

**The Telecommunications Law**  
**(The Pyidaungsu Hluttaw Law No. 31, 2013)**  
**The 4<sup>th</sup> Waxing Day of Thadingyut, 1375 M.E.**  
**(8<sup>th</sup> October, 2013)**

The Pyidaungsu Hluttaw hereby enacts this Law.

**Chapter I**

**Title, Application and Definition**

1. This Law shall be called **the Telecommunications Law**.
2. The provisions in this Law shall apply to:
  - (a) any person, department and organization within the territory which includes the land, water and airspace of the Republic of the Union of Myanmar.
  - (b) Myanmar citizens, who are anywhere beyond the limits of the Republic of the Union of Myanmar.
3. The following expressions contained in this Law shall have the meanings given hereunder:
  - (a) **Telecommunications** means transmission or reception of any information in its original or modified form by using wire, fiber optic cable or any other conducting cable or by using any means of radio wave, optical or any other forms of electromagnetic transmission.
  - (b) **Information** means data, text, image, sound, code, sign, signal, any collection of data and combination of more than one thereof and similar matters.
  - (c) **Wireless Communications** means transmission or reception of any information by means of radio wave, optical, electromagnetic or

transmission or reception by any other means without using of wires, fiber optical cables or any other conducting cable between the transmitter and the receiver.

- (d) **Telecommunications Network** means a network of telecommunications facilities, telecommunications equipments, computers, devices similar to computer, peripherals used in conjunction with them by means of wire or wireless communication technology.
- (e) **Customer Side of the Network Boundary** means the first connected telecommunications equipment socket at a customer premises or the first point at which a Telecommunications Network receives information from any customer or the first point at which Network Facilities sends information to a customer.
- (f) **Telecommunications Service** means the provision of one or more than one of the following services: Network Facilities Service, Network Service and Application Service.
- (g) **Network Facilities Service** means the service of leasing any Network Facilities to a licensee of Telecommunications Service while keeping in possession of any Network Facilities or providing service over that Network Facilities.
- (h) **Network Service** means a service for transmission and reception of information by any means of Telecommunications. This expression does not include services that are provided solely on the customer side of the network boundary.
- (i) **Application Service** means any service provided using one or more networks. This expression does not include services that are provided solely on the customer side of the network boundary.

- (j) **Telecommunications Equipment** means equipment used for Telecommunications specifically determined by the Ministry for the purpose of supporting this Law.
- (k) **Telecommunications Market** means a market relating to any Telecommunications Service or a market relating to goods or services used in conjunction with any such service.
- (l) **Content** means text, sound, still or moving image which can be created, manipulated, stored, retrieved or communicated by means of electronic technology or other audio-visual representation, tactile representation or combination by any means thereof.
- (m) **Network Facility** means any element or combination of such elements of physical infrastructure which is used for the provision of Network Services.
- (n) **Frequency Spectrum** means a continuous electromagnetic frequency range from 3 hertz to 420 Terahertz.
- (o) **Telecommunications Numbering Plan** means plan for telecommunications numbering of the Nation established to use in the provision of Telecommunications Services.
- (p) **Electronic Addressing plan** means plan for electronic addressing that prescribes systematically using letters or numbers or the combination of letters and numbers to use in the telecommunications processes among information technology systems.
- (q) **Telecommunications Equipment License** means license for Telecommunications Equipment issued to any person, department or organization authorizing possession and use of any Telecommunications Equipment.

- (r) **Service License** means a license issued under this Law to any person, department or organization authorizing the establishment and provision of any Telecommunications Service.
- (s) **License** means Service License and Telecommunications Equipment License issued to any person, department or organization under this Law.
- (t) **Ministry** means Ministry of Communications and Information Technology of the Union Government.
- (u) **Department** means Posts and Telecommunications Department under the Ministry.
- (v) **Appeal Tribunal** means Telecommunications Appeal Tribunal formed by the Union Government in order to allow appeal if a person is not satisfied with the order or decision made by the Ministry.

