

The Competition Rules

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Government of the Republic of the Union of Myanmar
Ministry of Commerce
Notification No. 50/2017
The 4th Waning Day of Thadingyut, 1379 M.E
(9th October 2017)

In exercise of the power conferred under section 56, sub-section (a) of the Competition Law, the Ministry of Commerce hereby prescribes these Rules with the approval of the Union Government.

Chapter I
Title and Definition

1. These rules shall be called the **Competition Rules**.
2. The expressions contained in these rules shall have the same meaning as described in the Competition Law. Moreover, the following expressions shall have the meanings given hereunder:
 - (a) **Law** means the Competition Law.
 - (b) **Expert** means technical expert on any relevant subject or special trained person to perform competition matters.
 - (c) **Ministry** means the Ministry of Commerce of the Republic of the Union of Myanmar.
 - (d) **The Commission Office** means the department that is established by the Ministry to perform the office works of the Myanmar Competition Commission and duties and functions assigned by the Commission.
 - (e) **Form** means the prescribed forms under these rules.

Chapter II
Myanmar Competition Commission

3. The Ministry shall submit a list of proposed professionals and their names to the Government by compiling the suitable professionals from the relevant union ministries, government departments, government organizations and non-governmental organizations or by selecting respective experts to nominate as members of the Commission, and propose the list of names which is appropriate to assign as the Vice-Chairman and secretary in submitting such list.

4. The proposed members of the Commission shall include at least one representative from the following union ministries and bodies:
 - (a) Ministry of Commerce
 - (b) Union Attorney General's Office
 - (c) Ministry of Home Affairs
 - (d) Ministry of Transport and Communications
 - (e) Ministry of Industry
 - (f) Economist
 - (g) Legal Expert
 - (h) Union of Myanmar Federation of Chambers of Commerce and Industry and its affiliates.
5. The Commission shall be formed in odd numbers with equivalent to 9 or more members.
6. The chairman of the Commission shall be expert and knowledgeable in any legal, economic and commerce subject and shall have experience in relevant field.
7. Members of the Commission shall be:
 - (a) Myanmar citizens who reside in Myanmar;
 - (b) in good character;
 - (c) skillful and knowledgeable in legal, economic or commerce and have at least five years of experience in relevant field;
 - (d) Deputy Director General and above in the case for the civil servant;
8. Member of the Commission who is not civil servant is entitled to enjoy salary, allowance and emolument allowed by the Ministry, and is required to serve full time.
9.
 - (a) The tenure of the Commission chairman shall be the same as the tenure of the union level position.
 - (b) The tenure of the Commission member is three years.
10. The tenure of the Commission member shall not serve for more than two consecutive tenures. However, the tenure may be extended in case of skills and other requirements.
11. In case of one of the following situations, the Government shall dismiss chairman or member of the Commission and replace the position in accordance with the provisions specified in these rules:
 - (a) decease;

- (b) resignation;
 - (c) being convicted by the relevant Court due to committing any offence;
 - (d) being adjudged as person of unsound mind by the relevant Law;
 - (e) being declared as insolvent by the relevant Court;
 - (f) failing integrity;
 - (g) being failure to properly perform duties specified by the Law.
12. In case of voluntary resignation during the tenure in accordance with section 11, sub-section (b) of the rules, the chairman or the member of Commission shall submit a resignation letter with solid reason to the Government through the Commission.
 13. If a vacancy arises for the chairman or members of the Commission due to any reason, the tenure of the chairman or the members of the Commission shall be the remaining tenure of the respective member of the Commission who is substituted.
 14. The Ministry shall compile the list of the proposed persons for the members of the Commission at least three months prior to the end of the tenure of the incumbents and submit to the Government to appoint the new Commissioner.

Chapter III

Convening of Meeting

15. The Commission shall convene the regular meetings once every three months. Special meetings may be convened as required.
16. The chairman of the Commission shall act as the chairman of the meetings. The vice-chairman shall act as the chairman of the meeting when the chairman is unable to be present.
17. The quorum of the meeting shall be valid if more than half of the total members of the Commission. If the quorum is not present, the meeting shall be adjourned to appropriate date. The Commission Office shall inform such adjournment to the chairman, vice-chairman and members of the Commission.
18. The Commission Office shall inform, with the approval of chairman or vice-chairman of the Commission, regarding the date of convening meeting or the adjournment for a reason.
19. The Commission shall make decisions in conformity with more than half of the total members of the Commission who are present at the Commission meeting.

