

The Union of Myanmar
The State Peace and Development Council
The Dawei Special Economic Zone Law
(The State Peace and Development Council Law No. 17 / 2011)
The 8 th Waning of Pyatho, 1372. M.E.
(27th January, 2011)

The State Peace and Development Council hereby enacts the following Law.

Chapter I
Title and Definition

1. This Law shall be called the Dawei Special Economic Zone Law.
2. The following expressions contained in this Law shall have the meanings given hereunder:
 - (a) Dawei Special Economic Zone means the zone notified and established by the Government as a Special Economic Zone by demarcating the extent of territory and boundary in Dawei District, Tanintharyi Region under the Myanmar Special Economic Zone Law;
 - (b) The expressions " export processing zone, sub-trading zone, citizen, resident foreigner, non-resident foreigner, capital gain and service" shall have the same meanings as are defined in the Myanmar Special Economic Zone Law;
 - (c) Developer means the person or organization which has been given responsibility of constructing the building, designing model, organizing, promoting, providing finance for developing the whole or a part of the infrastructure of the Dawei Special Economic Zone and providing amenities in the Dawei Special Economic Zone;

- (d) Investor means the local or foreign individual or organization granted permission to do business by investing in the type of currency determined by the Central Body in the Dawei Special Economic Zone;
- (e) Plan includes plans of constructing deep sea port, establishing industrial area, constructing roads and railroads, extending electrical power distribution lines, gas pipe lines and petrol pipe lines, constructing residential quarters, resort centers and infrastructures or carrying out service business in respect of the Dawei Special Economic Zone permitted by the Central Body, with the approval of the Government;
- (f) Company means a company incorporated in accord with the existing laws in the Union of Myanmar in order to carry out the works contained in the plan or a company or companies consolidated or subsidiary to such company;
- (g) Work Site means the place prescribed for establishing, implementing and operating the works contained in the plan and carrying out the supportive works thereof;
- (h) The expressions " government, central body and central working body" shall have the same meanings as are defined in the Myanmar Special Economic Zone Law;
- (i) Responsible Ministry means the Union Ministry prescribed and assigned duty by the Government to take responsibility in implementing the necessary functions and duties in respect of the Dawei Special Economic Zone;
- (j) Management Committee means the Dawei Special Economic Zone Management Committee formed by the Central Body under this Law to carry out the administration and supervision works in the Dawei Special Economic Zone;

(k) Dawei Special Economic Zone Supporting Working Body means the Dawei Special Economic Zone Supporting Working Body formed under this Law in order to support the Management Committee in the Dawei Special Economic Zone.

Chapter II
Objectives

3. The Objectives of this Law are as follows:
- (a) to implement the Dawei Special Economic Zone by the supervision of the Central Body in accord with the objectives contained in section 3 of the Myanmar Special Economic Zone;
 - (b) to emerge as the pivotal place for the trade and transportation of South East Asian Region;
 - (c) to develop the businesses of the Dawei Special Economic Zone;
 - (d) to create more employment opportunities for the public within the Dawei Special Economic Zone;
 - (e) to develop the infrastructures within the Dawei Special Economic Zone.

Chapter III
Dawei Special Economic Zone

4. The Dawei Special Economic Zone is the zone prescribed and established by the Government under section 4 of the Myanmar Special Economic Zone Law by notification.
5. The following zones are contained in the Dawei Special Economic Zone:
- (a) high tech industrial zones;
 - (b) information and telecommunications technology zones;
 - (c) export processing zones;
 - (d) port area zones;
 - (e) logistics and transportation zones;

- (f) scientific and technological research and development zones;
- (g) service business zones;
- (h) sub-trading zones ;
- (i) zones prescribed by the Government, from time to time.

