

Government of the Republic of the Union of Myanmar

Ministry of Planning and Finance

Notification No. 75/2024

The 13th Waxing of Tazaungmone, 1386 M.E.

(13 November 2024)

The Ministry of Planning and Finance, in exercise of the powers conferred under subsection (b) of section 204 of the Sea Customs Act, hereby issues the following procedures.

Chapter I

Title and Definition

1. These procedures shall be called the Customs Procedures Relating to Cutting, Making, Packaging (CMP) System.
2. The expressions in these procedures shall have the same meanings as defined in the Sea Customs Act. In addition, the following expressions shall have the meanings given below:
 - (a) **Cutting, Making, Packaging (CMP) System** means a system in which imported raw materials are cut, made, processed or repaired by any other means locally into compensating products, and such products are packaged and subsequently exported by receiving a wage;
 - (b) **Force Majeure** means natural disasters such as floods, wind, fires, earthquakes, epidemics, wars, government restrictions, matters related to the decline of Rule of Law and public order, etc.;
 - (c) **Raw Materials** means imported raw materials and semi-finished products are intended for manufacturing into compensating products and subsequent exportation by CMP system;
 - (d) **Packaging Materials** means imported materials for packaging or assisting such compensating products in subsequent exportation after manufacturing into compensating products by CMP system.

Chapter II

Lodging of Import and Export Declarations

3. The following documents shall be submitted along with import declaration form when importing the raw materials and packaging materials by CMP system.

- (a) Import License;
- (b) Bill of Lading;
- (c) Invoice;
- (d) Packing List;
- (e) Sale Contract;
- (f) Purchase Order;
- (g) Recommendation letter of the relevant departments for different categories;
- (h) Letter of Undertaking for raw materials or packaging materials (Annex Form 1);
- (i) Description relating to the categories of raw materials and quantity required for one unit of compensating product for subsequent exportation (Annex Form 2);
- (j) Form for the List of imported raw materials (Annex Form 3);
- (k) Form for the List of imported packaging materials (Annex Form 4).

4. The following documents shall be submitted together with the export declaration form when subsequent exporting the compensating products by CMP system:

- (a) Import declaration and relevant documents;
- (b) Export license;
- (c) Invoice;
- (d) Packing List;
- (e) Purchase Order;

- (f) Booking Note;
- (g) Recommendation letters of the relevant department for different categories;
- (h) Letter of Undertaking for raw materials or packaging materials [Annex Form 1(a)];
- (i) Description relating to the categories of raw materials and quantity required for one unit of compensating product for subsequent exportation (Annex Form 2);
- (j) Statement for of subsequent exportation of imported raw materials and packaging materials (Annex Form 5).

Chapter III

Prescribing Exportation Period and Applying for an Extension

5. In subsequent exportation of compensating products from imported raw materials and packaging materials, it shall be exported within one year from the lodging date of import declaration.
6. If a CMP operator fails to export within the prescribed period under paragraph 5 due to various reasons, he/ she shall apply to the Director General of the Customs Department two months prior to the prescribed period for extension.
7. The Director General of Customs Department may grant an extension for one year at a time up to a minimum of two extensions, if there are reasonable grounds based on the verification of application under paragraph 6.

Chapter IV

Failure to export due to various Reasons, Transfer and Sale of the compensating products

8. If the compensating products are sold within the country without being re-exported due to non-compliance with the prescribed standards, or raw materials and packaging materials are locally transferred and sold, the exempted duties and other taxes on the import of those materials shall be paid, and a prescribed fine shall also be imposed.

9. If the compensating products that have been exported but are later is rejected by the consignee due to various reasons are re-imported, and such products are used for domestic use by the consignor, he shall be liable to pay duties and other taxes on the imported raw materials and packaging materials in processing, and shall also be liable to pay a prescribed fine.

10. If a CMP operator applies for disposal of raw materials and packaging materials, or compensating products without domestic use to Director General of Customs Department it shall be disposed only after getting approval for complying with the stipulations, following examination by the supervision of the on-site validation group. Such disposal materials shall be exempted from Customs Duties.