20. The Investigation Committee shall convene the Committee meeting as necessary whether to make a decision on the report of the investigation working group or on the findings of investigation by other approaches, or if the matter that is needed to take the administrative action occurred, or for any other matters.
21. The Commission Office shall be responsible for administration, invitation, keeping meeting minutes and other necessary matters for convening meeting.

Chapter IV

Functions and Duties of the Commission Office

22. The Ministry shall form the Commission Office to carry out the office works of the Commission, Committees and Working groups as well as the functions assigned by the Commission.
23. The Ministry shall manage, as necessary, the capacity building of the staff from the Commission Office so as to implement the competition matters.
24. The Commission Office shall:
 - (a) perform the functions and duties assigned by the Commission;
 - (b) carry out the office works of the Commission, Committees and Working Groups;
 - (c) carry out to submit quarterly accomplishment and progress report of the Commission to the Government;
 - (d) monitor the market situation and businesses in the market as assigned by the Commission;
 - (e) as assigned by the Commission, receive and scrutinize the complaint letters and report the findings to the Commission;
 - (f) reply to the complainant in writing, the decision of the Commission on the complaint whether to accept and take action or not;
 - (g) arrange the necessary matters related to the cases that are appealed to the Commission;
 - (h) undertake to proceed the law suit relating to competition matters, which is instructed by the Commission.
 - (i) prepare for the Commission to coordinate with respective Courts or Law Offices to grant a pardon under the section 52 of the law.
25. When monitoring under the rule 24 (d), the Commission Office shall monitor normal situation and special situation, and report the special situation and

process to the Commission so that the Commission could undertake further investigation.

26. The Ministry may form necessary divisions under the Commission Office so as to undertake the competition matters.
27. The Commission Office shall report to the Commission by scrutinizing the complaints based on the following conditions and information:
 - (a) the condition that has negative impact on the interests of public as a whole or that is related to or could result in the negative impact on the public interests;
 - (b) the status of violating the Law;
 - (c) circumstance involving domestic or international issues with regard to competition;
 - (d) the market condition that has impact on small enterprises;
 - (e) whether enterprise has a record of past violation against the Law.

Chapter V

Investigation Committee

28. The Commission shall form the Investigation Committee and specify its functions and duties to investigate the presumed violation against any prohibition under the law on the basis of the report submitted by the Commission Office, of a complaint with concrete evidence or of other means.
29. In forming the Investigation Committee, a member of the Commission shall be assigned as the chairman, and at least an expert or a person who has experience and knowledge in investigation and relevant subject shall be comprised as members of the Committee.
30. In case a person assigned to become member of the Investigation Committee is civil servant, he/she shall be a trained Deputy Director or level above for the competition matters.
31. Members of the Investigation Committee shall be:
 - (a) knowledgeable in competition matters;
 - (b) in good character and impartial;
 - (c) knowledgeable in economics, legal, commerce or other respective subjects and have at least three years of experience;
32. The Investigation Committee shall:

- (a) commence investigation within seven days from the date of assignment by the Commission;
 - (b) report the status of investigation once in 15 days to the Commission;
 - (c) report the findings of investigation with remarks to the Commission so that it could take necessary legal actions in accordance with the Law;
 - (d) submit the final report on findings to the Commission within 90 days after commencing investigation;
 - (e) seek approval from the Commission in case extension is needed to finalize the report on findings, with concrete reasons.
33. If necessary, the Investigation Committee may form the Working Groups in respective function to investigate the competition matters.
34. In performing its functions and duties, the Investigation Committee:
- (a) has the right to enter and inspect building, land and workplace of the person who is investigated in accordance with the law;
 - (b) may seal and confiscate, if necessary, money and valuable properties as proof of evidence in accordance with the duties assigned by the Commission, and deposit to the specified bank for keep it safe;
 - (c) may examine business information, documents and evidences and confiscate them as proof of evidence in accordance with the duties assigned by the Commission if needed;
 - (d) in confiscating evidence, shall seize before two witnesses by making three copies of the Evidence Confiscation Form (Form-2). Such form shall be signed by the person who is investigated or whose properties are seized, witnesses who involve in inspection and the investigator. A copy of the form shall be given to the person who is investigated or the person whose properties are seized.
 - (e) if the Commission approves a temporary return of seized properties with the consent of promissory note during the investigation period, those properties shall be returned to the person whose properties are seized, by signing a secured promissory note on temporary return of evidences (Form - 3).
35. In forming necessary working groups, the Investigation Committee shall specify their functions and duties to undertake investigation.
36. In specifying the functions and duties of the working groups, the Investigation Committee shall stipulate the time frame of investigation.

