

**ASEAN AGREEMENT ON
THE MOVEMENT OF NATURAL PERSONS**

ANNEX 1

**SCHEDULE OF COMMITMENTS FOR THE TEMPORARY ENTRY OR
TEMPORARY STAY OF NATURAL PERSONS**

MYANMAR

1. This Schedule sets out the commitments of Myanmar and the general conditions and limitations governing those commitments in accordance with Article 6 (Schedules of Commitments for the Temporary Entry and Temporary Stay of Natural Persons) of the MNP Agreement in relation to the temporary entry and temporary stay of a natural person of another Member State, which apply only in relation to the categories of natural persons set out in this Schedule.
2. A natural person of a Member State shall be granted temporary entry or temporary stay in Myanmar in accordance with paragraph 1 of Article 4 (Grant of Temporary Entry or Temporary Stay) of the MNP Agreement.
3. For greater certainty, in accordance with paragraph 3 of Article 4 (Grant of Temporary Entry or Temporary Stay) of the MNP Agreement, Myanmar may deny temporary entry or temporary stay to natural persons of another Member State who do not comply with paragraphs 1(a) and 1(b) of Article 4 (Grant of Temporary Entry or Temporary Stay) of the MNP Agreement.
4. References to Central Product Classification (CPC) in this Schedule refer to the CPC codes as used in the Provisional Central Product Classification (Statistical Papers Series M No.77, Department of International Economic and Social Affairs, Statistical Office of the United Nations, New York, 1991).
5. The use of (**) against individual CPC codes indicates that the specific commitments for that code shall not extend to total range of services covered under that code.
6. Section I refers to horizontal commitments and Section II refers to sector specific commitments. An empty (blank) conditions and limitations in Section II means that the general conditions and limitations of the horizontal section, including the length of stay, shall apply and could be read as “unbound, except as indicated in Section I”.
7. The Schedules of other Member States shall not be used to interpret Myanmar’s commitments or obligations under the MNP Agreement.

Additional Notes for Myanmar

8. In accordance with paragraph 3 of Article 2 (Scope) of the MNP Agreement, the Government of Myanmar reserves the right to regulate the flow of foreign workers for Market Access and National Treatment to ensure social cohesion in Myanmar. The qualification requirements may vary depending on the regulations of the specific sectors related government agencies and stakeholders.
9. The Government of Myanmar does not allow the temporary entry or temporary stay to unskilled natural persons of another Member State.

SECTION I: HORIZONTAL COMMITMENTS

Categories of Natural Persons	General Conditions and Limitations, including the length of stay
<p>A. Business Visitor</p> <p>Business Visitor means a natural person seeking to enter or stay in the territory of Myanmar temporarily, whose remuneration and financial support for the duration of the visit is derived from outside of Myanmar:</p> <p>(i) as a representative of a goods seller or service supplier, for the purpose of negotiating the sale of goods or supply of services or entering into agreements to sell goods or supply services for that goods seller or service supplier, where such negotiations do not involve direct sale of goods or supply of services to the general public;</p> <p>(ii) as an employee of a juridical person as defined in Intra-Corporate Transferee Category only for the purpose of establishing an investment or setting up a commercial presence, for the juridical person in the territory of another Member State;</p> <p>(iii) for the purpose of participating in business negotiations or meetings;</p> <p>(iv) for the purpose of establishing an investment or setting up a commercial presence in the territory of another Member State.</p>	<p>a. Subject to the <i>Myanmar Investment Law 2016, Myanmar Immigration (Emergency Provisions) Act 1947, The Foreigners Act 1846, The Registration of Foreigners Act 1940, The Registration of Foreigners Rules 1948</i> and immigration rules and regulations, <i>Union Taxation Law (Yearly Enacted), Notification No. 47/2018¹</i> and other domestic laws, rules, regulations, and procedures of the relevant government agencies.</p> <p>b. The Department of Labour, under the Ministry of Labour, performs registration for overseas workers who have been given the permission to stay in work by the Myanmar Investment Commission.</p> <p>c. Any expatriate engaged in joint venture, representative offices, or other types of judicial person or individual services provider shall receive the approval of the respective authority.</p> <p>d. Any expatriate in Myanmar shall abide by the laws, rules, and regulations of Myanmar and that they shall not interfere in the internal affairs of the country.</p> <p>e. Individual services provider who works with the approval of respective authorities shall register themselves with the Ministry of Labour.</p>
<p>B. Intra-Corporate Transferee</p> <p>Intra-Corporate Transferee refers to a natural person who is an employee of a juridical person established in the</p>	<p>f. For the natural persons liberalised under Mode 4 commitments of the sectors and subsectors for the</p>

¹ These laws, rules, and regulations shall not be applied in a manner as to nullify or impair the benefits as mentioned in Myanmar's 2012 MNP Schedule of Commitments accruing to any Member State at the date of entry into force of this Schedule.

