

Unofficial and Brief Translation

**Political Party Registration Law
(State Peace and Development Council Law No. 2/2010)**

March 8, 2010

Preamble

The State Peace and Development Council hereby enacts the following law as provided in Article 443 of the Constitution of the Republic of the Union of Myanmar (2008) in order to allow political parties to form with the intention to non-disintegration of the Union, non-integration of National solidarity and perpetuation of sovereignty, and which are loyal to the State, and which abide and adopt the genuine and discipline-flourishing democracy.

Section (1)

Title and Definition

1. This law shall be called as 'Political Parties Registration Law'.
2. The 'terms' used in this law shall have the following meanings;
 - (a) State means 'The Republic of the Union of Myanmar'
 - (b) Region or State means current Divisions or States
 - (c) Commission means 'Union Election Commission'
 - (d) Political parties means 'an organization that the Commission allows to be formed according to this law to implement its programs based on a political ideology that it believes, which also believe genuine and discipline-flourishing multi-party democracy.'
 - (e) Party
.....
 - (f) Election
.....
 - (g) General Elections....
 - (h) Bi-election
 - (i) Constituency
 - (j) Party's properties
 - (k) Members of religious orders
 - (l) Persons serving prison terms.....

Section (2)

Establishment of political party and registration

3.
 - (a) At least 15 people who want to establish political party in the whole Union area or a Region or a State for their organizational works must apply for the permission of the Commission with its name of the party according to this law. They must meet the requirements described in the Article (4) and sign the pledge to abide the points described in the Article (6).
 - (b)..... The Commission will decide whether to allow or refuse the application according to the law.
 - (c).....
4. Those who want to establish political party must meet the following requirements;

- (a) Being a citizen or second citizen or those who are entitled to be citizens or temporary identity certificate holders,
- (b) Persons who have attained the age of 25 years
- (c) Not a member of a religious order
- (d) Not a civil servant
- (e) Not a person who is serving prison term
- (f) Not a person who is a member of organizations outlawed by the State or organizations which have fighting against the State with arms or has connections with those organizations directly or indirectly or who supports those organizations.
- (g) Not drug addicts or those who have committed to drug laws
- (h) Not citizens of foreign countries

5. Leader and second leader of those who want to establish political parties have to apply for registration to the Commission after depositing the registration fees with the following things;

- (a) Name, insignia and flag
- (b) Political belief (manifesto)
- (c) Regulation and structure
- (d) Identity information
- (e) Pledge according to the Article (6)
- (f) Pledge to organize at least 1000 members within 90 days for Union wide party and 500 for Region or State wide party

6. Pledges to be made by applicants:

- (a) To maintain and protect non-disintegration of the Union, non-integration of National solidarity and perpetuation of sovereignty
- (b) To abide by and protect the rule of law and order
- (c) To abide by and protect the Constitution of the Republic of the Union of Myanmar
- (d) To avoid writings, speaking and organizing which can agitate racial, religious or communal conflict or affect moral and integrity
- (e) Not to use religion for political advantage
- (f) Not to use properties of government of foreign countries or religious organizations or other individual or organizations directly or indirectly or not to owe allegiance to a foreign government or organizations

7. The following organizations are not allowed to apply for registration;

- (a) Unlawful organizations
- (b) Organizations that have connections with unlawful organizations or terrorist organizations or armed forces that are fighting against the State
- (c) Organizations that use money, buildings, vehicles or properties of State
- (d) Organizations that take money, materials or other kind of supports from foreign countries' government or organizations that owe to allegiance to them
- (e) Organizations that take political advantage of religious affairs

8. (a) Name, insignia and flag must be independent from religion or anything that can affect the non-disintegration of the Union, non-integration of National solidarity and perpetuation of sovereignty must be avoided.

(b) These things should not be similar to other parties'

9. The Commission can allow leaders of parties to register or refuse to allow registration

10. Party members must;

- (a) Be citizens, second citizen or temporary identity card holders
- (b) Be persons who have attained the age of 18 years
- (c) Not be members of a religious order
- (d) Not be civil servants
- (e) Not be serving prison terms
- (f) Not be persons who are members of organizations outlawed by the State or organizations who have fighting against the State with arms or has connections with those organizations directly or indirectly or who support those organizations
- (g) Not be drug addicts or sellers
- (h) Citizens of foreign countries
- (i) Be those who have signed the pledge the facts described in Article (6)

11. A party that has been allowed to register according to the clause (9);

- (a) Can start organizing works
- (b) Must submit its membership list

Section (3)

Cessation from standing as a political party

12. (a) Political parties will be ceased to stand as a political party if it violates one of the followings;
- (1) A party which does not field at least 3 candidates
 - (2) Being declared as an unlawful association
 - (3) Having connections with terrorist organization, armed forces, unlawful associations directly or indirectly
 - (4) Failure to pledge the facts described in Article (6)
 - (5) Using government's properties
 - (6) Failure to expel those who do not meet the points described in the Article (10)
 - (7) Failure to organize members according to the Article (5) (f)
- (b) The Commission must deregister the political parties which violate one of the points described in (a)

13. The political parties which meet the required numbers of members should not reduce its number afterwards. If found so, the party must be deregistered.

Section (4)

Fund Raising, collecting, maintaining, using, inspecting materials and liquidating

14. Parties' properties must be maintained by.....

- (a).....
- (b).....

15. (a) Parties' funding must be kept as follows;

- (1).....
- (2).....
- (3).....

(b) Taxes are exempted for the funding collected according to the above.

16. Within a term of a parliament, a political party can

- (a).....
- (b).....

17. A political party must submit its annual financial account according to the law.

18. The Commission can inspect the financial account of political parties.

19. (a) A political party which has been deregistered must provide its properties according to the regulations.

(b) The properties must be managed by instructions of the government.

Section (5)

General Provisions

20. Regarding the implementation of this law;

(a) The Commission's decision is final

(b) The Commission shall not be tried at any court for its judgment

21. A person can be a member of only one political party

22. Party's structure must be in accord with the administrative units

23. The Commission can manage or supervise the political parties based on existing laws, technical laws, procedures or instructions.

24. (a) The Commission can order a political party to abide the law or regulations by setting a time frame

(b) The Commission can inspect and observe the complaints

(c) The Commission can suspend the registration of any party which fails to abide by the instruction of the Commission

(d) The party instructed to suspend must cease its entire works

(e) The Commission can deregister or abolish the party if it continues to abide by the instructions

25. If the existing political parties established according to the Political Parties Registration Law (State Law and Order Restoration Council Law No. 4/88) want to continue to exist as political party, they have to apply for the Commission within 60 days. If they are granted the permission by the Commission, they can continue to exist according to this law. If failed to do so, they will be automatically void as being political parties.

26. The Commission can issue necessary technical laws, procedures, instructions and orders.

27. Political Parties Registration Law (State Law and Order Restoration Council Law No. 4/88) is overruled by this law.

Than Shwe

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State Peace and Development Council