## **Chapter II**

### **Objectives**

- 4. The objectives of this Law are as follows:
  - (a) to enable to support the modernization and development of the nation with telecommunications technology;
  - (b) to enable to bring out Telecommunications Services that will be able to provide high quality and worthy services to the users by allowing fair and transparent competitions from domestic and abroad in the telecommunications sector which is developing;
  - (c) to enable to give more opportunities to the general public to use Telecommunications Service by expanding the Telecommunications

Network in the entire country along with the telecommunications technology which is developing;

- (d) to enable to protect the Telecommunications Service providers and users in accord with law;
- (e) to enable to supervise Telecommunications Service, Network Facilities and Telecommunications Equipments which require license for national peace and tranquility and for public security.

### **Chapter III**

#### **License for Establishing and Providing Telecommunications Service**

5. Any person, department and organization from domestic and abroad desirous of establishing and providing any of the following Telecommunications Services shall apply to the Department to obtain permission and license in accord with the stipulations:

- (a) Network Facilities Service;
- (b) Network Service;
- (c) Application Service;

6. The Department shall publicize and declare policies, procedures and regulations regarding the selection for license to provide Telecommunications Service.

7. The Department shall submit the application which is applied under section 5 to the Ministry with recommendation after scrutinizing it pursuant to section 6.

8. The Ministry:
- (a) may, when receiving the submission under section 7, if the application is within the country, permit to establish and provide the Telecommunications Service with the approval of the Union Government for those services that require the approval of the Union Government in accord with the stipulations and by the decision of the Ministry for those services that do not require approval as such;
  - (b) may, when receiving the submission under section 7, if the submission is from abroad , permit to establish and provide the Telecommunications Service with the approval of the Union Government;
  - (c) shall, when permitting to establish and provide the Telecommunications Service under sub-sections (a) and (b), direct the Department for issuing the license with a license term from a minimum of 5 years to a maximum of 20 years;
  - (d) may, if the Telecommunications Service Licensee apply permission to provide international gateway services for international telecommunications and connectivity, allow such services in accord with terms and conditions specifically stipulated for such services after obtaining approval of the Union Government;
  - (e) may, upon receiving the Department's recommendation regarding an application for renewal of a Service License, allow the renewal.
9. The Department shall issue the Service License by stipulating terms and conditions according to the relevant service to the person, department and organization from domestic and abroad who has been given permission to establish and provide Telecommunications Service in accord with the directives of the Ministry under sub-section (c) of section 8.

10. A Service Licensee may cooperate with the person, department and organization from domestic and abroad in accord with the law.
11. A Service Licensee may enter into an agreement with any other Service Licensee for the following matters:
  - (a) access to and interconnection of any Telecommunications Service in accord with the provisions contained in Chapter X of this Law;
  - (b) sharing the Network Facilities;
  - (c) carrying out other matters specifically prescribed in Service License.
12. (a) A Service Licensee shall apply to the Department in accord with the stipulations to renew the license before the expiry of the license term if he desires to continue to carry out when the term of license has expired.
  - (b) The Department may renew the Service License term with the permission of the Ministry after scrutinizing the application.

## **Chapter IV**

### **Telecommunications Equipment License**

13. Person, department and organization from domestic and abroad who desires to keep in possession or use any Telecommunications Equipment determined by the Ministry to use only after acquiring the Telecommunications Equipment License, shall apply to the Department to get license in accord with the stipulations. Provided that, it is not required to apply the Telecommunications Equipment License for the followings:
  - (a) keeping in possession and using Telecommunications Equipment bought and invested by the Service Licensee for his use;

- (b) keeping in possession and using Telecommunications Equipment obtained from the Service Licensee.

