

ANTI-CORRUPTION LAW

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Anti-Corruption Law

Pyidaungsu Hluttaw, Law No. 23, 2013

The First Waxing Day of Wargaug 1375 M.E.

7th August 2013

The Pyidaungsu Hluttaw hereby enacts this Law.

Chapter 1

Name, Enforcement and Definitions

1. (a) This law shall be called **Anti-Corruption Law**.
(b) This law shall be in force commencing from the day on which the President issued the notification.
2. This Law shall relate to any person committing any offence which requires action to be taken in the country, or any citizen or any person residing in Myanmar permanently, committing any offence under this law in Myanmar or abroad.
3. The expressions contained in this law shall have the meanings given hereunder:
 - (a) "**Bribery**" means the promising, offering or discussing or giving to an authorized official, directly or indirectly, of an undue advantage, for the official himself or another person or entity, in order that the official acts or refrains from acting in the exercise of his official duties, in order to obtain or retain business or other undue advantage;
 - (b) "**Bribe**" means the consideration or receiving without giving reasonable price, with the purpose of bribery or giving money, property, gift, service fee, entertainment and other illegal benefit;
 - (c) "**Illicit enrichment**" means an increase in money and assets or decrease in the liability to pay, in the exercise of power and duties as a Public Official;
 - (d) "**Public Entity**" means any authorized organization of legislature, administration, judiciary at Union or Region or State level, or any public

entity formed under any existing law or any public company formed under Myanmar Companies Act;

- (e) "**Public Official**" means any permanent or temporary employee working in any position of legislature, administration and judiciary, whether or not he or she is appointed or selected, receives salary or allowance, is working in a public department, organization or specified as a public service man under any existing law;
- (f) "**Foreign Public Official**" means any person holding a legislative, administrative or judicial office of a foreign country, whether appointed or elected; and any person exercising a public function for a foreign country, including for a board, commission, corporation or other entity, and an authorized person who works as an agent on behalf of an international organization;
- (g) "**Political Post Holder**" means a person who is declared by the commission as a political post holder by relevant notifications issued from time to time with the consent of Pyidaungsu Hluttaw;
- (h) "**High Ranking Official**" means a director general and managing director who assumes the duties as the head of public service of a government department, organization or a person who holds similar designation or is a director of a state owned enterprise or state and private joint venture company, board, corporation or other organization or a person who holds a similar designation. In this expression, a person who is working as an acting officer of the above mentioned designation is included;
- (i) "**Authorized Person**" means a person who is an authorized public service man by virtue of designation or a person who has the right to administer or manage, a Foreign Public Official, a Political Post Holder, a High Ranking Official or a person who has the right to manage in a public organization or a representative;

- (j) "**Bank and Financial Institution**" means an enterprise established in the State, whose corporate purpose is intermediation on the money or capital markets through the collection of financial resources from third parties for investment on their own account in credit operations, credit and public debt instruments, securities, or other authorized financial activities, in accordance with the Financial Institutions of Myanmar Law or any other existing law;
- (k) "**Banking Literature**" means ledger, bank daily work book, receipt book, accounts book used in Banks and Financial Institutions and other literature using in banking activities including computerized records of accounts;
- (l) "**Money**" means coins, small notes and notes issued by the Central Bank of Myanmar, promissory notes, transferable instruments, remittances, cheques, loan contract, treasury bonds, loan insurance contracts and foreign currencies, various kinds of instruments related with foreign currency or certificates;
- (m) "**Property**" means assets of every kind, whether corporeal or incorporeal, movable or immovable, tangible or intangible, and title to or interest in such assets;
- (n) "**Agent**" means a person who acts on behalf of any other person;
- (o) "**Sufferer**" means a person who suffers damage caused by bribery committed by any person;
- (p) "**Commission**" means the commission of bribery eradication formed under this law;
- (q) "**Commission Office**" means the office which is organized by the Union Government under this law to eradicate bribery;
- (r) "**Preliminary Scrutinizing Team**" means the team organized by the Commission to submit after preliminary scrutiny for taking of any action in respect of increased money and property due to illicit enrichment or for confiscating them as State property;

- (s) "**Investigation Team**" means the team organized by the Commission under this law to investigate bribery;
- (t) "**Chief Investigator**" means the Director General of the Commission Office;
- (u) "**Investigator**" means the responsible public officials at all levels who are the subordinate of the Chief Investigator of the Commission Office;
- (v) "**Offence under this law**" includes conspiracy to do something or attempt or abetment after committing any offence under this law.