11. In disposal of raw materials and packaging materials, and compensating products domestically that are not re-exported:

- (a) it shall be obtained the approval of the Myanmar Investment Commission and the Ministry of Planning and Finance;
- (b) it shall be destroyed under the supervision of the on-site validation group in accordance with the criteria of environmental conservation;
- (c) it shall be kept a record of the amount of disposal as specified in Annex form 8;
- (d) it shall be charged the cost of disposal by the respective company.

12. If a CMP operator applies for wastage due to *Force Majeure* to the Director General of the Customs Department, it shall be exempted from Customs duties only after getting approval for complying with the stipulations, following examination by the supervision of an on-site validation group.

13. If no evidence may be shown for the exportation of compensating products from raw materials or commercially valueless destruction with permission or usage in processing, it shall be liable to pay customs duties and taxes for such materials.

Chapter V

Keeping Statistics

14. A CMP operator shall keep statistics records relating to the importation of raw materials and packaging materials, and the subsequent exportation of compensating products for seven years in order to be examined by the Customs Department.
15. If the Customs Department examines the importation of raw materials and packaging materials by CMP system, it shall be duly filled in Annexes forms 3 and 4 in order to explain.
16. If there are remaining items are not subsequently exported, a CMP operator shall submit them without fail within the second final month following the end of the financial year for raw materials in Annex form 6 and packaging materials in Annex form 7 to the Customs Department.
17. A CMP operator shall inform the Customs Department if any changes in description, quantity and standard for the requirements of one unit compensating product.
18. If the Customs Department requests to examine the statistics and evidence of importation and exportation, a CMP operator shall submit them correctly.

Chapter VI

Miscellaneous

19. Any person who fails to comply with Customs procedures relating to the CMP shall be taken action in accordance with the Sea Customs Act and existing laws.
20. This notification shall take effect commencing from 1 December 2024.

Win Shein
Union Minister

Letter No: Saba/ Finance - 2/2/267 (5669/2024)

Date: 13 November 2024

Circulation to:

Office of the State Administration Council

Office of the Union Government

Office of the Pyidaungsu Hluttaw

Office of the Pyithu Hluttaw

Office of the Amyotha Hluttaw

Supreme Court of the Union

Constitutional Tribunal of the Union

Office of the Union Election Commission

All Union Ministries

Office of the Auditor General of the Union

Union Civil Service Board

Nay Pyi Taw Council

All Governments of the Regions or States

Central Bank of Myanmar

Office of the Anti-Corruption Commission

Office of the Myanmar Investment Commission

Office of the Myanmar National Human Rights Commission

Naypyitaw Development Committee

Yangon City Development Committee

Mandalay City Development Committee

Myanmar Accountancy Council

Office of the Revenue Appellate Tribunal

All the Departments and Organizations under the Ministry of Planning and Finance

Director General
Printing and Publishing Department } to announce in Myanmar Gazette

The Union of Myanmar Federation of Chambers of Commerce and Industry
(UMFCCI) (sent it for further circulation to affiliated associations with the
request)

By order,

Min Htut
Deputy Minister

Annex Form 1

To:

Director General

Customs Department

Date.

Subject: **Guarantee /Undertaking for raw materials or packaging materials imported by the CMP system**

1. The materials in Bill of Lading (BL) /Air Waybill (AWB) /Truck Note/ Cargo Receipt No. -----with Invoice No./date ----- and Packing List of our ----- Company/Business/Organization are raw materials packaging materials which are imported via Yangon Port/ Airport/ border land arrived on Vessel/ Voyage No. by the CMP system under the duty exemption of the Myanmar Investment Commission and Notification No. dated of the Ministry of Planning and Finance.

2. We guarantee that such imported raw materials and packaging materials for compensating products shall be exported within one year from the lodging date of the import declaration.

Sign (Person in Charge) -----

Name -----

Company/Business/Organization -----

Address -----

Ph. No. -----

Annex Form 1(a)

To:

Director General

Customs Department

Date.

Subject : Guarantee/Undertaking for raw materials or packaging materials imported by the CMP system

1. The materials in Bill of Lading (BL) /Air Waybill (AWB) /Truck Note/ Cargo Receipt No. -----with Invoice No./date ----- and Packing List of our ----- Company/Business/Organization are raw materials and packaging materials which are exported via Yangon Port / Airport/ border land departed on Vessel/ Voyage No. by the CMP system under the duty exemption of the Myanmar Investment Commission and Notification No. dated of the Ministry of Planning and Finance.

