



The Republic of the Union of Myanmar
The Anti – Corruption Commission

THE ANTI – CORRUPTION LAW

7 August, 2013

The Anti-Corruption Law

(The Pyidaungsu Hluttaw Law No.23, 2013)

The 1st Waxing of Wagaung, 1375 M.E.

(7 August, 2013)

The Pyidaungsu Hluttaw hereby enacts this Law.

Chapter I

Title, Enforcement, Extent and Definitions

1. (a) This Law shall be called **the Anti-Corruption Law**.
- (b) This Law shall come into force commencing from the day on which issued the notification by the President.
2. Any offence which enables to be taken action under this Law is committed by any person within the Union of Myanmar or by the Myanmar citizen or by the permanent resident in Myanmar beyond the limits of the Union of Myanmar, shall be applied to this Law.
3. The following expressions contained in this Law shall have the meanings given hereunder:
 - (a) **Corruption** means the misuse of his post by the competent authority for making to act something or to avoid the lawful act or to give the legal right to someone or to prohibit the legal right incorrectly, or giving, accepting, obtaining, attempt to obtain, proposal, promise or discussion by any means the corrupt from the relevant person for him, or any other person, or organization directly or indirectly.

- (b) **Corrupt** means accepting the consideration or appropriate value for the purpose of corruption without paying or given the currencies, properties, presents, service fees, entertainments and includes other illegal benefits.
- (c) **Enrichment by corruption** means the enrichment due to the increasing of currencies and properties obtained from the corruption or reducing to pay liabilities or wrongful gain the currencies and properties from exercising the official powers and duties.
- (d) **Public Organization** means any organ of power of legislative, executive, judicial of the Union or Region or State level or any organization formed with public under any existing law or any public company formed under the Myanmar Company Act.
- (e) **Public Servant** means permanent or temporary servant served in any post of the legislative, executive and judicial whether he is appointed or elected and whether or not he is received pay, allowance and recompense or the person who works in public business including the public department, organization, function and public servant determined under any existing law.
- (f) **Foreign Public Servant** means the official of the legislative, executive and judicial appointed or elected by any foreign country or a person who works in the Board, Commission, Corporation or other organization which formed to carry out a function of foreign country and the person conferred power by the Public International Organization to serve the function on behalf of it.
- (g) **Person Who Possesses Political Post** means the declared person issued by notification from time to time as the person who

possesses the political post by the Commission with the approval of the Pyidaungsu Hluttaw.

- (h) **Senior Official** means the Director General or Managing Director served as the Head of Services Personnel of the Government department, Government organization or the person who is in such similar rank, or the member of the Director, Board, Committee of the Company, Board, Corporation or other organization owned by the State or State and Private Joint Venture or the person who is in such similar rank. In this expression, the temporary servant in such post shall also be included.
- (i) **Competent Authority** means the public servant, foreign public servant, person who possesses the political post, senior official or administrator or representative of any public organization.
- (j) **Bank and Financial Institution** means the institutions established within the Union under the Financial Institution of Myanmar Law or other existing laws with the intention of intervening and cooperating in currencies or investment market with the collection of financial sources from other person to invest in Money-Lending Business, Loan and Public Debt Bonds, Securities or other granted financial performances.
- (k) **Banking Document** includes the ledger used in bank and financial institutions, bank daily banking book, receipts book, accounts book and other books used in the banking and documents, computer accounts records.
- (l) **Currency** means the coin issued by the Central Bank of Myanmar, notes and currency notes, negotiable instruments such as the

Promissory Notes, Bills of Exchange, Cheques, Loan Bonds, Treasury Bonds, Security Bonds, Foreign Currency and any relevant Bonds or certificates related to the Foreign Currency.

- (m) **Property** means the moveable property or immovable property that has substance or no substance of any form or it is tangible or intangible. In such expression, the interests, rights and titles in respect of property shall be included.
- (n) **Representative** means the person who works or carries out for other person.
- (o) **Aggrieved Person** means the aggrieved person due to any person has committed the corruption.
- (p) **Commission** means the Anti-Corruption Commission which is formed under this Law.
- (q) **Commission Office** means the office which is established for the anti-corruption by the Union Government under this Law.
- (r) **Preliminary Scrutiny Board** means the Board established by the Commission taking action in respect of the increasing currencies and after the preliminary inquiring the currencies and properties only for the confiscation.
- (s) **Investigation Board** means the relevant Corruption Inspection Board formed by the Commission under this Law.
- (t) **Inspector General** means the Director General of the Commission Office.
- (u) **Inspector** means the different level of responsible public servant under the Inspector General of the Commission Office.

