

The Republic of the Union of Myanmar
The State Administration Council
The 2023 Union Tax Law
(The State Administration Council Law No. 18/2023)
10th Waxing Day of Tagu, 1384 M.E
(March 30, 2023)

The State Administration Council hereby enacts this law in accordance with the Section 419 of the Constitution of the Union of Myanmar.

Chapter (1)
Title, Enforcement and Definition

1. (a) This law shall be called The 2023 Union Tax Law.
(b) This law shall come into force with effect from 1st April, 2023.
2. The following expressions contained in this law shall have the meanings given hereunder –
 - (a) **Tax** means the tax, customs tariff, fees, license fees, permit fees, and fines collected by the Union Government for the Union under this law;
 - (b) **Law** means the laws promulgated by the Union Government regarding collection of taxes for the Union;
 - (c) **Relevant Ministries** means the Union Ministries and Naypyitaw Council responsible for collecting the taxes collected by the Union Government for the Union;
 - (d) **Budget Law** means the Union Budget Law and the Supplementary Appropriation Law promulgated yearly;
 - (e) **Rate** means the tax rates prescribed for collecting the taxes collected by the Union Government for the Union.

Chapter 2
Tax appropriation for collection

3. The tax receipt of the Union with respect to Union Budget is the primary appropriation to collect tax shown in schedule (1) of this Law for the relevant budget year.

Chapter 3
Specifying the tax rates and reporting

4. With respect to the types of taxes of this Law, the relevant Ministry shall collect the tax appropriation with the tax rates under this Law.
5. The State Administration Council may add or substitute or amend the tax rates of this Law.
6. (a) The relevant Ministry shall send a quarterly report on the status of collection on tax appropriation contained in Schedule (1) of this Law to the Budget Department.
(b) The Budget Department shall compile the lists of tax collection data sent by the relevant Ministries and submit a quarterly report through the Ministry of Planning and Finance, with comments, to the Union Government.
7. The Ministry of Planning and Finance shall submit a bi-annual report to the State Administration Council on the condition of collection in respect of primary appropriation to collect the taxes of Union contained in Schedule (1) of this Law.

Chapter 4
Duties and Powers of the Relevant Ministry

8. The relevant Ministries shall take the responsibility of administering and supervising to collect tax appropriation contained in Schedule 1 of this Law.
9. The relevant Ministry may, if necessary, issue notifications, directives, orders and procedures in order to comply clearly with the provisions of special goods tax, commercial tax, income tax and treasure tax without changing their original meanings.
10. The relevant Ministry may seek assistance from the Chairman of the State Administration Council, Prime Minister, Union Government, Union Supreme Court, Constitutional Tribunal, Union Election Commission, Union Ministries, Union Attorney General, Union Auditor General, Union Civil Service Board, Naypyitaw Council, Central Bank of Myanmar, Region or State governments, or the head organizations of the self-administered divisions or regions in order to obtain required data and support for the legal assessment of taxes.

Chapter 5
Special Goods Tax

11. Under section 6 of the Special Goods Tax Law, the schedules annexed to said law are prescribed as follows -

Special Goods

- (a) In respect of the following type of special goods, the special goods tax shall be charged at the tax rates shown against each type of goods.
 - (1) If the special goods produced in the country and chargeable in accordance with value tier, on the sales price shown by the factory, workshop, or on the estimated value, based on the market price, specified by the Director General and Administrative Committee of Internal Revenue Department, whichever is higher;
 - (2) On the rates specified by Administrative Committee of Internal Revenue Department if the special goods, which are not mentioned in the list to be taxed on relevant value tier, are produced and sold in the country;
Exclusion: However, in order to compete locally manufacture special goods with imported special goods, the Administrative Committee of Internal Revenue Department shall, when setting the valuation, set to have level playing with landed cost of imported goods for the similar special goods.
 - (3) If imported, on the landed costs.

Seq	Special Goods	Market Value Tier	SGT Rates (% of Value)
1	(a) Cigarettes	20 sticks per pack with selling price is up to MMK 700	10 MMK per stick
	(b) Cigarettes	20 sticks per pack with selling price between MMK 701 to 900	19 MMK per stick
	(c) Cigarettes	20 sticks per pack with selling price between MMK 901 to 1,100	24 MMK per stick
	(d) Cigarettes	20 sticks per pack with selling price above MMK 1,101	27 MMK per stick
2	Tobacco leaf		60 %
3	Virginia tobacco		60 %
4	Cheroots		MMK 1.00 per stick
5	Cigars		80 %
6	Pipe tobacco		80 %
7	Chewing tobacco		80 %
8	(a) Alcohol	Per litre selling price between MMK 200 to 1,400	209 MMK per litre