37. The appropriate time frame may be extended in case the Working Group submits a request to the Investigation Committee with concrete reasons, describing more time is needed for investigation.
38. The Investigation Committee shall convene a meeting to consult among the Committee members and make a decision if a reason to take administrative action arises.
39. During investigation, the Investigation Committee shall record daily activities and findings in the Daily Record (Form - 4).
40. The Commission shall not assign a person as a member of the Investigation Committee or Working Group if he/she has one of the following conditions:
 - (a) being a relative to the complainant or the person being investigated;
 - (b) being a stakeholder or an affiliated person relating to investigation case;
 - (c) having a sufficient reason deemed to practice favoritism in performing duties.

Chapter (6)

Formation of the Working Group and Functions and Duties thereof

41. In forming the Working Groups to carry out investigation relating to competition matters, such Working Group shall be set up with at least three members comprising of a member of the Investigation Committee as its leader.
42. If the person assigned to be the member of the Working Group is a civil servant, he/she shall be a staff officer or above, who has been trained for competition matters.
43. In performing its investigation functions and duties, the Working Group shall:
 - (a) perform the functions and duties assigned by the Investigation Committee;
 - (b) finish the investigation within the time frame set out by the Investigation Committee;
 - (c) report to the Investigation Committee with concrete reasons if the investigation is not finished within the prescribed time frame;
 - (d) in carrying out the investigation, keep record its daily activities in daily record (Form 4);
 - (e) report the findings with the proof of evidence to the Investigation Committee after the investigation is finished.
44. In performing its functions and duties assigned by the Investigation Committee,

the Working Group has an authority to examine the relevant businesses, associations, the persons from the organizations, other persons and documents in accordance with the law.

Chapter VII

Rights and Duties of Stakeholders in Competition Matters

45. The complainant:
 - (a) has the right to file statement of complaint;
 - (b) has the right to present witnesses who know about the complaint;
 - (c) may present the proof of evidence, documents, financial proof, the suspicious matters and concrete descriptions relating to the investigation;
 - (d) shall cooperate in the investigation.
46. The person being investigated:
 - (a) shall present the required proof of evidence, documents, financial proof and concrete descriptions relating to the investigation;
 - (b) shall cooperate in the required interrogation;
 - (c) shall be punished in accordance with the law if providing false or misleading facts or proof of evidence and statements;
 - (d) shall give permission and cooperate when the Investigation Committee or the Working Group enters, searches and inspects the building, land and workplace in which he/she has interest in accordance with the law;
 - (e) shall provide the evidence requested by the Commission, the Investigation Committee or the Working Group within the prescribed time frame;
 - (f) shall has the right to look at, take note and copy the proof of evidence relating to the case;
 - (g) shall has the right to present the proof of evidence that he/she is willing to present and the right to defend against the complaint;
 - (h) has the right to bring the experts and witnesses.
47. During the investigation period, the person being investigated, the person whose properties are seized or the person who has interest relating to the evidences shall apply for temporary possession on confiscated properties as evidence to the Commission through the Investigation Committee with the promissory note by stating the desire list of properties and concrete reasons.
48. In case that the complainant or the person being investigated is the company or

the organization, the delegated representative may involve in the competition case to protect the entitled rights and responsibilities of which he/she represents.

49. The representative involved in competition case:
 - (a) has the right to be involved in every stage of competition case;
 - (b) may submit the proof of evidence in accordance with the law so as to protect the entitled rights and responsibilities of which he/she represents;
 - (c) has the right to look at, take note and copy the proof of evidence relating to the competition matter with the permission of the Investigation Committee so as to protect the rights and responsibilities of which he/she represents;
 - (d) shall appear to the summons for the competition matter;
 - (e) shall abstain from giving presents, forcing, organizing, luring and fomenting the witnesses or the relevant stakeholders to make false statement or provide false evidence, and providing false proof of evidence;
 - (f) shall abstain from disclosing, disseminating the confidential information of the represented businesses and opinions relating to the investigation or behaving any way that might imply such effects before settling the case.
50. The person being investigated as witness:
 - (a) shall be examined and make a statement on everything he/she knows regarding the investigation before the Commission, Committee or Working Group set up for competition case. He/she may present written statement if the Commission grants permission due to concrete reason that he/she is unable to be present in person;
 - (b) shall provide proof of evidence and documents which are on hand regarding the investigation, if requested;
 - (c) the witnesses who appear in investigation are entitled to daily and travel allowances as specified by the Commission. If the witnesses are civil servants, they may enjoy the daily and travel allowances specified by the Commission or given by the relevant department;
 - (d) shall present actual statement of all circumstances relating to competition matter.
51. The person who assists as an expert to the investigation:
 - (a) shall truthfully present in stating, remarking and reviewing evidence and data obtained from competition investigation;
 - (b) may examine the persons involving in taking actions as necessary to provide comments on the investigation;