14. The Department:

- (a) may issue or refuse to issue license after scrutinizing the application of license for the relevant Telecommunications Equipment under section 13;
- (b) shall specify terms and conditions as well as license term in issuing the license;

**Chapter V**  
**Responsibilities of Licensee**

15. A licensee shall:

- (a) abide by this Law and rules, procedures, notifications, orders and directives issued under this Law;
- (b) comply with terms and conditions contained in the license;
- (c) pay license fees, license renewal fees, usage fees, service fees as well as other fees to be collected according to the technology or time requirement in accord with the stipulations;
- (d) abide by the relevant codes of practices, standards of performance and directives of the Ministry and Department;
- (e) to indemnify the nation in respect of the consequence of a breach or failure to comply with the terms and conditions contained in the license.



16. The Service Licensee shall:

- (a) comply with a frequency spectrum plan assigned and approved under this Law;
- (b) obtain permission and Service License again in accord with the provisions contained in Chapter III, if he desires to expand and provide any Telecommunications Service for which he has not yet obtained license, or to operate a joint venture or consortium with another licensee;
- (c) comply when directed to make necessary modifications or to temporarily suspend provision of any service based on the finding of an inspection or a notice that it is causing technical interference to another Telecommunications Service.

17. The Service Licensee shall maintain securely the information and contents that are transmitted or received through his Telecommunications Service and confidential personal information of each individual users, and shall not disclose and inform to irrelevant person except where allowed in accord with the existing laws.

18. The licensee of the Telecommunications Equipment shall:

- (a) keep and use the Telecommunications Equipments belonged to him only at the location specified in the license;
- (b) take measure not to affect the national security through the Telecommunications Equipment that he is allowed to use under the license;
- (c) comply with the directives by the Department with regard to the equipments used by him.

## **Chapter VI**

### **Management of Frequency Spectrum and Satellite Orbital Position**

19. The Ministry shall manage and supervise the national frequency spectrum and satellite orbital position allocated to the Republic of the Union of Myanmar in accord with the International Telecommunications Conventions.
20. The Department may allow person , departments and organizations the use of frequency bands contained in the National Frequency Allocation Plan by determining the terms and conditions.

## **Chapter VII**

### **Telecommunications Numbering Plan and Electronic Addressing Plan**

21. The Department shall direct the Service Licensee to comply with and use the telecommunications numbering plan and electronic addressing plan approved by the Ministry.
22. The Department may allow the Service Licensee the use of telecommunications numbers and electronic addresses to be used in his Telecommunications Service by determining the terms and conditions.
23. The Department shall carry out inspection and supervision whether the licensee uses the telecommunications number and electronic address in accord with the directive under section 21 or not.

## **Chapter VIII**

### **Technical Standards**

24. The Department shall determine and publish the relevant technical standards according to service in respect of the licenses with the approval of the Ministry.
25. The Department shall supervise the licensees to comply with the technical standards.
26. The Department shall determine the standards of types of Network Facility and Telecommunications Equipment for import and export.
27. A person desirous of manufacturing, selling or distributing any Network Facility or Telecommunications Equipment shall apply to the Department in order to get the technical standard approval of the Network Facility or Telecommunications Equipment to be manufactured, sold or distributed by him in accord with the stipulations.
28. The Department may issue or refuse to issue a technical standard approval after scrutinizing the application.

## **Chapter IX**

### **Consumer Protection**

29. (a) The Service Licensee shall submit to the Department a proposed tariff for the service being provided, or for a new service to be provided, with regard to any Telecommunications Service.
- (b) The Department shall, after scrutinizing the proposed tariff, permit it with the approval of the Ministry.

30. The Service Licensee shall:
- (a) provide services in accord with the tariff approved under sub-section (b) of section 29;
  - (b) if desirous of altering or cancelling the approved tariff, carry out only after receiving prior approval of the Department.
31. (a) The Department shall , with the approval of the Ministry, determine consumer protection standards relating to a Service License.
- (b) The Service Licensee shall comply with the consumer protection standards.

## **Chapter X**

### **Access and Interconnection**

32. The Department shall determine the necessary terms and conditions on matters relating to access and interconnection of the Network Services to Network Facilities.
33. Where a Service Licensee requests another Service Licensee for enabling access and interconnection of Network Services to Network Facilities for any Telecommunications Service, it may be carried out by the mutual agreement and with the approval of the Department.
34. In allowing each other, access into their network by the licensees:
- (a) it shall be on equitable and non-discriminatory basis. It shall not be of lower standard than the original service quality within the network;
  - (b) it shall accept the inspection if the Department inspects the quality of standards according to necessity.

