

The Republic of the Union of Myanmar  
Ministry of Finance and Revenue  
Minister's Office  
Notification No.103/2012  
8<sup>th</sup> Waning of Tabaung 1373 ME, Naypyitaw  
(15<sup>th</sup> March 2012)

The Ministry of Finance and Revenue with the approval of the Union Government, notifies the following Regulations under the Income-Tax Law Section 51, subsection (a).

**CHAPTER I Title and Definition**

1. (a) These Regulations shall be called the Income-Tax Regulations.
- (b) These Regulations shall have effect from the financial year 2012-2013. 2. Expressions used in these Regulations shall have the same meaning as in the Income-Tax Law & the Income-Tax Rules and Director General means the Director General of the Internal Revenue Department.

## CHAPTER II

### Assessment of Government Economic Enterprises

3. The assessment of Government economic enterprises shall be made as mentioned below:

(a) notwithstanding anything contained in sub-section (a) of section 16 of the Law, a Government economic enterprise shall pay in advance during the income year income-tax as provided for it in the State Budget for that year. Such payments shall be made in quarterly installments. If the provision for the income-tax has been revised by the State Budget, payments for the remaining installments shall be

made according to the revised provision, after making adjustments. The tax so paid shall be deducted in the relevant assessment. Provided that where the provision for the income-tax in the State Budget Law is separately made for the advance tax and the ordinary tax, only the provision for the advance shall be applicable to this Clause; (b) notwithstanding anything contained in section 17 of the Law, the said enterprise shall file its return of income to the Township Revenue Officer within thirty days from the date of completion of annual accounts for the relevant income year;

(c) the Township Revenue Officer shall accept the income shown in the return filed by the said enterprise and make an assessment thereon.

Provided that, if the Township Revenue Officer finds that the income shown therein is less than the assessable amount, he may determine the assessable income and assess accordingly. If it is found, after the accounts of that enterprise has been audited in accordance with the audit program of the Government, that the income for the relevant year differs from the income originally declared or the income determined by the Township Revenue Officer, the said enterprise shall file a fresh return of income for the said year along with a copy of the audit report within thirty days from the date of receipt of the audit report. On receipt of these, the Township Revenue Officer shall make a re-assessment for the relevant year on the basis of the fresh return;

(d) the reliefs given under section 6 of the Law shall not apply to Government economic enterprises;

(e) the other matters relating to the assessment and collection shall be dealt with in accordance with the directions made from time to time by the person delegated by the Government for this purpose.

## CHAPTER III

### Assessment of Co-operative Societies

- (a) In computing the total income of a co-operative society formed under the Co-operative Society Law 1992, expenditure incurred in deriving the income, and depreciation allowances in respect of capital assets provided under the Income Tax Rules, and contributions as prescribed under the Co-operative Society Law 1992 to the following funds shall be deducted, but the deduction shall not exceed an amount equal to 10 per cent of the salaries of permanent staff:
- (aa) contributions to the pension fund
  - (bb) contributions to the social and cultural fund.
- (b) Expenditure incurred by a fund formed under the Cooperative Society Rules 1998, Rule 63 and Rule 64 (other than a fund to which sub-regulation (a) applies) shall be deducted. Provided that, capital expenditure or payment of income-tax is not deductible.
- (c) Notwithstanding anything contained in section 16 of the Law, the society shall, within three months of the end of the income year, pay in full the tax on the total income computed in accordance with sub-regulations (a) and (b) at the rates applicable to the relevant assessment year. The tax so paid shall be deemed to be the income-tax paid in advance under section 16 of the Law.
- (d) The total income of a cooperative society shall be computed under sub-regulation (a) and (b) based on the audit report of the Cooperative Department where
- (i) the annual accounts are prepared by the Cooperative Department under Rule 84 of the Cooperative Society Rules; and
  - (ii) the annual accounts of the Cooperative Society are audited by the Cooperative auditors under Rule 82.