- (v) **Offence Under This Law** means any conspiracy or attempt or abetment committing any offence under this Law.

Chapter II

Objectives

4. The objectives of this Law are as follows:
- (a) to carry out the anti-corruption as a national responsibility;
 - (b) to be of benefit as a clean government and good governance;
 - (c) to enhance the dignity and accountability in the public governance;
 - (d) to protect the State-owned property, humanity and rights and interest of the citizen due to the corruption;
 - (e) to take action effectively against persons who commit the corruption;
 - (f) to be more transparency in the rule of law and governance sector and to develop economy and domestic and foreign investments.

Chapter III

Formation of the Commission, Duties and Powers

Formation of the Commission

5. The President of the Union, the Speaker of Pyithu Hluttaw and the Speaker of Amyotha Hluttaw shall select each five members who are fulfil with the prescribed qualifications.
6. The Speaker of Pyithu Hluttaw and the Speaker of Amyotha Hluttaw shall send the list of his selected members in accord with the provision of section 5 to the President of the Union.
- 7 (a) The President of the Union shall, the total 15 members' name list who are selected in accord with the provision of section 5 and the

two members' name who will be chosen and selected as the chairman and the secretary among that members submitted to the Pyidaungsu Hluttaw after getting approval, form the Commission. The person nominated by the President to be appointed as the Commission member shall not be refused by the Pyidaungsu Hluttaw unless it can clearly be proved that the person concerned is not qualified to be the Commission member.

- (b) The Commission shall be responsible to the President of the Union.
8. (a) The Commission and the term of the Commission is normally the same as that of the President of the Union.
- (b) The Commission shall continue to perform his duties until the new Commission is formed and assigned duty.
 - (c) The members of the Commission shall not serve more than two terms.
9. Each Commission member shall have the following qualifications:
- (a) the person who is a Myanmar citizen;
 - (b) the person who has attained the age of 45 years and not older than 70 years;
 - (c) the person whom to be selected by the President, the Speaker of the Pyithu Hluttaw or the Speaker of the Amyotha Hluttaw is deemed to be integrity.
10. The person related with any following matter should not be selected and assigned duty as the member of the Commission:
- (a) a person who is serving in legislative, executive, judicial duty;
 - (b) a person who is of unsound mind as adjudged by any existing law;

- (c) a person who is the member of a religious order;
 - (d) a person who is serving his or her prison terms according to any decision of the court;
 - (e) a person who is determined not eligible to vote and to stand for the election by the Union Election Commission;
 - (f) a person who is declared as an insolvency;
 - (g) a person who is taken action against corruption or the person who is removed or dismissed from any post.
11. The person who is assigned duty as the Commission member shall:
- (a) not to be served in any post or duty obtained any salary, allowance and recompense of the Government;
 - (b) not to be the official, servant of the Government department, Government organization, business, board, corporation of the Government, Regional Executive Organization;
 - (c) not to be worked in the organization of the partnership, company, or enterprise to get profit or share the income or shall not be a servant of anyone.
12. When any following matter is arisen, any Commission member shall be removed:
- (a) death;
 - (b) expiry of the term of the Commission;
 - (c) resignation on his own volition;
 - (d) occurrence any fact set forth in Sections 10 and 11;
 - (e) finding that not appropriate to continue to serve his duty due to permanently disability of either physical or mental according to the examination of the medical board prescribed by law;

- (f) a person who is serving his or her prison terms according to any decision of the court.

13. The Commission members shall, when they are assigned duty to the commission, make a list of currency, property, liability and assets with their values owned by the family under their direction shall furnish to the President.

14. The President may determine or alter the members of the Preliminary Scrutiny Board, the emolument, allowance and enjoyment of the members of the Investigation Board.

Termination of the Duty

15. The President, if he finds out that any member of the Commission carries out the duty against the law or breaks the Constitution of the Republic of the Union of Myanmar or any existing law or if there is any situation to tarnish the image of the Commission, may terminate from his duty with the approval of a person who select the member.