6. The works and places where the investment may be made in the Dawei Special Economic Zone are as follows:
- (a) Port business;
 - (b) Industrial business;
 - (c) Electrical Power and related service businesses;
 - (d) logistic transportation businesses;
 - (e) constructing motor roads, high-way roads and railroads businesses;
 - (f) exporting petroleum and natural gas to local and foreign countries and constructing petroleum and natural gas exporting pipeline businesses;
 - (g) production based businesses such as goods processing business, hi-tech production business, industries, agriculture, livestock breeding and fishery, mineral produce business and forestry produce business;
 - (h) services businesses such as trading, logistics and transportation, storage, hotel and tourism, education and health, residential quarters, infrastructure supply and support centers, green areas which conserve and protect the natural environment, recreation and resort centres;
 - (i) infrastructure construction businesses such as road, bridge, airport, port, electricity, communication and water supply, environment conservation and protection, and wastes control;
 - (j) other businesses determined by the Central Body, with the approval of the Government.

7. The Dawei Special Economic Zone established under section 4 shall be:
- (a) a zone implemented under this Law in accordance with the economic policies adopted by the State;
 - (b) a zone managed according to the nature of the work of Special Economic Zone in accordance with this Law;
 - (c) a zone invested and used in the currency determined by the Central Body with the approval of the Government;
 - (d) a zone which conforms to the international commercial market based on goods processing and export for the fulfilment of the objectives contained in section 3;
 - (e) a zone which practices speedy one-stop service system for the office works relating to the Special Economic Zone.
8. The State shall encourage the investors in the Dawei Special Economic Zone to operate the following works in priority:
- (a) hi-tech industries;
 - (b) businesses which will further promote the economic development of the State;
 - (c) businesses which will further promote trade and service;
 - (d) businesses which will further promote the infrastructures;
 - (e) businesses which will create more employment opportunities for citizens;
 - (f) businesses which include citizen's investment in foreign investment businesses;
 - (g) businesses for conservation and protection of natural environment;
 - (h) other businesses prescribed by the Central Body, from time to time, to carry out in priority.

Chapter IV

Formation of the Management Committee of the Dawei Special Economic Zone and Functions and Duties thereof Formation of the Committee

9. The Government:
- (a) shall form a management committee of the Dawei Special Economic Zone with the persons from the stipulated Government departments and organizations for enabling to carry out the duties contained in section 10;
 - (b) shall designate and assign duty to the Chairman, the Vice-Chairman, the Secretary and the Joint-Secretary in forming under sub-section (a). The Chairman is determined as the level of Union Minister. The Chairman shall, in respect of the Dawei Special Economic Zone, be responsible directly to the President of the Union through the Minister for the Ministry of the Office of the President;
 - (c) shall assign duty to a representative from the Government of the Tanintharyi Region in the Management Committee;
 - (d) may carry out the substitution of the members of the Management Committee formed under sub-section (a) and alteration of the formation as may be necessary;
 - (e) may also form and assign duty to other suitable working bodies.
- Functions and duties of the Committee
10. The functions and duties of the Management Committee of the Dawei Special Economic Zone are as follows:
- (a) submitting the Dawei Special Economic Zone development plan to the Central Body and Central Working Bodies and obtaining approval for enabling to implement and operate the Dawei Special Economic Zone successfully;

- (b) arranging to enable operation of the investment businesses to be carried out in the Dawei Special Economic Zone with the approval of the Central Body, in accordance with the stipulation;
- (c) supervising and inspecting the matters on implementation of investment and establishment plans, land-use, environmental conservation, wastes control, health, education, finance and taxation, development, transport, communication, security, electricity, energy and water supply etc., and coordinating with the relevant government departments and organizations;
- (d) coordinating with the relevant Government departments and organizations as may be necessary for enabling to give protection to the property, profits and other rights of the investor in conformity with the existing laws;
- (e) coordinating with the relevant Government departments and organizations as may be necessary for enabling to obtain entry visa and residency for foreign investors and their employees, technicians and staff working in the Dawei Special Economic Zone;
- (f) coordinating to facilitate the Central Bank of Myanmar as may be necessary, in implementing financial management, supervising foreign currency exchange and financial businesses for the investors in the Dawei Special Economic Zone and in communicating and carrying out with the banks permitted to do foreign banking business in Myanmar;
- (g) coordinating with the developers, investors or companies which will take responsibility to construct the infrastructures in the Dawei Special Economic Zone and giving permission to do so in accord with the stipulation and supervising their activities;