- (e) Other matters relating to the assessment and collection of such societies shall be dealt with in accordance with the provisions of the Law.

Unofficial Translation

## CHAPTER IV

### Assessment of Foreigners and Foreign Organizations performing under Government Projects

5. (a) The assessment of income-tax on a foreigner who is engaged under special permission of the Union Government in any Union Government project or Union Government sponsored project or enterprise shall be made as follows:
- (i) income-tax shall be assessed on the income received for such performance during the period of residence in Myanmar at rates specifically prescribed by notification issued by the Ministry of Finance and Revenue of the Union Government, with approval of the Union Government;
  - (ii) where such a person has any other income in the Union of Myanmar which is not applicable to the said performance, income-tax shall be assessed on that income at the relevant rates according to the source of income in the same manner as is assessed on other assesseees;
  - (iii) notwithstanding anything contained in sub-section (l) and (n) of section 3 of the Law, the income received abroad by that person which does not pertain to the said performance shall be assessed under this Law, only if such income is applicable to section 26 of the Law;
  - (iv) the other matters relating to the assessment and collection on that person shall be made in accordance with the provisions of the Law.
- (b) The assessment of income-tax on an association of persons formed abroad which is engaged under special permission of the Government in any Union Government project or Union Government sponsored project or enterprise shall be made as follows:-
- (i) the income from the said performance of that association of persons shall be computed under rule 10 and income-tax shall be assessed on that income at the rates specifically prescribed by notification of the Ministry of Finance and Revenue of the Union Government, with the approval of the Union Government;
  - (ii) where such an association of persons has any other income in the Union of Myanmar which is not applicable to the said performance, income-tax shall be assessed on that income at the

relevant rates according to the source of income in the same manner as is assessed on other assesseees;

(iii) notwithstanding anything contained in sub-section (l) and (n) of section 3 of the Law, the income received abroad by that association of persons, which does not pertain to the said performance shall be assessed under this Law, only if such income is applicable to section 26 of the Law;

(iv) the other matters relating to the assessment and collections on that association of persons shall be made in accordance with the provisions of the Law.

(b) The assessment of income-tax on an association of persons formed abroad which is engaged under special permission of the Government in any Union Government project or Union Government sponsored project or enterprise shall be made as follows;-

(i) the income of an association of persons from the said project shall be computed under Rule 10 and income-tax shall be assessed on that income at the rate specifically prescribed by notification of the Ministry of Finance and Revenue with the approval of the Union Government.;

(ii) where such an association of persons has any other income within Myanmar which is not applicable to the said project, income-tax shall be assessed on that income at the relevant rates according to the source of income in the same manner as is assessed on other assesseees;

(iii) notwithstanding anything contained in sub-section (l) and (n) of section 3 of the Law, the income received abroad by that association of persons, which does not pertain to the said performance shall be assessed under this Law, only if such income is applicable to section 26 of the Law;

(iv) the other matters relating to the assessment and collection on that association of persons shall be made in accordance with the provisions of the Law. (c) The reliefs given under sections 6 of the Law shall not apply to the assessment governed by these regulations.

## CHAPTER V

### Assessment procedures for persons discontinuing business

- 6 (a) Where a person who is liable to pay tax discontinues business, he shall, within one month from the date of discontinuance, file a return of income to the Township Revenue Officer for the period which remains to be assessed to tax, up to the date of discontinuance.
- (b) Where the Township Revenue Officer finds the business of a person liable to tax, has been discontinued, that person may be served with a notice to file a return of income. Such notice shall be deemed to be the notice issued under sub-section (b) of section 17 of the Law.
- (c) The Township Revenue Officer shall make the assessment on a person discontinuing his business in accordance with the provisions of section 19 of the Law.
- (d) In making assessment under this Regulation the income year shall be deemed to be the assessment year and the tax shall be levied at rates prevailing during that income year.
- (e) The other matters relating to the assessment and collection on a person discontinuing his business shall be made in accordance with the provisions of the Law.