Categories of Natural Persons	General Conditions and Limitations, including the length of stay
<p>territory of a Member State, who is transferred temporarily for the supply of a service through commercial presence (either through a representative office, branch, subsidiary, or affiliate) in the territory of another Member State, and who has been in the prior employ of their firms outside Myanmar for a period regulated by the relevant ministries or departments of Myanmar immediately preceding the date of their application for admission, and who are of the following:</p>	<p>purpose of temporary entry and stay, shall obtain visa and stay permission in accordance with paragraph 3 of Article 2 (Scope) of the MNP Agreement of Myanmar.</p> <p>g. And such natural persons entering into Myanmar purposes mentioned in Business Visitor and Intra-Corporate Transferee will be allowed temporary stay in Myanmar for up to 70 days which can be extended up to 12 months. Such extensions would be subject to approval of ministry concerned.</p>
<p>(i) Executive: a natural person within the organisation who primarily directs the management of the organisation and exercises wide latitude in decision making and receives only general supervision or direction from higher level executives, the board of directors, or stockholders of the business; an executive would not directly perform tasks related to the actual provision of the service or services of the organisation;</p> <p>(ii) Manager: a natural person within the organisation who primarily directs the organisation, department, or subdivision and exercises supervisory and control functions over other supervisory, managerial or professional staff; does not include first line supervisors unless employees supervised are professionals; does not include employee who primarily perform tasks necessary for the provision of the services; or</p> <p>(iii) Specialist: a natural person within the organisation who possesses knowledge at an advanced level of expertise essential to the</p>	<p>h. The foreign workers have to register at the Department of Labour of the Ministry of Labour.</p> <p>i. The recognition of the educational certificates and technical standard certificates shall be required as per the regulations of the ministry concerned and original notarised publication of certificates shall be required unless the certificates are in the English Language.</p> <p>j. Any natural person who enters into Myanmar shall not interfere in the internal affairs of the country.</p>

Categories of Natural Persons	General Conditions and Limitations, including the length of stay
<p>establishment or provision of the service or possesses proprietary knowledge of the organisation's service, research equipment, techniques, or management; may include, but is not limited to, members of a licensed profession.</p>	

SECTION II: SECTOR-SPECIFIC COMMITMENTS

Sector or Subsector	Conditions and Limitations
BUSINESS SERVICES	
A. Professional Services	
<ul style="list-style-type: none"> - Architectural Services (CPC 8671) - Engineering Services (CPC 8672) - Integrated Engineering Services (CPC 8673) - Landscape Architectural Services (CPC 86742) 	<ul style="list-style-type: none"> a. Management, Professional, and Technical Experts related to these subsectors are allowed. b. Preference for temporary entry and temporary stay of skilled workers from traditional source of supply.
<ul style="list-style-type: none"> - Urban Planning Services (CPC 86741) 	
B. Computer and Related Services	
<ul style="list-style-type: none"> - Consultancy Services Related to the Installation of Computer Hardware (CPC 841) - Software Implementation Services (CPC 842) - System and Software Consulting Services (CPC 8421) - Systems Analysis Services (CPC 8422) - Systems Design Services (CPC 8423) - Programming Services (CPC 8424) - Systems Maintenance Services (CPC 8425) - Data Processing Services (CPC 843) - Input Preparation Services (CPC 8431) - Data-Processing and Tabulation Services (CPC 8432) - Time-Sharing Services (CPC 8433) - Other Data Processing Services (CPC 8439) - Data Base Services (CPC 844) - Other (CPC 845+849) - Maintenance and repair services of office machinery (CPC 845) 	<p>Natural persons from other Member States shall require approval from the related departments and shall abide by the domestic laws, rules, and regulations.</p> <p>Only core staff including management staffs, technical experts and such will be allowed for temporary entry into Myanmar to provide the mentioned services.</p>

Sector or Subsector	Conditions and Limitations
<ul style="list-style-type: none"> - Data Preparation Services (CPC 8491) - Other Computer Services (CPC 8499) - System integration services - Software development services 	
C. Research and Development Services	
E. Rental or Leasing Services without Operators	
<ul style="list-style-type: none"> - Rental of cargo vessels without crew (Bareboat charter) for international shipping (CPC 83103) 	
<ul style="list-style-type: none"> - Rental and leasing of studio recording equipment (CPC 83109) 	
F. Other Business Services	
<ul style="list-style-type: none"> - Advertising Services (CPC 871) - Printing and publishing (CPC 88442) - Translation and Interpretation Services (CPC 87905) 	
<ul style="list-style-type: none"> - Market Research Services (CPC 86401) - Marketing Management Consulting Services (CPC 86503) 	
<ul style="list-style-type: none"> - Services incidental to energy manufacturing (including electricity) 	
COMMUNICATION SERVICES	
A. Postal Services	
Postal Services (CPC 7511)	
B. Courier Services	
<ul style="list-style-type: none"> - Multi-Modal Courier Services (CPC 75121) - Other Courier Services (CPC 75129) 	Only members of management and related skilled technicians will be allowed for temporary entry into Myanmar to carry out the services activities related to the mentioned

