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Myanmar News

Extension of Visas &
Long Term Stay Permits
within Myanmar

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I. Introduction

On 3 October 2017, the Directorate of Investment and Company Administration (DICA) announced that DICA will facilitate applications for the extension of Long Term Stay Permits and visas for certain foreigners (and their family members) employed by foreign or local companies in Myanmar. This “one-stop” solution should streamline the currently rather cumbersome application process. Further, companies registered with the Myanmar Investment Commission (MIC) shall come under stricter scrutiny when hiring foreigners for certain positions. Both announcements came into effect on 21 October 2017.

Please find below a short summary of the most important changes.

II. Foreigners Residing in Myanmar

With the exception of nationals from Brunei, Cambodia, Indonesia, Laos, the Philippines, Singapore, Thailand and Vietnam, every foreigner wishing to enter Myanmar must obtain a visa.

Foreigners residing in Myanmar for more than 90 days are further required to apply for a Foreigner Registration Certificate (FRC). This requirement is, however, rarely enforced by the immigration authorities. FRCs are primarily applied for by foreigners requiring a Long Term Stay Permit or working for enterprises established under the previous Foreign Investment Law 2012 or the new Myanmar Investment Law 2016.

III. Visa Extension with DICA

So far, companies had to liaise with various authorities to apply for the extension of visas and Long Term Stay Permits of their foreign employees. In future, DICA will facilitate these applications for the following persons:

- Members of the Board of Directors of a foreign company incorporated in Myanmar (and their family members); and
- Foreign technicians employed by foreign and local companies (and those technicians' family members).

For the extension of visas and Long Term Stay Permits, companies shall submit the following documents and information:

- Application letter, addressed to the Director General of DICA and signed by the Managing Director of the company;
- Undertaking letter signed by the Managing Director;
- Copy of the passport and two colored passport photos (1.5 x 2 inches) of every person seeking visa extension;
- Copies of the corporate documents (i.e. Certificate of Registration, Form of Permit, Form 26 or Form 18);
- Current business activities of the company (including copies of any permits or licenses issued to the company by relevant government agencies or organizations and evidence of tax payments if officially requested by DICA);

- List of all foreign and local employees of the company signed by the Managing Director or Director of the company;
- Authorized representative letter signed by the Managing Director or a Director of the company if the foreign director or foreign technician cannot come to DICA in person;
- Professional qualification certificate of foreign technicians and copy of employment contract signed by Managing Director or Chief Representative of parent company or Myanmar branch office; and
- Job title and responsibilities.

Trading Companies shall apply directly with the Ministry of Commerce.

All applications shall be submitted to DICA at least three (3) weeks before the expiry date of the relevant visa; applications submitted after this deadline shall not be accepted.

IV. MIC Companies appointing Foreigners

MIC Companies shall apply for approval by MIC for the appointment of foreigners to the following positions:

- Senior management;
- Technical experts; and
- Consultants.

The MIC Company shall submit the following documents and information:

- Application letter (including name, passport number, position, duration and qualification);
- Form 12-A (application form for the permission of work);
- Proof of payment of service fee of MMK 5,000 for each foreigner;
- Copy of passport;
- Number of proposed employees (local, foreign);

- Number of existing employees (local, foreign) including the name, expertise level and position of each employee;
- Copy of latest quarterly performance report of the company;
- Foreigner's name, passport number, evidence of expertise or degree and profile; and
- Authorized representative letter if the investor cannot come to MIC in person.

All documents and information shall be submitted to the MIC before, but in any case not later than seven (7) working days after the date of arrival of the foreign expert in Myanmar.

In case of resignation, the MIC Company shall submit a copy of the flight ticket and resignation letter to the MIC.

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