## CHAPTER VI

### Assessment of persons receiving income in a foreign currency

7. The Ministry of Finance and Revenue of the Union Government may, in respect of a person receiving income in a foreign currency or a class of persons receiving income in a foreign currency, prescribe that the tax shall be paid in that foreign currency.

8. In respect of the total income and tax liability of a person who receives income or pays expenses in kyats and in a foreign currency:

- (a) where a person receives income or pays expenses in a foreign currency, that income or those expenses shall be converted into Kyats. The converted income or expenses will be added to Kyats receipts and expenses. Total expenses will be deducted from total receipts, and tax liability in Kyats shall be computed under existing provisions.
- (b) the tax computed in Kyats under Sub-Regulation (a) shall be divided proportionately into Kyats and foreign currency. The tax liability in Kyats shall be paid in Kyats and the tax liability in foreign currency shall be paid in foreign currency proportionately.
- (c) tax assessed under this Regulation shall be calculated at the prevailing official rate of exchange prescribed by the Ministry of Finance and Revenue of the Union Government (“the official exchange rate”). Where the income has been received on a single occasion in the relevant income year the calculation shall be made at the official exchange rate prevailing on the date of receipt of that income; and where the income has been received on more than one occasion, the average of the official exchange rates prevailing on the respective days of receipt shall be determined and the calculation shall be made at that average rate. The same applies to expenses.
- (d) the foreign currency tax liability computed under Sub-Regulation (b) shall be refunded or demanded, as the case may be, in that foreign currency. The tax liability in Kyats shall be refunded or demanded in Kyats.



- (e) during the income-year taxpayers are liable to pay estimated tax under section (16) of the Law in kyats and foreign currency, as appropriate,.
- (f) notwithstanding sub-Regulation (b), the Ministry of Finance and Revenue of the Union Government may prescribe a rate of tax, based on foreign currency receipts or a basket of foreign currencies, applying to the receipts in foreign currency. However the tax liability in Kyats shall be paid in Kyats.
- (g) other provisions under this Law shall continue to apply to the assessment of persons with receipts and expenses in foreign currencies. Director General may issue directions to address other issues arising in the practical application of the provisions of this Regulation.
- (h) the provisions of this Regulation shall not apply to the receipts or income earned abroad by a non-resident citizen;
- (i) merely because a fixed rate of tax is prescribed under sub-Regulation (f), it shall not be deemed that this Regulation does not apply to the person who receives the foreign currency.

Unofficial

## CHAPTER VII

### Provisional Assessment

9 (a) The Township Revenue Officer may, on receipt of the return of income, make a provisional assessment by accepting the said return, or where the return is accompanied by a statement of accounts, on the basis of such statement of accounts. The tax already paid under section 16 of the Law shall be deducted from the tax due in the provisional assessment.

(b) The tax payable under the provisional assessment shall be demanded in accordance with the provisions of section 53 of the Law. If the assessee fails to pay that tax it may be recovered in accordance with the provisions of section 39 and section 40 of the Law.

(c) Where a provisional assessment is made under this Regulation, a regular assessment shall be made as soon as possible in accordance with the provisions of the Law.

(d) No appeal shall lie against a provisional assessment made under this regulation.

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## CHAPTER VIII

### Persons qualified to act as an Authorized Representative of the Assessee

10 (a) Except for those matters which the assessee is required to personally perform according to the requirements of the Law, the following persons shall have the right to act as an authorized representative of the assessee:-(i) a relative or an employee of the assessee authorized by the assessee in writing as his authorized representative; (ii) a lawyer entitled to plead in any judicial body;

(iii) an accountant or an auditor recognized by the Government;

(iv) an income-tax practitioner who has any of the qualifications mentioned below:-

(aa) a person who has acquired from any Myanmar university or any foreign university, a Bachelor Degree in Commerce or in Economics with accountancy or finance as a major subject, or a similar degree not lower than the said degrees;