	(b) Alcohol	Per litre selling price between MMK 1,401 to 2,600	550 MMK per litre
	(c) Alcohol	Per litre selling price between MMK 2,601 to 4,100	940 MMK per litre
	(d) Alcohol	Per litre selling price between MMK 4,101 to 5,600	1,3200 MMK per litre
	(e) Alcohol	Per litre selling price between MMK 5,601 to 7,100	1,716 MMK per litre
	(f) Alcohol	Per litre selling price between MMK 7,101 to 8,600	2,112 MMK per litre
	(g) Alcohol	Per litre selling price between MMK 8,601 to 10,100	2,508 MMK per litre
	(h) Alcohol	Per litre selling price between MMK 10,101 to 11,600	2,904 MMK per litre
	(i) Alcohol	Per litre selling price between MMK 11,601 to 13,100	3,300 MMK per litre
	(j) Alcohol	Per litre selling price between MMK 13,101 to 14,600	3,696 MMK per litre
	(k) Alcohol	Per litre selling price between MMK 14,601 to 16,350	4,092 MMK per litre
	(l) Alcohol	Per litre selling price between MMK 16,351 to 18,100	4,653 MMK per litre
	(m) Alcohol	Per litre selling price between MMK 18,101 to 19,850	5,071 MMK per litre
	(n) Alcohol	Per litre selling price Above MMK 19,851	60% per litre price
9	Beers		60 %
10	(a) Wine	Per litre selling price up to 850 MMK	92 MMK per litre
	(b) Wine	Per litre selling price –851-1,600 MMK	280 MMK per litre
	(c) Wine	Per litre selling price –1,601-2,350 MMK	465 MMK per litre
	(d) Wine	Per litre selling price –2,351-3,100 MMK	653 MMK per litre
	(e) Wine	Per litre selling price –3,101-3,850 MMK	839 MMK per litre
	(f) Wine	Per litre selling price –3,851-4,600 MMK	1,025 MMK per litre
	(g) Wine	Per litre selling price –4,601-6,100 MMK	1,304 MMK per litre
	(h) Wine	Per litre selling price –6,101-7,600 MMK	1,676 MMK per litre
	(i) Wine	Per litre selling price –7,601-9,100 MMK	2,049 MMK per litre
	(j) Wine	Per litre selling price –9,101-11,500 MMK	2,421 MMK per litre
	(k) Wine	Per litre selling price –11,501-13,600 MMK	2,979 MMK per litre
	(l) Wine	Per litre selling price –13,601-16,600 MMK	3,724 MMK per litre
	(m) Wine	Per litre selling price –16,601 MMK and above	50% on per litre price
11	Wood log and conversions.		5 %
12	(a) From 1,501 CC to 2,000 CC Vans, Saloon, Sedan and Estate Wagon, Coupe except Battery Electric Vehicle (BEV) and Pickup cars including Double Cap 4 Doors Pickup		10 %
	(b) From 2,001 CC to 4,000 CC Vans, Saloon, Sedan and Estate Wagon, Coupe except		30 %

	Battery Electric Vehicle (BEV) and Pickup cars including Double Cap 4 Doors Pickup and battery electric cars		
	(c) Above 4,001 CC Vans, Saloon, Sedan and Estate Wagon, Coupe except Battery Electric Vehicle (BEV) and Pickup cars including Double Cap 4 Doors Pickup and battery electric cars		50 %
13	Kerosene, Gasoline, Diesel, Jet fuel		5 %
14	Natural gas		8 %

- (b) Any person exporting the following special goods shall be charged at the tax rates shown against each type of goods on the amount of sale proceeds received. No special goods tax shall be levied, except from said special goods, on the sale receive for the exporting of the remaining special goods. The special goods tax charged when buying, importing and producing such goods shall be set off in accordance with regulations that will charge from the transaction of exporting.

Sr. No.	Description of Goods	Tax Rate
(1)	Wood log and conversions.	10 %

- (c) Previously exempted special goods tax shall be paid in case of the goods that imported with temporary admission or drawback are not re-exported within the prescribed period and used in domestic.
12. With regard to taxable special goods under this law, in the cooperative sector and private sector, no special goods tax shall be levied if the sale proceeds revenue for the domestic producing and sale of Virginia Tobacco, Cheroot and Cigar which does not exceed 20 million Kyats within a year.
13. The definition of the expressions contained in chapter 5 of this law shall be the same as in the Special Goods Tax Law.

