

COUNCIL REGULATION (EC) NO 1853/2004

**BURMA/MYANMAR
BAN ON FINANCING OF CERTAIN STATE-OWNED ENTERPRISES**

INTRODUCTION

1. On 22 May 2000 the Council of the European Union adopted Council Regulation (EC) No 1081/2000 which, inter alia, had the effect of freezing the funds of certain individuals related to important governmental functions in Burma. All such targeted persons were listed in Annex II of that Regulation. Regulation (EC) No 1081/2000 was published in the Official Journal of the European Union on 24 May 2000 (OJ L122, p.29). The list of those targeted persons was extended by Commission Regulation (EC) No 1883/2002, Commission Regulation (EC) No 1070/2003 and Commission Regulation (EC) No 2297/2003.
2. On 26 April 2004 the Council of the European Union adopted Council Regulation (EC) No 798/2004 which amended and extended the financial sanctions imposed by Regulation (EC) No 1081/2000 and replaced that Regulation following its expiry on 29 April 2004. Amongst other things, Council Regulation (EC) No 798/2004 introduced a new definition of "funds and economic resources" and Annex III amended and extended the list of targeted persons subject to the financial sanctions regime under Regulation (EC) No 1081/2000.
3. On 25 October 2004 the Council of the European Union adopted Council Regulation (EC) No 1853/2004 which strengthened the restrictive measures imposed by Regulation (EC) No 798/2004 to include a prohibition on making financial loans or credits available to, and on acquiring or extending a participation in, certain Burmese state-owned enterprises. Regulation (EC) No 1853/2004 was published in the Official Journal of the European Union on 26 October 2004 (OJ L323, p.11).
4. For ease of reference the names of those Burmese state-owned enterprises listed in the Annex to Regulation (EC) No 1853/2004 are listed in the Annex to this Notice. The Annex to Regulation (EC) No 1853/2004 is added as Annex IV to Regulation (EC) No 798/2004.

5. A copy of Regulation (EC) No 1853/2004 is attached to this Notice. It may also be found on the Bank of England's website:
<http://www.bankofengland.co.uk/sanctions>.
6. Regulation (EC) No 798/2004, as amended, applies within the territory of the Community including its airspace, on board any aircraft or any vessel under the jurisdiction of a Member State, to any person inside or outside the territory of the Community who is a national of a Member State, to any legal person, group or entity which is incorporated or constituted under the law of a Member State, or any legal person, group or entity doing business within the Community.

Ban on financing

7. Following the entry into force of Regulation (EC) No 1853/2004:
 - (a) The granting of any financial loan or credit to Burmese state-owned enterprises as listed in Annex IV to Regulation (EC) No 798/2004, or the acquisition of bonds, certificates of deposit, warrants or debentures, issued by these enterprises,
 - (b) The acquisition or extension of a participation in Burmese state-owned enterprises as listed in Annex IV to Regulation (EC) No 798/2004, including the acquisition in full of such enterprises and the acquisition of shares and securities of a participating nature

is prohibited.

The participation, knowingly and intentionally, in activities, the object or effect of which is, directly or indirectly, to circumvent paragraph (a) or (b) is also prohibited.

8. The prohibition in paragraph 7 is without prejudice to the execution of trade contracts for the supply of goods or services on usual commercial payment conditions and the usual supplementary agreements in connection with the execution of these contracts such as export credit insurances.
9. The provisions of paragraph 7(a) are without prejudice to the execution of an obligation arising from contracts or agreements concluded before the entry into force of Regulation (EC) No 1853/2004.
10. The prohibition in paragraph 7(b) does not prevent the extension of a participation in the Burmese state-owned enterprises listed in Annex IV of the Regulation, if such extension is compulsory under an agreement concluded with the Burmese state-owned enterprise concerned before the entry into force of Regulation (EC) No 1853/2004. However, the Bank of England must be informed prior to any such transaction.

Enquiries

11. Enquiries concerning any matter contained in this Notice should be addressed to the Bank of England, Threadneedle Street, London, EC2R 8AH and marked for the attention of the Financial Sanctions Unit (FSU). Enquiries may also be made by facsimile transmission (020 7601 4309), by telephone (020 7601 4768/5811/4783/4328) or by email (sanctions.unit@bankofengland.co.uk).

BANK OF ENGLAND
27 October 2004

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Burmese state-owned enterprises

1. BANDOOLA TRANSPORTATION CO. LTD

Address: (1) 399, Thiri Mingalar Road, Insein TSP, Yangon, Burma/Myanmar
(2) Parami Road, South Okkalapa, Yangon, Burma/Myanmar.
Other Information: Managing Director is Colonel Myo Myint

2. BERGER PAINT MANUFACTURING CO. LTD

Address: Plot No 34/A, Pyinmabin Industrial Zone, Mingalardon TSP, Yangon, Burma/Myanmar.