2. We guarantee that such imported raw materials and packaging materials into compensating products are exported and declarations mentioned in Annexes Forms 2 and 5 are true.

Sign (Person in Charge) -----

Name -----

Company/Business/Organization -----

Address -----

Ph. No. -----

Annex Form 2

Date

Description Relating to Categories of Raw Materials and Quantity required for one unit of Compensating Product of our-----
Company/Business/ Organization

No.	Export Declaration No./Date	Compensating Products				Rate of Yield			Remark
		Brand Name	Description	Unit	Quantity/ Amount	Description	Unit	Quantity/ Amount	
									If it is difficult to express for one unit, can be expressed for 1000 units

I pledge that action will be taken under the Laws relating to Customs if the above information is filled up incorrectly.

Sign (Person in Charge)

Name

Annex Form 3

Date

List of Imported raw materials ofCompany/ Business/ Organization

No.	Import Declaration No./Date	Raw Materials								KG/ (Gross weight)	Remark
		Order No.	Quantity of Total Order Received Quantity	Previous Imported Quantity based on Order	The Balance of Quantity based on Order	Brand Name	Description	Unit	Quantity/ Amount		

I guarantee that action will be taken under the Laws relating to Customs if the above information is filled up incorrectly.

Sign (Person in Charge)

Name

Date

Imported packaging materials by----- Company/ Business/ Organization

No.	Import Declaration No./Date	Packaging Materials								KG/ (Gross weight)	Remark
		Order No.	Quantity of Total Order Received	Previous Import Quantity based on Order	The Balance of Quantity based on Order	Brand Name	Description	Unit	Quantity /Amount		

I guarantee that action will be taken under the Laws relating to Customs if the above information is filled up incorrectly.

Sign (Person in Charge)

Name

Date

Statement of subsequent exportation of raw materials and packaging materials of..... Company/ Business/ Organization

No.	Import Declaration No./ Date	Order No.	Quantity of Total Order Received	Previous Import Quantity based on order	Import Quantity	The Balance of Quantity	Compensating Products					Raw Materials				Packaging Materials			
							Brand Name	Description	Unit	Quantity	KG (Gross Weight)	Description	Unit	Quantity	KG (Gross Weight)	Description	Unit	Quantity	KG (Gross Weight)

I guarantee that action will be taken under the Laws relating to Customs if the above information is incorrect.

Sign (Person in Charge)

Name

Annex Form 6

Date.....

Statement of imported raw materials by CMP system ofCompany/ Business/ Organization

From (. .) to (. .)

No.	Import Declaration No. / Date	Imported Materials and Quantity	Clearance Date	Order No.	Export Declaration No. and Date	Exported Materials and Quantity	Materials and Quantity for Home Use	The Balance of Raw Materials and Quantity

I guarantee that action will be taken under the Laws relating to Customs if the above information is filled up incorrectly.

Sign (Person in Charge)

Name

Annex Form 7

Date.....

Statement of imported packaging materials ofCompany/ Business/ Organization

From (. .) to (. .)

No.	Import Declaration No. / Date	Imported Materials and Quantity	Clearance Date	Order No.	Export Declaration No. and Date	Exported Packaging Materials and Quantity	Materials and Quantity for Home Use	The Balance of Packaging Materials and Quantity

I guarantee that action will be taken under the Laws relating to Customs if the above information is filled up incorrectly.

Sign (Person in Charge)

Name

Date

Company/ Business/ Organization

Statistics for disposal of compensating goods or raw materials or packaging materials which cannot have subsequent exportation

No.	Import Declaration No./ Date	Order No.	Quantity of Total Order Received	Previous Import Quantity based on order	Import Quantity	The Balance of Quantity	Compensating Products					Raw Materials				Packaging Materials			
							Brand Name	Description	Unit	Quantity	KG (Gross Weight)	Description	Unit	Quantity	KG (Gross Weight)	Description	Unit	Quantity	KG (Gross Weight)

I guarantee that action will be taken under the Laws relating to Customs if the above information is incorrect.

Sign (Person in Charge)

Name