## **Chapter XI**

### **Prohibition on Anti-Competitive Practices**

35. The Service Licensee shall not carry out any activity which has the effect of lessening competition in the Telecommunications Market.

36. The Service Licensee shall not enter into any understanding, agreement, arrangement or contract with any person, department or organization in respect of the following matters:

- (a) price-fixing in his own volition;
- (b) market sharing with an aim to lessen competition;
- (c) boycotting of a supplier or vendor of Telecommunications Equipment;
- (d) unfair opposition to any competitor.

37. The Service Licensee shall not restrict a user from acquiring and using Telecommunications Equipment or Telecommunications Service only from him or from any other person.

38. If anti-competitive practices in the Telecommunications Market which are prohibited under sections 35, 36 and 37 arise, the Department, with the approval of the Ministry, may direct the Service Licensee to cease such activities.

## **Chapter XII**

### **Inspection and Supervision**

39. The Department:

- (a) shall manage and supervise in implementing the provisions of this Law, in accord with the guidance of the Ministry;

- (b) shall carry out inspection and supervision of the Telecommunications Services, Network Facility Services and Telecommunications Equipments which have obtained licenses;
  - (c) may form an inspection team with suitable persons and delegate the function if necessary for inspection under sub-section (b);
40. In implementing the provisions contained in this Law:
- (a) the Department may,
    - (i) examine any necessary person and require to furnish any necessary information, data, papers and documents;
    - (ii) enter and inspect the buildings and places, and equipment where any Telecommunications Service is provided;
    - (iii) examine, take extract and copy the accounts, papers and documents in respect of the Telecommunications Service;
    - (iv) determine the procedures to be complied with by the Service Licensee in respect of filing and maintaining the accounts and documents relating to the business.
  - (b) the inspection team formed under sub-section (c) of section 39 may exercise the powers contained in clauses (i), (ii) and (iii) of sub-section (a) according to the duties delegated by the Department.

### **Chapter XIII**

#### **Installation, Maintenance and Repair of Network Facilities**

41. The Service Licensee may, for enabling to make installation or connection of Network Facilities, carry out the following activities in the place granted permission

with an agreement of both sides after negotiation including a time-schedule with the relevant owner of land and building or the person who has authority to manage such land and building:

- (a) carrying out other necessary matters including entering, inspecting, measuring, taking records on levels, taking soil samples, digging pits, examining the surface soil for the purpose of enabling to select and decide whether the land site is suitable or not;
- (b) placing, laying, installing and connecting necessary Network Facilities above and under such land or water for the purpose of providing Network Service and related services and taking actions to ensure the security of the equipment;
- (c) entering for inspecting, maintaining and repairing the Network Facilities.

42. The Service Licensee shall, if there is a transfer of the ownership of the land and building where the agreement to do business contained in section 41 has been obtained by the licensee, seek agreement in order to continue with installation or connection of Network Facilities in the said land and building.

43. Where a Service Licensee installs, maintains, repairs, alters and removes the Network Facilities, he shall not cause any harm or obstruction to the public road, traffic, water traffic or air traffic.

44. The Service Licensee shall not enter upon any land without giving prior notice to the owner for making prior surveys for the purpose of installing or removing the Network Facilities.

45. The Service Licensee shall, in conducting installation or maintenance of the Network Facilities, take necessary preventive measures to minimize the damage.

46. Where a Service Licensee installs or maintains of his Network Facility, if it causes injury or death to a person or damage to any property due to negligence or willful failure of him, the injured or aggrieved person shall be entitled to compensation from the Service Licensee in accord with the stipulation.

47. The Service Licensee shall, in implementing any work under this Law which may affect any high-way road, street, railway, river, canal, other water way, irrigated agricultural system, drain, water supply system, communications link, harbor works or other public or private works, or in erecting Network Facilities for Telecommunications Service above or under the ground using Network Facilities, carry out in accord with law in a manner having regard to the safety of any person or property.