- (h) carrying out one-stop service relating to the works which may be allowed by the Management Committee according to the existing Law with the approval of the Central Body;
- (i) scrutinizing and approving the construction works, designs in accord with the main plan of the Dawei Special Economic Zone;
- (j) supervising for the natural environmental conservation and protection in the Dawei Special Economic Zone in accord with the existing laws, scrutinizing the disposal system of industrial wastes and if it is not in conformity with the stipulations, causing the developer or investor to perform in line with them;
- (k) allotting sites within the prescribed area for the project in order to carry out the project works in accord with the stipulations;
- (l) submitting and carrying out the contracts to be concluded between the developer or the investor and the relevant Government Departments and organizations in accord with the relevant existing laws to the Central body and to the Government through the central body;
- (m) constituting the Dawei Special Economic Zone Supportive Working Body which includes the representatives from the relevant Government Departments and organizations and the representatives of the developer or investor in order to support the Management Committee in the Dawei Special Economic Zone;
- (n) coordinating the matters which need to be coordinated with the Taninthayi Region Government in respect of the Dawei Special Economic Zone;
- (o) having the right to obtain necessary aids from the relevant Government Departments and Organizations in respect of the works of the Dawei Special Economic Zone;

- (p) carrying out the functions and duties specifically assigned by the Government and the Central Body.

11. The Management Committee shall carry out so that the developer or the investor employs the citizen entrepreneur, company or organization in term of contract for the works in their businesses invested within the Dawei Special Economic Zone except the work which require specific expertise. If the investor asks advice it shall be coordinated for enabling to obtain suitable citizen entrepreneur, company or organization for his work.

Chapter V

Special Privileges of Investor

12. The investor :

- (a) is entitled to carry out the following businesses in accord with the stipulations in the Dawei Special Economic Zone:
 - (i) manufacturing finished products from raw materials, process production by machinery, carrying out warehousing, transport, service providing;
 - (ii) transporting and importing raw materials, packaging materials, machinery and equipment, and fuel oils to be used in investment business from local or overseas to the Dawei Special Economic Zone;
 - (iii) commerce, import and export;
 - (iv) selling at local market, in accordance with the stipulation of the Management Committee, other goods produced by investment business, which are sub-standard but consumable except medicines and foodstuff;
 - (v) establishing and operating offices for investment business and overseas service works in the Dawei Special Economic Zone, with the permission of the Management Committee;

- (vi) constructing deep sea port;
- (vii) constructing the industries such as steel plant, chemical fertilizer plant, oil refinery, petrol chemical factory, coal or power stations running on natural gas;
- (viii) carrying out service businesses within the Dawei Special Economic Zone;
- (ix) constructing roads, railroads from the prescribed region to border area for the project and extending electricity distribution lines, petroleum pipe lines and gas pipe lines;
- (x) establishing the infrastructures for residential and economic development, tourism, places which contain resort centres;
- (xi) carrying out other businesses not prohibited under the existing laws, with the permission of the Management Committee.

- (b) shall carry out under the supervision of the Management Committee in carrying out the businesses mentioned in sub-section (a) in conformity with the existing laws.

13. The investor:

- (a) shall sell the goods produced in the Dawei Special Economic Zone to the international market;
- (b) shall use the imported materials for own production only and not to sell them in local market;
- (c) if it is desirous to sell the goods contained in sub- sections (a) and (b) locally, shall obtain the permission of the Management Committee and pay stipulated taxes and revenues in accord with the procedure under the existing law.

14. The investor who invests and operates business in the Dawei Special Economic Zone:

- (a) may apply for income tax exemption on the proceeds of overseas sale for the first five years from the day of commencement of the production or service;
- (b) may apply for fifty percent relief on the income tax rate stipulated under existing law for the second five years on the overseas sale proceeds;
- (c) for the third five years, if the profit obtained from export sale is re-invested, may apply for fifty percent relief on the income tax rate stipulated under existing law on such invested profit;
- (d) after the expiry of exemption and relief period contained in sub-sections (a) and (b), if exemption and relief is not allowed again under this law, shall pay at the income tax rate stipulated under existing law.