- (c) shall inform the Investigation Committee in writing if he/she is not able to provide opinion or appraisal for the reasons that matter to be made appraisals is not related to the subject in which he or she has skills, or insufficient key factors to be used for making appraisals or the facts obtained are not major factor;
 - (d) has the right to enjoy travel and other allowances specified by the Commission.
52. The Investigation Committee shall abstain from assigning any of the following persons as an expert:
- (a) being lawyer or witness of a person representing other client in the same case;
 - (b) being a person who involves in the Investigation Committee or Working Group;
 - (c) being a person who has interest in the business being investigated.

Chapter VIII

Complaint and Scrutinizing

53. Any person who knows or suspects that someone has breached any prohibition of the law may file complaint directly to the Commission or through the Commission Office.
54. In filing complaint under rule 53:
- (a) the Complaint Form (Form 1) shall be completed in Myanmar language;
 - (b) activities and concrete evidence relating to the complaint may be attached;
 - (c) the Commission and the Commission Office shall keep personal profiles and other relevant information of the complainant in confidentiality for security purposes.
55. Regardless of how insufficient the matter, whether revealing the name of complainant or not, the Commission Office shall keep record of each compliant relating to competition in the compliant record book in a timely manner.
56. Whether complaint is directly addressed to the Chairman or through the Commission Office, the Commission Office shall scrutinize the complaint for validity within seven days after receiving complaint and report to the Commission.
57. The Commission shall respond the complainant in writing soonest, describing

the complaint is accepted for action or not.

58. Action shall be taken against the complainant under the existing laws for concealing the facts intend to mislead, or cause unfair loss or damage to the public or the individual, or for making false statement, providing false testimony and filing false evidence knowingly that be able to cause such loss and damage.

Chapter IX

Investigation

59. The Investigation Committee shall conduct an investigation under these Rules if the Commission assigns to do so relating to competition.
60. The Investigation Committee may delegate its investigation authority to the investigation Working Group to undertake the following activities related to investigation matters smoothly:
- (a) requesting and examining proof of evidence, documents, financial proofs and concrete statements;
 - (b) calling and questioning necessary witnesses;
 - (c) entering, inspecting and searching the building, land and workplace of any businessman or person being investigated or any other person who seems to be connected with them in accordance with the Law.
61. In undertaking the investigation for competition matters,
- (a) Myanmar language and literature shall be used;
 - (b) the concerned person shall incur the cost in case of necessity to hire an interpreter;
 - (c) person having rights or benefits regarding investigation matter shall not be performed as an interpreter.
62. The Investigation Committee shall report the following information to the Commission in order to prevent withdrawing and transferring money and properties in connection with the investigation case during the investigation period:
- (a) summary of the case regarding the investigation;
 - (b) finding that offence was committed;
 - (c) desired matter to be carried out and time frame to be carried out;
 - (d) name and address of respective bank and financial institution relating to the desired matter.

