

Unofficial Translation

**The Union of Myanmar  
Union Election Commission**

# **Political Parties Registration Law**

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Reprinted as revised as of 2014 September 30

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2014 November 7

### **Introduction to the Political Parties Registration Law**

This Political Parties Registration Law was enacted as Law No. 2/2010 dated 8 March 2010 by the State Peace and Development Council in accord with Section 443 of the Constitution of the Union of Myanmar.

Since certain provisions of the Law are required to be replaced, removed, added and amended; the Pyihtaungsu Hluttaw replaced, removed, added and amended the Law as follows.

(a) **The Law that amends Political Parties Registration Law**

[With the Pyihtaungsu Hluttaw's Law No.6 dated 2011 November 4 by Pyihtaungsu Hluttaw] Section 6(C) was replaced; Section 10(C) was removed; and it specified that Section (F) was changed as Section (E), Section (G) as Section (F), Section (H) as Section (G), Section (I) as Section (H); and explanatory not was added in Section 12 (A)(1).

(b) **Law that secondly amends Political Parties Registration Law**

[With the Pyihtaungsu Hluttaw's Law No.38 dated 2014 September 30 by Pyihtaungsu Hluttaw] Section 4(A), Section 5(E) and Section 10(A) were replaced; and Section 25-A was added after the Section 25 of that Law.

The book is reprinted as revised by Pyihtaungsu Hluttaw as of 2014 September 30, in order to be learned by people who are interested in laws.

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**Political Parties Registration Law**

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The Union of Myanmar  
The State Peace and Development Council

**The Political Parties Registration Law**

(The State Peace and Development Council Law No. 2/2010)

The 9<sup>th</sup> Waning Day of Taboung, 1371 ME

(2010 March 8)

**Preamble**

The State Peace and Development Council hereby enacts the following Law in accord with the Section 443 of the Constitution of the Union of Myanmar for enabling the formation of political parties that have objectives for non-disintegration of the Union, non-disintegration of the national solidarity and perpetuation of sovereignty, that are loyal to the State, and that accept and exercise genuine and well-disciplined multi-party democracy system in the Union of Myanmar.

**Chapter I**

**Title and Definition**

1. This Law shall be called the **Political Parties Registration Law**.
2. The following expressions contained in this Law shall have the meaning given hereunder.
  - (a) **State** means the Union of Myanmar.
  - (b) **Region** or **State** means the existing Division or State respectively.
  - (c) **Commission** means the Union Election Commission.
  - (d) **Political Party** means an organization allowed to be formed under this Law by the Commission for enabling the implementation of their programs based upon a political ideology that believes and accepts genuine and well-disciplined multi-party democracy system.
  - (e) **Party** means a political party that organizes and carries out in the entire Union or only within a Region or a State. The said expression also includes different levels of sub-parties of the party.
  - (f) **Election** means the Pyithu Hluttaw Election, Amyotha Hluttaw Election and Region or State Hluttaw Election.
  - (g) **General Election** means the election designated and held by the Commission for a regular term of the Hluttaw.
  - (h) **By-election** means the election designated and held by the Commission from time to time for constituencies that become vacant due to election postponement in certain constituency

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or resignation, death, termination or revocation of duty from a Hluttaw representative in accord with the law within a regular term of Hluttaw.

- (i) **Constituency** means Pyithu Hluttaw constituency, Amyotha Hluttaw constituency, Region or State Hluttaw constituency designated by the Commission in accord with the law to elect a Hluttaw representative.
- (j) **Property owned by a Party** means the fund and tangible assets owned by a party.
- (k) **Member of Religious Order** means the followings:
  - (i) In the case of Buddhists; monks, novices, religious layperson and nuns serving the Buddhist religious order.  
**Explanation-** The expression, member of religious order, applies to a religious monk or a member of religious order while he or she is serving temporarily as such.
  - (ii) In the case of Christians; persons who have been recognized and ordained or assigned duties by the relevant Churches as an individual who has dedicated himself mainly to serving the Christian religious order and persons get involved in the group of individuals or organization which of their own volition have submitted to the control of the respective head according to the religion professed as organized by religious discipline or vow.
  - (iii) In the cas of Hindus; Sanyazi, Mahant or Hindu priests.
- (l) **Convict** means a person serving a prison term under a sentence passed by certain court. The said expression also includes a person who is serving a prison term pending appeal or revision against the sentence of imprisonment of a relevant court.

