

Instruction No. 01/2015

(27 May 2015)

**The Republic of the Union of Myanmar
The Management Committee
Thilawa Special Economic Zone**

**Instruction relating to the Import and Use of Used Machinery to be Used in the
Authorized Operation**

The Management Committee of Thilawa Special Economic Zone (“Management Committee”), in exercise of the power conferred by Section 11 (f) of Myanmar Special Economic Zone Law of 2014 (“Law”), hereby issues the “Instruction relating to the Import and Use of Used Machinery to be Used in the Authorized Operation”.

1. Definition

In this instruction, the following words shall have the following meaning.

“Mechanical Performance Certificate” means a certificate issued by a reliable institute, including a list of used and/or reconditioned/refurbished machinery with warranties accompanied by full documentation on detailed condition of each machine.

2. Any used machinery and/or reconditioned/refurbished machinery shall not be imported and used in the Authorized Operation unless such machinery is accompanied by a “Mechanical Performance Certificate” issued by the reliable institute and is certified to have minimum residual durability period of 10 years and has been approved by the Thilawa Management Committee.
3. A reliable institute refers to an agency, a duty of which is to inspect and test machinery performance and the certificate it issues is fully internationally recognized. A reliable institute may include, but not limited to, the following:
 - NKKK (Nippon Kaiji Kentei Kyokai)
 - Japan Inspection Co., Ltd.
 - Bureau Veritas
 - SGS

- CCIC (China Certification & Inspection Group Co., Ltd)
 - Intertek
 - Any other international institute recognized by the Management Committee
4. The inspection of machinery to be certified shall include a full test run of the machinery for evaluating its capacity of functionality. The certificate shall be accompanied by an emissions and safety report, in which the used and/or reconditioned/refurbished machinery under consideration shall be rated as acceptable. The certificate shall include the following material information.
- 4.1 Current status or reconditioned/refurbishment status;
 - 4.2 Year of manufacture;
 - 4.3 Test-run results;
 - 4.4 Residual durability period;
 - 4.5 Emission and safety report;
 - 4.6 Adequateness of invoice value; and
 - 4.7 Inspection report, date, and place of inspection
5. The advance import registration with the Management Committee for the import of used and/or reconditioned/refurbished machinery for use in the Authorized Operation shall be accompanied by said Machinery Performance Certificate and such registered machinery shall be imported within one year from the date of issuance of “Machinery Performance Certificate”.
6. Above provisions are general guidelines, which the Management Committee may modify when needed.
7. In the event of an instance that cannot be determined under this Instruction, the decision of the Management Committee shall be deemed final.



Chairman
The Management Committee
Thilawa Special Economic Zone