

# Republic of the Union of Myanmar State Administration Council Political Parties Registration Law

State Administration Council Law No 15/2023

6<sup>th</sup> Waxing of Tabodwe 1384 ME

26 January 2023

THE State Administration Council hereby enacts the following law in accord with Section 419 of the Constitution of the Republic of the Union of Myanmar to form political parties aiming to uphold the non-disintegration of the Union, non-disintegration of national solidarity and perpetuation of sovereignty, and to exercise the genuine, discipline-flourishing multiparty democratic system loyal to the gratitude of the State.

## Chapter I Title and Definition

1. This law shall be called the Political Parties Registration Law.

2. The expressions mentioned in this law shall be defined as follows: -

- (a) State means the Republic of the Union of Myanmar;
- (b) Commission means the Union Election Commission;
- (c) Political Party means a political organization registered under this law;
- (d) Party means a political party which conducts organizational tasks in the entire Union or a region or a state. Such an expression shall consist of different branches of the party;
- (e) Election means the Pyithu Hluttaw election, the Amyotha Hluttaw election and the Region Hluttaw or the State Hluttaw election;
- (f) General Election means the election held by the commission for a regular term of the Hluttaw;
- (g) By-election means the election held by the commission from time to time for constituencies that come out vacancies due to postponement of the election in a certain constituency or resignation, death, termination or revocation of duty from a Hluttaw representative in accord with the law within a regular term of the Hluttaw;
- (h) Constituency means the constituency for Pyithu Hluttaw, Amyotha Hluttaw and Region or State Hluttaw designated by the commission in accord with the law to elect a Hluttaw representative;
- (i) Property owned by the party means the fund and moveable or immoveable property owned by the party;
- (j) Member of Religious Order means as follows: -
  - (1) In the case of Buddhists, monks, novices, religious laymen and nuns serving the Buddhist religious order;

**Explanation:** The expression, members of the religious order, applies to a religious monk or a member of the religious order while he or she is serving temporarily as such;

(2) In the case of Christians, persons who have been recognized and ordained or assigned duties by the relevant Churches as an individual who has dedicated himself mainly to serving the Christian religious order and persons who get involved in the group of individuals or organization which of their own volition have submitted to the control of the respective head according to the religion professed as organized by religious discipline or vow;

(3) In the case of Hindus, Hindu priests include Guru, Pandita, Mahant, Sanyasi, Sanyasini, Sadu (Sadujii), Sadhvi, Swami and Swamini;

(4) In the case of Islamists, persons serving Islamic religious order include Mawlawi or Mawlana, Hafiz, Iman, Mufti, Mufassir, Olama, Pir or Mashaikh;

- (k) Convict means a person serving a prison term under a sentence handed down by a certain court. The said expression also comprises a person who is serving a prison term pending appeal or revision against the sentence of imprisonment of the relevant court.

## Chapter II

### Formation and Registration of Political Parties

3. (a) A group of at least 15 persons who desire to organize and form a political party in the entire Union or a region or state stating a desired name for the party shall apply to the commission for granting permission to organize party members in accord with the law. In the application, they shall admit and sign that they conform to the provisions contained in Section 4 and shall also abide by the provisions contained in Section 6.

- (b) When receiving the application filed under Sub-Section (a), the commission shall scrutinize the facts stated in the application and accept the application if it is found in conformity with the law. The application shall be refused if it is found not in conformity with the law.
- (c) The persons who are desirous of forming a party shall elect one leader and one deputy leader among them when permission is granted under Sub-Section (b).

4. The persons desirous of forming a party shall conform to the followings: -

- (a) The person who is a citizen;
- (b) The person who has attained 25 years of age;
- (c) The person who is not a member of the religious order;
- (d) The person who is not a civil service personnel;
- (e) The person who is not a convict;
- (f) The person who is not a member of an insurgent organization against the State or not a member of an individual or an organization designated by the State as committing terror acts, or not a member of an organization declared as an unlawful association under any existing law or not a member contacting or abetting with such members of an organization directly or indirectly;
- (g) The person who is not involved with any offence under the Narcotic Drugs and Psychotropic Substances Law;
- (h) The person who is not a foreigner or has assumed foreign citizenship.