Chapter 6 Commercial Tax

14. According to section 6 of the Commercial Tax Law, the schedules to that law are stipulated as follows –

Schedules to the Commercial Tax Law

- (a) No commercial tax shall be charged on the followings;

Sr. No	Description of Goods
Foodstuffs	
1	Paddy, Rice, split, bran, coarse bran, paddy husk, Wheat seed, coarse wheat bran, fine wheat bran, corn and various types of corn seeds
2	Various types of pulse, split and powdered pea, pea husk, pea shell, Groundnuts - shelled or unshelled, Sesames, flower sesames, Residue flakes of groundnut, sesame, cotton seed, rice bran, etc.
3	Garlic, onions, Potatoes, Spices such as leaf, fruit, seeds, barks , prepared spices, Chili, chili powder, Turmeric, turmeric powder, Ginger, Ripe tamarind, Variety types of Salt
4	Various fresh fruits, Vegetables
5	Various types of pickled, dried, plain and packed tea
6	Fresh fish, fresh prawn, fresh meat and Various kinds of fowl eggs
7	Ground nut Oil, Sesame Oil
8	Sugarcane, Sugar, Toddy, Slab sugar, Milk made from peas, milk and various milk products, Condensed Milk, Evaporated Milk, Milk powder, yogurt
9	Creamer
10	Shrimp and fish sauces (Ngan-pya-ye), Dried fish and prawn, Pickled fish and prawn, Prawn husk, Fish fillets, Fish paste
Agricultural and Livestock Goods	
11	Mulberry leaves, Silk cocoons
12	Live animals, fish, prawns, land and marine life animals, amphibians, their eggs, embryo, animal offspring, plants that grow in water and their seeds, species, moss, algae
13	Fertility soil and Fertilizers use for agriculture business, Insecticides, pesticides, herbicides for agricultural use, Sprays for poultry firms (excluding home use mosquito killer, sprays, mouse poison), Vaccines and Medicine for animals, fish and prawns (including the medicines and vaccines received certificates from Ministry of Agriculture, Livestock and Irrigation, and medicines obtained recommendation issued by the Livestock Breeding and Veterinary Department), Raw materials and finished goods to produce animal, fish and prawn feed (not include animal feeds use for pets)
14	Oil palm, Mustard seed, sunflower seed, Pumpkin seeds, watermelon seeds, Cashew nuts, Betel nut and husk, Various kinds of crops pure seeds, sapling
15	Raw cotton, Various cottons, cardamom, Thanakha, and agriculture, farm and gardening products which are not elsewhere specified, Coconut oil (not palm oil)
16	Coir yarn
17	Fire wood, bamboo, Cane which is finished and/or raw, Firewood substitute fuel sticks
School and Office Equipment Goods	
18	Lac, Various types of stamp (including revenue stamp)
19	State flag
20	Slate, slate pencil, chalk, Graphite for production of pencils
21	Various kinds of textbooks, various kinds of educational and technical books to be used in basic school, college and university, various kinds of exercise and drawing books, knowledge readings and magazines, articles and newspaper, papers for the production of such books (within the range of 40 Gsm to 80 Gsm) and all sorts of pencils, Various kinds of ruler, eraser, sharpener
Health Goods	
22	Herbs
23	Various kind of household use anti-mosquito agents
24	Honey, bee wax
25	X-ray film and X-ray parts, other medical apparatus and equipment determined by medical department, Bandages, gauze, dressing materials for hospital use, surgical masks, apron and surgical gloves for hospital use, disposable masks to protect influenza, Household drugs and other medicines and traditional drugs (all medicines, raw materials to drugs including for traditional drugs certified by FDA excluding medicines restricted by laws and regulations),
26	Condom
Religion and Social Goods	