63. The Commission shall coordinate to obtain the permission from the Central Bank of Myanmar in order for implementing related to the submissions under rule 62 or other competition-related financial matters.
64. The members of the Commissions, Committees, Working Groups and responsible persons from the Commission Office shall:
 - (a) settle the restricted acts under the Law, matters related to activities of unfair competition in accordance with Law;
 - (b) in carrying out their responsible functions and duties, keep business and social information of the concerned businesses in confidentiality;
 - (c) respect the legal rights and interests of the respective organizations and individuals.
65. The Investigation Committee or the Working Group may entitle experts or professionals to involve in and help the investigation with the approval of the Commission if require the support of expert or professional regarding the investigation matters, by submitting the list of proposed experts or professionals to the Commission.
66. In the case of more than one expert or professional, the Investigation Committee or the Working Group shall describe every detail of the comments separately in the report if their suggestions are different.
67. The suggestions of the experts or professionals shall be kept confidential and not be used for other purpose rather than for investigation and decision making. Such advice of the experts or professionals shall not be disclosed to any person with the exception of persons signed and approved the decision.
68. Upon the receipt of application under rule 47, the Committee shall submit report to the Commission together with comment in order to make one of the following orders:
 - (a) the order to temporary return of the exhibit as regards to application by the person being investigated or confiscated or person who has interests in the evidence with the secured promissory note;
 - (b) the order to ban on altering, transferring, concealing or transforming by any means.
69. The Commission shall scrutinize the submission and issue appropriate order and any directive under the rule 68.
70. The Investigation Committee shall report the findings including the following information to the Commission after investigation as needed:

- (a) type of committed offence and case summary;
 - (b) name, occupation, address and national identification card number of person being investigated;
 - (c) date of the commencement of ownership or having the benefits of business, money, property and information related to domestic or international competition matters by the person being investigated;
 - (d) date and process of transferring money, properties and information by any means;
 - (e) means of possessing money, properties and information and transfer date;
 - (f) estimated market value and location of money, properties and information, and reason in case those properties are missing during investigation period;
 - (g) money, type of properties and information under and not under the control of the person being investigated, type of properties that are transferred to the name of other person, type of properties mixed with the properties of other person and which are easy or not easy to be separated, and list of each property;
 - (h) other businesses and incomes of the person being investigated;
 - (i) submission of the person who has interest in evidence;
 - (j) summary of the performance of the Investigation Committee;
 - (k) assessment and recommendation on the findings of the Investigation Committee;
 - (l) list of witnesses and record of confiscated evidence.
71. The Investigation Committee shall make a suggestion and report to the Commission in case of finding a businessman violating any prohibition prescribed in the Law. In making the suggestion:
- (a) a statement describing in which prohibition is violated and comment together with the proof of evidence shall be submitted;
 - (b) a statement describing when collaboration was started, the extent of collaboration, and what kind of leniency may be eligible shall be submitted together with concrete evidence, in case of a person disclosing his/her involvement in violating the prohibition during the period of investigation, in order that the Commission could coordinate with respective Courts or Law Offices to grant a pardon as a leniency.
72. The Commission, after receiving the report submitted by the Investigation Committee under the rule 70, shall review and decide whether to prosecute or

not.

73. Other than the persons who are responsible for the case and who have legal right to claim, no one shall have the right to access, check, copy, save or disclose the documents, case profile or notes relating to competition case or the facts and findings appeared out of investigation conducted by the Commission, Investigation Committee or Working Group.
74. Facts and findings appeared out of investigation shall not be used for any purpose other than competition matters.

Chapter X

Leniency

75. The Commission:
 - (a) in case of a businessman who discloses that he/she participated in violation of the Law and cooperates prior to or during investigation, shall coordinate with the respective Courts and Law Offices in accord with the existing laws to grant the leniency to him/her depending upon the cooperation time and cooperation condition under section 52 of the Law;
 - (b) may arrange only up to five persons who apply for the leniency as a pardon for a case which is investigated.
76. The respective court may grant a pardon upon the coordination of the Commission under rule 75. In granting leniency:
 - (a) in case of revealing his/her involvement in violation of any prohibition prescribed in the Law and cooperation prior to investigation;
 - (1)the person may be granted up to 100% pardon from punishment if he/she is the first person who provides complete set of evidence and information which support the case.
 - (2)the person may be granted up to 80% pardon from punishment if he/she is the first person who provides supporting proof of evidence and information for the case, notwithstanding being incomplete.
 - (3)the person may be granted up to 50% pardon from punishment if he/she is the second person who provides supporting set of evidence and information for the case.
 - (4)the person may be granted up to 30% pardon from punishment if he/she is the third to fifth person who provides the supporting set of evidence

and information for the case.