3. DAGON BREWERY

Address: 555/B, No 4, Highway Road, Hlaw Gar Ward, Shwe Pyi Thar TSP, Yangon, Burma/Myanmar.

4. DIAMOND DRAGON (SEIN NAGA) CO. LTD

Address: 189/191 Mahabandoola Road, Corner of 50th Street, Yangon, Burma/Myanmar.

5. GRANITE TILE FACTORY (KYAIKTO)

Address: 189/191 Mahabandoola Road, Corner of 50th Street, Yangon, Burma/Myanmar.

6. GYPSUM MINE

Address: Thibaw, Burma/Myanmar.

7. HANTHA WADDY GOLF RESORT AND MYODAW (CITY) CLUB LTD

Address: (1) No 1, Konemyinttha Street, 7 Mile, Mayangone TSP, Yangon, Burma/Myanmar (2) Thiri Mingalar Road, Insein TSP, Yangon, Burma/Myanmar.

8. INNWA BANK

Address: 554-556, Merchant Street, Corner of 35th Street, Kyauktada TSP, Yangon, Burma/Myanmar.
Other information: General Manager is U Yin Sein

9. MEC DISPOSABLE SYRINGE FACTORY

Address: Factories Department, MEC Head Office, Shwedagon Pagoda Road, Dagon TSP, Yangon, Burma/Myanmar.

10. MEC MARBLE MINE

Address: Pyinmanar, Burma/Myanmar.

11. MEC MARBLE TILES FACTORY

Address: Loikaw, Burma/Myanmar.

12. MEC MYANMAR CABLE WIRE FACTORY

Address: No 48, Bamaw A Twin Wun Road, Zone (4), Hlaing Thar Yar Industrial Zone, Yangon, Burma/Myanmar.

13. MEC OXYGEN AND GASES FACTORY

Address: Mindama Road, Mingalardon TSP, Yangon, Burma/Myanmar.

14. MEC SHIP BREAKING SERVICE

Address: Thilawar, Than Nyin TSP, Burma/Myanmar.

15. MEC STEEL MILLS (HMAW BI/PYI/YWAMA)

Address: Factories Department, MEC Head Office, Shwedagon Pagoda Road, Dagon TSP, Yangon, Burma/Myanmar.

Other information: Colonel Khin Maung Soe

16. MEC SUGAR MILL

Address: Kant Balu, Burma/Myanmar.

17. MERCURY RAY MANUFACTURING LTD

Address: Pyinmabin Industrial Zone, Mingalardon TSP, Yangon, Burma/Myanmar.

Other Information: U Nyo Min Oo

18. MYAING GALAY (RHINO BRAND) CEMENT FACTORY

Address: Factories Department, MEC Head Office, Shwedagon Pagoda Road, Dagon TSP, Yangon, Burma/Myanmar.

Other information: Colonel Khin Maung Soe

19. MYANMA ECONOMIC CORPORATION (MEC)

Address: Shwedagon Pagoda Road, Dagon TSP, Yangon, Burma/Myanmar.

Other information: Managing Director is Colonel Ye Htut or Brigadier-General Kyaw Win

20. MYANMAR AR (POWER) CONSTRUCTION SERVICES

Address: 189/191 Mahabandoola Road, Corner of 50th Street, Yangon, Burma/Myanmar.

21. MYANMAR BREWERY LTD

Address: No 45, No 3, Trunk Road, Pyinmabin Industrial Zone, Mingalardon TSP, Yangon, Burma/Myanmar.

Other information: Chairman is Retired Lieutenant-Colonel Maung Maung Aye

22. MYANMAR CEMENT LTD

23. MYANMAR DAEWOO INTERNATIONAL

Address: Pyay Road, Pyinmabin Industrial Zone, Mingalardon TSP, Yangon, Burma/Myanmar.

24. MYANMAR HOTEL AND CRUISES LTD

Address: Rm 814/815, Trader's Hotel, 223, Sule Pagoda Road, Yangon, Burma/Myanmar.

25. MYANMAR HWA FU INTERNATIONAL LTD

Address: No 3, Main Road, Pyinmabin Industrial Zone, Mingalardon TSP, Yangon, Burma/Myanmar.

26. MYANMAR IMPERIAL JADE CO. LTD

Address: 24/26, 2nd Floor, Sule Pagoda Road, (Midway Bank Building), Yangon, Burma/Myanmar.