27	Various kinds of rosary (not includes made with precious stones), Religious clothes
28	Fire trucks, search and rescue vehicles, Hearse
Transportation Goods	
29	Fuel sold to foreign embassies, UN organizations and foreign diplomats by the Ministry of Electricity and Energy
30	Jet fuel sold to domestic and international flights
31	Machines, devices, tools and spare parts for the use of air planes and helicopters
Industrial Goods	
32	Bleaching substances (only Hydrochloride use for bleaching), raw material for soap powder, raw material for soap, coarse soap
33	Jute and similar fibers, rubber, white resin aka TRAGACANTH GUM HERB
34	Farming and breeding equipment, farming and breeding machines and machine parts, tractors, ploughing and harvesting equipment, tools operate with manpower or animal or machine and their spare parts (other than machineries that require to register under Motor Vehicle Law), Machineries and spare parts use for livestock breeding, Embryo and breeds (larvae including frozen breeds and equipment that used for insemination) for using in inseminating,
35	PV Module / Solar Module / PV Panel / Solar Panel / Solar Panel 92 Watt CIGS (Copper Indium Gallium Selenide), PV / Solar (Hybrid/Smart Array) Controller, Charge Controller for PV / Solar, PV / Solar Inverter (String/Hybrid/Battery/Bidirectional/Central, PV / Solar Mounted Structure, Solar / PV Mounted Frames, Solar / PV Mounted Kits (Roof and Ground Mounted), PV / Solar Mounted System (Floating), PV / Solar Controller and Battery Box (only for importation of together with PV/Solar Controller and Battery)
36	Battery Electric Vehicles (BEVs) including Battery Electric three-wheelers and two-wheelers, their batteries and related parts for specific use of BEVs
37	Raw materials provided by foreign resident supplier to use for production of finished goods on a CMP basis or goods to be used directly as parts of goods used for packaging the finished product, imported machineries, tools, devices and their spare parts imported for the operational requirements of CMP business which are not for reselling
Goods Related to Defense	
38	Arms, Vehicles, Machineries, Devices and tools, their spare parts use for national defense and national securities forces, Various kinds of gunpowder, various kinds of dynamite and accessories thereto used by the civil departments (items only importing with approval of Office of Defense Services), Goods purchased for the use and consumption of armed forces personnel to be incurred from the expenditure allotted in the budget accounts for the Ministry of Defense
Jewel and Mineral Resources	
39	Pure gold blocks (Standard gold bars, blocks, gold coins) and Finished and unfinished Jade, Ruby, Sapphire and jewelry wares sold at local gems emporium sponsored by Union Government
40	Oil dregs
Miscellaneous Goods	
41	Materials to be sold to overseas passengers at the specific places
42	Goods to be used by diplomats and non-diplomat staff of foreign embassies or small embassies inclusive of reciprocal right policy between two countries permitted under notification issued by the Ministry of Planning and Finance with the approval of Union Government based on the proposal of Ministry of Foreign Affairs
43	Goods purchase locally and/or abroad by UN organizations in the State under their names
44	Goods bought by the cash donated or aid to State by local or international organizations
45	The goods that the Union Government allow for tax exemption with the approval of Union Parliament for the requirement of State
46	Goods imported with Temporary Admission or Draw Back system in accordance with Customs regulations

- (b) If the goods, except the goods mentioned in sub-section (a), are imported, the 5% commercial tax shall be charged on the landed costs, and on the sale proceeds if they are produced in the country. If the special goods, which are defined under the section 11, are imported, the 5% commercial tax shall be charged on the landed costs that consist of special goods tax, and on the value of sale proceeds that consist of special goods tax if they are produced in the country.
- (c) Except for goods and trading activities exempted in accordance with this law, 5% commercial tax shall be charged on the sale proceeds from the following actions including special goods defined under section 11 –
- (1) Domestic sale of imported goods;
 - (2) Trading.
- (d) The following services are exempt from Commercial Tax –

Sr. No.	Service Identity
Foreign Sector	
1	Inclusive service to be obtained by diplomats and non-diplomat staff of foreign embassies or small embassies inclusive of reciprocal right policy between two countries permitted under notification issued by the Ministry of Planning and Finance with the approval of Union Government based on the proposal of Ministry of Foreign Affairs
2	Having services locally by the UN organizations in the State
Defense Sector	
3	Publishing service under Security Printing by Ministry of Defense
Religion and Culture Sector	
4	Service of culture and fine arts
Transportation and Communication Sector	
5	Service of renting out Car parking space
6	Transportation of goods (by train, motor vehicles, vessels, air planes, cranes except transportation with pipeline)
7	Mover service
8	Collecting toll service
9	International and domestic passenger air transport service
10	Public transportation service
11	Post service by Union Government
Education and Information Sector	
12	Education Service
13	Publishing service of newspaper, journal, magazine, books
Health Sector	
14	Health care service except body fitness/beauty
15	Traditional massage, massage performed by a blind person
16	Animal health care and welfare services
17	Collecting fee at public toilet service
Planning and Finance Sector	
18	Life insurance service
19	Microfinance service
20	Investment service
21	Bank and Financial service under approval of Central Bank
22	Custom, port clearance Service
23	State Lottery
Social Welfare, Relief & Resettlement Sector	
24	Hiring of equipment use in catering service
25	Funeral Service
26	Child care service

Industrial and Electrical Sector	
27	Providing raw materials in return for finished goods system service
28	Agricultural Mechanization Service
29	Private small electricity services provided electricity distributions for regions which has not connected with National Grid
30	Battery Charging Service for BEVs
Miscellaneous Sector	
31	License fees to be paid to Government Organizations
32	Services that the Union Government allow for tax exemption with the approval of State Administration Council for the requirement of State
33	Service done by the cash donated or aid to State by local or international organizations
34	Interdepartmental services rendering among the departments, State or Region governments, Social Security Board, Central Bank of Myanmar, Office of Naypyitaw Council, Union Ministries, Union Auditor General Office, Office of Union Civil Services Selection Board, Union Attorney General Office, Office of Union Election Commission, Office of Union Constitutional Tribunal, Office of Union Supreme Court, Office of Amyotha Hluttaw, Office of Pyithu Hluttaw, Office of Pyihtaungsu Hluttaw, Office of Union Government, Office of State Administration Council (These do not include rendering services to State Owned Economic Enterprises, and having services from State Owned Economic Enterprises)