- (b) in case of revealing his/her involvement in violation of any prohibition prescribed in the Law and cooperation during the investigation;
 - (1) the pardon may be granted up to three persons who have applied for leniency.
 - (2) the person who provides supporting set of evidence and information for the case shall be granted up to 30% pardon from punishment.
77. In case of granting leniency:
- (a) the Commission shall not;
 - (1) consider to grant a leniency to the ringleader.
 - (2) grant to the person who cooperates after the investigation.
 - (b) the leniency applicant shall provide the useful information and supporting set of evidence that has not been known by the Investigation Committee and shall fully cooperate throughout the investigation.
78. The Commission, Committee and Working Groups shall keep the name of the complainant or whistleblower in confidentiality and arrange the necessary legal protection.
79. If disclosure for the purpose of getting leniency is made in good faith or insincerely with or without consideration by any means, the action shall be taken in accordance with Penal Code.

Chapter XI

Taking Administrative Action and Appeal

80. The Investigation Committee may form the Working Group and examine to be able to know whether to take the administrative action or not if finding that a businessman violates any order, directive and procedure issued under the Law or upon the receipt of the complaint or any information.
81. In taking administrative action, the Committee shall discuss and decide by holding a meeting. The businessman being investigated is allowed to attend such meeting and provide explanation.
82. The administrative action shall come into effect from the date of judgment passed by the Committee.
83. The decision related to taking administrative action shall be informed to the complainant in writing.

84. The businessman being taken administrative action may submit an appeal along with the following documents and evidences to the Commission if he/she is dissatisfied with the decision passed by the Committee:

- (a) the verified copy of decision or order made by the Investigation Committee;
- (b) the reliable proof of evidence and other documents;
- (c) the reason for making appeal.

85. The Commission shall scrutinize the appeal letter within seven days upon receipt of it and, if it is deemed to be necessary:

- (a) may call upon and interrogate any person relating to the investigation or any witness;
- (b) may assign duty the original Investigation Committee, or may form and delegate the new Investigation Committee or Working Group to investigate the whole investigation process or necessary facts again.

86. The Commission shall allow the businessman who requests appeal to attend and provide explanation regarding appeal.

87. The Commission may confirm, amend or cancel the decision of the Investigation Committee relating to appeal.

88. The Ministry shall assign a suitable gazetted officer of the Commission Office as a collector to collect as arrears of income tax from the respective businessman in default of payment of fine specified by the Commission or Investigation Committee under administrative means.

89. In performing his/her duties, the collector assigned under rule 88 shall coordinate with the relevant ministries.

90. The fines collected for the competition matters shall be credited to the State's fund.

Chapter XII

Prosecution

91. If the decision is made to prosecute under rule 72, the Commission shall direct a member of the Investigation Committee to complain as a plaintiff at the police station.

92. In filing a complaint at the police station, the person assigned as a plaintiff under rule 91 shall complain by attaching an original complaint letter addressed to the

Commission, a copy of record and original complaint if there was any record of complaint in the past related to the case, or a report done by the market monitoring, the findings of the Investigation Committee, the proof of evidence, the recommendation, the statement of reason for prosecution, and other required facts and supporting evidences.

93. The findings of the Investigation Committee shall be assumed as concrete evidences.

94. The Commission shall inform the complainant in writing in order to know about filing the case at the police station and prosecution at the court, or the decisions made by the court against the businessman who violates the law.

Chapter XIII **Miscellaneous**

95. The budget allocated for the competition matters shall be used only for that purpose. The Commission shall manage the rates, payments, administrative expenses and costs to be used for the competition matters in accordance with the financial rules.

96. The travel expenses, accommodation and meal allowance for the members of the Commission, Committee and Working Group, who are not Civil Servants, to attend the meeting and hearing relating to competition, shall be borne by the Commission budget.

97. The travel expenses, accommodation and meal allowance for the members of the Commission, Committee and Working Group, who are Civil Servants, to attend the meeting and hearing relating to competition, shall be borne by either the Commission budget or the relevant Department budget.

98. The appropriate honorariums, travel expenses, accommodation and meal allowance for inviting professionals or experts shall be borne by the Commission budget.

99. The Commission may cooperate and coordinate with the domestic and foreign organizations with regard to the competition matters in related sectors.

