

Form A-5 | Application for registration by an association as a company limited by guarantee Sections 6 and 42, Myanmar Companies Law 2017

Note

If there is insufficient space on the form to supply the information required, attach a separate sheet containing the information set out in the prescribed format.

For office use only

Background information

Section 42(a) of the Myanmar Companies Law 2017 provides:

“Where it is proved to the satisfaction of the Registrar that an association capable of being formed as a limited company has been or is about to be formed for promoting commerce, or any other economic development object, and applies or intends to apply its profits (if any) or other income in promoting its objects, and to prohibit the payment of any dividend to its members, the Registrar may register by licence the association as a corporation under this Law with limited liability, with the addition of the word “Incorporated” to its name, and the association may be registered accordingly.”

1. Proposed name of company

Note: must have the word “Incorporated” as the last word of its name.

Proposed name of company in English (required)

Proposed name of company in Myanmar language (optional)

If the proposed name of company is identical to, or closely resembles, the name of a company which is already registered, the name can only be used if the other company is in the course of being dissolved and a copy of the dissolving company’s consent is attached to this Application, if applicable.

2. Upon incorporation the company will be a foreign company: Yes No

A “foreign company” means a company incorporated in the Union in which an overseas corporation or other foreign person (or combination of them) owns or controls, directly or indirectly, an ownership interest of more than thirty-five per cent.

3. Category of association

Please indicate the category of the proposed association based on the criteria specified in DICA Notification No. 58/2018 Requirements for Business Associations.

The association will be a–

- Union level association;
- State/Regional level association;
- District level association; or
- Township level association.

4. Name and address of applicant

The applicant is the person or entity applying to register the company and does not need to be a member or director of the company.

Full name in English (required)

Full name in Myanmar language (optional)

Nationality

N.R.C (Myanmar citizens) / Passport No. (foreign citizens only)

Address for applicant in English

Street number and street name

Unit, level, etc. (if applicable)

Quarter/City/Township

State/Region

Country

Postcode (optional)

Email address (optional, but an email is required to receive notifications)

5. Name, address and other information for each director

By signing this Application, the Applicant affirms that the persons named below are the initial directors of the company. The Applicant attests that each person named as a director has consented in writing to act in this capacity.

- Notes*
- 1) The company must hold evidence of each director's written consent with the company records.
 - 2) At least one director must be ordinarily resident in the Union.
 - 3) You must provide the name and address for each director in English. You may also provide the name in Myanmar language.
 - 4) If there are more than 3 initial directors please submit additional pages with this Application that contain the required information.
 - 5) A copy of each director's national registration card (N.R.C) for Myanmar citizens and passport for foreign citizens must be attached to this Application.

A. First director**Full name in English (required)**

Former name of this person, if applicable, in English

Full name in Myanmar (optional)

Former name of this person, if applicable, in Myanmar language (optional)

Nationality

N.R.C. (Myanmar citizens only)

Other nationalities, if applicable

Business occupation, if any**Gender** Male Female**Date of birth****Usual residential address for this director in English (required)**

Street number and street name

Unit, level, etc. (if applicable)

Quarter/City/Township

State/Region

Country

Postcode (optional)

Email address (optional, but an email is required to receive notifications)

Phone Number (optional, but a phone number is required to receive notifications)

B. Second director

Full name in English (required)

Former name of this person, if applicable, in English

Full name in Myanmar (optional)

Former name of this person, if applicable, in Myanmar language (optional)

Nationality

N.R.C. (Myanmar citizens only)

Other nationalities, if applicable

Business occupation, if any

Gender

Male Female

Date of birth

/ /

Usual residential address for this director in English (required)

Street number and street name

Unit, level, etc. (if applicable)

Quarter/City/Township

State/Region

Country

Postcode (optional)

Email address (optional, but an email is required to receive notifications)

Phone Number (optional, but a phone number is required to receive notifications)

C. Third director

Full name in English (required)

Former name of this person, if applicable, in English

Full name in Myanmar (optional)

Former name of this person, if applicable, in Myanmar language (optional)

Nationality

N.R.C. (Myanmar citizens only)

Other nationalities, if applicable

Business occupation, if any

Gender

Male Female

Date of birth

/ /

Usual residential address for this director in English (required)

Street number and street name

Unit, level, etc. (if applicable)

Quarter/City/Township

State/Region

Country

Postcode (optional)

Email address (optional, but an email is required to receive notifications)

Phone Number (optional, but a phone number is required to receive notifications)

6. Name, address and other information for secretary, if applicable

A company may have a secretary, but this is not required.

***By signing this Application, the Applicant affirms that the person named below is the initial secretary of the company.
The Applicant attests that the person named as secretary has consented in writing to act in this capacity.***

Note: 1) The company must hold evidence of the secretary's written consent with the company records.

2) A copy of the secretary's national registration card (N.R.C) for Myanmar citizens and passport for foreign citizens must be attached to this Application.

Full name in English (required)**Former name of this person, if applicable, in English****Full name in Myanmar (optional)****Former name of this person, if applicable, in Myanmar language (optional)****Nationality****N.R.C. (Myanmar citizens only)****Other nationalities, if applicable****Business occupation, if any**

Gender

Male Female

Date of birth

____ / ____ / ____

Usual residential address in English (required)

Street number and street name

Unit, level, etc. (if applicable)

Quarter/City/Township

State/Region

Country

Postcode (optional)

Email address

Phone Number

7. Registered office address in English

Street number and street name

Unit, level, etc. (if applicable)

Quarter/City/Township

State/Region

Country

Postcode (optional)

8. Address of principal place of business in the Union in English (if different to registered office)

Street number and street name

Unit, level, etc. (if applicable)

Quarter/City/Township

State/Region

Country

Postcode (optional)

9. Members

1. Number of members

A company limited by guarantee may have any number of members.

2. List of members

The company must attach to this form a list of members which includes the following information:

- a) If the member is a natural person, provide their full legal name and address in English, nationality, N.R.C (for Myanmar citizens) or passport number (for foreign citizens), gender and date of birth.
- b) If the member is another entity registered in the Union (such as another company or registered overseas corporation), provide the entity name and registration number.
- c) If the member is an entity that is not registered in the Union (such as a non-registered overseas company), provide the entity name, registration number (if any), address, jurisdiction, and contact person information.
- d) For every member, state the proposed amount of guarantee. Please submit additional pages containing all required information for members with this Application.

By signing this Application, the Applicant attests that each person named as a member has consented in writing to act in this capacity.

10. Constitution

The Company must attach a copy of its constitution certified by the Applicant to this Application.

By signing this Application, the Applicant hereby certifies that the company has attached a true and correct copy of its constitution certified by the Applicant to this form.

11. Signed by Applicant

I certify that the information in this form and any document attached to this form are true and correct.

Signature: _____

Full name in English (required)

12. Lodged by

Name:
Address:

Telephone:

Email:

13. Checklist

The following must accompany this application form—

- Any additional pages required to supply the information required by this application.
- A copy of the N.R.C (for Myanmar citizens) or passport (for foreign citizens) for each director and secretary (if any).

- A copy of the company's constitution certified by the Applicant.
- A copy of the list of members.
- If the proposed company name is already in use, attach the dissolving company's consent to this application.
- The prescribed filing fee.