- (e) 5% commercial tax shall be levied on the revenue from other services provided in the country except exempted services provided under sub-section (d) and sub-section (e-1).
- (e-1) (i) Anything contain in the Commercial Tax Law, commercial tax MMK 20,000 shall be levied once on each SIM on selling of SIM Card and SIMM Card Activation.
(ii) Commercial tax shall be levied at 15% on the income of internet service providing.
- (f) The commercial tax shall be levied at 3 % on the sales proceeds of the infrastructure built, furnish and sold by long-term hiring of state own land, joint-venture with state, at private own land, joint-venture with land owner.
- (g) The commercial tax shall be levied at 3 % on the service income of hotels and tourism services.
- (h) 1 % commercial tax shall be levied on the sale revenue of gold and jewelry wares and landed cost for importing from abroad. However, the commercial tax paid at the time of purchasing gold and jewelry or importing from abroad shall not setoff from the commercial tax which has to be paid at the time of selling in local or exporting to abroad.
- (i) Previously exempted commercial tax shall be paid in case of the goods that imported with temporary admission or drawback are not re-exported within the prescribed period and used in domestic.
15. (a) The Ministry of Planning and Finance, with the approval of the Union Government, can allow exemption or relief from commercial tax in relation with commercial tax matters in the businesses that are operated by local or foreign organizations with donated money, aid money, or money lent.
- (b) In the cooperative sector and private sector, no commercial tax shall be levied if the sales proceeds or the service revenue do not exceed the following thresholds –
- (1) Sale proceeds up to Ks. 50,000,000 within single year if production and domestic sale of goods that are subject to commercial tax;
 - (2) Service revenue up to Ks. 50,000,000 within single year if services subject to commercial tax;
 - (3) Sale proceeds up to Ks. 50,000,000 within single year on Trading;
 - (4) Minimum value threshold (De-minimis value threshold) set by the Customs Department for goods that require ad hoc transaction in accordance with customs procedures.

- Explanation: (1) Sale proceed amount within single year or service revenue Ks. 50, 000,000 means the sale amount or service revenue which will be obtained within 12 continuous months including commencing month.
- (2) Notwithstanding contained in Commercial Tax Law, concerning registration, whoever, which will receive taxable income, sale revenue or wishes to entitle for setoff of commercial tax, shall conduct for registration.

16. If any person receives foreign currency for the production and sale of any goods subject to commercial tax, the providing of services subject to commercial tax, and trading, the amount of commercial tax shall be calculated according to the tax rates stipulated in this law and paid in kyats in accordance with the commercial tax regulations.
17. (a) 8% commercial tax shall be levied on the export of electricity, and 5% on the export of crude oil.
- (b) With the exclusion of the goods specified in sub-section (a), 0% commercial tax shall be levied on the export revenue of other goods. The commercial tax levied upon purchase or production of the goods maybe set off with the commercial tax on the export as prescribed. Notwithstanding with the provisions of commercial tax regulations, if the commercial tax levied upon export is less than the commercial tax levied upon purchase or production of the goods, a refund may be demanded. However, this shall not apply to goods that are purchased in the country and brought to overseas for own use.
- (c) The provisions contained in this Law shall not apply to the determination of the amount of sale proceeds or receipt which is not taxable.
18. The definition of the expressions contained in chapter 6 of this law shall be the same as in the Commercial Tax Law.

Chapter 7 Income Tax

19. (a) No income tax shall be levied on a person whose salary income does not exceed kyats 4,800,000 in a year. However, the Internal Revenue Department shall issue evidence of exemption for salary income as prescribed if so requested.
- (b) Nevertheless, if a person has salary income in excess of Ks. 4,800,000 in a year, income tax shall be paid based on the total salary income.
- (c) In order to promote and regain the businesses and investments that delayed by the Coronavirus Disease 2019 (COVID-19) pandemic, the income from salary within a year is above kyats 4,800,000 or the income from profession, business and other sources of income, the taxable income rates on anyone who shall be subject to income tax on the total of his or her income after the deduction of the reliefs according to Section 6 and Section 6-A of Income Tax Law, is as follows-

Sr. No.	Income layer for assessing income tax		Income tax rate
	From	To	
	Kyat	Kyat	
1.	1	2,000,000	0%
2.	2,000,001	10,000,000	5%
3.	10,000,001	30,000,000	10%
4.	30,000,001	50,000,000	15%