Chapter 2

Objectives

- 4. The objectives of this law are as follows:
 - (a) to eradicate bribery as a national cause;
 - (b) to provide clean and good governance;
 - (c) to promote prestige and accountability;
 - (d) to prevent the impairment of State property and and citizens' rights and interests resulting from bribery;
 - (e) to take effective action against those who commit bribery; and
 - (f) to encourage transparency in order to encourage economic development by local and foreign investments.

Chapter 3

Formation of the Commission, Duties and Powers

Formation of the Commission

- 5. The President, the Pyithu Hluttaw speaker and Amyotha Hluttaw speaker shall select five members each who possess the required qualifications.
- 6. Pyithu Hluttaw speaker and Amyotha Hluttaw speaker shall submit the names of the selected members to the President in accordance with the provisions of section 5.

7. (a) The President shall form the Commission after receiving the consent of Pyidaungsu Hluttaw and shall submit to it the names of the fifteen selected persons, and the names of the two members to be selected as the chairman and the secretary among the said fifteen selected persons. In respect of the personnel selected by the President, if it is not clearly shown that the persons selected are not competent, the Pyidaungsu Hluttaw shall not refuse to accept their appointment as members of the Commission.
 - (b) The Commission shall be responsible to the President.
8. (a) The Commission and its term shall be the same as that of the President's.
 - (b) The Commission shall continue to carry out its duties up to the time another Commission is formed.
 - (c) Each of the Commission members shall not be appointed for more than two terms.
9. Each Commission member shall have the following qualifications:
 - (a) Myanmar citizen;
 - (b) age shall be between 45 years and 70 years;
 - (c) the persons, selected by the President, Pyithu Hluttaw speaker or Amyotha Hluttaw speaker shall be regarded as honest and fair.
10. Persons to whom any of the following applies shall not be entitled to be selected as Commission members:
 - (a) persons who are performing the duties relating to legislation, administration and judiciary;
 - (b) persons who are regarded as insane under any existing law;
 - (c) religious persons;
 - (d) persons who are punished with imprisonment in accordance with the order of any court;
 - (e) persons who are not entitled to vote during elections;
 - (f) persons who are declared insolvent;

- (g) persons who are punished on account of bribery or removed or dismissed from duty.
11. Persons who are assigned as a member of the Commission shall:
- (a) not be one receiving government salary, allowance or any kind of honorarium or performing any duty;
 - (b) not be one of the staff and employees in government department, organization, economic activity, board, corporation, regional administrative body;
 - (c) not work to get profit or to share income in any joint venture business, company or business organization or shall not be the employed by any person.
12. Any Commission member shall be terminated from his duties as a member of the Commission upon the occurrence of any of the following events:
- (a) death;
 - (b) expiry of the term of the Commission;
 - (c) resigning of his own accord;
 - (d) occurrence of any of the events mentioned under sections 10 and 11;
 - (e) the person is found to be unsuitable to continue in the performance of his duties due to permanent defects in the mind and/or body, as found by medical check-up performed by a legally prescribed medical board;
 - (f) imprisonment according to the order of any court.
13. The Commission members shall submit the compiled list comprising value of Monies, Properties, liabilities and assets to the President.
14. The President shall prescribe or revise the honorarium, allowance and benefit of the chairman and members of the Commission, Preliminary Scrutinizing Team Members and Investigation Team members.

Termination of Duties

15. The President shall terminate the performance of duties of a Commission member with the consent of the person, who selected the said Commission member, if he/she finds that any Commission member has not performed such duties in compliance with the law or such person has breached the Constitution of the Republic of the Union of Myanmar or any existing law or such person has been involved in any situation which affects the good standing of the Commission.