48. If the Department considers it necessary for any Telecommunications Service or Telecommunications Network within a building which is under construction or completed or on land, or for the enhancement of the quality of the Network Service in the building and on the land, it may:

- (a) coordinate with relevant agencies to require the developer or owner of building and land to provide space for enabling to install Network Facilities inside or on the building and land within the prescribed period.
- (b) direct the Service Licensee to install Network Facility within a prescribed period.
- (c) direct the Service Licensee to bear wholly or partly the costs and expenses incurred in installing the Network Facilities.

49. The Department may manage cooperative activities in the erection and installation of Network Facilities of the Service Licensees in order to avoid unnecessary budget and for environmental conservation.



**Chapter XIV**  
**Dispute Resolution**

50. The Service Licensees may:
- (a) when any dispute arises in carrying out and providing any Telecommunications Service or Network Facilities, submit such dispute to the Department if it cannot be settled by themselves;
  - (b) if any dispute arises in carrying out access and interconnection of the Network Service to the Network Facilities, submit such dispute to the Department.
51. The Department shall mediate and resolve, in respect of dispute between the Service Licensees which is submitted for mediation and resolution pursuant to section 50, or even if not submitted, if such dispute may harm the public interest.
52. (a) A person dissatisfied with the mediation and resolution made by the Department under section 51 may:
- (i) if the dispute is the case which relates to the telecommunications technology, appeal to the Ministry within 30 days from the date on which the decision is made;
  - (ii) if the dispute is the case which does not relate to the telecommunications technology, appeal to the respective court in order to get relief for his losses in accord with the existing laws;
- (b) In respect of the appeal filed under clause (i) of the sub-section (a), the Ministry:
- (i) shall make necessary investigations;
  - (ii) may approve, revise or cancel the decision of the Department.

- (c) A person who is not satisfied with the decision of the Ministry may appeal to the Appeal Tribunal within 45 days from the date the decision is made in accord with the procedure.

## **Chapter XV**

### **Universal Service Obligation**

53. The Ministry may direct the Department to adopt plans to promote widespread availability of Telecommunications Services within the Republic of the Union of Myanmar by encouraging expansion of basic telecommunications infrastructure and expansion of Telecommunications Services in the underserved areas in the country.

54. The Ministry shall establish and supervise a Universal Service Fund for implementation of universal service plans.

55. The Department shall supervise the implementation of universal service plans by utilizing the fund established under section 54.

56. The Department shall, with the approval of the Ministry, carry out for enabling to lay down the following plans contained in section 55:

- (a) designation of underserved areas;
- (b) setting universal service targets;
- (c) determination of universal service obligations that the Service Licensees shall follow.

## **Chapter XVI**

### **Taking Administrative Action**

57. The Department may, if the licensee breaches any of the license conditions or fails to comply with any duty contained in Chapter V or any directives under section 38 or the mediation resolution by the Department under section 51 or the decision of the Ministry under sub-section (b) of section 52, issue any of the following administrative order;

- (a) warning;
- (b) suspension of license for a limited period;
- (c) termination of the license.

58. (a) A person dissatisfied with any administrative order passed by the Department under section 57 may appeal to the Ministry within 30 days from the date of passing such order.

- (b) In respect of the appeal under sub-section (a), the Ministry may:
  - (i) make inquiries, if necessary.
  - (ii) confirm, amend or cancel the order of the Department.

## **Chapter XVII**

### **Formation of the Appeal Tribunal, Assigning Duty, Hearing and Deciding**

59. The Union Government shall,

- (a) upon receipt of appeal from any aggrieved person regarding the administrative decision made by the Ministry in accord with this Law on a dispute, establish an Appeal Tribunal which will provide

opportunity for further appeal and assign responsibilities to the Appeal Tribunal.

- (b) establish the Appeal Tribunal with the members not more than nine members including the Chair and assign responsibilities to the Appeal Tribunal.