## Chapter II

### Formation and Registration of Political Parties

- 3. (a) A group of at least 15 persons, who desire to organize and form a political party in the entire Union or only within a Region or a State, stating a desired name for the party, shall apply to the Commission for granting a permission to organize party members in accord with the law. In the application they shall admit and sign that they conform to the provisions stated in Section 4, and shall also abide by the provisions stated in Section 6.
  - (b) When receiving the application filed under the Sub-section (a), the Commission shall scrutinize the facts stated in the application and accept the application if it is found in conformity with the law. Otherwise, the application shall be refused if it is found not in conformity with the law.
  - (c) The persons who are desirous of forming a party shall elect one leader and one deputy leader among them, when permission is granted under the Sub-section (b).
- 4. The persons desirous of forming a party shall conform to the followings.

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- (a)<sup>1</sup> The person who is a citizen
  - (b) The person who has attained 25 years of age
  - (c) The person who is not a member of the religious order
  - (d) The person who is not a civil services personnel
  - (e) The person who is not a convict
  - (f) The person who is not a member of an insurgent organization in revolt with arms against the State, or not a member or an individual of an organization designated by the State as committing terrorist acts, or not a member of an organization declared as an unlawful association under any existing law of not a member contacting or abetting with such members of an organization directly or indirectly.
  - (g) The person who is not involved with any offence under the Narcotic Drugs and Psychotropic Substances Law.
  - (h) The person who is not a foreigner or has assumed foreign citizenship
5. Having paid certain registration fees, the leader and deputy leader of persons desirous of forming a party shall apply to the Commission in the prescribed manner to register as a political party that they wish to be formed by submitting the following.
- (a) Name, flag and emblem of the party desired to be formed
  - (b) Political ideology and program of the party desired to be formed
  - (c) Regulations of the party and organizational set-up
  - (d)<sup>2</sup> Names, father's names, occupations, addresses, dates of birth and Citizenship Scrutiny Card Numbers of the persons who desire to form a party in accord with the provisions stated in Section 4 above.
  - (e) Admission made in accord with Section 6
  - (f) Admission that it will organize at least 1000 party members within 90 days from the day of permission granted for registration as a political party if it is a party that will organize throughout the entire Union or admission that it will organize at least 500 party members within 90 days from the day of permission granted for registration as a political party if it is a party that will organize only within a Region or a State.
6. In the application filed under Section 5, it shall be admitted that the followings shall be abided.
- (a) Safeguarding non-disintegration of the Union, non-disintegration of the national solidarity and perpetuation of sovereignty
  - (b) Safeguarding the prevalence of law and order and tranquility
  - (c)<sup>3</sup> Respecting and obeying the Constitution of the Union of Myanmar
  - (d) Abstaining from writing, delivering speech or organizing and instigating that can cause conflict or that can effect dignity and morals relating to nationality, religion, individual or public
  - (e) Abstaining from abuse of religion for political ends
  - (f) Abstaining from accepting and using directly or indirectly money, property, other aids from the government of any foreign country, any religious organization, any other organization or any person or, not accepting their influence

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<sup>1</sup> Second replacement is made.

<sup>2</sup> Second replacement is made.

<sup>3</sup> First replacement is made.

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7. Any of the following organizations shall not be entitled to apply for registration as a political party.
  - (a) An organization declared as an unlawful association under certain existing law
  - (b) An insurgent organization in revolt with arms against the State, organization and person designated by the State as committing terrorist acts or organization that contacts or abets directly or indirectly with an organization declared as an unlawful association under any existing law or its members
  - (c) An organization that accepts and uses directly or indirectly money, buildings, vehicles and property owned by the State
  - (d) An organization that accepts and uses directly or indirectly money, property or other aids from the Government, a religious organization, any other organization or any person from a foreign country or being under their influence
  - (e) An organization that abuses religion for political ends
  
8.
  - (a) In submitting the name, flag and emblem of the party under Section 5(a); the name, mark or symbol that is connected with religion or affect non-disintegration of the Union, non-disintegration of the national solidarity and perpetuation of sovereignty shall be avoided.
  - (b) If the name, flag and emblem of the party that applies for registration is identical with the name, flag or emblem of other party that has been already registered under certain existing law or that has already applied under Section 5 or is very similar that it cannot be differentiated, the Commission may direct and designate the period for causing differentiation to be made. If it fails to comply with such direction, the application shall be rejected.
  
