

LEGAL AND TAX DIGEST

BANGLADESH

LAOS

MYANMAR

Legislative developments – November 2025





BANGLADESH

Banking and Finance

*FE Circular No. 41 dated 3 November 2025 issued by the Foreign Exchange Policy Department of the Bangladesh Bank on “**Foreign Currency-BDT Swap Facility Against Exporters’ Foreign Currency Funds Held in 30-Day Pool and Retention Quota Accounts to Meet Working Capital Needs**”*

Under the revised framework, authorized dealers (“ADs”) are permitted to enter into foreign currency-BDT swap arrangements with exporters against balances held in their 30-day pool accounts and exporters’ retention quota (“ERQ”) accounts. The swap is structured as a spot purchase of foreign currency against BDT in conjunction with a simultaneous forward sale at an agreed exchange rate and maturity using the exporter’s own foreign currency funds. The tenure of the swap must not exceed the expected utilization period of ERQ balances and is limited to a maximum of 30 days for 30-day pool accounts. Swap pricing will be determined based on market-reflective or cost-reflective interest rate differentials between the two currencies. Transactions may only be executed against available and unencumbered foreign currency balances, and exporters must provide written declarations acknowledging the contractual nature and rate implications of the swap. The BDT funds obtained must be used exclusively for bona fide export-related working capital purposes, and the arrangement will not be treated as a loan or financing facility. ADs are required to maintain adequate risk management, internal control, documentation, and reporting systems in line with international best practices.

Overall, the measure is expected to enhance exporters’ cash flow management while minimizing exchange rate risks and supporting sustainable export operations.

*FE Circular No. 42 dated 5 November 2025 issued by the Foreign Exchange Policy Department of the Bangladesh Bank on “**Small-Value Exports for Business-to-Consumer Transactions on E-Commerce Websites Not Requiring EXP Forms**”*

The Bangladesh Bank has issued an update to amend paragraphs 7(7) and 64 of FE Circular No. 31 dated 31 July 2025 to increase the limit on small-value business-to-consumer (“B2C”) export transactions completed through e-commerce websites that do not require an EXP Form from US\$500 (or equivalent) to US\$1,000 (or equivalent).

This revision simplifies compliance on small-value B2C exports, allowing exporters to focus on expanding cross-border online sales without the administrative requirement of filing EXP Forms for transactions of up to US\$1,000.

*FE Circular No. 43 dated 5 November 2025 issued by the Foreign Exchange Policy Department of the Bangladesh Bank on “**Repatriation through MFSPs and PSPs of Small-Value Export Proceeds from E-Commerce**”*

The Bangladesh Bank has issued updated guidelines to facilitate the repatriation of small-value export proceeds from e-commerce transactions.

The circular allows mobile financial service providers (“MFSPs”) and payment service providers (“PSPs”) licensed by the Bangladesh Bank to handle the repatriation proceeds from the export proceeds from goods of up to US\$1,000 (or equivalent) without requiring an EXP Form, under the following conditions:

- MFSPs and PSPs must comply with the instructions outlined in paragraph 59 of FE Circular No. 31 dated 31 July 2025. Nominated ADs must facilitate the transactions as per the terms of reference under paragraph 59(2) of the same circular.
- MFSPs and PSPs must conduct due diligence before onboarding e-commerce exporters.
- MFSPs and PSPs must credit customers’ accounts upon electronic receipt of bills of export from exporters out of the funds held in settlement accounts maintained with nominated ADs.

Authors and Contacts



Habibullah Shakil

Legal Advisor

habibullah.shakil@vdb-loi.com



Osman Goni

Partner

osman.goni@vdb-loi.com

LAOS



Banking and Finance

*Decision No. 1062 issued by the Bank of the Lao PDR ("**BOL**") on 3 November 2025 on the "**Scope of Lending by Commercial Banks**"*

This decision replaces the previous version issued in 2021. Except for the revised lending limit provisions as described below, the decision maintains the same substantive provisions as the 2021 version.

Lending limits

The decision keeps the same lending limits as those established under the 2021 version, as below:

- The credit exposure to any single borrower must not exceed 25% of Tier 1 capital.
- The aggregate credit exposure to a group of related borrowers must not exceed 50% of Tier 1 capital.
- The aggregate credit exposure to major borrowers must not exceed 500% of Tier 1 capital.

However, it introduces a mechanism for commercial banks whose customers require financing in excess of the above limits for priority infrastructure projects identified under the national socio-economic development plan approved by the Government or the National Assembly of the Lao PDR. Where a commercial bank has sought but is unable to secure a co-lender, or where co-financing would still result in exceeding the applicable limits, the bank may submit a request to the BOL for an exemption or an increase in the lending limit.

Commerce

*Decision No. 2828 issued by the Ministry of Industry and Commerce ("**MOIC**") on 11 November 2025 on "**Fines and Other Measures for Violations of Decrees and Regulations on Electronic Commerce Platforms**"*

This decision sets out the penalties and measures applicable to violations of the Decree on E-Commerce No. 296 dated 12 April 2021 and its implementing regulations.