60. The Chair and the members of the Appeal Tribunal shall have with the following qualifications:

- (a) The Chair of the Appeal Tribunal shall have served as Judge of the High Court of the Region or State for at least 5 years or have served as a Judicial officer or a Law officer for at least 10 years at a level not lower than that of Region or State.
- (b) Members of the Appeal Tribunal shall be eminent experts in the subjects of telecommunications technology, law or economics.

61. (a) The Appeal Tribunal shall announce the date of hearing in advance and shall have the hearing as fixed.

- (b) In respect of the submission, hear the argument of the relevant persons.

- (c) Shall arrange to pass the final decision promptly.

- (d) The final decision of the Appeal Tribunal shall be adopted with the approval of at least half of the members including the Chair.

62. The decision of the Appeal Tribunal shall be final and conclusive.

63. The Chair and members of the Appeal Tribunal are entitled to enjoy the emolument stipulated by the Union Government.

64. The term of the Appeal Tribunal is from the date it was formed and only until the report of the final decision has been submitted to the Union Government.

## **Chapter XVIII**

### **Offences and Penalties**

65. Whoever provides Telecommunications Service without a license shall, on conviction, be liable to imprisonment for a term not exceeding five years and may also be liable to a fine.

66. Whoever commits any of the following acts shall, on conviction, be liable to imprisonment for a term not exceeding three years or to a fine or to both.

- (a) Accessing and disturbing a Telecommunications Network, altering or destroying the determination of technical standards or the original form without the permission of the owner or a person who has the administrative right.
- (b) Releasing a virus or using any other means with an intention to cause damage to the Telecommunications Network.
- (c) Stealing, cheating, misappropriating or mischief of any money and property by using any Telecommunications Network.
- (d) Extorting, coercing, restraining wrongfully, defaming, disturbing, causing undue influence or threatening to any person by using any Telecommunications Network.

67. Whoever keeps in possession or uses any Telecommunications Equipment restricted as requiring a license without having such a license shall, on conviction, be liable to imprisonment for a term not exceeding one year or to a fine or to both.

68. Whoever commits any of the following acts shall, on conviction, be liable to imprisonment for a term not exceeding one year or to a fine or to both.

- (a) communications, reception, transmission, distribution or conveyance of incorrect information with dishonesty or participation;

- (b) prohibiting, obstructing or interfering the transmission, reception, communication, conveyance or distribution of information without permission;
- (c) entering without the permission into the place restricted with the approval of the Department where Telecommunications Service are provided;
- (d) prohibiting, obstructing or disturbing any person who has been assigned duty on any Telecommunications Service by a licensee from serving his duty;

69. Whoever, unless for the matters concerning prosecution regarding Telecommunications, and unless authorized under court order to disclose, discloses any information which is kept under a secured or encrypted system to any irrelevant person by any means shall, on conviction, be liable to imprisonment for a term not exceeding one year or to a fine or to both.

70. Any licensee who uses, keeps in possession, supplies or imports any Network Facility or Telecommunications Equipment that does not meet the prescribed technical standards shall, on conviction, be liable to imprisonment for a term not exceeding one year to a fine or to both.

71. Whoever deters, obstructs, or disturbs the discharge of official duty by the Department or inspection team formed by the Department under this Law shall be liable to imprisonment for a term not exceeding six months or to a fine or to both.

72. Whoever contravenes any prohibition contained in rules, regulations, by-laws, notifications, orders, directions and procedures issued under this Law shall, on conviction, be liable to imprisonment for a term not exceeding six months or to a fine or to both.

73. Whoever attempts to commit any offence under this Law, or conspire or abets the commission of an offence shall be liable to the punishment provided in this Law for such offence.

## **Chapter XIX**

### **Miscellaneous**

74. The Ministry shall, for enabling to give advice in matters relating to technical standards, Frequency Spectrum Management, consumer protection in telecommunications sector and setting relevant policies for telecommunications sector development within the Republic of the Union of Myanmar, form National Telecommunications Advisory Committee which composed of Union Minister or a person conferred duty by Minister as a Chair and the representatives of the information and telecommunications industries and the representatives of the users, experts and the Department as members by issuing a notification with the approval of the Union Government. The functions and duties of the committee shall be set out separately.

