

The Printing and Publishing Enterprise Law

(The Pyidaungsu Hluttaw Law No.13, 2014)

The 14th Waxing of Tabaung, 1375 M.E.

(14 March, 2014)

The Pyidaungsu Hluttaw hereby enacts this Law.

Chapter I

Title and Definition

1. This Law shall be called **the Printing and Publishing Enterprise Law**.
2. The following expressions contained in this Law shall have the meanings given hereunder:
 - (a) **Printing Press** means the machine operated for printing, printing machinery using either electronic technology or laser, machine accessories and sets of printing machineries using other means for the public communication;
 - (b) **Publishing House** means the building or place where printing press or machines, machineries, equipment, parts of machinery concerned it, the works to be printed documents and a large amount of pictures are located;
 - (c) **Publication** means the manuscript, printed matter and publication created in an electronic way and any technology as well as the visible material in form or in picture or in appearance or in other way whether or not they are similar material to them or the material apparent in the words or the ideas and newspaper, bulletin, journal, magazine and books;
 - (d) **Printer** means the owner of printing-press or publishing house. This expression also includes the shareholder, chairman, managing director, secretary or person - in - charge who administered concerning the partnership, company, family business or association;
 - (e) **Publisher** means the person who publishes any publication that obtaining the economic benefit or not. This expression also includes the shareholder, chairman, managing director, secretary or person - in - charge who administered concerning the partnership, company, family business or association;
 - (f) **News Agency** means the enterprise, corporation, company or organization which gather informations from local and foreign and distribute them to the media by any means with fee or without charging a fee;
 - (g) **Website** means the web page posted on the internet in order to obtain the information related to any matters;
 - (h) **Obscene Word** means the following deed that is shameless, fearless of sinning, and unacceptable by the Myanmar society:
 - (i) describing the sexual behavior directly or indirectly;
 - (ii) illustrations, writings, photos and painting which transgressed to excite sexual and immorality;
 - (iii) stating the rude and abusive words and pictures;

In the meaning of this word, the subjects which is necessary to state in good faith according to the biological science and medical education, traditional custom, and religious affairs shall not be included;

(i) **Certificate of Recognition** means the certificate of recognition issued by the Ministry under this Law to carry out the respective enterprise to the printer, publisher, and news agency;

(j) **Minister** means the Union Minister for the Ministry of Information of the Union Government;

(k) **Ministry** means the Ministry of Information of the Union Government.

Chapter II

Objectives

3. The objectives of this Law are as follows:

- (a) to lead the development of printing and publishing enterprise which has the high quality and dignity in the State;
- (b) to enact as a separate functional law which modernized for enabling to do their work in a stable and firm manner by printers and publishers;
- (c) to enable to perform the right of freedom of expression and publication in accord with the law systematically in carrying out the printing and publishing.

Chapter III

Recognition of the Printing and Publishing Enterprise

4. (a) The printers and publishers who wish to perform the printing and publishing enterprise shall apply for the recognition of their businesses to the Ministry with complete and correct facts.

(b) The body based locally or internationally company or organization wishing to establish a news agency shall apply for the recognition of their businesses to the Ministry with complete and correct facts.

5. The Ministry shall issue a certificate of recognition to the applicant for a specified period under Section 4 after causing to pay a specified fee.

6. If a person who receives the certificate of recognition is found that it has been applied in a dishonest or deceitful manner the Ministry may revoke or suspend the certificate for a specified period.

7. (a) The person who has been revoked or suspended the certificate of recognition under Section 6 has the right to apply to the Minister within a specified period for enabling to review and assess.

(b) The Minister, after accepting the application according to sub-section (a), may approve or cancel the original decision after reviewing and assessing.