Duties and Powers of the Commission

16. The functions and duties of the Commission are as follows:

- (a) forming and assigning the Preliminary Scrutiny Board and the Investigation Board, if necessary, guiding and supervising such boards;
- (b) forming and reforming the working committees, working groups to implement the provisions under this Law and determining their functions, devolving the duties of the Commission to such working committee, and any group if necessary, guiding and supervising such working committee and working groups;
- (c) advising to appoint the Inspector General to the President;

- (d) causing to submit the report of findings after investigating in respect of corruption to be investigated and revealed by the Preliminary Scrutiny Board and the Investigation Board;
- (e) submitting the findings report in respect of corruption to the President, the Chairperson of Pyidaungsu Hluttaw, the Speaker of Pyithu Hluttaw and the Speaker of Amyotha Hluttaw;
- (f) determining the level of class and rank, duty of the Competent Authority to be complied and submitted the list of currencies, properties, liabilities and assets;
- (g) investigating or causing to investigate whether they are true or not the currencies, properties, liabilities and assets submitted by the Competent Authority;
- (h) submitting the annual report to the President, the Chairperson of Pyidaungsu Hluttaw, the Speaker of Pyithu Hluttaw, and the Speaker of Amyotha Hluttaw in accord with the stipulations;
- (i) advising in drawing up the workplans, schemes by the Government department, Government organization and Government enterprise organization for the anti-corruption;
- (j) laying down the appropriate plans for being participate the public in which the prevention on the corruption, the elevation of the honesty spirit of the Competent Authorities exceedingly;
- (k) causing to perform and assign duty with the permission of the relevant, if necessary, and duties to the relevant Government department, Government organizations, Government enterprise

organization and the Regional Executive Department, organizations in respect of the anti-corruption;

- (l) scrutinizing and accepting the complaints, rejecting the complaints found that they are false complaints, taking action against the false complainant under the law;
- (m) assigning duty to the Investigation Board and Inspectors to carry out in accord with the stipulations related to entering, inspecting into any place of building and searching, seizing as the exhibit in respect of corruption;
- (n) co-operating with the International Organizations, Regional Organizations, and foreign countries in the matter of anti-corruption;
- (o) carrying out other duties assigned by the President, Chairperson of Pyidaungsu Hluttaw, Speaker of Pyithu Hluttaw, or Speaker of Amyotha Hluttaw.

17. The powers of the Commission are as follows:

- (a) directing to seize the currency and any property derived from the enrichment by corruption, or the corruption as the exhibit, passing the permission order to return the seized exhibit with bond, rewithdrawing the permission;
- (b) the Investigation Board has the right of searching and seizing the relevant currency and property related to the matter of investigation of the relevant bank and financial institution as the exhibit, the right of inspecting the financial records and copying thereof, issuing order to the responsible person from the bank and

financial institutions permits to search and seize as the exhibit, if necessary;

- (c) issuing the prohibited order and directing to seal to the relevant department, organization and persons not to alter or transfer or conceal or disguise or converse and transform the currencies and properties to be used as exhibits during the investigation period under this Law;
- (d) withdrawing the issued order under sub-section (b) and issued the prohibited order and directives to seal under sub-section (c);
- (e) taking and carrying out the necessary aids from the relevant Government department, the Governmental organizations, the non-Governmental organizations in implementing this Law;
- (f) issuing the witness allowance and travelling allowance in accord with the existing law for the arrival witnesses of summoned by the Preliminary Scrutiny Board, working committee, working group, Investigation Board established under this Law;
- (g) The Investigation Board or the Inspectors:
 - (a) if the Competent Authority commits any offence under this Law, shall prosecute him at the relevant High Court of the Region or State;
 - (b) if any person except the Competent Authority commits any offence under this Law, shall prosecute at the relevant High Court of the Region or State.
- (h) When it is found that the currencies and properties of any Competent Authority are the enrichment by corruption after

rescrutinizing the submission of the Preliminary Scrutiny Board, passing the confiscated order on his currencies and properties;

- (i) giving necessary protection and rewarding stipulated bonus to the informer in the matter of revealing and taking action for informing with the credible evidence in respect of corruption or enrichment by corruption.