15. After the expiry of the tax exemption and relief period for goods processing businesses invested and operated in the Dawei Special Economic Zone, if the value of export items exceed 50 per cent of the total value of products in the large-scale investment businesses; if it exceeds 60 percent in the medium-scale investment businesses; and if it exceeds 70 percent in the small-scale investment businesses, income tax relief for that year may be applied for.

16. The investor, within the Dawei Special Economic Zone, shall:

- (a) if the capital asset is transferred by sale, exchange or otherwise as the promotion for long-term investment, pay to the State the amount of money stipulated by the Central Body which is not more than 50 percent of the profit gained based upon the category of business, value of investment and sale proceeds;

- (b) pay tax, according to existing law, on the remaining profit after having paid under sub-section (a);

Proviso: In case of petroleum and natural gas sector and petrochemical businesses, income-tax shall be paid at the rate as prescribed by the Income-tax Law.

- (c) if income is obtained from the lease of property, income tax shall be paid on such income at the rate stipulated under existing law;
- (d) may apply for exemption from income tax on the dividends of each shareholder distributed on the profit accrued locally and on which tax has already been paid.

17. Although a non-resident foreigner has no business incorporated in the Union of Myanmar, if he obtains the right to operate relating to the Dawei Special Economic Zone under any property and intellectual property right:

- (a) the person who makes the payment shall deduct the withholding tax from the source for the royalty, interests and payments for business activities and purchases in accord with income tax rate prescribed under the Income-tax Law and pay it to the person concerned;
- (b) the person who makes the payment shall deduct the withholding tax from the source on rental fee and other similar receipts in accordance with income tax rate prescribed under existing law and pay it to the person concerned.

18. The relevant investor shall collect and pay the income tax of the local and foreign staff and workers employed in the Dawei Special Economic Zone on their salaries and income at the income tax rate prescribed under the existing law in the currency determined by the Central Body.

19. In the Dawei Special Economic Zone, the service enterprises:
- (a) may enjoy tax relief of commercial tax up to the prescribed period commencing from the year of operation;
 - (b) on expiry of the relief period contained in sub-section(a), shall pay commercial tax in accord with the Commercial Tax Law.
20. In respect of the export items produced in the Dawei Special Economic Zone, the exemption from commercial tax and value-added tax (VAT) may be applied for.
21. The investor may be allowed to:
- (a) import raw materials, machineries, equipments from foreign country which are imported for export-oriented processing enterprises established in Export Processing Zone, with exemption from customs duty and other revenues;
 - (b) import, with stipulations, machineries and motor vehicles from foreign countries which are to be used in investment enterprises with exemption from customs duty and other revenues, for five years commencing from the year of operation, and relief of fifty percent of customs duty and other revenues for the next five consecutive years;
 - (c) except Export Processing Zone, other zones in the Dawei Special Economic Zone have the right of exemption and relief of tax and revenue in respect of the importation of materials related to investment business from local and foreign countries, in accord with the existing law.
22. The developer or investor for investment businesses in the Dawei Special Economic Zone has the right to submit in accord with law to enable participation also by the experienced and highly capable investors.

Chapter VI

Specific Duties of Developer or Investor

23. The developer or investor, his employees, technicians, staff and their family members residing in the Dawei Special Economic Zone shall also abide by other existing laws of the Union of Myanmar, in addition to the provisions of this Law.
24. The balance of statement relating to his business shall be in surplus for the developer or investor.
25. The investor shall, in respect of production enterprises in export processing zone:
- (a) establish necessary management organizations, offices and departments, industries and warehouses only in the Zone;
 - (b) keep unused raw materials, packaging materials and spare parts of machines only at the warehouse or store recognized by the Customs Department.
26. Except export processing zone, in respect of production enterprises from other zones, the investor shall pay taxes in advance in importing raw materials to be used and may apply to refund the exempted taxes under section 21 when exporting items abroad.
27. The investor responsible to pay tax and duty assessable under this Law shall:
- (a) pay tax and duty within the prescribed period.. If he is entitled to extend after the expiry of the prescribed period, 0.5 percent of the payable tax shall be paid as daily fine for each day of such extended period;
 - (b) if he evades payment of tax and duty, fails to pay tax and duty after extended period or refuses to pay, he shall pay fine of amount not more than five times of tax and duty prescribed by the relevant Government department and organization;
 - (c) if sufficient evidence is found of intentionally falsifying the statistics prepared and submitted to the relevant Government department and organization, he shall have legal action taken against him under criminal proceedings;