Sector or Subsector	Conditions and Limitations
(Courier services in respect of documents and parcels excluding letters and postcards)	subsectors but they shall not interfere in the internal affairs of the country.
C. Telecommunication Services	
<ul style="list-style-type: none"> - Facsimile services (CPC 7521**+7529**) - Enhanced or value-added facsimile services including store and forward, store and retrieve (CPC 7523**) - Packet-switched data transmission services (CPC 7523**) - Circuit-switched data transmission services (CPC 7523**) - Private leased circuit services (CPC 7522**+7523**) 	
<ul style="list-style-type: none"> - Telex services (CPC 7523**) - Telegraph services (CPC 7522**) - Electronic mail (CPC 7523**) - Voice mail (CPC 7523**) - On-line information and data base retrieval (CPC 7523**) - Electronic data interchange - EDI (CPC 7523**) - Code and protocol conversion (CPC 7523**) - On-line information or data processing (including transaction processing) (CPC 843**) 	
<ul style="list-style-type: none"> - Public Telephone Services (CPC 7521) - Mobile Telephone Services (CPC 75213) - Paging Services (CPC 75291) - Private leased circuit services (CPC 7522**+7523**) - Business Network Services (CPC 7522) - Packet-switched data transmission services (CPC 7523**) - Data and Message Transmission services (CPC 7523) 	

Sector or Subsector	Conditions and Limitations
- Circuit-switched data transmission services (CPC 7523**)	
- Telecommunication equipment maintenance services (CPC 75450)	
D. Audio visual Services	
<ul style="list-style-type: none"> - Motion Picture and Video Production and Distribution Services (CPC 9611) - Motion Picture Projection Services (CPC 9612) - Cinema theatre services (CPC 9615) 	Only managers, executives, experts, and skilled technicians of foreign nationality shall be granted temporary stay permit under domestic laws.
<ul style="list-style-type: none"> - Radio and Television Services (CPC 9613) - Radio Services (CPC 96131) only for production of radio programmes - Television Services (CPC 96132) only for production of TV programmes 	
CONSTRUCTION AND RELATED ENGINEERING SERVICES	
<ul style="list-style-type: none"> - Pre-Erection Work at Construction Sites (CPC 511) - Construction Work for Buildings (CPC 512) - Construction Work for Civil Engineering (CPC 513) - Assembly and Erection of Prefabricated Constructions (CPC 514) - Special Trade Construction Work (CPC 515) - Installation Work (CPC 516) - Building Completion and Finishing Work (CPC 517) - Renting Services Related to Equipment for Construction or Demolition of Buildings or Civil Engineering Works, with Operator (CPC 518) 	

Sector or Subsector	Conditions and Limitations
EDUCATIONAL SERVICES	
A. Primary Education Services	
Primary Education Services (CPC 921) <ul style="list-style-type: none"> - Preschool Education Services (CPC 9211) - Other Primary Education Services (CPC 9219) 	Natural Persons under this sector shall be allowed by the domestic laws, rules, and regulations of the Ministry of Education of Myanmar and they have to abide by the domestic laws, rules, and regulations for their temporary entry and stay in Myanmar.
B. Secondary Education Services	
Secondary Education Services (CPC 922) <ul style="list-style-type: none"> - General Secondary Education Services (CPC 9221) 	Natural Persons under this sector shall be allowed by the domestic laws, rules, and regulations of the Ministry of Education of Myanmar and they have to abide by the domestic laws, rules, and regulations for their temporary entry and stay in Myanmar.
C. Higher Education Services	
Higher Education Services (CPC 923) <ul style="list-style-type: none"> - Post-secondary education services (CPC 9231) - Other Higher Education Services (CPC 9239) 	Natural Persons under this sector shall be allowed by the domestic laws, rules, and regulations of the Ministry of Education of Myanmar and they have to abide by the domestic laws, rules, and regulations for their temporary entry and stay in Myanmar.
D. Adult Education Services	
Adult Education Services (CPC 924/9240) <ul style="list-style-type: none"> - Language courses and training - Business courses 	Natural Persons under this sector shall be allowed by the domestic laws, rules, and regulations of the Ministry of Education of Myanmar and they have to abide by the domestic laws, rules, and regulations for their temporary entry and stay in Myanmar.
E. Other Education Services	
Other Education Services (CPC 929/9290) <ul style="list-style-type: none"> - Skills training services covering the provision of training for technical, 	Natural Persons under this sector shall be allowed by the domestic laws, rules, and regulations of the Ministry of Education of Myanmar and they have to