The key highlights are summarized below.

The scope of this decision applies to the following entities or individuals:

- **Dealer–Own Platform (“DP”)**: These are dealers that advertise or provide goods and services through their own electronic platforms, such as websites, applications, programs, or other proprietary platforms.
- **Dealer–Third-Party Marketplace (“DM”)**: These are dealers that advertise or provide goods and services on marketplace platforms that they do not own.
- **Marketplace Service Provider (“MSP”)**: These are operators or providers of online marketplace platforms.

The applicable fines and enforcement measures for violations are as follows:

Type of violation	Fine per violation		
	DP	DM	MSP
Operating without notifying or, for MSPs, registering with, the MOIC	LAK3 million	LAK5 million	LAK5 million
Operating inconsistently with the permitted business scope under the license or certificate of acknowledgment (for DMs)	LAK10 million	LAK10 million	LAK10 million
Failing to submit semiannual reports	LAK3 million	LAK3 million	LAK3 million
Supplying prohibited goods or services, or enabling/allowing the sale of such goods or services	LAK1 million	LAK1 million	LAK1 million
Unauthorized fundraising through an electronic platform	30% of the funds raised	<i>Not specified as a violation</i>	30% of the funds raised
Providing incorrect or incomplete information when notifying or registering with the MOIC	Warning, disciplinary action, required to sign a memorandum of commitment to comply	Warning, disciplinary action, required to sign a memorandum of commitment to comply	Warning, disciplinary action, required to sign a memorandum of commitment to comply
Providing incorrect or incomplete information on goods or services	LAK3 million	LAK5 million	<i>Not specified as a violation</i>
Collecting, using, and disclosing customer data without consent	LAK5 million	<i>Not specified as a violation</i>	LAK5 million

Type of violation	Fine per violation		
	DP	DM	MSP
Misleading or unclear advertising of goods or services	LAK5 million	<i>Not specified as a violation</i>	LAK5 million
Using advertising to slander or defame others' goods or services	LAK5 million	<i>Not specified as a violation</i>	LAK5 million
Using a payment channel/platform not permitted by the BOL	LAK5 million	LAK5 million	LAK5 million
Using a bank account that is not permitted for the payment of goods or services	LAK10 million	LAK10 million	LAK10 million
False representation, impersonation, unauthorized disclosure, fabrication of information causing damage	LAK10 million	LAK20 million	LAK20 million
Supplying poor quality or counterfeit goods, breaching a contract with customers, false advertising, pricing or receiving payment in foreign currency	LAK 20 million	LAK 20 million	LAK 20 million

In addition to the above fines, the violator may also be subject to further administrative measures, including a warning, disciplinary action, and the signing of a memorandum of commitment to comply and not repeat the violation.

Measures for repeat violations

A second violation will be subject to additional measures, including a warning, disciplinary action, the signing of a memorandum of commitment to comply, issuance of a seizure order, or suspension of the e-commerce business operating license or certificate of acknowledgement. If the violation is not remedied within the timeframe specified in the memorandum of commitment, the business operating license or certificate of acknowledgement may be revoked.

Regulatory

*Decision No. 2848 issued by the MOIC on 12 November 2025 on “**Registration, Inspection, and Quality Verification of Radiation-Emitting Devices**”*

The decision sets out guidelines for the registration, inspection, and quality verification of radiation-emitting devices that are manufactured, imported and exported, distributed, and used for service provision. It enters into effect on 27 December 2025.

The highlights are outlined below.

Types of radiation-emitting devices

Radiation-emitting devices refer to instruments or equipment that emit radiation when powered, such as X-ray devices and optical radiation devices.

Radiation-emitting devices are classified into four categories:

- **Medical**, such as X-ray devices used for dental imaging, mammography, and blood system examinations.
- **Commerce and logistics**, used for purposes such as inspecting goods at airports, train stations, and other checkpoints.
- **Agricultural**, used for applications such as bacterial sterilization and genetically modified organism processing.
- **Inspection of valuable items**, used to examine the internal structure of valuable objects without causing damage.

Required documents for registration, inspection, and quality verification

The following documents must be submitted for the registration, inspection, and quality verification of the manufacturing, import and export, and distribution of radiation-emitting devices:

- Application form (standard Department of Standards and Metrology of the MOIC (“**DSM**”) form)
- Copy of the applicant’s enterprise registration certificate
- Copy of the applicant’s import-export permit
- For imported devices, a quality certificate from the country of origin

An additional quality verification is done for radiation-emitting devices used for service provision. The following documents must be submitted:

- Application form (standard DSM form)
- Copy of the radiation-emitting device’s registration certificate
- Copy of the radiation-emitting device’s inspection certificate

DSM review procedure

Upon receiving all required documents, the DSM will appoint an inspector within five days. If the devices meet applicable national, regional, and international standards, the DSM will issue

a registration certificate and an inspection certificate within five days after receiving the inspection results.

