

Republic of the Union of Myanmar
Union Election Commission

THE POLITICAL PARTIES
REGISTRATION RULE

17 March 2010

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Republic of the Union of Myanmar
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The Political Parties Registration Rule

3rd Waxing Day of Tagu, 1371 M.E.

(17 March, 2010)

Notification No. (1/2010)

In exercise of the power conferred by Section 2 of the Political Parties Registration Law, the Union Election Commission has enacts the following Rules.

Chapter (I)

Title and Definition

1. This Rule shall be called the **Political Parties Registration Rule**.
2. The words contained in this rules shall have the same meaning as contained in the Political Parties Registration Law. Furthermore, the

following expressions contained in this rule shall have the meaning given hereunder-

- (a) **Law** means the Political Parties Registration Law,
- (b) **Sub-commission** means the following Sub-commissions formed by the Commission-
 - (i) Nay Pyi Taw Sub- commission;
 - (ii) Region or State Sub- commission;
 - (iii) Self-Administered Division or Self-Administered Zone Sub-commission;
 - (iv) District Sub- commission;
 - (v) Township Sub-commission;
 - (vi) Ward or Village-tract Sub-commission.
- (a) **Commission Office** means an office established to assist the Commission,

Chapter (II)

Establishment of Political Party

3. Pursuant to Law Section 3(a), at least 15 persons who are desirous of organizing a political party shall apply to the Commission to allow organizing a party. In applying so, they shall sign and apply in a two sets of Form (a) together with a letter of admission that they shall conform to the

facts contained in Section 4 and shall also abide by the facts contained in Section 6.

4. (a) A person who was given responsibility in Form (a) for organizing a political party shall apply the application letter in person at the Commission.

(b) Commission Office shall give an acknowledge receipt of the application in a prescribed form to the applicant.

(c) The Commission Office shall scrutinize the facts mentioned in the application and submit its findings to the Commission.

5. The Commission shall, when receiving the application filed under rule 3, scrutinize the facts mentioned in the application and-

(a) shall accept the application if it is found that it is in conformity with the law and reply the acceptance to the applicant in a Form (b).

(b) shall refuse the application if it is found that it is not in conformity with the law and reply the refusal to the applicant in Form (c).

6. The persons who are desirous of establishing a party shall elect one leader and one deputy leader among them, when permission under Rules 5(a) is obtained, and shall submit it to the Commission in Form (d).

7. The leader and deputy leader of persons desirous of forming a party in accord with the Rule 6, shall within 30 days of obtaining the date of permission in accord with the Rule (5-a), apply their political party which they desire to be established to be registered as a political party with two sets of Form (e) to the Commission by submitting the following:

- (a) the leader and deputy leader of persons desirous of forming a party shall sign the application and present personally to the Commission.
- (c) shall subscribe registration fees of kyat three Lakhs with the prescribed manner of the Commission.

8. The parties existing under the Law Section 25 which are desirous to continue as political parties under this Rule shall have the right to apply with Form (e-1) in two sets, in accord with the law and rule, to the Commission within 60 days from the date of promulgation of this Rule. If no such application is made within the prescribed days, the fact of being a political party shall be deemed to have been automatically invalidated.

Chapter (III)

Granting Permission to Register, Refusing to Register and Cancellation of Registration

9. The Commission Office shall, when receiving the application filed under Law Section 25, Rule 7 or 8, issue an acknowledge receipt of the application in a prescribed Form to the applicant.

10. After necessary action was taken as per Rule 9, the Commission Office shall scrutinize the facts mentioned in the application and submit its findings to the Commission.

11. With regard to the application for registration of political party, the Commission in order to make decision to or not to register a political party shall have the right to send for the necessary persons for questioning and to request necessary documents for inspecting.

12. After scrutinizing the applications for registration of political party in accord with the Law, the Commission shall carry out as follows-

- (a) may grant permission to register as a political party if it is in conformity with the law and reply the acceptance to the applicant in Form (b)
 - (b) may refuse to register as a political party if it is not in conformity with the law and reply the refusal to the applicant in Form (c).
13. (a) The party which was granted a permission to register as a political party under Rule 12 (a), shall organize at least 1000 party members within 90 days from the day of permission for registration as a political party if it is a party that will organize throughout the entire Union or organize at least 500 party members within 90 days from the day of permission for

registration as a political party if it is a party that will organize only in a Region or State and combine the lists of a party member strength according to the respective Townships in Form (h) in two sets and shall have to submit it to the Commission.

- (b) According to the Rule 13(a), a party after so submitting, if the number of members of the said party has decreased below the stipulated number, shall submit to the Commission in Form (h-1) as quickly as possible. After that it shall carry out to meet the stipulation within 90 days and submit it again to the Commission.
 - (c) If it is unable to do so in accord with the Sub-section (b) of Rule 13, the Commission shall cancel the registration of such party from being a political party and also dissolve the party.
14. (a) In submitting the name, flag and emblem of the party under Rules Section 5, 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) A party flag or emblem shall not include or use in identical with the flags or emblems of the Country, State and Region and other organizations already recognized by the Union Government.

- (c) If the name, flag and emblem of the party which applies for registration is identical with the name, flag or emblem of other party which is already registered or which has already applied under Law 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.
- (d) A party flag or emblem shall not include or use in identical with the flags or emblems of the Country, State and Region and other organizations already recognized by the Union Government.
- (e) If objection is desired to be made against a name, flag and emblem of a party applying for registration, the Commission shall announce in appropriate way that objection can be made within seven days. If the objection is being produced with sufficient evidence, the Commission may direct and designate the period for the concerned party to amend its name, flag or emblem. If it fails to comply with such direction, the application shall be rejected.