(bb) a person who has a minimum of 5 years' service in the Internal Revenue Department or any of the revenue departments it has succeeded, and has acquired the qualifications prescribed by the person delegated by the Government for this purpose. Provided that, where there is sufficient reason, the person delegated by the Director General for this purpose may relax the length of service mentioned in this clause;

(b) the under-mentioned shall not be included in the persons entitled to act as an authorized representative under this regulation;-

(aa) a person who has been dismissed from any Government department;

(bb) a person who, because of any misconduct has been disqualified to act an authorized representative by an order passed by the person delegated by the Director General for this purpose.

(C) The Director General may pass the order disqualifying any person who is guilty of any misconduct from acting as an authorized representative of the assessee. Provided that the person concerned shall be given an opportunity of being heard before such an order is passed.

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## CHAPTER IX

### The Place of Assessment

11. (a) The Township Revenue Officer or Regional or State Revenue Officer or the Head of the Companies Circle Tax Office shall have the powers to act on matters contained in the Law concerning the business and profession located within their specified areas of assignment. Where the assessee has business or profession in more than one distinct area, such duties shall be performed by the Township Revenue Officer or Companies Circle Tax Office of the area in which the principal place of his business or profession is situated.
- (b) Such duties shall be performed, in the case of income under the head 'property', by Township Revenue Officer or Companies Circle Tax Office to the area in which the property is situated; and in the case of income under the head 'salaries', by Township Revenue Officer of the area in which the employment is situated.
- (c) If the assessee has more than one source of income, such duties shall be performed by the Township Revenue Officer or Companies Circle Tax Office of the area in which the principal source of income is situated.
- (d) Where difficulties exist in practice when carrying out the provisions of sub-regulation (a), (b), or (c), or in other matters, the place of assessment shall be determined by the Township Revenue Officer or Companies Circle Tax Office.
- (e) If a dispute arises in respect of the place of assessment, the decision of Director General for this purpose shall be final. Provided that, the assessee shall be given an opportunity of being heard before making such a decision.

Notwithstanding anything contained in sub-regulation (a), (b), (c), (d) or (e), any other Township Revenue Officer or Regional or State Revenue Officer or the Head of Companies Circle Tax Office shall, in respect of any enterprise or assessee, have the powers to carry out all the matters contained in the Law, other than passing an assessment order or an appellate order.

## CHAPTER X

### Procedures relating to person Leaving Myanmar

12. (a) Any person intending to leave Myanmar temporarily or permanently shall apply in writing to the Township Revenue Officer for the issuance of a certificate that he has no liability to pay any income-tax or that a satisfactory arrangement has been made for the payment of the income-tax he is liable to pay. Where the applicant for the certificate has never been assessed under the Income-Tax Law, the Township Revenue Officer shall examine whether he has an assessable income for the income years for which assessment proceedings may be opened under the Law. Where there is reason to assess for any year or years, assessment shall be made for that year or years.
- (b) Where an assessment is to be made on the applicant for the certificate, assessment proceedings must be completed. In assessment proceedings where the return of income has not been filed, a notice under subsection (b) of section 17, or under section 21 of the Law, as the case may be, shall be served on the assessee for filing the return of income within a period of not less than seven days.
- (c) The total income of the assessee for the period from the expiry of the last complete income year to the probable date of departure from Myanmar shall be estimated and the assessment thereon shall be made at rates prescribed for the current financial year. If the probable date of departure from Myanmar is likely to be beyond the current financial year, assessments shall be made separately for the current financial year and for the period from the day next commencing from the end of the current financial year, to the probable date of departure of the assessee from Myanmar. In doing so, the tax shall be computed at rates prescribed for the current assessment year. In order to make the assessment, a notice under sub-section (b) of section 17 of the Law to file the return of income may be served on the assessee within a period of not less than seven days.
- (d) Where it is not possible to complete all assessments before the departure from Myanmar of the applicant for the certificate necessary arrangements shall be made for making the assessments and the collection of tax which may fall due after his departure.
- (e) The Township Revenue Officer shall issue to the applicant, using the appropriate paragraph, Form 'A', addressed to the person authorised for the issuance of the certificate under sub-section (a) of section 38 of the Law.