If the documents are incomplete or incorrect, the DSM will notify the applicant within three days. If the devices fail to meet the standards, the DSM will issue a written notice to the applicant within three days after receiving the inspection results. In this case, the applicant may submit inspection results from a third-party inspecting body that meets international standards to the DSM for reconsideration.

Validity period of the registration and inspection certificates

The registration certificate is issued with an indefinite validity period. The inspection certificate is valid for one year, except for inspection certificates issued for radiation-emitting devices used for inspecting valuable items, which are valid for six months.

The DSM may conduct scheduled and unscheduled on-site inspections of radiation-emitting devices.

Authors and Contacts



Khammanh Vathanaphone

Legal Associate

khammanh.vathanaphone@vdb-loi.com



Sornpheth Douangdy

Senior Counsel

sornpheth.douangdy@vdb-loi.com

MYANMAR

Litigation

*Notification No. 1262/2025 dated 8 November 2025 issued by the Ministry of Home Affairs on "**Evidence Retention and Disposition Procedures**"*

These procedures are issued to implement the Evidence Retention and Disposition Law enacted in December 2024. The procedures apply to evidence retention and disposition before and after the commencement of legal proceedings, evidence disposition after issuance of a confiscation order, and disposition of evidence that cannot be physically submitted to the court.

Perishable goods seized as evidence can be disposed of with the order of the relevant court before the commencement of legal proceedings. The proceeds received from the disposition of such goods must be temporarily deposited to the account of the relevant District, Self-administered Division, or Self-administered Zone Evidence Retention and Disposition Committee. After the conclusion of the legal proceedings, these proceeds must be managed in accordance with the judgment of the relevant court.

The disposition of evidence that cannot be physically submitted to the court is subject to the approval of the Union Government and must be completed within one year of the date of such approval.

Note: For more details on the Evidence Retention and Disposition Law, please refer to the November and December 2024 Issue at https://www.vdb-loi.com/law_digest/law-digest-november-and-december-2024/

Intellectual Property

*Notification No. 103/2025 dated 21 November 2025 issued by the Ministry of Commerce ("MOC") on "**Geographical Indication Registration Rules**" and Notification No. 104/2025 dated 21 November 2025 by the MOC on "**Application Forms for Geographical Indication Registration**"*

The Geographical Indication ("GI") Registration Rules are issued under the Trademark Law (enacted on 30 January 2019 with effect from 1 April 2023) to regulate the use of GIs and

protect producers and manufacturers in the defined geographical area who comply with specific production standards.

The rules set out the procedures for GI registration, from submission of the GI registration application to the appeals process.

The notification specifies the forms for all steps in the GI registration process.

The key steps in the GI registration process as specified in the rules are summarized below.

Submission of the GI registration application

Any entity defined in Section 53 of the Trademark Law may apply for GI registration using Form GI-1. If the examiner finds that the GI registration application meets the specifications after examining it against Sections 53, 54, and 55 of the Trademark Law, the application will be submitted to the Registrar. Upon further examination by the Registrar, if all is found to be in order, the application will be published for opposition on the official website of the Intellectual Property Department at <https://ipd.gov.mm>.

Opposition

Any person who wishes to oppose the GI registration application may apply for opposition to the Registrar using Form GI-6. Upon receipt of the opposition application, the Registrar will examine the application against the specifications provided in Section 13 or 14 of the Trademark Law. Subsequently, the Registrar will decide to allow or refuse the application and notify the relevant parties of its decision.

GI registration

If there is no opposition to the GI registration application, or if the opposition is not allowed and the GI registration application is found to meet the requirements, the Registrar will grant the GI registration and publish the registration on the Intellectual Property Department's website (<https://ipd.gov.mm>). A registered GI certificate will be issued to the applicant.

Pursuant to Section 59 of the Trademark Law, the term of protection of a registered GI starts from the application filing date and continues indefinitely, as long as the distinguishing characteristics, quality, and reputation for which protection was initially granted still exists.

Use of GI logos

Any of the following persons is eligible to apply to the Registrar to use a GI logo for their products or goods using Form GI- 10 as specified by the Intellectual Property Department with the approval of the MOC:

- Persons who are actively manufacturing the products or goods for which the GI registration is applied in the specified geographical area.
- Members of an entity that has applied for GI registration.
- Persons who comply with the specification book attached to the GI registration application.

Authors and Contacts



Nu Htet Htet Lwin

Translation Manager
nuhtethtet.lwin@vdb-loi.com



Aye Myat Thu

Partner
ayemyat.thu@vdb-loi.com

* * *

Information included in this document does not represent legal, tax, or other advice. This document is not intended to represent a comprehensive list of all new laws and regulations issued or published in the relevant jurisdictions.