Chapter IV

Terms to be complied for Printing and Publishing Enterprise

8. The printer or publisher shall not print or publish the publications contained in any of the following matters:
- (a) expressing the matters to be affected the ethnic groups or the citizens racially, religiously or culturally;
 - (b) expressing the matters to be affected national security, rule of law, community peace and tranquility, or equality, freedom, justice and rights of every citizen;
 - (c) expressing obscene words;
 - (d) encouraging and inciting crimes, brutality, violence, gambling, and the offence of narcotic drugs and psychotropic substances.
9. In respect of the publication suspected to have infringed any of the conditions in section 8, the relevant Government department or organization or the aggrieved person or organization may apply to the Self-Administered Region or Zone, or the District Court concerned for enabling to declare as the illegal publication. The court concerned shall adjudge promptly on the said application.
10. The court that has received the application may, issuing the temporary injunction for not to distribute the publication applied until a decree is passed to declare that the publication is illegal, perform in accord with law.

Chapter V

Importing and Exporting Publications

11. The publication:
- (a) in respect of publication which imported or exported the title, kinds and list of quantity shall be dispatched to the Ministry in the specified form by the importer or exporter;
 - (b) if a publication is made locally, for enabling to carry out the registration and copy right of any publication which printed by the printer shall be dispatched to the Ministry in accord with the stipulations.
12. The certificate holder of a publishing enterprise has the right to distribute his or her original publication on websites by means of internet news coverage.
13. The certificate holder of a news agency has the right to distribute the information and illustrations which he or she wishes to transmit on websites by means of internet news coverage.
14. The websites distributed by means of internet news coverage according to sections 12 and 13 shall comply with the stipulations of Section 8.

Chapter VI

Prohibitions

15. No one shall print, publish or operate the news agency without having the relevant functional recognized certificate.

16. No one shall print, publish, distribute any publication or operate the news agency within the functional recognized certificate is revoked or suspended for a limited period.
17. No one shall print, publish, distribute or import a publication that infringed any of the conditions of section 8.
18. No one shall fail any obligation contained in Section 11.

Chapter VII

Offences and Penalties

19. Whoever violates any prohibition of sections 15 and 16 is convicted by the relevant Court shall be punished with a fine from two million kyats to five million kyats.
20. Whoever violates any prohibition of Section 17 is convicted by the relevant Court shall be punished with a fine from one million kyats up to three million kyats.
21. Whoever fails to comply with the provisions of section 18 is convicted by the relevant Court shall be punished with a fine from one hundred thousand kyats to three hundred thousand kyats.

Chapter VIII

Miscellaneous

22. The applying, taking action and prosecuting shall be made within one year from the date of violation of any prohibition of this Law.
23. The following publications shall not apply the provisions of chapter (3), chapter (5) and section 18 of chapter (6) of this Law:
 - (a) specific publications distributed by the departments and organizations from the Union level, Region or State level, Self-Administered Region or Zone level and subordinate level concerning the legislature, executive and judiciary which are three pillars of the State;
 - (b) specific publications distributed by the relevant Commission and Sub-commissions in respect of election;
 - (c) specific publications for carrying out their office work by the registered political parties;
 - (d) specific publications distributed by the members of the parliament to the people in their constituencies;
 - (e) specific publications for carrying out their office work by the foreign embassies based in Myanmar, the United Nations Organizations, International non-governmental organizations and International Organizations which are implementing a project according to any agreement of the Union Government;
 - (f) specified publications for carrying out their office work by the universities, colleges, schools, banks, development committees, civil society organizations, charitable associations and non-governmental organizations formed lawfully;
 - (g) specified publications such as the announcement and invitation relating to the joyous social occasions and bereavement ceremonies.

24. The terms of certificate of registration issued in accordance with the Printers and Publishers Registration Law of 1962 shall still be effective for a specified period. When the term of the certificate of registration expires, if he desires to continue to carry out his work, shall apply in accordance with the stipulations to renew the certificate of reconization.

25. In implementing the provisions of this Law, the Ministry may:

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

26. The following laws are hereby repealed by this Law:

- (a) The Press (Emergency Powers) Act;
- (b) The Printers and Publishers Registration Law of 1962.

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

President
Republic of the Union of Myanmar