- (f) On receipt of Form 'A' mentioned in clause (e), the person intending to leave abroad shall submit the said Form 'A' attached to Form 'B' to the person delegated for the issuance of the certificate under sub-section (a) of section 38 of the Law. The person authorised for the issuance of the certificate shall, after scrutiny of the requirements, issue the certificate in Form 'C'.
- (g) The following persons intending to leave Myanmar are not required to obtain the certificate prescribed under sub-section (a) of section 38 of the Law;-(i) persons under the age of eighteen years;
- (ii) passengers in transit holding through tickets and passengers holding return tickets from a place outside Myanmar, provided that the total period spent in Myanmar does not exceed ninety days;
- (iii) all classes of diplomats and persons of diplomatic status from foreign countries accredited to Myanmar, and their spouses;
- (iv) full time staff of the above mentioned diplomats and family members (such full time staff must be the citizens of the country which they represent and not engaged in other profit making enterprises in Myanmar);
- (v) government servants and representatives of the Foreign Governments and family members arriving in Myanmar in connection with official business of the said Governments;
- (vi) personnel of the United Nations and its agencies and their family members, who arrive in Myanmar either at the invitation of the Government of Myanmar or to perform duties assigned to them by the United Nations;
- (vii) persons on whom a deportation order has been passed to leave Myanmar;
- (h) in cases of difficulty in carrying out the provisions of this regulation, the Director General may prescribe methods for issuing Form 'C'.

## CHAPTER XI

### Depreciation Allowance

13. (a) The depreciation allowance deductible under sub-section (b) of section 10 and sub-section (b) of section 11 of the Law in respect of building, machinery, plant, or furniture shall be in accordance with the rates in the following schedule. The depreciation allowance deductible in respect of tools, apparatus and appliances or other capital assets not mentioned in this schedule shall, where it is not applicable under sub-regulation (b), be at the rate of 5 per cent per annum on the original cost.

<b>Class of Asset</b>	<b>Rate on original cost</b>
<b>1. Building-</b>	
<b>(a) First class substantial building constructed with selected materials and reinforced concrete.</b>	
<b>(1) factory buildings</b>	<b>3</b>
<b>(2) other buildings</b>	<b>1.5</b>
<b>(b) Second class building of less substantial construction.</b>	
<b>(1) factory buildings</b>	<b>5</b>
<b>(2) other buildings</b>	<b>2.5</b>
<b>(c) Wooden building with tile or corrugated iron roofing</b>	
<b>(1) factory buildings</b>	<b>10</b>
<b>(2) other buildings</b>	<b>5</b>
<b>(d) building with bamboo and thatch</b>	<b>(replacement cost allowed as revenue expenditure)</b>
<b>2. Furniture and fittings installed buildings-</b>	