Prosecution

18. According to the report of investigation or other credible information facts, the Commission shall:

- (a) instruct the Head of Investigation Board or Inspector General to sue any Competent Authority who commits the corruption, to the High Court of the Region or High Court of the State;
- (b) instruct the Head of Investigation Board or Inspector General to sue any other person except the Competent Authority who commits the corruption, to the relevant Court.

Chapter IV

Formation of the Preliminary Scrutiny Board and Its Functions and Duties in Respect of Currencies and Properties Enriched by Corruption

19. The Commission shall form the Preliminary Scrutiny Board with the appropriate person on case by case for the purpose of scrutinizing and submitting in respect of seizing if it is obtained the credible evidence that the currencies and properties are possessed by enrichment by corruption truly either according with the report of investigation or other information.

20. The Preliminary Scrutiny Board:

- (a) shall give the right of defence to the person who is under the investigation whether he or his agent after intimation assigned duty by the Commission;

- (b) may take the necessary statements and evidence by summoning and examining the necessary person in respect of currencies and properties;
- (c) shall submit to the Commission with its findings, consideration and recommendations after considering the report on findings of investigation of the Investigation Board or the information and defence statement received from the Commission;
- (d) shall keep the respective matters of scrutinizing and investigation secretly.

Chapter V

Formation of the Investigation Board and Its Functions and Duties

21. The Commission may make investigation or to be made the investigation in respect of the following matters to take action in accord with law:

- (a) assigning duty to investigate and submit by the President;
- (b) assigning duty to investigate and submit in respect of submitting the proposal according with law by the Hluttaw representatives to take action against any person who possess the political post under sub-section (b) of section 43 by the relevant Hluttaw Speaker;
- (c) to take action upon the offender who commits the corruption according to law, the aggrieved person:
 - (i) complaining to the commission;
 - (ii) complaining to any working committee, working group, Preliminary Scrutiny Board and Investigation Board formed by this Law;

- (iii) transferring such complaint to the Commission in respect of complaining to any relevant Government department and Government organization.

22. The Commission shall not investigate the following matters:

- (a) the matter of complaint which is already investigated by the Commission;
- (b) no important evidence in the complaint;
- (c) no new important evidence in the subsequent complaint.

23. The Commission may form the Investigation Boards led by any member of the Commission with appropriate citizens and may assign their functions and duties.

24. The following persons shall not compose in the Investigation Board:

- (a) the person who concerned with the complaint matter;
- (b) the person who has hatred of the complainant or the accused;
- (c) the person who related to the complainant or the accused;
- (d) the partner with the complainant or the accused.

25. The Investigation Board shall determine a period and inform the accused person to explain, submit the evidence or burden of proof relating to the charge in carrying out the investigation.

26. The accused person may explain and defend by himself or by his agent in respect of the charge in the investigation made by the Investigation Board.

27. (a) The Investigation Board shall submit the report of investigated findings to the chairman of the Commission after investigating.

- (b) The chairman of Commission shall be held the Commission session within (30)days after receiving the submitted report according to sub-section (a), to discuss and resolve in respect of that investigation.

28. The Commission:

- (a) according to the report of investigated finding;
 - (i) may dismiss the charge of the complaint if it is assumed that no credible evidence arisen relating to the charge;
 - (ii) may assign duty to the Investigation Board or the Inspector to prosecute the accused to the relevant court after issuing the prior sanction for the prosecution if it is assumed that he commits any offence of this Law;
 - (iii) shall inform and submit the determination in respect of issuing the prior sanction for the prosecution under sub-section 2 to the President, Speaker of Pyithu Hluttaw and Speaker of Amyotha Hluttaw as soon as possible;
- (b) shall submit the report of scrutiny after forming and assigning the Preliminary Scrutiny Board in accord with the provision of the chapter IV of this Law, if it is found that any person is enriched by the corruption after scrutinizing the report of findings;
- (c) if it is assumed that the further evidence should be investigated may assign to the Investigation Board submitting such report or other investigation board.

29. If the accused is a competent authority, in a case of taking action against the accused person by the Commission and in the matter of determining to scrutinize by the Preliminary Scrutiny Board, such accused shall not be

continued his duty to perform from the date of such decision by the Commission.