Duties and Powers of the Commission

16. The duties of the Commission are as follows:
 - (a) forming and assigning the duties of Preliminary Scrutinizing Team and Investigation Team as is necessary, directing and supervising the said teams;
 - (b) forming the work committees as necessary, specifying the work committee's duties, delegating the Commission's duties to the work committee and any team, directing and supervising the said work committees; the work committee shall implement the provisions of this law;
 - (c) advising the President on the appointment of the Chief Investigator;
 - (d) scrutinizing reports submitted by the Preliminary Scrutinizing Team and Investigation Team in connection with bribery investigations;
 - (e) submitting the findings of investigations into bribery and report to the President, Pyidaungsu Hluttaw speaker, Pyithu Hluttaw speaker and Amyotha Hluttaw speaker;
 - (f) specifying the type and designation, level of duties undertaken by an Authorized Person who compiled the list of Monies, Properties, liabilities and assets;
 - (g) investigating whether or not details of Monies, Properties, liabilities and assets submitted by the Authorized Person is true;

- (h) submitting the annual work performance report to the President, Pyidaungsu Hluttaw speaker, Pyithu Hluttaw speaker and Amyotha Hluttaw speaker in accordance with the stipulations;
 - (i) advising in the drawing up of the plan, work program of government department, organization and government business organization to eradicate bribery;
 - (j) making suitable arrangements and plans for the prevention of bribery, promoting the people's participation in the eradication of bribery;
 - (k) assigning staff and employees of the relevant government departments, organizations, government economic organizations and regional administration departments and organizations to perform the duties delegated by the Commission, with the permission of those concerned, as is necessary;
 - (l) receiving complaint letters and after scrutiny of complaint letters, rejecting the complaint letters which have no basis and taking action in accordance with this law against persons who lodge false complaints;
 - (m) concerning bribery, assigning duties to the Investigation Team and Investigators to investigate after entering into the building, searching, confiscating as evidence in accordance with instructions;
 - (n) collaborating with international organizations, regional organizations, foreign countries for the purpose of bribery eradication;
 - (o) performing other duties assigned by the President, Pyidaungsu Hluttaw speaker, Pyithu Hluttaw speaker and Amyotha Hluttaw speaker.
17. The powers of the Commission are as follows:
- (a) directing that Money or Property be confiscated as evidence relating to the bribery or illicit enrichment, passing the order to return the confiscated property with bail bond;
 - (b) authorizing the Investigation Team to search and confiscate relevant Monies and Properties as evidence relating to the matter being investigated;

- authorizing responsible personnel of the Bank and Financial Institutions to be allowed to search and confiscate as evidence of bribery, if necessary;
- (c) directing the personnel of the relevant departments, organizations not to change, transfer, conceal, eradicate or transform, the Money or the Property which are confiscated as evidence during the investigation period under this law, passing the order for prohibition and sealing as is necessary;
 - (d) repealing the order passed in accordance with sub-section (b) and repealing the order for prohibition and sealing under sub-section (c);
 - (e) obtaining necessary assistance from relevant government departments, organizations, non-governmental organizations and suitable personnel in implementing this law;
 - (f) providing witness allowance and travelling allowance in accordance with existing laws to attending witnesses summoned by the Preliminary Scrutinizing Team, work committee and Investigation Team formed under this law;
 - (g) Investigation Team or the Investigator:
 - (1) may press charges against any Authorized Person who commits any offence at the High Court of the relevant Region or State under this law;
 - (2) if any other person other than the Authorized Person commits any offence, charges shall be brought against this person at the court of relevant jurisdiction.
 - (h) passing the order for confiscation of Monies or Properties owned by the Authorized Person as State property after it is found, upon re-scrutinizing the report submitted by the Preliminary Scrutinizing Team that such Authorized Person has been illicitly enriched by such Monies or Properties due to bribery;

- (i) providing necessary safeguards and specified rewards to informers whose information has been used as firm supporting evidence in actions taken in bribery proceedings or proceedings in connection with illicit enrichment.

Court Proceedings

- 18. The Commission, upon receiving the investigation report or other substantive information:
 - (a) shall instruct the head of the Investigation Team or Chief Investigator to press charges at the High Court of the Region or State if it is found that any authorized person commits the bribery offence;
 - (b) shall instruct the head of the Investigation Team or Chief Investigator to press charges at the court of relevant jurisdiction, if it is found that any person, other than the Authorized Person commits the bribery offence.