(Sd)Than Myint
Union Minister
Ministry of Commerce

Government of the Republic of the Union of Myanmar

Myanmar Competition Commission

Complaint Form

Complainant	Name					
	ID Number					
	If it is a company	Name				
		Agent's Name				
		ID Number				
	Address (Full)					
	Contact Information	Telephone		Mobile Phone		
Fax			Email			
Person being complained	Name	Position	Telephone	Address		
	If it is a company	Name	Telephone	Address	Head of complained enterprise (name, position)	

Government of the Republic of the Union of Myanmar
Myanmar Competition Commission
Evidence Confiscation Form

1. Date and time that evidences are confiscated -----
2. Location that the evidences are confiscated-----
3. The person being investigated:
 - (a) Name -----
 - (b) Father’s Name -----
 - (c) National ID Number/ Foreign ID Number, Nationality, Passport
Number, Visa Number -----

 - (d) Occupation -----
 - (e) Full Address -----
4. The person whose properties are confiscated:
 - (a) Name -----
 - (b) Father’s Name -----
 - (c) National ID Number/ Foreign ID Number, Nationality, Passport
number, Visa number -----

 - (d) Occupation -----
 - (e) Full Address -----

5. The confiscated evidences

No	Type of Evidences	Value	Location	Details	Remark

6. I do understand that it shall be taken action under section 43 of the Law if I failed to comply with the request of Investigation Committee/ Working Group in confiscating any evidence, document or financial proof for investigation under the Law.

**The person being investigated/
the person whose properties
are confiscated**

Investigator

Signature -----

Signature -----

Name -----

Name -----

Father's Name -----

National ID Number -----

National ID Number -----

Occupation -----

Occupation -----

Address -----

Address -----

7. As witnesses, we sign that these proof of evidence described in the Evidence Confiscation Form are seized before us.

Witness (1)

Signature -----

Name -----

Father's Name -----

National ID Number-----

Occupation -----

Address -----

Witness (2)

Signature -----

Name -----

Father's Name -----

National ID Number -----

Occupation -----

Address -----

Remark

- (1) The quantity of evidences shall be stated both in number and word.
- (2) In case of space shortage in stating the quantity of evidences, separate sheets shall be attached, on which every sheet is signed by the person being investigated, the leader of investigation team and witnesses.
- (3) The Leader of investigation team shall read and explain the facts described in this Form 2 to the person being investigated.

Government of the Republic of the Union of Myanmar
Myanmar Competition Commission

Prommissory Note on Temporary Return of Evidences

1. On ----- day, ----- month, ----- year, I -----
 (Father’s Name -----), the holder of National ID Number -----
 -----, Occupation ----- in -----
 Company, (Company Address -----), living at No. ----,
 ----- street, ----- ward/village, -----
 township, sign this promissory note agreeing that I will pay compensation as
 described in the promissory note in case of breaching.

2. The investigation team seized the following evidences, documents/ materials
 that I ----- possess relating to the competition matters at
 the place located at No. -----, -----street-----
 ward/village, ----- township;

No	Type of Materials	Price	Location	Details	Remark

3. I pledge that I shall not modify, alter, sell, mortgage, give with goodwill,
 abandon, transfer in some way, conceal, destroy and transform those evidence,
 documents/ materials or modify and alter with the intention of destroying and
 damaging while returning the confiscated materials contained in paragraph 2 to me
 temporarily with promissory note.

4. I pledge that the confiscated documents/ materials contained in paragraph 2 shall be placed only at No. -----, ----- street, ----- ward/village, ----- township and shall not be moved to another place without the permission of Myanmar Competition Commission.

5. I pledge that I shall maintain the said documents/ materials not to damage and be lost.

6. I do understand that the return of documents/ materials on promissory note shall be revoked and action shall be taken against me under the Evidence Act if I or someone on account of my encouragement breaks any provision of the above promissory note.

Recipient

Signature -----

Name -----

Father's Name -----

National ID Number -----

Occupation -----

Address -----

We guarantee that either of us separately or both of us shall accept penalties on behalf of the recipient if he/she breaches any provision specified in this promissory note.

Guarantor (1)

Guarantor (2)

Signature -----

Signature -----

Name -----

Name -----

Father's Name -----

Father's Name -----

National ID Number -----

National ID Number -----

Occupation -----

Occupation -----

Address -----

Address -----

I hereby sign that this promissory note is made before me.

Investigation Team Leader

Sign -----

Name -----

Remark

(1) This promissory note shall be made only after the Myanmar Competition Commission impose a ban on confiscated documents/ properties.

Government of the Republic of the Union of Myanmar

Myanmar Competition Commission

Daily Record

Name -----

Position ----- Department -----

Area of Action -----

Team Leader -----

No	Date / Time	Activity/ Finding

Team Leader

Signature-----

Name-----

Member

Member

Signature-----

Signature-----

Name-----

Name-----

Member

Member

Signature-----

Signature-----

Name-----

Name-----