30. The Commission;

- (a) shall send his report, which is a matter of deciding to take action against a person who is a competent authority, to the President assigned duty under sub-section (a) of section 21 and to a respective Hluttaw Speaker assigned duty under sub-section (b) of section 21 and the complainant who is an aggrieved person and also to the Union Government Office so that it can continue to take action against him under the arrangement of the Union Attorney-General's Office;
- (b) shall inform to his Head of the Service Personnel if it is assumed that the accused person should be taken action only by the Civil Services Regulations according to the investigation.

31. The Commission may carry out to fulfil the investigation upon the accused person who has given up his position during the investigation about the charge so as to continue to take action against law or Civil Services Regulations or to seize the respective currencies and properties by the State.

32. Notwithstanding contained in any existing laws, the Commission assumes that if it is necessary to investigate in respect of any offence under this Law, shall vest the following powers to an Investigation Board or an Inspector to investigate the bank accounts in a bank related to the accused:

- (a) inspecting or making copies of books, bank account or documents deals with the bank which are in possession or under the maintenance of bank and any Financial Institution;

- (b) inspecting or making copies of sharing account, purchasing account, expenditure account or any cash withdrawal account opened the account at bank by a person;
- (c) inspecting the things kept in the security box which has been saved in the bank or in other Financial Institution;
- (d) inspecting or inquiring other information concerning documents, accounts and anything related to sub-sections (a), (b) and (c).

33. The Investigation Board or an Inspector who conferred power under section 32, may seize the investigation books, document, account and money in the following situations;

- (a) may not inspect, copy or extract the summary without seizing those things;
- (b) may be concealed the evidence if not seize;
- (c) require to submit those things as the evidence for prosecuting according to this Law or any other existing law.

34. (a) The Commission may, after receiving information that any moveable property including any financial deed is in possession or under the maintenance of a bank and Financial Institution, which is committed any offence to be taken action against this Law or to be submitted as an exhibit in such case, issue the order not to sell or sell by other means or transfer of such property or any other part of such property until revoking or transferring the Commission's order notwithstanding any provision of the existing law as it believes such information.

- (b) The bank and financial institution or agent or the Civil Services Personnel shall not be taken criminal action or civil action carrying out the order in sub-section(a).

35. When the Commission believes that the money or any property deals with any offence contained in this Law which has been kept or saved in foreign bank or any person may perform such property not to be transferred by any means in accord with the stipulations.

Chapter VI

Formation of Commission

36. The President may form the Office of the Commission as may be necessary.

37. The President shall appoint the Inspector General in accord with the regulations of personnel under the advice of Commission.

Duties and Powers of Inspector General

38. The Inspector General is responsible to the Commission, and shall carry out functions and duties under the guidance of Commission.

39. The Inspector General shall instruct, maintain and supervise the Office of Commission under the guidance of Commission.

40. The Inspector General shall submit a report in respect of the performance of his functions and duties to the Commission in accordance with stipulations.

Functions and Duties, Powers and Exemptions of Inspector

41. The Inspector shall carry out the following functions and duties under the assignment of Commission:

- (a) accepting and investigating the informations and complaints;
- (b) investigating in respect of committing, attempting and abetting any offence contained in this Law;
- (c) inspecting the natures, systems and procedures of the Government department, Government organization and organizations related to public to be emerged corruption; supporting and submitting to the Commission for enabling to alter such systems and procedures as may be necessary;
- (d) advising and assisting if the Government department, Government organization and private organization which performed anti-corruption requested him;
- (e) advising the Heads of Government department, Government organization, public organizations for enabling to perform the anti-corruption effectively under the guidance of the Commission;
- (f) submitting his investigative findings to the investigation board;
- (g) educating the public for the anti-corruption;
- (h) performing other functions and duties assigned by the Commission.

42. The members of Commission, members of Preliminary Scrutiny Board, members of Investigation Board and Inspectors shall, in performing functions and duties of this Law, have the powers and exemptions of a police officer contained in any existing law.