5.	50,000,001	70,000,000	20%
6.	70,000,001 And above		25%

- (d) 10% income tax shall be assessed, after deduction of the reliefs in accordance with Section 6 and Section 6-A of the Income Tax Law, on the income consisting of the total rental fees from the lease of land, buildings and apartments. This income shall not be combined with other types of income and no additional assessment shall be made. Income tax shall be levied according to the specified tax rate if the taxpayers are enterprises, companies with a permit from the Myanmar Investment Commission, state owned enterprises, cooperatives societies.
- (e) The partnership business shall pay, after deduction of reliefs in accordance with Section 6 and Section 6-A of Income Tax Law, with the rates specified in the table of sub-section (c).
- (f) The income tax rates in this section shall not apply to a person who has income, or a taxpayer who is subject to a specified tax rate with regard to a type of income.
- 20.** The basic relief permitted under clauses (1) and (2) of sub-section (a) of section 6 of the Income Tax Law shall be an amount equivalent to 20 per cent of the income for each type of income. Provided that, the total basic relief for a year shall not exceed Kyat 10 million.
- 21.** Subject to clause (2) of sub-section (a) of section 6 of the Income Tax, the reliefs amount are as follows:
- Kyat 1,000,000 each for a parent who stays together,
 - Kyat 1,000,000 for a spouse only,
 - Kyat 500,000 each for a child.
- 22.** (a) 10% income Tax shall be levied in the type of foreign currency received, without deducting the reliefs in accordance with Section 6 and Section 6-A of the Income Tax Law, on the total income that is earned abroad in foreign currency by a non-resident citizen from among the income heads, except salary, provided under section 8(a) Income Tax Law.
- (b) Irrespective of anything provided in the Income Tax Rules, income Tax shall be levied in the type of foreign currency received on the total salary income earned abroad in foreign currency by a non-resident citizen according to the lower yield one of below two methods:
- Tax is calculated and levied according to the provisions of Regulation 8 of Income Tax Regulations with the tax rate provided under Section 19(c) of this Law, after deducting the reliefs in accordance with Section 6 of Income Tax Law;
 - Tax is calculated and levied at 2%, without deducting the reliefs in accordance with Section 6 and Section 6-A of the Income Tax Law.
- (c) The tax which had paid in abroad shall be off set with the tax calculated according to this section calculated according to the type of income.
- (*Note: with effect from October 1, 2023 until March 31, 2024)*
- 23.** In order to promote and regain the businesses and investments that delayed by the Coronavirus Disease 2019 (COVID-19) pandemic,
- With regard to the following types of taxpayers, 22% income tax shall be assessed on the total net profit without deducting the reliefs under section 6 of the Income Tax Law.
 - A company which is registered and established in Myanmar according to the Myanmar Companies Law or the 1950 Special Companies Act.
 - With the exception of the "salary income" heading, other income of a non-resident foreigner.
 - A business that is operated with a permit of the Myanmar Investment Commission.
 - State-owned enterprises.
 - With the exception of primary cooperative societies, 22% income tax shall be assessed on the total net profit of other cooperative societies after deducting the allowances under section 6 and Section 6-A of the Income Tax Law.

- (c) 17% income tax shall be assessed on the total net profit of public companies of Yangon Stock Exchange without deducting the reliefs under section 6 of the Income Tax Law. If those companies previously failed to pay income tax in full, then shall pay assessed income tax after declaring the actual income of previous (2) financial year before the financial year registered at Yangon Stock Exchange, and shall be exempted from litigation, and fine under Tax Administration Law.
24. (a) If the company is participating in Myanmar's oil and gas sector, 25% income tax shall be assessed on the total net profit without deducting the reliefs under section 6 of the Income Tax Law.
- (b) Shall not deduct reliefs under section 6 and section 6-A for non-resident foreigner. If his/her total income is under the "salary income" heading, the income tax shall be assessed according to the tax rates specified in section (19), sub- section (c).
25. (a) The income tax shall be levied at 30 per cent on income escaped from assessment without deducting reliefs under section 6 and 6-A of the Income Tax Law. However, in order to promote and regain the businesses and investments that delayed by the Coronavirus Disease 2019 (COVID-19) pandemic, if any citizen can show the source of income used for buying, constructing and acquiring any assets, and establishing the new start-up or expanding the business, the income tax shall be levied according to the following tax rates with regard to the remaining income escaped from assessment. If he is unable to show the source of income, the income tax shall be charged on the income used. No income tax shall be levied if the source of income is able to show for all the income used. The levy according to this section shall not apply to the possession or trade of properties obtained illegally or matters in which action is taken under the Anti-Money Laundering Law.