- (d) if a dispute arises in respect of matter on tax, he may apply to re-examine such matter to the relevant department after first paying the tax.
28. The investor shall:
- (a) register the business, company or organization to be operated in the Dawei Special Economic Zone in accord with the stipulations;
 - (b) report to the Management Committee, on the situation of implementation of his investment business in accord with the stipulations;
 - (c) carry out for preparing and keeping records for business statistics and accounts properly, auditing, submitting to audit of relevant department and reporting in accord with the stipulations;
 - (d) destroy unusable, perished and sub-standard medicines and food stuff from pharmaceutical and food stuff enterprises among the invested enterprises, with the approval of the Management Committee.
29. The investor shall:
- (a) if desirous to terminate or liquidate his business, company or organization, perform the termination or liquidation with the prior permission of the Management Committee, in accord with the stipulations;
 - (b) settle any dispute arising in relation with investment enterprise, in accord with the dispute settlement procedures mentioned in relevant agreement;
 - (c) transfer or sell part or whole of the shares of his business, company or organization, with the approval of the Management Committee;
 - (d) transfer and sell machineries and motor vehicles to be used in investment enterprise which are imported under sub- section (b) of section 21 when they are no longer needed to be used at the enterprise or at the time of termination of enterprises, with the permission of the Management Committee, in accord with the stipulations and the existing law.

30. Except enterprises which need specific expertise in other enterprises among invested enterprises in the Dawei Special Economic Zone, the developer or investor shall entrust work to citizen entrepreneur, company or organization as contractor.

31. The developer or investor shall take responsibility in order not to cause environmental pollution and air pollution in respect of his enterprise in the Dawei Special Economic Zone.

32. The developer or investor shall:
- (a) pay to the relevant Government department and organization the money to be paid periodically for the stipulated rents, fees for use and the right to operate business for the businesses implemented in the Dawei Special Economic Zone in accord with the stipulations;
 - (b) submit the prescribed bank guarantee to the relevant Government department and organization for the businesses implemented in the Dawei Special Economic Zone;
 - (c) transfer the right to own share to the relevant Government department and organization for the prescribed businesses among businesses implemented in the Dawei Special Economic Zone in accord with the stipulations;
 - (d) conclude deeds and carry out, according to each business in accord with the existing laws in carrying out businesses within the Dawei Special Economic Zone and in constructing road, bridge, railroad, extending electricity distribution lines, petroleum pipe lines and gas pipe lines through other regions, which are contiguous to such Zone.

Chapter VII
Land Use

33. The Central Body:
- (a) may, with the approval of the Government, permit the developer or investor land lease or land use after causing payment of fees to be made for land

lease or land use in the Dawei Special Economic Zone, for at least 30 years;

- (b) if desirous of continuing to operate after the expiry of the permitted term under sub-section (a), may extend consecutive term of 30 years for large-scale investment enterprise and further 15 years of extension after the expiry of the said term;
- (c) if desirous of continuing to operate after the expiry of the permitted term under sub-section (a), may extend consecutive term of 15 years for medium-scale investment enterprise and further 15 years of extension after the expiry of the said term;
- (d) if desirous of continuing to operate after the expiry of the permitted term under sub-section (a), may extend two times of consecutive term of five years for small-scale investment enterprises;
- (e) may scrutinize and permit the term of period for land lease or land use which the developer or investor actually needs depending on the type of investment business and the amount of investment.

34. The developer or investor shall bear the expenses of transferring and paying compensation of houses, buildings, farms and gardens, orchards/ fields, plantation on land within the Dawei Special Economic Zone permitted by the Central Body if these are required to be transferred. Moreover, he shall carry out to fulfil fundamental needs of persons who transfer so as not to lower their original standard. The relevant management committee shall coordinate as may be necessary for the convenience of such works.