Chapter VII

Information about Corruption

Performing by the President, Speaker of Pyithu Hluttaw, Speaker of Amyotha Hluttaw and Hluttaw Representatives

43. (a) The President or Speaker of Pyithu Hluttaw or Speaker of Amyotha Hluttaw may assign the Commission to investigate and submit in respect of corruption.
- (b) The representatives of Pyithu Hluttaw or Amyotha Hluttaw have the right to propose to the relevant Hluttaw in accord with law in respect of the enrichment by corruption or abusing the official authority or committing the corruption on the person who possesses the political post.
- (c) The relevant Speaker of Hluttaw shall:
- (i) assign the Commission to investigate and submit as may be necessary when receiving the submission of subsection(b);
 - (ii) inform the respective person for taking action against him in accord with law if it is found that any person who possesses the political post is enriched by corruption or abusing the official authority or committing the corruption according to the submission of Commission.

Informing and Complaining by the Aggrieved Person

44. The aggrieved person due to the corruption may send information and complaints to the Commission or Office of the Commission or working committee, working group, Preliminary Scrutiny Board and any Investigation

Board formed by this Law or any relevant Government department, organization in accordance with the stipulations in respect of corruption or any competent authority who is enriched by the corruption.

45. The Office of Commission, working committee, working group, Preliminary Scrutiny Board and Investigation Board or any Government department, organization which obtained the information or complaint under section 44 shall submit to the Commission as soon as possible in accordance with the stipulations for enabling to give the necessary guidance to carry out effectively in respect of the said information or complaint.

46. The informer or complainant under section 44 shall be taken action by this Law if it is appeared that he gives the information or complaint intentionally for the purpose of any person aggrieved or to be defamed without the credible evidence.

Chapter VIII

Declaration of Currencies, Properties, Liabilities and Assets Owned by the Competent Authority

47. The Commission shall, the name list of competent authorities who are responsible to send the declaration in respect of the ownership of currencies, properties, liabilities and assets requesting from the relevant departments and organizations, promulgate the notification after scrutinizing.

48. The competent authorities who are responsible to send the declaration under section 47 shall, the list of currencies, properties, liabilities and rights of family assets under their directions, submit declarations to the Commission once a year in accord with the stipulations.

49. In sending the declaration, the competent authorities shall:
- (a) submit together with the copy of evidence that how to own their currencies and properties;
 - (b) submit together with the copy of the documentary evidence which was levied income tax from proceeds of sale if there is transferred and sold the properties;
 - (c) submit the evidence of ownership of the currencies and properties contained in sub-sections (a) and (b), moreover the list of currencies, properties, liabilities and rights obtained from internal and external.
50. When the competent authority who is responsible to send the declaration of the list of currencies, properties, liabilities and assets is deceased, the successor or legal representative or receiver of him shall submit the declaration of the list of currencies and properties owned by the said deceased to the Commission in accordance with the stipulations.

Chapter IX

Confiscation the Currencies and Properties which Obtained from the Enrichment by Corruption

51. The Commission shall assign the Preliminary Scrutiny Board to vet and submit in respect of currencies and properties owned by any competent authority who is enriched by the corruption under the report of the investigation.

52. The Preliminary Scrutiny Board shall, after obtaining the necessary evidence in accord with this Law under the assignment of the Commission, whether or not the said currencies and properties be seized as the confiscation, submit the report of findings to the Commission with the comment.

53. The Commission, after scrutinizing the report of findings submitted by the Preliminary Scrutiny Board, the said currencies and properties are;

- (a) obtained by the corruption if so proved clearly, the Commission shall pass an order for the confiscation of the said currencies and properties;
- (b) obtained by means of legality if so proved clearly by the competent authority, the Commission shall return the currencies and properties to him.

54. The Commission shall, if it is clearly proved that the currencies and properties seized as the exhibit are legally transferred with good faith by any other person who is not under the investigation, re-issue them to the said other person.

Chapter X

Offences and Punishments

55. Any person who possesses the political post commits the corruption, on conviction, he shall be punished with imprisonment for a term not exceeding 15 years, and shall also be liable to fine.

56. Any other competent authority except the person who possesses the political post commits the corruption, on conviction, he shall be punished with imprisonment for a term not exceeding 10 years, and shall also be liable to fine.

57. Any other person except the person who possesses the political post and the competent authority commits the corruption, on conviction, he shall be punished with imprisonment for a term not exceeding seven years, and shall also be liable to fine.