5. Having paid certain registration fees, the leader and the deputy leader of persons desirous of forming a party shall apply to the commission in a prescribed manner to register as a political party that they wish to be formed by submitting the following: -

- (a) Name, flag and emblem of the party desired to be formed;
- (b) Political ideology and programme of the party desired to be formed;
- (c) Regulations of the party and organizational set-up;
- (d) Names, father's names, occupations, addresses, dates of birth and citizenship scrutiny card numbers of the persons who desire to form a party in accord with the provisions mentioned in Section 4;
- (e) Admission made in accord with Section 6;
- (f) If the party will carry out organizational activities across the entire Union, the personal undertaking that at least 100,000 party members will be mobilized within 90 days after granting of registration as a political party or if the party will carry out organizational activities only within the region or state, the personal undertaking that at least 1,000 party members will be mobilized within 90 days after granting of registration as a political party.
- (g) If the party will carry out organizational activities across the entire Union, the party shall have a party fund amounting to K100 million, or if the party will carry out organizational activities only within the region or state, the party shall have a party fund amounting to K10 million, and the said respective amount of fund shall be paid in at a Myanma Economic Bank and submit the acknowledgement receipt.
- (h) If the party will carry out organizational activities across the entire Union, the personal undertaking that the party offices will be opened in at least half of the townships across the entire Union within 180 days after granting of registration as a political party or if the party will carry out the organizational activities only within the region or state, the personal undertaking that at least five party offices will be opened within 180 days after granting of registration as a political party.

6. A personal undertaking saying that the following rules will be observed will be made and stated in the application submitted under Section 5: -

- (a) non-disintegration of the Union, non-disintegration of the national solidarity, and perpetuation of sovereignty;
- (b) the rule of law, preservation of peace and tranquillity;
- (c) paying respect to and abiding by the Constitution of the Republic of the Union of Myanmar;
- (d) refraining from writing, discoursing or instigating things which will adversely affect a race or religion or the integrity of an individual or the people in general and which will cause conflicts;
- (e) refraining from misusing religion for the sake of politics;
- (f) refraining from seeking either monetary or material support from any foreign government or any foreign religious association or any organization or any individual directly or indirectly, or refraining from living under their influence.

7. The following organizations shall not be granted registration as political parties: -

- (a) an organization declared as an unlawful association or terrorist organization under any existing law;
- (b) an insurgent organization or an organization and individuals that have been designated as those who are committing terrorist acts or those which have been declared unlawful associations under any existing law or those who are in contact with the said organizations or providing support to them either directly or indirectly;
- (c) an organization that is using directly or indirectly the State-owned funds, buildings, vehicles and materials;

FROM PAGE - 5

- (d) an organization that is seeking and using money, materials and other aids from a foreign government or foreign religious association or any organization or any individual either directly or indirectly or the organization under the influence of the said organizations and individuals;
- (e) an organization that is misusing religion for political purposes.
8. (a) In submitting the name of the party, the flag and the emblem under Section 5(a), the names, the symbols and the emblems that can adversely affect religion or non-disintegration of the Union, non-disintegration of the national solidarity and perpetuation of sovereignty shall be avoided;
- (b) If the name, flag and emblem of the party happen to be the same as or similar to those of another party which has already been granted registration under Section 5, the Commission can give the direction to the party concerned, giving it a timeframe for making them different; if the party concerned fails to abide by the direction, the application can be rejected.
9. When the leader and deputy leader of the party apply for registration of their political party, the Commission shall check the application form against the prescribed rules and if it finds the form to conform with the prescribed rules, it can grant the registration, otherwise, it can reject the application.
10. In carrying out the organizing of party members, candidates shall conform to the following rules: the applicant shall
- be a citizen, an associate citizen, and a naturalized citizen;
  - be complete by the age of 18;
  - not be from the religious order;
  - not be public service personnel;
  - not be serving a prison term;
  - not belong to any insurgent organization or any organization or individuals that have been designated by the government as organizations that are committing terrorist acts or not be an individual belonging to organizations that have been declared as unlawful associations under any existing law; not be in contact with the said organizations or individuals and not provide support either directly or indirectly;
  - not have committed a crime under the Narcotic Drugs and Psychotropic Substances Law;
  - not be a foreigner or not holding citizenship of another country;
  - not belong to another political party;
  - have made a personal undertaking to abide by the provisions enshrined in Section 6;
11. A political party shall, from the date of registration under Section 9,
- issue party membership certificates to those candidates who are entitled, collect party membership fees and monthly fees and ask them to carry out organizational activities;
  - register the party member lists and submit the party strength to the Commission;