**(a) General**

**5**

**(Except for crockery, glassware, linen and plastic sheets, replacement cost allowed as revenue expenditure.)**

**(b) Furniture and fittings, silverware and 6.25**

**kitchen equipment used in hotels, cinemas and boarding houses.**

**(c) Musical instruments used in hotels, theatres and cinemas. 10**

<b>Class of Asset</b>	<b>Rate on original cost</b>
<b>3. Machinery and Plant</b>	
<b>(a) General-</b>	<b>5</b>
<b>(b) Special rates for the following;-</b>	
<b>(i) Rice mills</b>	<b>6.25</b>
<b>(ii) Flour mills</b>	<b>6.25</b>
<b>(iii) Oil mills</b>	<b>6.25</b>
<b>(iv) Ice factories</b>	<b>6.25</b>
<b>(v) Aerated water factories</b>	<b>6.25</b>
<b>(vi) Coffee mills</b>	<b>6.25</b>
<b>(vii) Black tea factories</b>	<b>6.25</b>
<b>(viii) Liquor distilleries</b>	<b>6.25</b>
<b>(ix) Bakery and biscuit factories</b>	<b>6.25</b>
<b>(x) Noodle, mini-noodle, vermicelli and mohinga noodle-works.</b>	<b>6.25</b>
<b>(xi) Grinding mills</b>	<b>6.25</b>
<b>(xii) Canneries</b>	<b>6.25</b>
<b>(xiii) Tanneries</b>	<b>6.25</b>
<b>(xiv) Footwear factories</b>	<b>6.25</b>
<b>(xv) Battery works</b>	<b>6.25</b>
<b>(xvi) Starch factories</b>	<b>6.25</b>
<b>(xvii) Soap factories</b>	<b>6.25</b>
<b>(xviii) Candle factories</b>	<b>6.25</b>
<b>(xix) Rope making factories</b>	<b>6.25</b>
<b>(xx) Aluminum-ware works</b>	<b>6.25</b>
<b>(xxi) Tin and can making works</b>	<b>6.25</b>
<b>(xxii) Plastic-ware plant</b>	<b>6.25</b>
<b>(xxiii) Saw mills</b>	<b>6.25</b>
<b>(xxiv) Lime works</b>	<b>6.25</b>
<b>(xxv) Electrical appliances factory</b>	<b>6.25</b>
<b>(xxvi) Quarries</b>	<b>6.25</b>
<b>(xxvii) Metal smelting plant</b>	<b>6.25</b>

<b>Class of Asset</b>	<b>Rate on original cost</b>
<b>(xxviii) Lathe works</b>	<b>6.25</b>
<b>(xxix) Dockyards</b>	<b>6.25</b>
<b>(xxx) Pea-shelling mills</b>	<b>6.25</b>
<b>(c) (i) Fatty acid Hydro-generation plant.</b>	<b>10</b>
<b>(ii) Chemical product factories</b>	<b>10</b>
<b>(iii) Bleaching and dyeing factories</b>	<b>10</b>
<b>(iv) Rubber goods factories</b>	<b>10</b>
<b>(v) Brick manufacturing works</b>	<b>10</b>
<b>(vi) Tile making works</b>	<b>10</b>
<b>(vii) Wire and nail mills</b>	<b>10</b>
<b>(viii) Textile mills</b>	<b>10</b>
<b>(ix) Salt works</b>	<b>10</b>
<b>4. Machinery equipment-</b>	
<b>(a) Overhead electric cables</b>	<b>2.5</b>
<b>(b) (i) Electric generators</b>	<b>6.25</b>
<b>(ii) Electricity transmission machinery.</b>	<b>6.25</b>
<b>(iii) Underground electric cables</b>	<b>6.25</b>
<b>(iv) Electric lifts and elevators</b>	<b>6.25</b>
<b>(v) Miscellaneous electrical goods</b>	<b>6.25</b>
<b>(vi) Metal-plating works</b>	<b>6.25</b>
<b>(vii) Machinery repair and maintenance machines.</b>	<b>6.25</b>
<b>(viii) Printing presses</b>	<b>6.25</b>
<b>(ix) Air compressor and pneumatic machinery</b>	<b>6.25</b>
<b>(c) Ice-cream making machines</b>	<b>10</b>
<b>(d) Motion picture production and exhibition machines.</b>	<b>12.5</b>
<b>(e) X-ray and therapeutic electrical apparatus.</b>	<b>20</b>
<b>5. Waterway transport-</b>	