58. Any person conceals or obliterates or alters or transfers the currencies and properties related to any offence contained in this Law for not being taken action against them, on conviction, he shall be punished with imprisonment for a term not exceeding five years, and shall also be liable to fine.

59. Whoever intends to be injured or defamed to any person who commits any offence contained in this Law or he is enriched by the corruption by giving the false information and complaint or giving the false evidence or fabricating the false evidence or compels to do so to any other person without the credible evidence, on conviction, he shall be punished with imprisonment for a term not exceeding five years, and shall also be liable to fine.

60. Any person fails to obey any order issued by the Commission or any organization delegated by the Commission, on conviction, he may be punished with imprisonment for a term not exceeding six months, or with fine, or with both.

61. Any competent authority voluntarily fails to submit the grounds of currency, property, liability and assets within the period specified by the Commission under this Law, or submits falsely such grounds or conceals the facts, on conviction, he shall be punished with imprisonment for a term not exceeding five years, and shall also be liable to fine.

62. Any responsible person of any bank and financial institution commits any following offence in respect of the offence contained in this Law, on conviction, he shall be punished with imprisonment for a term not exceeding five years, and shall also be liable to fine for such any act:

- (a) refusing to allow performing legally by the investigation board under the assignment of Commission;
- (b) issuing and transferring currencies and properties of any bank and financial institution which is issued the prohibitive order by the Commission without the permission of the Commission;
- (c) obliterating or altering or amending the records of currency and property related to the investigation or transferring without the permission of Commission.

63. Any person instigates or attempts or conspires or manages or abets to commit any offence contained in this Law, he shall be punished with the prescribed penalty for such offence.

Chapter XI

Miscellaneous

64. The person under the investigation has the burden of proof clearly with the credible evidence of how he legally obtained his asset of currencies and properties or obtained by what kind of income.

65. The investigation board or the inspector who assigned duty shall, in prosecuting with any offence contained in this Law:

- (a) obtain prior sanction issued by the Commission, if it is prosecuted the person who possesses the political post, with the approval of the Union Government;
- (b) obtain prior sanction in accord with the existing law if it is prosecuted the Hluttaw representative;

- (c) obtain prior sanction issued by the Commission if it is prosecuted any other person except the person who possesses the political post and Hluttaw representative.

66. If the exhibit relating to the corruption prosecuted according to this Law is not easily produce before the court, such exhibit needs not be produced before the court and may submit with the report or the relevant documentary evidence however in the manner of custody. Such submission shall be deemed as if it is a submission of the exhibit before the court and the relevant court shall pass the administrative order in accordance with law.

67. In implementing the provision of this Law, the members of the Commission, the member of the Preliminary Scrutiny Board, the member of the Investigation Board, Inspector, the member of the working group and Staff of the Office of the Commission and served on behalf of the Commission, the Preliminary Scrutiny Board, the Investigation Board and Staff of the Office of the Commission who performed with good faith shall not be taken the civil action, or criminal action, or any other offences.

68. Notwithstanding contained in any other existing law in respect of the corruption or enrichment by the corruption or investigating and taking action currencies and properties shall take action only according to this Law.

69. The offences taken action under this Law are stipulated as the cognizable offences.

70. (a) Shall determine the chairman of the Commission as the Union Minister level, secretary and members as Deputy Minister level.

- (b) Shall be entitled the emolument, allowance and insignia commensurate with the standard determined in accord with subsection(a).

- (c) Members of the Working Committee, members of the Working Groups, members of the Preliminary Scrutiny Board, members of the Investigation Board, inspector and officer, staff of the Commission Office formed under this Law shall be deemed as public servant.

71. The Union Government shall estimate and contribute the finance for the expenditures of the Commission and the working committees formed by this Law, the working groups, the preliminary scrutiny boards, the investigation boards and the Office of the Commission.

72. To implement the provisions of this Law:

- (a) the Commission may issue rules, regulations and bye-laws with the approval of the Union Government;
- (b) the Commission may issue the necessary notifications, orders, directives and procedures.

73. The Prohibition of Bribery Act, 1948(Law No.67/48)is hereby repealed by this Law.

I sign it in accord with the Constitution of the Republic of the Union of Myanmar.

Sd/ Thein Sein

President

Republic of the Union of Myanmar