### Chapter III Having No Right to Subsist

12. (a) If a political party has infringed one of the following rules, the party will lose its status as a political party: -
- If the party will carry out organizational activities across the whole Union, the party shall be able to contest general elections in at least half of the constituencies at Pyithu Hluttaw, Amyotha Hluttaw and Regional Hluttaw or State Hluttaw levels inclusive of the indigenous constituency; otherwise, the party will have no right to subsist;
  - If the party will carry out organizational activities only within a Region or State, the party shall be able to contest general elections in at least one township inclusive of the indigenous constituency; otherwise, the political party will have no right to subsist;
  - The political party that is allowed to register after general elections is incapable of contesting in the by-elections within the relevant Hluttaw tenure; **Expression:** A party shall be a party to conduct an election campaign in only one region or state and it shall not be concerned with the above-mentioned provision if there is no by-election in the region or state where they shall launch the election campaign.
  - Having been declared as an unlawful association or terrorist organization under any existing law;
  - Contacting or abetting directly or indirectly an insurgent organization and individuals in revolt with arms against the State, an organization and individuals designated by the State as committing terrorist acts or organizations declared as unlawful associations or members of the said organizations;
  - Having failed to abide by any admission contained in Section 6;
  - Being found that the organization obtained and used directly or indirectly money, land, house, building, vehicle, or property owned by the State; **Proviso:** (i) The expression "money owned by the State" does not include pension and emolument of the persons who get involved in the said party or salary and emolument officially awarded by the State for serving the interest of the State

- The expression, land, house, building, vehicle, or property owned by the State, does not include land, house, building and apartments owned by the State and which are allowed by the State to be used under any law or by the bounds of duty to the persons who are included in the said party, or which are rented for fees from the State by the said persons, other building and apartments, aeroplane, train, ship, motor vehicle, property etc. owned by the State.
  - Concealing intentionally without dismissing from the party the persons not in conformity with any fact contained in Section 10;
  - Being found that it is unable to organize the party members in accord with the stipulation of Sub-Section (f) of Section 5;
  - Being found that it is unable to establish party offices in accord with the stipulation of Sub-section (h) of Section 5;
- (b) The Commission shall cancel the registration of the party from being a political party that is involved with any fact contained in Sub-Section (a) and also dissolve the said party.
- 13) A party shall submit to the Commission that it has organized the minimum number of party members prescribed in Sub-Section (f) of Section 5 within the prescribed days. After doing so if the number of members of the said party has decreased below the stipulated number; it shall have to take measures to meet the stipulation within 90 days. If it is unable to do so, the Commission shall cancel the registration of such party from being a political party and also dissolve the party.

### Chapter IV Collection, Maintenance, Utilization, Auditing and Liquidation of the Fund and Property

14. The following persons shall undertake the responsibility of performing maintenance of the property owned by the party and compiling the lists systematically in the prescribed manner: -
- if it is for party headquarters, chairman or secretary of the central executive body of the party;
  - if it is for Region or State, district, township parties, chairman or secretary of the executive body of the party concerned; if it is for ward or village-tract parties, the organizer concerned.
15. (a) The fund owned by the party shall be collected, consolidated and account kept as follows:
- party admission fees and party monthly fees collected under Section 11;
  - money or property donated and contributed to the party by a domestic individual citizen or according to an organization or citizen-owned company or group of companies from the money and property obtained legally by them;
  - money and profit legally obtained from a business owned by the party;
- (b) Taxes to be paid on money and property obtained under clauses (i) and (ii) of Sub-section (a) shall be exempted.
16. A party, during a term of Hluttaw:
- is entitled to use the prescribed expenses in accord with the party regulations for the organization of its party;
  - is entitled to use the prescribed expenses for each Hluttaw candidate representing and contesting for his party in the General Election or By-election.
17. A party shall perform in the prescribed manner, drawing its annual statement of accounts according to the financial year, compiling an annual list of property owned by the party and obtaining confirmation in accord with the party regulations.
18. If the accounts of a party are required to be audited, the Commission may do so. The Sub-commissions at various levels may also be asked to audit. In doing so the Commission or Sub-commission may obtain assistance from Government departments and organizations.
19. (a) Property owned by the party shall be entrusted in the prescribed manner to the department or organization prescribed by the Government if a party dissolves of its own volition or when registration under this Law is cancelled.
- (b) With respect to property entrusted under Sub-Section (a), the relevant department and organization shall comply with the directive of the Government.

### Chapter V Miscellaneous

20. With respect to the implementation of the provisions of this Law: -
- the decision of the Commission shall be final and conclusive;
  - there shall be no right of the institution of any proceeding in any court.
21. A person shall have the right to be a party member in only one political party at the same time.
22. The formation of political parties at various levels shall be according to the administrative boundary.
23. The Commission may supervise the political parties to perform in conformity with the existing laws, rules, procedures, notifications, orders and directives. It may assign duty to Sub-commissions at various levels to supervise on its behalf.
24. (a) If the Commission finds that a party does not abide by any provision of this Law, rules, procedures, notifications, orders and directives or any provision of the existing law, the Commission may prescribe the time and direct such party to perform as may be necessary.