9. When the leader and deputy leader of persons desirous of forming a party apply to register as a political party; the Commission may, after scrutinizing in the prescribed manner, grant permission to register if it is in conformity with the stipulation or refuse to register if it is not.
  
10. In organizing the party members, only the persons conforming to the following qualifications shall be organized as a member of a party.
  - (a)<sup>4</sup> Being a person who is a citizen and being a naturalized citizen
  
  - (b) Being a person who has attained 18 years of age
  
  - (c) Being a person who is not a member of the religious order
  
  - (d) Being a person who is not a civil services personnel
  
  - (e)<sup>5</sup> Being a person who is not a member of an insurgent organization in revolt with arms against the State, or not a member or an individual of an organization designated by the State as committing terrorist acts, or not a member of an organization declared as an unlawful

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<sup>4</sup> First specification of change is made.

<sup>5</sup> Second replacement is made.

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association under certain existing law or not a member contacting or abetting with such members of an organization directly or indirectly

(f)<sup>6</sup> Being a person who is not involved with any offence under the Narcotic Drugs and Psychotropic Substances Law

(g)<sup>7</sup> Being a person who is not a foreigner or not a person who has assumed foreign citizenship

(h)<sup>8</sup> Being a person who has admitted that he will abide by Section 6

11. Since being granted to register under Section 9, a party:

(a) may perform, in accord with the regulations of party, issuing party membership certificates to the persons who apply and meet to the stipulations, collecting party admission fees, party monthly fees and organizing.

(b) shall compile the list of party members who have been issued the party membership certificates and submit such list to the Commission as prescribed.

**Chapter III**

**No Entitlement to Subsist**

12. (a) A party shall not be entitled to subsist as a political party if it is involved with any of the followings.

(i) Being incapable to contest as Hluttaw candidates from its party in at least three constituencies out of Pyithu Hluttaw constituencies, Amyotha Hluttaw constituencies, Region or State Hluttaw constituencies in the general elections

*<sup>9</sup>Explanatory Note: If the political party that is allowed to register after general elections is incapable of contesting in the by-elections within the relevant Hluttaw term, or of contesting in at least three constituencies in by-elections that have been held in more than three constituencies in relevant Hluttaw term; the provision of the law shall also apply to it.*

(ii) Having been declared as an unlawful association under certain existing law

(iii) Contacting or abetting directly or indirectly an insurgent organization and individuals in revolt with arms against the State, organization and individuals designated by the State as committing terrorist acts or organization declared as unlawful association or members of the said organization

(iv) Having failed to abide by any admission contained in Section 6

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<sup>6</sup> First specification of change is made.

<sup>7</sup> First specification of change is made.

<sup>8</sup> First specification of change is made.

<sup>9</sup> First addition is made.



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(v) Being found that the organization obtained and used directly or indirectly money, land, house, building, vehicle, property owned by the State

**Proviso:** (1) The expression "money owned by the State" does not include pension and emolument of the persons who get involved in the said party or salary and emolument officially awarded by the State for carrying out in the interest of the State.

(2) The expression "land, house, building, vehicle, property owned by the State" does not include land, house, building and apartments owned by the State and that are allowed by the State to be used under certain law or by the bounds of duty to the persons who are involved in the said party, or that are rented for fees from the State by the said persons, other building and apartments, airplane, train, ship, motor vehicle, property etc. owned by the State.

(vi) Concealing intentionally by not dismissing party members who are not in conformity with any provision contained in Section 10

(vii) Being found that it is incapable of organizing party members in accord with the stipulation of Section 5(f)

(b) The Commission shall cancel the registration of the party from being a political party that is involved with certain fact contained in Sub-section (a) and also disband the said party.

13. A party shall submit to the Commission that it has organized minimum number of party members prescribed in Section 5(f) within prescribed days. After so submitting, if the number of members of the said party has decreased below the prescribed number, it shall carry out to meet the stipulation within 90 days. If it is unable to do so, the Commission shall cancel the registration of such party from being a political party and also disband the party.

### Chapter IV

#### **Raising, Maintaining, Utilizing, Auditing and Liquidating Fund and Property**

14. The following persons shall be responsible and undertake the maintenance of the property owned by the party and making systematic list of assets as prescribed.

