Loading Equipment, Unit Load Devices (ULDs).

- Ramp Bus Services to transfer passengers and crews to and from the aircraft to the passenger terminal.
- Security Services to the aircraft as well as passengers in the ramp area.
- Toilet and aircraft interior cleaning servicing.
- Portable water servicing.
- Post and mail servicing.
- GSE and ULDs maintenance.

11. **Passenger Handling Services** mean responsibility in providing services to passengers from check-in point to aircraft side as per the carrier's procedures and instructions.

12. **Baggage Handling Services** mean a process on departure and arrival system at terminals.

On departure, baggage handling consists of three activities:

- (1) in-town check-in passenger checks outside the airport boundary;
- (2) check-in at the airport terminal;
- (3) check-in passenger carries baggage at the aircraft gate and check-in at that point.

On arrival, baggage handling consists of three activities:

- (1) off-loading of baggage from the aircraft;
- (2) transport of baggage between aircraft and reclaim area;
- (3) loading of baggage onto the reclaim unit. (From Dictionary of Air Traffic and Traffic Control by E.B. Oeran)

13. **Cargo Handling Services** mean services to provide or arrange for warehouse, facilities, and services for storage and handling of any type of shipment that

transported by air. Cargo handling services cover physical handling of outbound/ inbound, transit shipments, document handling of outbound/ inbound, transit shipments, irregularities handling, control of Unit Load Device, and services relate to customs control. (Source: IATA AHM 810 version January 2004 on section concerning cargo services).

14. **Refueling Service** means the management and operation of fuel tankers for aircraft and airport motor vehicles and distribution of fuelling products.

15. **Airport Security Services** cover the followings;

- Airport Access Control Services
- Security guard and Patrol of Landside and Airside of Airport Services
- Airport Screening check point Services
- Aircraft Security Search and check Services
- Air Cargo and mail Security Access point Services
- Airport Car Parking Control Services
- Civil Aviation Security Equipment Maintenance Services
- Civil Aviation Security Training Services
- Civil Aviation Security Quality Control Services

16. **Domestic Air Transport Services** mean air services performed by aircraft, wholly within the territory of Myanmar, for the public transport of passengers, cargo or mail for remuneration or hire.

17. **International Air Transport Services** mean air services performed by aircraft, between the territories of Myanmar and another State as well as between the territories of other States, for the public transport of passengers, cargo or mail for remuneration or hire.