SEE PAGE - 7

FROM PAGE-6

- (b) If any person reports to the Commission the internal affairs of a party, the Commission may investigate and, if necessary, in the interest of the State prescribe the time and direct such party the facts to be complied with.
- (c) The Commission may suspend temporarily the registration of such party as a political party for up to three years if it fails to comply strictly with the direction under Sub-Section (a) or Sub-Section (b).
- (d) In case of suspension of registration of the party under Sub-Section (c), the said party shall suspend all the remaining works of the party with the exception of works directed by the Commission, during the said suspension period.
- (e) In case of failure to comply with the directive till the expiry of the said suspension period under Sub-Section (c), the Commission shall cancel the registration of such party as a political party and shall also dissolve the party.

25. The parties existing under the Political Parties Registration Law (The State Peace and Development Council Law No 2/2010) which are desirous to continue as political parties under this Law shall apply to the Commission within 60 days from the date of promulgation of this Law. If no such application is made, the fact of being a political party shall be deemed to have been automatically invalidated.

26. In implementing the provisions of this Law, the Commission may issue the rules, procedures, notifications, orders and directives, as may be necessary.

27. The Political Parties Registration Law (The State Peace and Development Council Law No. 2/2010) is hereby repealed.

I hereby sign under Section 419 of the Constitution of the Republic of the Union of Myanmar.

**Sd./ Min Aung Hlaing**  
**Senior General**  
**Chairman**

**State Administration Council**

## MoALI & MoCRD Union Minister meets Senior Vice-President of Russia-Myanmar Association

UNION Minister for Agriculture, Livestock and Irrigation and for Cooperatives and Rural Development U Hla Moe met the delegation led by Mr Anatoly Bulochnikov, Senior Vice-President of the Russia-Myanmar Association of friendship and Cooperation yesterday at the Union Minister's Office.

During the meeting, the Union minister discussed cooperation with the Fisheries Agency of the Russian Federation for the development of human resources in Myanmar's fishing sector; the promotion of investments in the trade sector of agricultural produce

between the two countries, collection of plant biological resources of Myanmar crops in cooperation with Russian scientific institutions, utilization of agricultural technology and innovation development activities, the private sector cooperation and friendship between the two countries. — MNA/TS

## 74<sup>th</sup> National Day of Republic of India held



The 74<sup>th</sup> National Day of the Republic of India is in progress in Yangon yesterday.

THE reception ceremony to commemorate the 74<sup>th</sup> National Day of the Republic of India was held at the Indian ambassador's residence on Diplomatic Road, Dagon Township, Yangon Region, yesterday evening.

Yangon Region Chief Minister U Soe Thein and wife,

Lt-Gen Teza Kyaw and wife, Lt-Gen Thet Pon and wife from the Office of the Commander-in-Chief (Army), Yangon Command Commander Maj-Gen Nyunt Win Swe and wife, Deputy Minister for Foreign Affairs U Kyaw Myo Htut, Tatmadaw senior officers, ambas-

sadors, military attachés, and resident representatives to the United Nations attended the event.

First of all, the guests who attended the ceremony were greeted by Ambassador of the Republic of India to Myanmar Mr Shri Vinay Kumar, the defence attaché and officials.

Afterwards, the ceremony was opened with the anthem of the Republic of the Union of Myanmar and the anthem of the Republic of India, and the ambassador gave a welcome speech.

Next, Indian cultural troupes continued to perform traditional cultural dances of India.

Then, the ambassador, his wife, and the Defence attaché hosted a dinner in honour of those who attended the ceremony. — MNA/KZL

### Myanmar Gazette

## Head of Service Organization Appointed

THE State Administration Council has appointed Daw Nwe Ni Htun, Deputy Director-General of the Foreign Exchange Management Department of the Central Bank of Myanmar, as Director-General of the same department on probation from the date she assumes charge of her duties.

The people are urged to receive vaccination of Covid-19 without fail as full-time vaccination of Covid-19 and receiving booster shots can effectively mitigate infection of the virus, severe suffering from the disease and increasing of death rate based on the disease.



The documentary group photo of the meeting.

## Ambassador U Lwin Oo presents Credentials to President of Republic of Kazakhstan

U Lwin Oo, Ambassador Extraordinary and Plenipotentiary of the Republic of the Union of Myanmar to the Republic of Kazakhstan, presented his Credentials to Mr Kassym-Jomart K Tokayev, President of the Republic of Kazakhstan on 24 January 2023 in Astana, Presidential Palace "Akorda". — MNA