<b>Class of Asset</b>	<b>Rate on original cost</b>
<b>(a) Non-mechanized vessel constructed with iron.</b>	<b>5</b>
<b>(b) Mechanized vessel constructed with iron</b>	<b>6.25</b>
<b>(c) Vessel constructed with timber</b>	<b>10</b>
<b>6. Road transport vehicles-</b>	
<b>(a) (i) Motor vehicles</b>	<b>12.5</b>
<b>(ii) Bicycles and trishaws</b>	<b>12.5</b>
<b>(b) Vehicles for hire, haulage vehicles passenger cars, non-mechanized vehicles</b>	<b>20</b>
<b>7. Miscellaneous-</b>	
<b>(a) (i) Office equipment</b>	<b>10</b>
<b>(ii) Weighing machines and apparatus.</b>	<b>10</b>
<b>(iii) Workshop machines and instruments.</b>	<b>10</b>
<b>(iv) Garment and headwear production machines.</b>	<b>10</b>
<b>(v) Leather and canvas goods makings machines.</b>	<b>10</b>
<b>(vi) Refrigeration plant</b>	<b>10</b>
<b>(vii) Building construction works machines.</b>	<b>10</b>
<b>(viii) Construction and household ironware producing machines.</b>	<b>10</b>
<b>(ix) Mining machinery</b>	<b>10</b>
<b>(x) Handlooms</b>	<b>10</b>
<b>(b)(i) Sugar cane juice extracting machines.</b>	<b>12.5</b>
<b>(ii) Surgical instruments</b>	<b>12.5</b>
<b>(c)(i) Mechanized farming machinery.</b>	<b>20</b>

<b>Class of Asset</b>	<b>Rate on original cost</b>
<b>(ii) Winches</b>	<b>20</b>
<b>8. Other Miscellaneous Items</b>	
<b>(i) aircraft</b>	<b>16</b>
<b>(ii) accounting machines, calculator</b>	<b>10</b>
<b>(iii) actor's accessories.</b>	<b>20</b>
<b>(iv)Recording &amp; amplifying equipment</b>	<b>10</b>
<b>(v) Bottle washing machine</b>	<b>10</b>
<b>(vi) Box and carton (cardboard) plant</b>	<b>7.5</b>
<b>(vii) Breweries and distilleries</b>	<b>5</b>
<b>(viii)Cameras and photographic equipment</b>	<b>10</b>
<b>(ix) Cement factories</b>	<b>7.5</b>
<b>(x) Chemical manufacturing plant</b>	<b>7.5</b>
<b>(xi)Computers and accessories</b>	<b>20</b>
<b>(xii)Cotton machinery</b>	<b>7.5</b>
<b>(xiii)Dairy farm plant</b>	<b>10</b>
<b>(xiv)Photocopiers</b>	<b>10</b>
<b>(xv) Iron foundries</b>	<b>5</b>
<b>(xvi) Glass manufacturing plant</b>	<b>7.5</b>
<b>(xvii)Insecticide plant</b>	<b>12.5</b>

<b>Class of Asset</b>	<b>Rate on original cost</b>
<b>(xviii) knitting, weaving machinery</b>	<b>7.5</b>
<b>(xix) Washing and Dyeing plant</b>	
<b>- General use Instrument</b>	<b>10</b>
<b>- Washing Machine</b>	<b>15</b>
<b>(xx) Match factories</b>	<b>5</b>
<b>(xxi) Oil companies</b>	
<b>-plant and machineries</b>	<b>5</b>
<b>- pipelines</b>	<b>5</b>
<b>- shaft drilling equipment</b>	<b>20</b>
<b>-oil rigs</b>	<b>10</b>
<b>-geophysical survey equipment</b>	<b>10</b>
<b>seismic survey equipment</b>	<b>10</b>
<b>- Other survey equipment</b>	<b>10</b>
<b>(xxii) Oxy-acetylene equipment</b>	<b>5</b>
<b>(xxiii) paint, varnish manufacturing plant</b>	<b>7.5</b>
<b>(xxiv) Poultry processing plant</b>	<b>7.5</b>
<b>(xxv) Sewing machines</b>	<b>10</b>
<b>(xxvi) Spray painting machinery</b>	<b>10</b>
<b>(xxvii) Sugar mills</b>	<b>7.5</b>
<b>(xxviii) Tarpaulin (canvas, plastic)</b>	<b>15</b>