Chapter 4

Formation and Duties of Preliminary Scrutinizing Team in connection with Money and Property gained through illicit enrichment

- 19. According to the report of the scrutinizing team or other information, the Commission shall form the Preliminary Scrutinizing Team for each matter, consisting of suitable personnel for the purpose of scrutiny, based on firm supporting evidence, of whether Monies or Properties received are gained through illicit enrichment.
- 20. Preliminary Scrutinizing Team shall:
 - (a) notify the investigated person to submit his defense whether by himself or through his appointed representative;
 - (b) obtain the necessary statement and evidence after inquiries with relevant personnel relating to the said Monies and Properties;

- (c) consider the information obtained by and defense submitted to the Commission and submit its report to the Commission with its findings, opinions and remarks;
- (d) keep confidential the respective matters relating to the investigations carried out.

Chapter 5

Formation of Enquiry Committee and its Duties

- 21. The Commission shall enquire or shall caused to be enquired the following matters for the purpose of taking legal action:
 - (a) the President shall assign enquiries to be made;
 - (b) the relevant Hluttaw speaker shall assign enquiries to be made in connection with the proposal made by the Hluttaw members under this law, in respect of actions proposed to be taken against a Political Post Holder under section 43 sub-section(b);
 - (c) as regards the taking of any actions against any person committing bribery under this law, the Sufferer shall be entitled to:
 - (1) lodge a complaint to the Commission;
 - (2) lodge a complaint to the work committee, working team, Preliminary Scrutinizing Team and any investigation team formed under this law;
 - (3) as regards complaints lodged to the relevant government or any organization, the said complaint shall be transferred to the Commission.
- 22. The Commission shall not be allowed to investigate where:
 - (a) the subject matter of the complaint is a matter which has already been investigated by the Commission;
 - (b) there are no important witnesses cited in the complaint;
 - (c) there are no new important witness cited in new complaint.

23. The Commission may specify the duties of the enquiry committee after forming such enquiry committee, which shall consist of suitable citizens headed by any Commission member.
24. The following persons may not be appointed to the enquiry committee:
 - (a) persons who are involved in the complaint being lodged;
 - (b) persons who are prejudiced against the complainant or the accused;
 - (c) persons who are related to the complainant or the accused;
 - (d) persons who work together with the complainant or the accused.
25. As part of the investigation process, the enquiry committee shall explain to the accused the nature of accusations brought against the accused and shall inform the accused of the time period within which he shall be required to provide relevant evidence or witnesses.
26. The accused may defend himself or may appoint a representative to defend him against the accusation during the investigation process.
27.
 - (a) The enquiry committee shall report to the Commission chairman about the investigation and its findings after completion of the investigation;
 - (b) The Commission chairman shall hold a Commission meeting to decide on the said enquiry committee findings within 30 days after receiving the enquiry committee's report in accord with sub-section (a).
28. The Commission:
 - (a) according to the enquiry report –
 - (1) shall reject the accusation if it decides that there is no firm evidence to support the accusation;
 - (2) shall issue the order in advance to take proceedings if it finds that the accused has committed any offence under this law and shall assign the enquiry committee or the Investigator to press charges against the such person at the court of relevant jurisdiction;

- (3) shall intimate immediately to the President, Pyithu Hluttaw speaker and Amyotha Hluttaw speaker the decision regarding issuance of the order in advance to press charges in accordance with sub-section 2.
- (b) if it is found that any person is illicitly enriched after scrutinizing the enquiry report, the Commission shall form the Preliminary Scrutinizing Team and shall procure a report of findings from the Preliminary Scrutinizing Team in accordance with the provisions of chapter 4 of this law;
- (c) shall instruct the said enquiry committee or shall form another enquiry committee, where it determines that additional evidence is required to be obtained.
29. If the accused is an Authorized Person, the Commission may not allow the accused to perform his duties commencing from the day such decision is made by the Commission to commence proceedings against the accused or the day such decision is made by the Commission to scrutinize the allegation by way of the Preliminary Scrutinizing Team.
30. The Commission:
- (a) shall send its report to the Union Government's Office and shall co-ordinate with the Union Attorney General's Office to take action against the Authorized Person; if it is determined that charges shall be pressed against the Authorized Person, the Commission's report shall be sent to the President in accordance with section 21 sub-section(a), the relevant Hluttaw speaker assigned in accordance with section 21 sub-section (b) and to the Sufferer who lodged the complaint.
- (b) upon the investigation, shall inform the relevant head of the department, if action shall be taken against the accused person under civil service regulations.
31. During investigations of the complaint lodged, although the accused may have resigned from his duties, the enquiry may be finalized after commencement of

