



NOTIFICATION UNDER ARTICLE 10.6.2 OF THE TRADE FACILITATION AGREEMENT

COMMUNICATION FROM MYANMAR

The following communication, dated 7 November 2023, is being circulated at the request of the delegation of Myanmar.

Following up from the notification dated 24 October 2023 (G/TFA/N/MMR/1/Add.5), Myanmar hereby makes the following notification based on Article 10.6.2 of the Trade Facilitation Agreement (WT/L/931).

The Myanmar Customs Department hereby makes the following notification based on Article 10.6.2.

Article 10.6.2

According to the Sea Customs Act, there is no requirement for the mandatory use of customs brokers in Myanmar. In addition, current regulations and procedures, there is no stipulation for the mandatory use of customs brokers.

Section 4 of the Sea Customs Act mentioned that the agent of the owner of goods to be deemed the owner for certain purposes and Section 202 states that the responsibilities of the Custom-house agent for Customs declaration, calculation, and payment of duties and taxes and other amounts payable.

According to the Sea Customs Act, Section 203, the clerk, servant or agent of any person or mercantile firm may transact business generally at the custom-house on behalf of such person or firm: Provided that the Competent Customs Official may refuse to recognize such clerk, servant or agent unless such person or a member of such firm identifies such clerk, servant or agent to the Competent Customs Official as empowered to transact such business, and deposits with the Competent Customs Official an authority in writing duly signed, authorizing such clerk, servant or agent to transact such business on behalf of such person or firm.

The procedures for customs brokers were outlined in Notification No. 74/2020 by the Ministry of Planning, Finance, and Industry. Paragraph No. 4 of the notification provides that any person who meet the standard qualification by Myanmar Customs Department may make a customs declaration for their own business. This notification and its implementations were properly published and communicated to the National Committee on Trade Facilitation (NCTF).

Further information related to the law and regulation can be accessed online through the website of the Myanmar Customs Department: <https://www.customs.gov.mm/>.