35. In the Dawei Special Economic Zone, the developer or investor:

- (a) shall use the land which he is entitled to lease or use in accord with the prescribed terms and conditions;
- (b) may, in accord with the existing law, rent, mortgage or sell the land and building to another person for investment business within the term granted

to operate in accord with the stipulations. If he sells, he shall comply with the stipulations under sub-section (a) of section 16 ;

- (c) shall not modify or alter, without permission, the topography or the contour of the land for which he obtained lease or land use;
- (d) shall report immediately to the Management Committee if natural mineral resources or antiques not relating to the permitted enterprise and which are not included in the original agreement are found above or under the land which he is entitled to lease or use. If the Management Committee permits, he may continue to operate on such land. If not, he shall shift to the substituted area;
- (e) intends to operate affectively the permitted enterprises on the land permitted to lease or use. As such the enterprise contained in the agreement shall be completed within the prescribed term in the original agreement or up to two years from the day of permission to operate. If not completed, the permission shall be revoked. The said land shall be returned back and the buildings on this land shall be removed.

36. The developer or investor shall pay the rental for land lease, land-use premium for the businesses carried out in the Dawei Special Economic Zone in accord with the stipulations to the relevant Government department and organization.

Chapter VIII

Banks and Finance Management and Insurance Business

37. The businesses which are operated in foreign currency in the Dawei Special Economic Zone shall have the right to open foreign account with any bank and carry out the matters of receipt and payment in foreign currency in accord with the stipulations.

38. In the Dawei Special Economic Zone, the investor may be allowed to:
- (a) evaluate in the currency determined by the Central Body and pay in accord with the stipulations within the period of production of goods and operation of businesses;
 - (b) exchange and transmit their own foreign currency within the Dawei Special Economic Zone or abroad.
39. Foreign insurance companies and joint insurance companies have the right to operate their agency offices and insurance business within the Dawei Special Economic Zone in accord with the stipulations.

Chapter IX

Management and Inspection of Commodities by Customs Department

40. The export processing zones and sub-trade zone within the Dawei Special Economic Zone in which zones of different nature of works are combined:
- (a) shall operate enterprises concerned with the Customs Department under the supervision of the said department;
 - (b) shall, in respect of goods, transport vehicles and machineries and personal utilities, entering into or taking out of the said Zones, comply with this Law and existing Customs Law and Rules;
 - (c) are entitled to commence the operation of business, with the approval of the Management Committee, in accord with the stipulation if the responsible personnel of the Customs Department inspect and give approval for security.
41. The Customs Department, in respect of investment enterprise in export processing zone and sub-trade zone within the Dawei Special Economic Zone:
- (a) may allow the investor to carry out importing raw materials and instruments, production of goods and exporting to local and foreign countries in accord with the stipulations;

- (b) shall not allow retail and wholesale sale, general trading and exhibition of goods not related to goods production enterprise in the export processing zone.
42. The Customs Department shall supervise to cause the investors who operate business in export processing zone and sub-trade zone within the Dawei Special Economic Zone to abide by this Law and existing Customs Law and Rules in carrying out the following matters:
- (a) transporting goods between foreign countries and the said zones;
 - (b) transporting goods between the said zones and other special economic zones;
 - (c) transporting goods within the said zones;
 - (d) transporting vehicles entering into or leaving from such zones and moving and transporting personal utilities.
43. In the Dawei Special Economic Zone, the investor within the export processing zone and sub-trade zone in accord with the stipulations:
- (a) may purchase directly from inside the country necessary raw materials, supplementary materials, parts and instruments, packaging materials and semi- finished products for production of export items;
 - (b) shall cause the goods purchased directly under sub- section (a) to be inspected by the Customs Department and approval obtained there from.
44. In the Dawei Special Economic Zone, the investor shall, in buying goods directly from local market, buy from the seller who has completed in accord with the provisions and procedures relating to the export items.
45. In importing raw materials and equipments into export processing zone and sub-trading zone to produce export item or in finally exporting export items to abroad, if the investors comply with the stipulation, the Customs Department shall carry out one-stop declaration, one- stop document inspection and one- stop goods inspection.