legal proceedings and taking action in accordance with civil service regulations and confiscation of the relevant Monies and Properties by the State.

32. Notwithstanding any other provisions of existing law, if the Commission determines that it is necessary to investigate any offence committed under this law, it may confer the following rights to the enquiry committee or any Investigator to investigate the bank accounts related to the accused:
- (a) investigating and copying Banking Literature, bank accounts records or any bank documents which are in the possession of or under the control of any Bank and Financial Institutions;
 - (b) investigating and copying the share list, purchasing accounts, expensing accounts or any drawing out accounts opened in the Bank and Financial Institution by any person;
 - (c) investigating any items kept in any safe deposit box at any Bank and Financial Institutions;
 - (d) interrogating and investigating the documents, accounts and other information or data related to any item set forth under sub-section (a), (b) and (c).
33. The enquiry committee or Investigator, is conferred the power to confiscate books, documents, accounts and monies which he/she is investigating in the following situations under Section 32:
- (a) where it is unable to investigate, copy or extract the gist of such literature without confiscating them;
 - (b) where evidence found may be destroyed, if not confiscated;
 - (c) where it is necessary to submit such confiscated items as evidence in proceedings to be undertaken under this or other existing law.
34. (a) If information is received that any moveable property is in the possession or under the control of any Bank and Financial Institution, including any financial instrument which is to be submitted as evidence in relation to any complaint being investigated, the Commission can issue an order not to sell

or transfer the said property or any part of such property, notwithstanding the provisions of any existing law, up to such time the Commission's said order is repealed or revised.

(b) No action, civil or criminal shall be taken against any Bank and Financial Institution or their representative or staff who are carrying out the order of the Commission under sub-section (a).

35. If the Commission believes that any Monies or Properties which relate to the commission of any offence under this law is kept at or entrusted to a foreign bank or any person, it may undertake the measures stipulated herein to require that the property not be transferred by any means.

Chapter 6

Formation of the Commission Office

36. The President may form the Commission Office as is necessary.

37. The President shall appoint the Chief Investigator in accordance with the civil service regulations and the Commission's advice.

Duties and Powers of the Chief Investigator

38. The Chief Investigator shall be responsible to the Commission and shall perform his duties according to the guidelines of the Commission.

39. The Chief Investigator shall direct, control, supervise the Commission Office according to the guidelines of the Commission.

40. The Chief Investigator shall submit the report to the Commission in accordance with the stipulations relating to the performance of his duties.

Duties, Powers and Exemptions of the Investigator

41. The Investigator shall perform the following duties according to the assignment given by the Commission:

(a) receiving the information and complaint and investigating the same;

- (b) investigating in connection with the committing of any offence under this law, attempting to commit or conspiracy in committing the offence;
 - (c) investigating the nature, the system, the procedure of the government department, government organization and public organizations within which bribery arises, recommending to the Commission revisions to the said system and procedures to be unertaken;
 - (d) advising, assisting upon the request of the government department, government organization and public organizations to eradicate bribery;
 - (e) advising the heads of the government departments, government organizations, public organizations on the effective eradication of bribery according to the guidelines of the Commission;
 - (f) submitting findings of the investigation to the enquiry committee;
 - (g) educating the public in connection with the eradication of bribery;
 - (h) performing other duties assigned by the Commission.
42. Members of the Commission, Preliminary Scrutinizing Team, Investigation Team, and the Investigators shall have the powers and exemptions afforded to a police officer under any existing law in the performance of their duties under this law.