15. Registration of the party from being a political party shall be cancelled if the Commission found out that the said party has committed one of the following acts -

- (a) an action that may harm the safeguarding non-disintegration of the Union, non-disintegration of the national solidarity and perpetuation of sovereignty
- (b) an action that may affect safeguarding the prevalence of law and order and tranquility;
- (c) fails to observe and obey the Constitution of the Republic of the Union of Myanmar and existing law and rules
- (d) writing, delivering speech or organizing and instigating that can cause conflict or that can affect dignity and morals relating to nationality, religion, individual or public;
- (e) abuse of religion for political ends;
- (f) an organization found to be accepting and using 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;
- (g) an organization declared as an unlawful association under any existing law;
- (h) direct or indirect contact or encourage and support with/to 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;

- (i) an organization found to be accepting and using directly or indirectly money, buildings, vehicles and property owned by the State;
- (j) intentionally concealing the fact of not ousting the party members who are not in conformity with the stipulations under Section 10 of this Law;

16. Registration of the party from being a political party shall cancel if the said party being unable 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 for a term of each Hluttaw election starting from the year 2010.

Explanation (1) A party who obtained the permission for registration after holding the general election for a term of each Hluttaw elections being unable to contest at the by-elections or by-elections held for at least not less than three constituencies, shall be included in this rule,

- (2) A party that will organize only in a Region or State and if there is no by-election in the said Region or State shall not be included in the above explanation (1). However, if a by-election holds for less than 3 constituencies, the said party shall contest in these constituencies.

17. If the registration of a party from being a political party is cancelled under Rule 13, 15 and 16, it shall inform the cancellation to the said party in Form (i).

18. The Commission or the Sub-commissions at various levels under the direction of the Commission may supervise the political parties to perform in conformity with the existing laws, rules, procedures, notifications, orders and directives as necessary.

Chapter (IV)

Party Fund, Finance, maintaining property and expending

19. Fund owned by a party, finance and maintaining property shall be kept systematically as follows:

- (a) an account registers books on fund owned by a party and income and expenditure of a party;

- (b) a record register book of property purchased by a party and donations received in cash or kind;
- 20.
 - (a) Property owned by the party shall be entrusted in the prescribed manner to the department or organization prescribed by the Government when a party dissolves of its own volition or when registration under this Law is cancelled.
 - (b) With respect to property entrusted under Rule Sub-section (a) , the relevant department, organization shall comply with the directive of the Government.
- 21. A party is entitled to use the election expenses amounting to Kyat 100 laks for each Hluttaw candidate representing and contesting for his party in the General Election or By-election. Such expenses shall be used from the official income of the respective Hluttaw candidates or funds legally obtained by the party. The account of these expenses shall be compiled and maintained systematically.
- 22. A party shall perform in the prescribed manner drawing its annual statement of accounts according to the financial year, compiling annual list of property owned by the party and shall form the internal audit committee of the party and audit these accounts as necessary, obtaining confirmation in accord with the party regulations. This process shall be completed within 3 months after the end of every financial year.

23. If the accounts of a party are required to be audited, the Commission may do so. The Sub-commissions at various levels may also be caused to audit. In so auditing, the Commission or Sub-commission may obtain assistance from the Government departments and organizations.

Chapter (V)

Miscellaneous

24. A party desirous of amending, adding, substitution or making a new rules and regulations of its party constitution as well as amending its political policy shall submit these amendments to the Commission. The Commission shall scrutinized these amendments in accord with the Political Party Registration Law, Rules and only after obtaining the permission granted on these amendments by the Commission shall the party continue to implement according to these amendments.

25. The Commission shall announce the list of the names of the parties granted for registration as well as the list of the names of the parties already deregistered and dissolved as a political party. The Commission shall arrange to include these announcements in the State Gazette.

26. The Commission may summon for the responsible persons from the political parties for discussion and instruction occasionally.

27. The Political Parties Registration Rules (1988 Multi-party Democracy General Election Commission Rules No. 1) is hereby repealed.

Sd/- Thein Soe
Chairman
Union Election Commission

2014 Amendments

25. When two or more than two of the registered parties would like to combine and register as one party –

(a) Chairman and secretary of each respective party shall sign the application form and submit it together to Commission.

(b) The application form in accord with the Sub-rule (a) and the following documents shall be attached.

i. The meeting minutes and record of each executive committee of political parties mentioning a decision to combine parties.

ii. The agreement that the property own by each party will become the property of the party after being combined.

(c) If the reply, which allows submitting application, from Commission is received in accord with Sub-rule (a), the parties which are going to combine can submit the registration application in accord with the Rule (5). However, it does not need to give the registration fees three hundred thousand kyats again in accord with Rule (7-b).

(d) If the Commission agreed the registration to be one party in accord with Sub-rule (c), it shall assume that the previous parties will automatically be dismissed.

(e) The new party which combined the dismissed parties has right to receive the property own by each dismissed party.

(f) According to the Sub-rule (d), if the candidate who used to be a member of the dismissed party is elected, the candidate shall be seen the Member of Representative of a combined party. Except: The MP can inform the Commission if he would like to stand as an Individual MP.

26. If a party which registered to campaign only in one State or Region would like to change to a registration which can campaign around the whole country, or a party which registered to campaign around the whole country would like to change the registration to campaign only in one State or Region, it needs to apply at the Commission submitting the executive committee's decision making meeting minutes of the party and two copies of Form (e). The party can proceed in accord with Law and Bylaw/Rules if it receives the permission from the Commission.

27. The Commission shall announce the name list of the registered parties as well as the name list of the deregistered and dismissed parties, and will manage that the announcement shall be included in the State Gazette.

29. To function in accord with these Rules, if the last set date is on public holiday, the last date can be changed to the office reopening day.