

The State Law and Order Restoration Council
The Myanmar Tourism Law
(The State Law and Order Restoration Council Law No. 13/90)
The 13th Waning Day of Nayon, 1352 M.E.
(20th June, 1990)

The State Law and Order Restoration Council hereby enacts the following Law:-

Chapter 1
Title and Definition

1. This Law shall be called the Myanmar Tourism Law.
2. The following expressions contained in this Law shall have the meanings given hereunder:-
 - (a) Tourist means a person travelling from his place of residence to another place for a visit. This expression also includes a domestic tourist, international tourist and foreign visitor;
 - (b) Tourism Industry includes tourist enterprise, hotel business, lodging-house business, tourist transport business, tour guide business and businesses which are prescribed by the Myanmar Tourism Commission as tourism industry;
 - (c) Tourist Enterprise means an economic enterprise which operates a tour operator business or travel agency business or both;
 - (d) Hotel Business means an economic enterprise which provides accommodation and food, beverage and other services for tourists. This expression also includes restaurant business opened at the hotel or within its premises;
 - (e) Lodging-House Business means an economic enterprise which provides only accommodation for tourists. This expression also includes guest-house business, boarding-house business or similar lodging businesses;
 - (f) Tourist Transport Business means an economic enterprise which provides transport to tourists within a town or from one town to another or to any locality within the country;
 - (g) Tour Guide Business mean an economic enterprise which provides tour service to tourists;
 - (h) Commission means the Myanmar Tourism Commission formed under this Law;
 - (i) Directorate means the Directorate formed by the Government under this Law;
 - (j) Inspector means the Directorate or a person assigned by the Directorate in order to inspect tourism industry contained in this Law;
 - (k) Licence means a permit issued by the Directorate to operate any tourism industry;
 - (l) Licence-holder means a person who has the right to operate any tourism industry under this Law.

Chapter II
Basic Principles

3. Tourism Industry shall be operated in accordance with the following basic principles:-
 - (a) prevention of infringement of the sovereignty and security of the State;
 - (b) Betterment of the interests of Myanmar and its citizens;
 - (c) contributing to the friendship, understanding and unity of the national races through tourism industry;
 - (d) preservation and development of ancient historical sites and monuments, traditional arts and custom of the national races, which are the cultural heritage of Myanmar;

- (e) preservation and development of natural scenic beauty and natural environmental heritage of Myanmar;
- (f) contributing to international friendship and understanding through tourism industry;
- (g) development of technical knowledge relating to tourism industry and opening up of more employment opportunities;
- (h) providing security and satisfaction of tourists.

Chapter III

Formation, Duties and Powers of the Commission

4. The Government shall, by notification form the Myanmar Tourism Commission.
5. The duties and powers of the Commission are as follows: __ 117
 - (a) laying down the policies of Tourism;
 - (b) causing the implementation of the. systematic development of the tourism industry;
 - (c) designating of areas in which cultural and natural heritage exist as tourism zones;
 - (d) giving guidelines for international relations with regard to the tourism industry;
 - (e) giving guidelines for improving the quality and raising the standard of tourism industry and dissemination of technical knowledge relating thereto;
 - (1) determining an economic enterprise operating any of the services such as health, knowledge, recreation, entertainment for tourists as a tourism industry;
 - (g) submitting to the Government from time to time the activities carried out;
 - (h) carrying out the duties and powers assigned from time to time by the Government.

Chapter IV

Application for Licence

6. A person desirous of operating any of the following businesses of tourism industry for international tourists or foreign visitors shall apply for a licence to the Directorate in the prescribed form:-
 - (a) Tourist Enterprise;
 - (b) Hotel Business;
 - (c) Lodging-House Business;
 - (d) Tourist Transport Business;
 - (e) Tour Guide Business;
 - (f) Businesses, prescribed from time to time as a Tourism Industry by the Commission.
7. The Directorate may prescribe the types of business to be operated under a licence for domestic tourists from among the businesses contained in Section 6.

Chapter V

Duties and Rights of the Licence-holder

8. The licence-holder shall pay the licence fee and other duties and taxes prescribed by the Directorate.
9. The licence-holder shall abide by the conditions contained in the licence.
10. The licence-holder shall abide by the order, notification and directives issued from time to time by the Commission or the Directorate.
11. The licence-holder dissatisfied with the order or decision of the Directorate relating to the licence has the right to file an appeal to the Minister of the Ministry concerned.

Chapter VI
Formation, Duties and Powers of the Directorate

12. In order to operate the Tourism Industry systematically in accordance with the provisions of this Law, the Government shall form a Directorate.