Sr. No.	Income (Kyat)		Income Tax Rate
	From	To	
	Kyat	Kyat	
1	1	300,000,000	3%
2	300,000,001	600,000,000	5%
3	600,000,001	1,000,000,000	10%
4	1,000,000,001	3,000,000,000	15%
5	3,000,000,001 and above		30%

- (b) The income escaped from the assessment included in Sub-section (a) means the income which escaped from the assessment before 1st April, 2024.
- (c) The relief rate of tax included in Sub-section (a) shall be effected until 31 March, 2024 starting from 1st April 2023.
- (d) Ministry of Planning, Finance and Industry shall submit to State Administration Council through Union government in case ministry requires, after reviewing economic situation of the State and international effects, to revise the tax rates stipulated with sub-section (a).
26. Income tax shall be assessed on the net profit of primary cooperative societies, which are registered and established under the Cooperative Law, according to the tax rate in section (19) sub-section (c) after deduction of the allowances according to section (6) and Section 6-A of the Income Tax Law.
27. If profit on capital gains from selling, exchanging or transferring by any other means of one or more assets, on the profit of capital gains in kyats or foreign currency without deducting reliefs under section 6 and 6-A of the Income Tax Law -
- (a) If the company is participating in Myanmar's oil and gas sector, the income tax shall be assessed according to the tax rate shown next to the profit specified below in the type of currency earned –

Profit

Income tax rate to be paid

(1) Up to equivalent kyats millions (100,000)	40%
(2) From equivalent kyats millions (100,000) to (150,000)	45%
(3) Equivalent kyats millions (150,000) and above	50%

(b) The Income tax shall be levied at 10 per cent in kyats or foreign currency on the profit of capital gains of an individual person or an association of persons other than the companies participating in Myanmar's oil and gas sector. The tax shall be levied in the type of currency earned if he is a non-resident foreigner.

28. No income tax shall be levied even though the capital gains arise from asset if the total value of the one or more capital assets sold, exchanged or transferred by any other means within a year does not exceed Kyat 10 million.
29. The exemption of income tax shall be allowed to the extent of Kyat 15 million for three consecutive years including the year of commencement of this business for small and medium enterprises based on new start-up industry of local manufacturing. Income tax shall be assessed on income earned in excess of this amount.
30. If the income is earned in a foreign currency for other income heading except the heading of capital gains from assets, the income tax shall, in accordance with the provision of regulation 8 of the Income Tax Regulations, be calculated, on such income and the income tax shall be charged in kyats on citizens and foreigners residing in the country, and shall be charged in the type of currency earned on foreigners residing abroad.
31. (a) An income or a type of income specified below is exempt from income tax -
- (1) the total income received from cash award program whether once or repeatedly lump sum during the income year in respect of seizures under the Narcotic Drugs and Psychotropic Substances Law;
 - (2) the total income received from cash award program whether once or repeatedly lump sum during the income year in respect of seizures of illegal properties;
 - (3) rewards received together with tittle, honorary and medal conferred by the State;
 - (4) ~~income from salary headings received in foreign currency of a non-resident citizen;~~ *(deleted by amendment of UTL on 12 September, 2023, with effect from October 1, 2023 until March 31, 2024)*
 - (5) lottery rewards received from State lottery;
 - (6) pension, income transformed from pension and gratuity received when civil servant retires;
 - (7) rewards received by cash from state on finding of antiques.
- (b) The Ministry of Planning, Finance and Industry, with the approval of the Union Government, provides income tax exemption and relief for the following matters:
- (1) Income tax matters with regard to operations that are performed by domestic and foreign organizations with donated money and money given as support.
 - (2) Income tax matters with regards to development of security market.
32. The definition of the expressions contained in chapter 7 of this law shall be the same as in the Income Tax Law.

Chapter 8 Treasure Tax

33. According to the Section 38 of Myanmar Gemstone Law, the treasure tax shall be charged on actual price if selling the gems; on sale value specified by Myanmar Gemstone Enterprise based on actual sell price; whichever is higher with specified tax rates shown against them. The collected treasure tax shall be paid to relevant bank account of Internal Revenue Department-

Sr. No.	Type of Gemstone	Tax Rate
1	Crude jade	11%
2	Ruby, sapphire and other crude precious gemstones except diamond	9%

	and emerald	
3	Finished jade, ruby, sapphire and other finished precious gemstones except diamond and emerald; jade, ruby, sapphire and other finished jewelries made with precious gemstones except diamond and emerald	5%
4	Things made with gemstone	5%

Chapter 9 Other related taxes to be assessed

- 34.** The relevant ministries must manage the rates to be collected, exemptions and reliefs of the following taxes according to the law in force -
- (a) Excise tax;
 - (b) Import license fees and permit fees;
 - (c) Myanmar state lottery;
 - (d) Fees for vehicles, vehicle licenses, business licenses;
 - (e) Court fees and Stamp duty;
 - (f) Fees for tourism licenses, hotel and guest-house licenses, tour guides enterprises licenses;
 - (g) Fees earning from service providing for investment and company registration;
 - (h) Tariff;
 - (i) Land revenue;
 - (j) Water tax;
 - (k) Embankment tax;
 - (l) Tax on production from Forest;
 - (m) Mineral extraction tax (not including industrial mineral raw and decorative stones);
 - (n) Fishery tax;
 - (o) Oil and natural gas extraction tax;
 - (p) Mineral tax;
 - (q) Communication service tax;
 - (r) Gratis tax collected on the generation of electricity from water energy;
 - (s) Tax collected from the person who entitles for authority to act and use of vacant fallow and virgin lands.