Chapter 7

Lodging of information relating to bribery;

Actions to be taken by the President, Pyithu Hluttaw

speaker, Amyotha Hluttaw speaker and Hluttaw representatives

43. (a) The President or the Pyithu Hluttaw speaker or the Amyotha Hluttaw speaker may assign the Commission to investigate and submit on bribery related matters.
- (b) The Pyithu Hluttaw or Amyotha Hluttaw representatives may submit the proposal to the relevant Hluttaw under this law in connection with any Political Post Holder who is illicitly enriched, misusing his power arising from his position or committing bribery.

- (c) The relevant Hluttaw speaker:
- (1) shall assign the Commission to investigate and submit as is necessary upon receiving the proposal under sub-section (b);
 - (2) shall inform the relevant persons of actions to be taken under this law, if it is found that any Political Post Holder is illicit enriched, has misused his power arising from his position or has committed bribery according to the submissions made by the Commission.

Informing and lodging of a complaint by the Sufferer

44. The person who has suffered as a result of the commission of bribery may submit information and lodge a complaint according to the stipulations, to the Commission or Commission Office or work committee, working team, Preliminary Scrutinizing Team and any enquiry committee formed under this law or relevant government department, any relevant organization in connection with the eradication of bribery.
45. The Commission Office, the work committee, the working team, the Preliminary Scrutinizing Team and the enquiry committee or the relevant government department, any organization that receives the information or complaint under section 44, shall immediately submit such information to the Commission according to the stipulations in order to ensure that such information or complaint is dealt with effectively.
46. Action shall be taken under this law against any person who is found to have submitted information or lodged a complaint intentionally and without sound reason with the objective of impairing and defaming the accused person.

Chapter 8

Declaration of ownership of Monies and Properties, liabilities and assets by the Authorized Person

47. The Commission shall issue a notification after scrutinizing the list of names of Authorized Persons who are found to be liable to make the declaration in connection with the ownership of Monies, Properties, liabilities and assets.
48. The Authorized Person who are liable to make declarations under section 47, shall send the declaration of the list of Monies, Properties, liabilities and assets related to the business owned by him and his family to the Commission once every year in accordance with the stipulations.
49. In connection with the submission of the declaration by the Authorized Persons, the submission shall be:
 - (a) attached with copies of supporting documents stating how they came to own their Monies and Properties;
 - (b) attached with copies of supporting documents, if the properties are transferred and sold, and if income tax on the sale proceeds have been paid;
 - (c) attached with the list of Monies and Properties, liabilities and assets received both onshore and offshore together with evidence of title to to the Monies and Properties according to sub-sections (a) and (b).
50. If the Authorized Person who is responsible to send the declaration of ownership of Monies, Properties, liabilities and assets, dies, his successor, legal representative or trustee shall submit the declaration on the list of Monies and Properties owned by the deceased to the Commission.

Chapter 9

Confiscation of Monies and Properties obtained through illicit enrichment as State property

51. The Commission shall assign the Preliminary Scrutinizing Team to scrutinize and submit in connection with Monies and Properties owned by any Authorized Person who is enriched by bribery based on the enquiry report of the enquiry committee.

52. The Preliminary Scrutinizing Team shall submit to the Commission its findings, opinions and remarks as to whether or not said Monies and Properties should be confiscated after scrutiny of relevant evidence according to this law, as assigned by the Commission.
53. The Commission, after scrutinizing that enquiry report submitted by the Preliminary Scrutinizing Team :
 - (a) shall pass the order to confiscate the said Monies and Properties as State property, if the evidence shows that the Monies and Properties have indeed been obtained through bribery;
 - (b) shall return the said Monies and Properties to the Authorized Person, if it can be shown by the Authorized Person that such Monies and Properties have been obtained by lawful means.
54. If it is found, based on evidence, that the confiscated Monies and Properties have been acquired and transferred legally in good faith to another person, the Commission shall return such confiscated Monies and Properties to such other person, not being the accused.