13. The duties and powers of the Directorate are as follows:-

- (a) carrying out in accordance with the policies laid down by the Commission;
- (b) implementing for the systematic development of the tourism industry;
- (c) carrying out for the promotion of the tourism industry;
- (d) carrying out to improve the quality and to raise the standard of tourism industry and to disseminate technical knowledge relating thereto;
- (e) supervising the tourism industry in accordance with the provisions of this Law;
- (f) prescribing and revising the licence fee and other taxes and duties;
- (g) issuing, refusing, suspending, revoking or cancelling the licence;
- (h) appointing Inspectors to inspect the tourism industry;
- (i) carrying out the duties and powers assigned from time to time by the Commission and the Ministry concerned.

14. The Directorate may, in consultation with the departments concerned stipulate conditions relating to foreign currency earned by the licence-holder from the tourism industry.

Chapter VII
Inspection and Tak-ing of Action

15. The Inspector shall carry out the following duties:-

- (a) inspecting the tourism industry within the area for which he has undertaken responsibility or within the area specially assigned and investigating as may be necessary;
- (b) taking action in accordance with the procedures against a person who has violated any prohibition contained in this Law;
- (c) carrying out duties assigned from time to time by the Directorate.

16. The powers of the Inspector are as follows:-

- (a) calling for and copying records, accounts and other supporting documents relating to the industry, and inspecting articles relating to the industry in order to examine whether or not a licence-holder has complied with the conditions of the licence;
- (b) having the right to examine in accordance with this Law any building, vehicle or person relating to the tourism industry..

Chapter VIII
Invalidation of Licence

The Licence is invalidated when any of the following events occur:-

- (a) death of the licence-holder;
- (b) expiry of the term of the licence;
- (c) revocation or cancellation of the licence;
- (d) surrender of the licence by the licence-holder when he wishes to discontinue his business.

18. If the Directorate finds after investigation that the licence-holder has discontinued his business, the said licence may be deemed to have become invalidated.

19. The licence-holder shall surrender the licence invalidated under Section 17 to the Directorate or the State/Division, Township Zone or Township Office of the Directorate within 15 days from the date on which it was invalidated.

Chapter IX Appeals

20. An applicant for a licence or a licence-holder dissatisfied with the order or decision passed by the Directorate may file an appeal to the Minister concerned within 30 days of the receipt of such order or decision.

21. The decision of the Minister concerned shall be final.

Chapter X Prohibitions

22. No one shall engage in any tourism industry under Section 6 or Section 7 without a licence.

23. A licence-holder:-

(a) shall not violate any condition contained in the licence;

(b) shall not violate any prohibition contained in an order, notification or directive issued from time to time by the Commission or the Directorate.

24. No one shall interfere or obstruct the Inspector in the discharge of his duties.

25. No one shall form an association relating to the tourism industry without registering in accordance with the Myanmar Companies Act.

Chapter XI Offences and Penalties

26. Whoever violates the provision of Section 22 shall, on conviction, be punished with imprisonment for a term which may extend to 3 years or with fine which may extend to kyats 30,000() or with both. -

27. A licence-holder who violates the provision of Section 23 shall, on conviction, be punished with imprisonment for a term which may extend to 2 years or with fine which may extend to kyats 20,000 or with both.

28. Whoever violates the provision of Section 24 shall, on conviction, be punished with imprisonment for a term which may extend to 2 years or with fine which may extend to kyats 20,000 or with both.

29. Whoever violates the provision of . Section 25 may, on conviction, be punished with fine which may extend to kyats 10,000.

30. Whoever abets or attempts or conspires in the commission, of any offence under this Law shall be punished with the punishment provided for that offence in this Law.

Chapter XII Miscellaneous

31. The provisions of this Law shall not apply to State-owned Economic Organizations.

32. Licence-holders have the right to form associations relating to their enterprise only by registering in accordance with the Myanmar Companies Act.

33. Offences prosecuted under this Law are prescribed as cognizable offences.

34. During the period in which the Government has not been able to form the Directorate under Section 12, the duties and powers of the said Directorate shall be performed and exercised by the Directorate of Trade.

35. No suit or prosecution shall lie against any public servant for anything which is done in good faith in pursuance of this Law.

36. For implementing the provisions of this Law, the Ministry concerned:-

- (a) may with the approval of the Government, issue necessary procedures;
- (b) may issue necessary orders and directives.

**The State Law
Sd./ Saw Maung Senior General
Chairman
The State Law and Order Restoration Council**

*** Repealed by the Myanmar Hotels and Tourism Law, Law No 4 1993**

http://web.archive.org/web/20110902222046/http://www.blc-burma.org/html/Myanmar%20Law/lr_e_ml90_13.html