(a) Chairperson or secretary of the central executive Body, for the party headquarter

(b) Relevant chairperson or secretary of the party's executive body for the parties of Region/State, district and township, and the organizer concerned for the parties of ward or village-tract

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15. (a) Fund owned by the party and the accounts shall be raised, consolidated, kept in the following ways.
- (i) Party admission fees and party monthly fees collected under Section 11
  - (ii) Cash or assets that are donated by individual citizen, or organization or citizen-owned company or group of companies in the country, from the money and properties they legally obtained, to the party
  - (iii) Money and profit that are legally obtained from the businesses owned by the party
- (b) Taxes and duties to be paid on money and property obtained under the clauses of (i) and (ii) of Sub-section (a) shall be exempted.
16. A party during a Hluttaw term:
- (a) is entitled to use the prescribed expenses in accord with the party regulations for organization of its party;
  - (b) is entitled to use the prescribed expenses for each Hluttaw candidate representing and contesting for his party in the general elections or by-elections.
17. A party shall perform, as prescribed, drawing its annual statement of accounts according to the financial year, making annual list of property owned by the party and obtaining confirmation in accord with the party regulations.
18. If the accounts of a party are required to be audited, the Commission may do so. The Sub-commission at different levels may also be caused to audit. In so auditing, the Commission or its Sub-commission may obtain assistance from the governmental departments and organizations.
19. (a) Party-owned property shall be entrusted in the prescribed manner to the department or organization prescribed by the Government when a party disbands of its own volition or when registration is cancelled under this Law.
- (b) Regarding to the property entrusted under Sub-section (a); certain department or organization concerned shall comply with the directive by the Government.

## **Chapter V** **Miscellaneous**

20. With regards to the enforcement of the provisions stated in this Law:
- (a) the decision of the Commission shall be final and conclusive;
  - (b) there shall be no right of institution of any proceeding in any court.
21. A person shall have the right to be a party member of only one political party at the same time.

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22. The formation of different levels of a political party shall be according to administrative boundary.

23. The Commission may supervise political parties to ensure that they perform in conformity with the existing laws, bylaws, rules and procedures, notifications, orders and directives. It may assign duty to Sub-commissions of different levels to supervise on its behalf.

24. (a) If the Commission finds that a party does not abide by certain provision of this Law, bylaws, rules and procedures, notifications, orders and directives, or certain provision of existing laws; the Commission may prescribe the time and direct such party to perform as may be necessary.

(b) If someone makes a report to the Commission and files a complaint about the internal affairs of a party, the Commission may investigate and, if necessary, in the interest of the State prescribe the time and direct such party to the facts to be abided by.

(c) The Commission may suspend the political party registration of such party up to three years, if the party fails to comply strictly with the directive under the Sub-section (a) or Sub-section (b).

(d) In case of suspension of political party registration under the Sub-section (c), the said party shall suspend all the ongoing works of the party except the ones directed by the Commission, during the suspension.

(e) In case of failure to comply with the directive till the end of the suspension period under the Sub-section (c), the Commission shall revoke the political party registration of the party, and shall also disband the party.

25. Parties that exist under the Political Parties Registration Law (according to The State Law and Order Restoration Council Law No. 4/88) and that are desirous to continue as political parties under this Law shall apply to the Commission within 60 days from the date of promulgation of this Law. When the permission is granted by the Commission, the party is entitled to continue to perform in accord with the provisions contained in this Law. If no such application is made, the fact of being a political party shall be deemed to have been automatically invalidated.

25-A.<sup>10</sup> Political parties, and their members as well, that have existed under the original Political Parties Registration Law, before the Law that secondly amends the Political Parties Registration Law has not been promulgated, shall be deemed to have been formed in accord with this amended Law. The Commission shall coordinate and prescribe a suitable period of time for those parties to amend and perform in accord with this amended Law.

26. The commission may issue bylaws, rules and procedures, notifications, orders and directives, as may be necessary for the enforcement of the provisions of this Law.

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<sup>10</sup> Second addition is made.

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27. The Political Parties Registration Law (The State Law and Order Restoration Council Law No.4/88) is hereby repealed.

(Sd.)

Than Shwe  
Senior General  
Chairman  
The State Peace and Development Council