Chapter 10

Offences and Penalties

55. If any Political Post Holder is convicted for committing bribery, he/she shall be punished with imprisonment for a term of not more than 15 years and with a fine.
56. Other than the Political Post Holder, if any other Authorized Person is convicted for committing bribery; he/she shall be punished with imprisonment for a term of not more than 10 years and with a fine.
57. Other than the Political Post Holder and the Authorized Person, if any person is convicted for committing bribery, he/she shall be punished with imprisonment for a term of not more than 7 years and with a fine.
58. If any person is convicted for concealing, destroying, altering or transferring the Monies and Properties relating to any offence under this law, so as to avoid action

being taken against them, he/she shall be punished with imprisonment for a term of not more than 5 years and with a fine.

59. If any person is convicted for committing any offence under this law with the purpose of impairing or defaming any person without sound reason or for submitting information or lodging complaints on illicit enrichment based on false premises or giving or creating false evidence or asking any other person to do so, he/she shall be punished with imprisonment for a term of not more than 5 years and with a fine.
60. If any person is convicted for failure to comply with any order issued by the Commission or any organization delegated by the Commission, he/she shall be punished with imprisonment for a term of not more than 6 months or with a fine or both.
61. If any Authorized Person is convicted for willful default in submitting supporting documents of Monies, Properties, liabilities and assets within the stipulated time as prescribed by the Commission under this law or submitting false documents or concealing data, he/she shall be punished with imprisonment for a term of not more than 5 years and with a fine.
62. If any responsible person of the Bank and any Financial Institution is convicted for committing any of the following deeds relating to offences under this law, he/she shall be punished with imprisonment for a term of not more than 5 years and with a fine:
 - (a) refusing to allow the enquiry committee's performance of its official duties, as assigned by the Commission;
 - (b) without the permission of the Commission, issuing, transferring the Monies and Properties kept in the Bank and any Financial Institution which are the subject of an injunction order made by the Commission;
 - (c) concealing, altering, amending or transferring without the permission of the Commission, documents relating to the Monies and Properties which are the subject of enquiry.

63. Any person who is found to have instigated, attempted, and conspired or managed or abetted any offence under this law shall be punished with the same penalties stipulated for such offence.

Chapter 11

Miscellaneous

64. The accused is responsible to show with clear evidence and supporting documents how he/she has received or came to own the Monies and Properties concerned or the nature of income he/she has received.
65. In pursuing any legal proceedings against offences committed under this law, the enquiry committee or the Investigator:
- (a) shall obtain prior permission of the Commission with, the consent of the Union Government to commence legal proceedings against a Political Post Holder;
 - (b) shall obtain prior permission according to the existing law to commence legal proceedings against Hluttaw representatives;
 - (c) shall obtain prior permission to commence legal proceedings against any other person other than the Political Post Holder and Hluttaw representatives.
66. If evidence relating to bribery cannot be easily displayed before the court, it is not necessary to do so and a report or relevant document may be submitted to illustrate the evidence maintained. The relevant court may order the evidence to be disposed of or legally kept after having been exhibited in court.
67. No actions whether civil or criminal shall be taken out against members of the Commission, members of the Preliminary Scrutinizing Team, members of the Investigation Team, the Investigator, members of the working team and staff of the Commission Office, the Commission, Preliminary Scrutinizing Team, the Investigation Team, persons who work on behalf of the Commission Office in implementing the stipulations of this law.

68. Notwithstanding any existing law, any action to be taken in connection with bribery or illicit enrichment, or Monies and Properties, being proceeds thereof or investigations to be made in connection with the aforesaid shall be taken in accordance with this law.
69. The offences against which action may be taken under this law shall be regarded as cognizable offences.
70. Members of the Commission, members of the work committee formed under this law, members of the working team, members of the Preliminary Scrutinizing Team, members of the Investigation Team, the Investigator, the staff and employees of the Commission Office shall be regarded as civil service personnel.
71. The Union Government shall allocate a budget to cater for the expenses of the Commission, the work committee formed under this law, the working team, the Preliminary Scrutinizing Team, and the Investigation Team.
72. To implement the stipulations under this law:
 - (a) The Commission may issue rules, regulations and by-laws with the consent of the Union Government; and
 - (b) The Commission may issue the necessary notifications, orders, directives and procedures.
73. The 1948 Anti-Corruption Act (Law No. 67/48) is repealed by this law.

Hereby signed in accordance with the Constitution of the Republic of the Union of
Myanmar.

Thein Sein
The President
The Republic of the Union of Myanmar