27. MYANMAR KUROSAWA TRUST CO. LTD

Address: 22, Pyay Road, 7 Mile, Mayangone TSP, Yangon, Burma/Myanmar.

28. MYANMAR MA MEE DOUBLE DECKER CO. LTD

Address: Plot 41, Trunk Road, Pyinmabin Industrial Zone, Mingalardon TSP, Yangon, Burma/Myanmar.

29. MYANMAR NOUVEAU STEEL CO. LTD

Address: No 3, Trunk Road, Pyinmabin Industrial Zone, Mingalardon TSP, Yangon, Burma/Myanmar.

30. MYANMAR PINEAPPLE JUICE PRODUCTION

31. MYANMAR POSCO STEEL CO. LTD

Address: Plot 22, No 3, Trunk Road, Pyinmabin Industrial Zone, Mingalardon TSP, Yangon, Burma/Myanmar.

32. MYANMAR RUBBER WOOD CO. LTD

33. MYANMAR RUBY ENTERPRISE

Address: 24/26, 2nd Floor, Sule Pagoda Road, (Midway Bank Building), Yangon, Burma/Myanmar.

34. MYANMAR SAM GAUNG INDUSTRY LTD

Address: No 6/A, Pyay Road, Pyinmabin Industrial Zone, Mingalardon TSP, Yangon, Burma/Myanmar.

35. MYANMAR SEGAL INTERNATIONAL LTD

Address: Pyay Road, Pyinmabin Industrial Zone, Mingalardon TSP, Yangon, Burma/Myanmar.

Other information: Manager is U Be Aung

36. MYANMAR TOKIWA CORP

Address: 44B/No 3, Trunk Road, Pyinmabin Industrial Zone, Mingalardon TSP, Yangon, Burma/Myanmar.

37. MYAWADDY AGRICULTURE SERVICES

Address: 189/191, Mahabandoola Road, Corner of 50th Street, Yangon, Burma/Myanmar.

38. MYAWADDY BANK LTD

Address: 24-26, Sule Pagoda Road, Yangon, Burma/Myanmar.

Other information: Managing Directors are Brigadier-General Win Hlaing and U Tun Kyi

39. MYAWADDY CLEAN DRINKING WATER SERVICE

Address: 4/A, No 3 Main Road, Mingalardon TSP, Yangon, Burma/Myanmar.

40. MYAWADDY TRADING LTD

Address: 189/191 Mahabandoola Road, Corner of 50th Street, Yangon, Burma/Myanmar.

Other information: Managing Director is Colonel Myint Aung.

41. MYAWADDY TRAVEL SERVICES

Address: 24-26, Sule Pagoda Road, Yangon, Burma/Myanmar.

42. NATIONAL DEVELOPMENT CORP.

Address: 3/A, Thamthumar Street, 7 Mile, Mayangone TSP, Yangon, Burma/Myanmar.

Other Information: Chairman is Dr Khin Shwe

43. NAWADAY HOTEL AND TRAVEL SERVICES

Address: 335/357, Bogyoke Aung San Road, Padeban TSP, Yangon, Burma/Myanmar.

44. NGWE PIN LE (SILVER SEA) LIVESTOCK BREEDING AND FISHERY CO.

Address: 1093, Shwe Taung Gyar Street, Industrial Zone II, Ward 63, South Dagon TSP, Yangon, Burma/Myanmar.

45. ROTHMAN OF PALL MALL MYANMAR PRIVATE LTD

Address: No 38, Virginia Park, No 3, Trunk Road, Pyinmabin Industrial Zone, Yangon, Burma/Myanmar.

46. SIN MIN (KING ELEPHANTS) CEMENT FACTORY (KYAUKSE)

Address: 189/191 Mahabandoola Road, Corner of 50th Street, Yangon, Burma/Myanmar.

Other Information: Managing Director is Colonel Maung Maung Aye

47. SOAP FACTORY (PAUNG)

Address: 189/191 Mahabandoola Road, Corner of 50th Street, Yangon, Burma/Myanmar.

48. TAILORING SHOP SERVICE

49. THE FIRST AUTOMOTIVE CO. LTD

Address: Plot No 47, Pyinmabin Industrial Zone, Mingalardon TSP, Yangon, Burma/Myanmar.

Other Information: Managing Directors are U Aye Cho and/or Lieutenant-Colonel Tun Myint

50. UNION OF MYANMAR ECONOMIC HOLDING LTD

Address: 189/191 Mahabandoola Road, Corner of 50th Street, Yangon, Burma/Myanmar.

Other Information: Managing Director is Major-General Win Hlaing.