

The Law provides for licensing and registration for cyber security service providers and digital

platform service providers as set out below.

The Law defines “cyber security services” as services using cyber resources or similar technology

and related equipment or other services determined by the relevant Ministry. Persons or

organisations providing cyber security services are required to be licensed as a cyber-security

service provider. To be eligible to provide cyber security services, a provider must be a company

registered in accordance with the Myanmar Companies Law (“MCL”).

In Section 19, it specifies that licenses can range from three to ten years. Section 20 requires cyber

security service providers to register under the Myanmar Companies Act and apply to the relevant

department for a business license. Section 22 further mandates that providers seeking to continue

operations must apply for license renewal at least six months before expiration.

Similarly, the Law defines “digital platform services” as services that enable its users to display,

transmit, distribute or use information online using cyber resources or similar technology and

related equipment. In Section 24, it requires digital platform providers with over 100,000 users in

Myanmar must register under the Myanmar Companies Law and obtain the necessary approval.

The license and registration for providers of both cyber security and digital platform services will

be valid for a minimum of three years to a maximum of 10 years. Both types of providers must

apply for a renewal of their license or registration six months prior to the expiration of the license

or registration period in Section 26.

Penalties for Licensing and Registration:

Section 62 states that providing cyber security services without a license can result in

imprisonment for one to six months, fines ranging from one to ten million kyats, or both.

Companies found guilty face a minimum fine of MMK ten million kyats.

Section 63 imposes fines of up to MMK five million kyats for continuing operations without

renewing a license.

Section 64 prescribes fines of at least 100 million kyats for unregistered digital platform

providers with over 100,000 users.

Section 65 imposes fines starting at MMK 50 million kyats for failing to renew registration.

#### 5.4 Digital Platform Service Providers

The Law states that digital platform service providers are required to have adequate measures in

place to identify relevant information and cyber resources in the event of certain circumstances,

including where information on their service “disrupts unity”, is “false news”, or is information not

suitable for public viewing.

- Section 31 mandates that platforms implement measures to identify and address harmful content, including fake news, child exploitation materials, incitement to violence, and activities that violate existing laws. Platforms must also manage complaints related to copyright infringement or content intended to cause social or economic harm.
  - Section 33 requires digital platform providers to retain user information, including personal data and usage records, for three years.
  - Section 34 allows authorized entities to access this information upon written request, ensuring compliance with legal investigations and regulatory frameworks.

## 5.5 VPN Service Providers

The Law defines virtual private networks (“VPNs”) as a system that is set up as a separate network

within the original network using specific technology to ensure security when connecting to a network.

- Section 44 of the law regulates VPN services, mandating that anyone wishing to establish or provide VPN services within Myanmar must first obtain approval from the Ministry. VPN service providers must obtain permission to establish a VPN or provide VPN services within the national cyberspace.

## Penalties for VPN Service Providers:

- Section 70: Unauthorized VPN operations are penalized with imprisonment of one to six

months or fines of MMK one to ten million kyats.

□ If an individual: Imprisonment for a term of not less than one month and not more than six

months, or a fine of not less than MMK 1,000,000 and not more than MMK 10,000,000, or

both. The evidence relating to the case shall be confiscated as property of the State;

□ If a company or organization: A fine of not less than MMK 10,000,000. The evidence relating

to the case shall be confiscated as property of the State.

This provision aims to prevent the misuse of VPNs for illegal activities or circumventing cyber

security measures, ensuring secure and lawful internet usage.

## 5.6 Seizing of Cyber Resources

The Law allows for the seizure and analysis in a digital laboratory of cyber resources from

individuals who are believed to be implicated in any cyber security threat, cyber-attack or cyber

abuse incident. It is noted that support will be provided as necessary to companies and organization

providing telecommunications services according to the Telecommunications Law for conducting

data analyses and dispatches to a digital laboratory for examination. A digital laboratory is a

technology-assisted laboratory that can identify, retrieve, process, analyse and report data stored

electronically.

The relevant Ministry is further empowered to temporarily suspend digital platform services or

electronic information, temporarily control materials relating to digital platform services and close

digital platform services or declare them unfit for public use.

### 5.7 Offenses and Penalties

The Law sets out penalties for unsolicited communications, cyber misuse, online theft or mischief,

and unapproved online gambling. The penalties for these offences range from imprisonment (the

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maximum stipulated is for a term of seven years for online theft or mischief) and fines (the

maximum prescribed is MMK 20 million).

With regard to unapproved online gambling, the Law provides that if the offender is a corporation

or organisation, the minimum fine is MMK 20 million and the illicit proceeds will also be

confiscated. The Law does not specify how online gambling platforms can obtain official approval.

Section 71 outlines penalties for unlicensed online gambling, including imprisonment for six

months to one year or fines ranging from MMK five to twenty million kyats.