

Myanmar Legal Framework Analysis: Key Highlights

This one-pager aims to provide a brief overview of the most notable features of Myanmar's national cooperative legal framework, based on the work of national legal expert and ICA member input.

In Myanmar the legislation that regulates the work of cooperatives is the Co-operative Society Law, 1992. Myanmar's cooperative apex became a member of ICA after the release of this law. In order to practice the law the Co-operative Society Rules are promulgated in 1998 and thereafter these rules have been replaced by the Co-operative Society Rules (2013) which are currently being used for the supervision and regulation of cooperatives in Myanmar. The ICA principles are explicitly referred to in the preamble of the Co-operative Societies Law 1992.

In Myanmar, there are no special laws for particular type of co-operatives. However, the following business types are included in the different levels of co-operative societies:

- a) Commodity production co-operative society;
- b) Service co-operative society;
- c) Trade co-operative society;
- d) General co-operative society.

Cooperative Friendliness: The degree of 'cooperative friendliness' of Myanmar's cooperative legislation is described as '*more cooperative friendly than not*'. This is because it is seen that all departments under Ministry of Agriculture, Livestock and Irrigation (MoALI is the responsible ministry for cooperative sector development in Myanmar) have regular coordination and the cooperative departments at the township level regulate cooperatives. Education of relevant legislations for cooperatives is also done by the cooperative departments regularly. Myanmar's Legislation heavily influenced by its precursor which is the cooperative law of the erstwhile British India. It has the legal characteristics that distinguish Co-operatives from other legal types of business and the voting pattern of one member one vote.

Key recommendations for improvement: An encouraging legal framework which can support the systematic development of farmer organisations can be developed. Re-organization of the cooperative departments maybe undertaken to re-strategise priorities to concentrate upon cooperative development activities such as: education, knowledge sharing, international relations and business development rather than focusing on regulatory activities alone such as auditing and management of the cooperative societies.

Conclusion: Myanmar's cooperative law requires a review of the existing legislation as well as the extant rules. Cooperatives in Myanmar would benefit from being granted more autonomy. An impetus on cooperatives in the agricultural sector would be ideal for the growth of the national agrarian economy through cooperatives in the primary sector.