75. The Union Government may, as may be necessary, direct to the relevant organization for enabling to obtain any information and telecommunications which causes harm to national security and prevalence of law without affecting the fundamental rights of the citizens.

76. The Ministry, or the Department or the Organization designated by the Ministry may, for the matters relating national defense and security or public interest, enter and inspect, supervise the operation of any Telecommunications Service being operated by the licensee and may require to submit the documents if necessary.

77. The Ministry may, when an emergency situation arises to operate for public interest, direct the licensee to suspend a Telecommunications Service, to intercept,

not to operate any specific form of communication, to obtain necessary information and communications, and to temporally control the Telecommunications Services and Telecommunications Equipments.

78. A licensee shall, out of the actions under section 77, make prior arrangements to be able to carry out any Telecommunications Service for the purposes of security in a lawful manner.

79. If an exhibit relating to an offence prosecuted under this Law is not easily producible before the court, such an exhibit need not be produced before the Court and a report on how such exhibit is kept or other relevant document may be submitted. Such submission shall be deemed as if it were a submission of the exhibit before the Court and the relevant court may dispose in accord with the law.

80. (a) The offences under this Law shall be deemed as cognizable offence.

(b) In prosecution under this Law, prior sanction of the Ministry shall be obtained.

81. The Ministry shall determine the license fees, license renewal fees, spectrum usage fees, and fees for the allocation of number and electronic address and overdue payment.

82. The Ministry may, for the interest of the public and with the approval of the Union Government, grant exemption to any government department, organization or any person from obtaining the required permission, licenses and letter of recommendation under this Law and from paying fees if necessary. However, for the matters relating to a state emergency, national defense and security and natural disasters, it may be carried out without seeking prior permission of the Union Government. Such activities shall be reported to the Union Government.



83. The Department shall determine the conditions, codes of practice and necessary standards relating to Telecommunications Services with the approval of the Ministry.

84. The Department may;

- (a) communicate and coordinate with international telecommunications organizations and regional organizations in accord with the guidance of the Ministry in respect of Telecommunications Services in order to implement the provisions of International Telecommunications Conventions agreed and ratified by the State.
- (b) hold examinations relating to telecommunications technology and technical skills in compliance with the International Telecommunications Conventions and in accord with the stipulations and may issue certificates of completion.

85. Under the Myanmar Telegraph Act, 1885 and the Myanmar Wireless Telegraphy Act, 1934;

- (a) the license that was previously issued but has not yet expired shall be deemed as a license issued under this Law and shall be effective until the expiry of the license. A license shall be applied and obtained in accord with this Law before the term of license is expired if the licensee desires to continue to provide Telecommunications Service after the license has expired.
- (b) the rules, notifications, orders and directives which have been issued, may continue to be applicable in so far as they are not inconsistent with this Law.

86. The Union Government shall establish the independent Myanmar Communications Commission within two years from the date of this Law comes

into force, lead by an appropriate person at the Union level in order to carry out the functions and duties contained in this Law regarding Telecommunications Services.

87. The Ministry may, if necessary to clarify interpretation of any technical expression related to Telecommunications contained in this Law, clarify by issuing notification.

88. In implementing the provisions of this Law:

- (a) the Ministry may, with the approval of the Union Government, issue necessary rules, regulations and by-laws as may be necessary;
- (b) the Ministry may issue notifications, orders, directives and procedures and the Department may issue orders and directives as may be necessary.

89. The following laws are hereby repealed by this Law:

- (a) The Myanmar Telegraph Act, 1885.
- (b) The Myanmar Wireless Telegraphy Act, 1934.

---

I hereby sign under the Constitution of the Republic of the Union of Myanmar.

Sd/

Thein Sein

The President

The Republic of the Union of Myanmar