

## Introduction to the Instructions and Registration Form

Under the licensing framework established by the Telecommunications Law and Licensing Rules, a person must obtain an Application Service License (referred to as the AS License) prior to engaging in the activities permitted under the applicable License.

The Licensing Rules set forth a registration process for the AS License. The registration process allows the entity submitting the Registration (“Registering Entity”) to begin offering services upon submission of a complete and accurate Registration Form to the Post and Telecommunications Department (“Department”).

This document provides: (i) the background on and instructions for submitting a Registration Form to the Department, and (ii) the Registration Form. The instructions on the Registration Form provide an overview of the AS License; guidelines for submitting the Registration Form; an overview of the evaluation process; and a checklist of documents to be submitted with the Registration Form. All relevant portions of the Registration Form must be completed in full and submitted according to the provisions detailed below.

## Instructions on the Registration Form for AS License

### Overview of the Application Service License

The following provides a brief overview of the AS License. Refer to the Licensing Rules for a full description of the licensing categories and the general license registration procedures.

**Application Service License** authorizes the Licensee to:

- lease transmission capacity directly from an NFS(I) Licensee and/or an NS Licensee in order to provide public or private telecommunications services on a national basis, to end users and/or to other licensees (as set forth in the rules).
- provide all services authorized by the AS License only.

The AS License does *not* authorize the Licensee to:

- Construct, maintain and operate telecommunications network facilities and infrastructure, except for switches, routers and processing equipment necessary to provide the licensed service (s); or
- offer telecommunications services on an international basis; or
- engage in activities requiring telephone numbers or scarce spectrum resources.

The activities authorized by the AS License include, but are not limited to, the provision of the following telecommunications services:

- public payphone services;
- public switched data services;
- audiotext hosting services provided on an opt-in basis;
- directory services;
- Internet service provider services;
- messaging services;
- private line voice and/or data services; and
- Value-added services.

## Guidelines for Submitting the Registration Form for an Application Service License

The registering entity must submit a cover letter and one original and three (3) copies of the completed Application Service (AS) License Registration Form in an envelope marked “Application Service License Registration” to:

ATTN: Director General

Posts and Telecommunications Department

Ministry of Transport and Communications of the Republic of the Union of Myanmar

Building No.2, Nay Pyi Taw, Myanmar

- Unless exempted, registering entities must include payment of an Application Fee of:
    - MMK 2,500,000 or (Myanmar Kyat equivalent with foreign Currency) in the form of a bank draft if registering for an AS License.
  - The registering entity must ensure that the original Registration Form is signed and submitted by an authorized representative of the registering entity.
  - A registering entity may request confidential treatment for information that it believes is commercially sensitive or proprietary. Any requests for confidential treatment should be clearly indicated in the cover letter to the Registration Form. It is at the Department’s sole discretion to grant confidential treatment to any or all information for which confidential treatment is requested.
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## Overview of the Evaluation Process for AS License Registrations

- The Department's evaluation process for AS License registrations is intended to ensure that registering entities meet the legal and regulatory requirements to engage in the proposed activities.
- Registering entities are encouraged to provide as much detailed information as possible on the Registration Forms. In the event that the Department requests further information, the registering entity should submit this information promptly. Failure to respond within thirty (30) days to a further request will result in rejection of the Registration.
- Upon award of the license, the registering entity shall (i) pay the initial fee (unless exempted) and (ii) sign the license within sixty (60) days. If the registering entity fails to comply with either of these two requirements, the license will be automatically canceled and the registering entity will need to re-submit the Registration Form and pay another application fee. Registering entities that are exempted from paying the initial registration fee will be required to pay the registration fee with any re-submission of the Registration Form.

## Checklist of documents to be attached

- Cover letter on the registering entity's letterhead. Any requests for confidential treatment should be clearly indicated in the cover letter.
- For all registering entities, a complete and accurate Registration Form signed by a Director of the registering entity, including the following Attachments if applicable:
  - Attachment 1: Additional Response
  - Attachment 2: Company Registration Certificate & Company Extract
  - Attachment 3: Memorandum and Articles of Association
- For registering entities seeking an AS License to engage in the deployment and leasing of network facilities, include the following Attachments:
  - Attachment 4. Certificate of Paid-Up Capital
- Unless exempted by the Licensing Rules, a registration fee of MMK 2,500,000 in the form of a bank draft if registering for the AS License.