Sector or Subsector	Conditions and Limitations
<p>supervisory and production related functional levels in new and emerging technologies as follows:</p> <ul style="list-style-type: none"> (1) Automated manufacturing technology; (2) Advanced materials technology; (3) Biotechnology; (4) Electronic; (5) Information technology; (6) Avionics (CPC 97090) <ul style="list-style-type: none"> - High level training services of computer - Management consulting and regulated services (CPC 865) 	<p>abide by the domestic laws, rules, and regulations for their temporary entry and stay in Myanmar.</p>
FINANCIAL SERVICES	
<p>Actuarial Services</p>	<p>Subject to the permission of Insurance Business Regulatory Board (IBRB) according to the domestic laws, rules, and regulations.</p>
<ul style="list-style-type: none"> - Guarantee and commitments (CPC 81199) - Provision of financial information, and financial data processing and related software by suppliers of other financial services (CPC 8131) 	<p>Presence of natural persons is allowed temporarily if there is a commercial presence, and subject to the approval from the Central Bank of Myanmar according to the domestic laws, rules, and regulations.</p>
TOURISM AND TRAVEL RELATED SERVICES	
A. Hotel and Restaurant	
<ul style="list-style-type: none"> - Hotel and Other Lodging Services (CPC 6411/ 64110) - Meal Serving Services with Full Restaurant Service (CPC 6421/ 64210) - Beverage Serving Services without Entertainment (CPC 64310) - Motel Lodging Services (CPC 64120) 	<p>Natural Persons of the other Member State under this agreement have to abide by the domestic laws, rules, and regulations for their temporary stay in Myanmar.</p>

Sector or Subsector	Conditions and Limitations
TRANSPORT SERVICES	
A. Maritime Transport Services	
<ul style="list-style-type: none"> - International passenger transport (excluding cabotage) (CPC 7211) - International freight transport (excluding cabotage) (CPC 7212) 	<ul style="list-style-type: none"> a. Management level is allowed to stay up to one year and may extendable there on subject to the approval of concerned agencies. b. Any expatriate engaged in joint venture, representative offices, or other types of judicial person or individual services provider shall receive the approval of the respective authority. c. Any expatriate in Myanmar shall abide by the laws, rules, and regulations of Myanmar and that they shall not interfere in the internal affairs of the country. d. Individual services provider who works with the approval of respective authorities shall register themselves with the Ministry of Labour of Myanmar.
<ul style="list-style-type: none"> - Rental of cargo vessels with crew for international shipping (CPC 7213/ 72130) - Maintenance and repair of vessels (CPC 8868**) 	
C. Air Transport Services	
<ul style="list-style-type: none"> - Aircraft repair and maintenance services - Selling and marketing of air transport services - Computer reservation system services (CPC 7523) - Aircraft leasing with crew - Aircraft leasing without crew (CPC 83104) - Aircraft catering services 	
<ul style="list-style-type: none"> - Air freight forwarding services 	

Sector or Subsector	Conditions and Limitations
F. Supporting Services for Maritime Transport	
<ul style="list-style-type: none"> - Vessel Salvage and Refloating Services (CPC 7454) (not applicable in harbour limit) - Classification societies 	<ul style="list-style-type: none"> a. Management level is allowed to stay up to one year and may extendable there on subject to the approval of concerned agencies. b. Any expatriate engaged in joint venture, representative offices, or other type of judicial person and individual services providers shall receive the approval of the respective authority. c. The immigration rules and procedures shall abide by any expatriate when entering into Myanmar. d. Any expatriate in Myanmar shall abide by the laws, rules, and regulations of Myanmar and that they shall not interfere in the internal affairs of the country. e. Individual service provider who works with approval of respective authority shall register themselves with the Ministry of Labour of Myanmar.
H. Services Auxiliary to All Modes of Transport	
<ul style="list-style-type: none"> - Maritime cargo handling services - Storage and Warehousing Services (CPC 742) - Maritime freight forwarding services (CPC 7480) 	<ul style="list-style-type: none"> a. Management level is allowed to stay up to one year and may extendable there on subject to the approval of concerned agencies. b. Any expatriate engaged in joint venture, representative offices, or other type of judicial person and individual services providers shall receive the approval of the respective authority. c. The immigration rules and procedures shall abide by any expatriate when entering into Myanmar. d. Any expatriate in Myanmar shall abide by the laws, rules, and regulations of Myanmar and that

Sector or Subsector	Conditions and Limitations
	<p>they shall not interfere in the internal affairs of the country.</p> <p>e. Individual service provider who works with approval of respective authority shall register themselves with the Ministry of Labour of Myanmar.</p>
- Ship broking services	