Chapter X

Quarantine Inspection and Confinement so as not to spread Contagious Disease

46. The responsible person from the Quarantine Prevention Department:
- (a) shall carry out quarantine inspection and confinement so as not to spread contagious disease in transporting goods, vehicles, containers, animals and plants which are to be directly imported to the Dawei Special Economic Zone or transported from the Dawei Special Economic Zone to outside, between the ports, air ports, railway stations and the Dawei special economic zones;
 - (b) shall carry out quarantine inspection and confinement so as not to spread contagious disease , as may be necessary, relating to export import items or investment businesses within the Dawei Special Economic Zone.

Chapter XI

Matters relating to Labour

47. The Management Committee, in the Dawei Special Economic Zone:
- (a) shall supervise the conclusion of employment agreement in accord with the stipulations;
 - (b) shall coordinate and carry out in determining the rights and duties of the employer and employee or terms and conditions relating to employment contained in the employment agreement, to obtain the rights contained in the existing labour laws and rules including minimum wages, salary, leave, holiday, overtime fees, compensation for dismissal from work and workmen's compensation etc;
 - (c) shall negotiate and mediate in the disputes arising between the employer and employee, technician or staff;

- (d) shall inspect and supervise so as not to affect or lose the rights and protection of the employees, technicians and staff;
- (e) may determine the minimum wages of employee and staff.

48. If no settlement has been reached in the disputes arising between the employer and employee, technician or staff, in the Dawei Special Economic Zone although negotiation and mediation were made by the Management Committee, it shall accept the decision under the Trade Dispute Act of the Union of Myanmar.

49. The foreigners working in the Dawei Special Economic Zone shall have the work permit issued by the Union of Myanmar.

50. In the Dawei Special Economic Zone, the investor:

- (a) in employing citizen skilled workers, technicians and staff for expertise works, shall employ at least 25 percent of citizens at the expiry of the first five years, 50 percent at the expiry of the second five years and 75 percent at the expiry of the third five years from the commencement year of the business;
- (b) shall arrange and provide necessary training for the improvement of the skill of the employees and staff in appointing under sub - section (a);
- (c) shall employ citizens only at the works where expertise is not required;
- (d) shall carry out labour recruitment through the Work and Labour Recruitment Office, local labour recruitment agents or by own arrangement;
- (e) shall, in employing citizen skilled workers, technicians and staff, employ by signing the employment agreement mutually between the employer and employee in accord with the existing labour laws and rules.

Chapter XII

Miscellaneous

51. The investment businesses in the Dawei Special Economic Zone are guaranteed not to be nationalized within the permitted period.

52. The Government may scrutinize and permit if the developer or investor submits proposal to carry out the construction of infrastructures such as motor roads, railroads, ports and bridges which are connected with the construction of the Dawei Special Economic Zone by BOT (Build, Operate and Transfer) system or any other system.

53. The relevant Union Ministries and Region or State Ministries shall implement the works relating to them contained in this Law.

54. The person assigned duty by the relevant Union Ministry or Region or State Ministry shall collect taxes and duties and fines recoverable under this Law from the defaulter in accord with the existing tax and revenue laws.

55. (a) Subject to the provision of the Constitution of the Republic of the Union of Myanmar, notwithstanding anything contained in any existing law, the matters relating to any provision of this law shall be carried out only in accord with this Law;

(b) If the matters which are not provided in this Law are contained in the Myanmar Special Economic Zone Law, they shall be carried out in accord with the provisions contained in such law.

56. The Government may assign duty the responsible Ministry or any other Ministry to take responsibility to carry out office works of the Management Committee and bear the expenses.

57. The Government may, if it is necessary, form any special committee, with suitable persons for any Dawei Special Economic Zone to carry out the functions and duties of the Central Body and any Management Committee for carrying out management and supervisory works, by notification and determine the functions and duties contained in this Law.

58. In implementing the provisions contained in this Law:

(a) the responsible Ministry may, with the approval of the Government make necessary rules;

(b) the responsible Ministry, relevant Ministry, Central Body and Management Committee may issue necessary procedures, notifications, orders and directives.

Sd/ Than Shwe

Senior General

Chairman

The State Peace and Development Council