Chapter 10 Miscellaneous

- 35.** The Union Government may, by notification, form a supporting team for tax collection if necessary.
- 36.** The Union Government shall, without contrary to the international agreement signed by the Union, in order to sell competitively in the market on the goods produced in the country and the goods imported, and to develop long-term benefit of the domestic agriculture and livestock business that mainly based on the domestic production business, the domestic and foreign investment, carry out the followings:
- (a) carrying out to obtain the highest rights and reliefs as the countries in ASEAN within the framework of the World Trade Organization, World Customs Organization and ASEAN Free Trade Agreement with regard to the permitted amount of importation and the customs duty rates;
 - (b) carrying out the necessary arrangement in accord with the provisions of the Customs Acts and procedures or the permission for import and export of goods and quota allocation.

37. The Union Government shall, with the approval of State Administration Council, notify to approve reliefs or exemptions for income tax, commercial tax, special goods tax and treasure tax.
38. (a) The Internal Revenue Department shall educate related to tax to the public, organize, make awareness to the public related to tax reliefs and exemptions that may be enjoyed in accord with law, give the right to calculate in collecting tax in accord with the relief, recognize the dutiful taxpayers and manage due award for paying the tax by the tax payers in accord with Law.
- (b) In order to reform the tax system efficiently, the Ministry of Planning, Finance and Industry may allow, with the consent of the Union Government, the use of the ordinary budget of the Internal Revenue Department under the Union Budget Law in accordance with the financial procedures for performing the duties prescribed in above sub-section (a).
- (c) The Ministry of the Planning, Finance and Industry can use an amount from the ordinary budget of sub-section (b) to reward public service personnel who are responsible for collecting tax in accordance with the financial procedures.
39. If untaxed special goods are possessed, the informer must, as a reward, be offered 20% of the following collected fine, and the group making the arrest must be offered 30%. The informer must not be identified except in a government case:
- (a) Regarding special goods which has to be affixed tax label and sold, fines defined under Section 22(c) and Section 22(f) of Special Goods Tax Law to manufacturers of special goods who fails to affix the specified tax and possession of untaxed special goods;
- (b) Regarding remain special goods, fine defined under Section 22(c) of Special Goods Tax Law to the person who possesses the special goods which has not paid tax.
40. (a) Notwithstanding contained in Section 21(f) of Commercial Tax Law, if Township Revenue Officer found that failure to issue the receipt or evidence of payment receipt to purchaser or the person who obtained the service or has not affixed costed tax label specified by commercial tax regulations although issue the receipt while possessing receipt or evidence of payment receipt, the 100 percent of tax upon the amount of receipt or evidence of payment receipt shall be paid as fine, and following amount shall be paid as fine in respect the time of failure-
- (1) 1,000,000 MMK for first time failure;
- (2) 2,000,000 MMK for second time failure;
- (3) 3,000,000 MMK for third time failure;
- (4) 6,000,000 MMK for fourth time failure.
- (b) Regarding goods which has to be affixed tax label, if Township Revenue Officer found that the selling without specified tax label, the possessor of such goods shall pay the 100 percent of value of aforesaid goods as fine.
41. The Union Government shall issue the notification about reward regarding following collected fines-
- (a) Notwithstanding contained in Commercial Tax Law, fine defined under Section 40(a) of this Law for failure to issue the receipt or evidence of payment receipt to purchaser or the person who obtained the service or has not affixed costed tax label although issue the receipt while possessing receipt or evidence of payment receipt.
- (b) Regarding goods specified to affix tax label, fine defined under Section 40(b) of this Law for selling without affixing specified tax label.
42. The relevant ministry may, whatever mentioned in the respective law, issue necessary procedures for the smooth operation of tax collection at the transition period because of the changes of budget year.
43. The notification, order, directive, procedures, interpretation statement, practice statement and public announcements issued with regards to yearly enacted Union Tax Law shall, in so far as they are not inconsistent with the provisions of this Law, continue to have effect.

I sign according to the Section 419 of the Constitution of the Republic of the Union of Myanmar.

Min Aung Hlaing

Senior General
Chairman
State Administration Council

Tilleke & Gibbins Myanmar