<b>Class of Asset</b>	<b>Rate on original cost</b>
<b>manufacturing plant</b>	
<b>(xxix) Television</b>	
<b>-antenna</b>	<b>2.5</b>
<b>-other equipment</b>	<b>15</b>
<b>- receiver</b>	
<b>(a) general</b>	<b>10</b>
<b>(b) for hire</b>	<b>15</b>
<b>(xxx) Tile manufacturing plant</b>	<b>10</b>
<b>(xxxii) Typewriters (electronic, manual)</b>	<b>10</b>
<b>(xxxii) Umbrella manufacturing plant</b>	<b>10</b>
<b>(xxxiii) Vacuum cleaners</b>	<b>10</b>
<b>(xxxiv) Videos</b>	
<b>-Game machines</b>	<b>20</b>
<b>- Other Video machines</b>	<b>10</b>
<b>(xxxv) Washing Machines</b>	<b>15</b>

In respect of newly constructed buildings and installation of new machinery by industrial enterprises, initial depreciation in the year of construction or installation shall be allowed as follows:

- (1) 15% of the original cost of the building
- (2) 20% of the original cost of machinery

(b) In computing the total income within and without Myanmar under Sub-Rule (b) of Rule 10, the depreciation allowance, if it is not contained in the schedule under Sub-Regulation (a), may be granted as it is allowed in the country in which the control and management of that enterprise is

situate. (c) (i) The aggregate of depreciation allowances granted in respect of the relevant asset shall not exceed the original cost incurred by the assessee. (ii) When the assessee lets on hire machinery belonging to him and also buildings and the letting of the building cannot be separated from the letting of the said machinery, the depreciation allowance in respect of such building is also deductible as well as the depreciation allowance for the machinery. (iii) Notwithstanding that the assets are not used for the whole of the income year the assessee is entitled to full depreciation allowance for that year. (iv) Where assets are transferred during the income year, the assessee who last owned and used the assets shall be entitled to the said allowance. (v) The assessee shall claim depreciation allowances under this Regulation by providing the particulars in the prescribed form.

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## CHAPTER XII

### Procedures for deduction and payment at the time income is received

14. (a) In deducting Income-tax under sub-section (d) and (e) of section 16 of the Law, a deduction shall be made at the rates prescribed for assessments relevant to the year of deduction.
- (b) All amounts deducted under sub-sections (d) and (e) of section 16 of the Law shall be credited to the account of the relevant Township Revenue Office, on the day the deduction is made if deducted by the administrative officer of a Government Department, or within seven days from the date of deduction if deducted by other persons.
- Provided that, for this purpose the Director General may permit other means of payment if necessary.
- (c) Where the deduction is made under sub-section (d) and (e) of section 16 of the Law, the particulars in respect of the amounts deducted shall be provided to the relevant Township Revenue Office within seven days from the date of deduction. (d) The persons who are responsible for providing the annual statement of salaries under section 18 of the Law are as follows;-(i) the head of relevant state owned economic enterprises; state owned factories, or Departments; (ii) self employed persons; (iii) a member responsible for the management of an association of persons; (iv) the president or the secretary of the relevant co-operative society (v) the general manager of a company, or manager if a general manager is not appointed.

## **CHAPTER XIII**

### **General**

15 The Director General may issue forms for the efficient implementation the provisions of the Law and Regulations.

16 In computing and determining the total tax payable, the tax amount less than 50 pyas shall be ignored; if the tax amount is between 50 pyas and 1 Kyat, the tax amount shall rounded up to the nearest Kyat.

17 These Regulations repeal Income Tax Regulations issued on 28 February 1974.

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