



KINGDOM OF CAMBODIA
Nation Religion King

ROYAL GOVERNMENT OF CAMBODIA

-Ministry of Economy and Finance
-Ministry of Public Works and Transport
-Ministry of Tourism
-Ministry of Interior

Phnom Penh, 16 October, 2002

No 654 PRK. SHV. SK. MPH

Inter-ministerial Prakas
on
Compulsory Insurance of Passenger Transports
Ministries
of
Economy and Finance - Public Works and Transport – Interior – Tourism

- Referring to the constitution of Kingdom of Cambodia
- Referring to Preah reach Kram N° NS/RKT/1198/96 dated 25 November 1998 on nomination of Prime Minister of the Royal Government of Cambodia.
- Referring to the Royal Decree N°NS/RKT/1198/72 dated 30 November, 1998 on formation of Royal Government of the Kingdom of Cambodia
- Referring to Preah reach Kram N° 02/NS/94 dated 20 July 1994 on promulgation of the Law on organization and Functions of the Council of Ministers
- Referring to Preah reach Kram N° NS/RKM/0196/08 dated 24 January, 1996 promulgating the law on formation of the ministry of Interior
- Referring to Preah reach Kram N° NS/RKM/0196/18 on January 24, 1996 promulgating the law on establishment of the Ministry of Economy and Finance.
- Referring to Preah Reach Kram N° NS/RKM/0196/03 dated 24 January 1996 promulgating the law on establishment of the Ministry of Public Works and Transport.
- Referring to Preah Reach Kram N° NS/RKM/0196/15 dated 24 January 1996 promulgating the law on establishment of the Ministry of Tourism.
- Referring to Preah Reach Kram N° NS/RKM/ 0700/02 dated 25 July, 2000 promulgating the law on Insurance
- Referring to Sub Decree on Insurance N° 106 ANKr.BK dated 22 October, 2001
- Pursuant of the needs of the Ministry of Economy and Finance

Hereby Decides

Section: 1

The insurance of transport of passengers, including tourists, is important for the benefits and protection of the rights of those traveling by any means of licensed transport in the Kingdom of Cambodia against accidents within the Kingdom of Cambodia. All physical or legal persons licensed as an owner or operator of any types of passenger transport vehicle by road, sea, or river are required to comply with the technical standard and loading capacity of passenger transport vehicles.

Section: 2

All types of passenger transport means authorized to transport passengers in the Kingdom of Cambodia are required to have passenger transport liability insurance.

Section: 3

The minimum amount of compulsory passenger transport liability insurance coverage shall be as follows:

- \$5,000 at minimum per person for bodily injury or death,
- \$50,000 at minimum per occurrence for bodily injury or death,
- \$1,000 at minimum for property damage,
- \$100,000 at minimum per occurrence for bodily injury or death for owners of any transport vehicles with a capacity of 10 or over 10 passengers.
- \$250,000 at minimum per occurrence for bodily injury or death for owners of any transport vehicles with a capacity of 50 or over 50 passengers.

Section: 4

The passenger transport liability insurance is required to be purchased from an insurance company that is licensed to operate insurance business in the Kingdom of Cambodia except for the fact that the Ministry of Economy and Finance determines that the policy is not required to be purchased from a local insurance company. With respect to international transport of passengers, passenger liability coverage is already covered under international travel agreements or treaties, i.e. the liability coverage is not included in the obligation under this Prakas. Passenger transport liability insurance does not cover the liability of the passengers who have not paid a fare.

Section: 5

Whenever an accident occurs involving a passenger entering in, riding on, or exiting from an insured passenger transport vehicle, the operator shall take immediate measures to aid injured passengers while immediately notifying the insurer of the accident.

Section: 6

The Insurance Company shall, on behalf of the insured, indemnify the victims in accordance with the terms of the insurance policy or cover note. The compensation shall be settled within 10 days at the latest following the receipt of sufficient traffic accident documents, including the report of traffic police except for the fact that the insurance company determines that the claim is not included in the terms of in insurance policy, or the claim is excessive.

Section: 7

Upon granting a passenger transport license or a renewal thereof to the owners or operators of all types of passenger transport vehicles, the Ministry of Public Works and Transport shall require the vehicle owner or operator to provide documents of the compulsory passenger liability insurance.

When this Prakas goes into effect, owners holding existing licenses for the transport of passengers shall have 60 days to furnish the Ministry of Public Works and Transport with documents of the compulsory insurance.

If vehicle owners or operators fail to purchase the compulsory insurance, the aforesaid authorities shall temporarily seize the passenger transport license and the technical certificate until the vehicle owners or operators provide documents of the compulsory passenger transport insurance in a timely manner.

Section: 8

Provincial and municipal land traffic police who are on duty along the roads and at bus stations shall check all land passenger transport vehicles for the insurance sticker on the windscreen of the vehicles in order to find out which vehicles do not comply with the compulsory passenger transport insurance. In case of absence of the sticker of passenger transport insurance, the owners or operators of the vehicles shall be fined as specified in article 52 of the insurance law. The provincial and municipal traffic police shall:

1. Fine and instruct the owners and operators to purchase the insurance within seven days at the latest;
2. In case of non-compliance, seize temporarily the transport license and technical certificate;
3. In case of defiance, impound temporarily the vehicle until the owners or operators provide documents of the compulsory passenger transport insurance.

Section: 9

Whenever any required passenger transport liability insurance is cancelled by the insurer because the insured fails to pay the premium or breaches insurance terms, the insurer shall provide notice of such cancellation of the insurance to the appropriate authority that has issued the license authorizing the passenger transport business.

Section: 10

The Ministry of Public Works and Transport shall be responsible for regularly inspecting the documents of the owners or operators of passenger transport vehicles, and shall demand valid insurance documents, and shall be responsible for granting of technical certificates and transport licenses to all passenger transport vehicles. The failure on the part of the owners or operators in providing documents of the compulsory insurance shall be grounds for a fine as provided in article 52 of the insurance law and for the suspension or seizure of the licenses authorizing the passenger transport business from the owners or operators of the transport vehicles.

The Ministry of Tourism shall be responsible for regularly inspecting the documents of the owners or operators of tourist transport vehicles, and shall demand valid insurance documents, and shall be responsible for granting tourist licenses, and shall educate the tourist industry about the compulsory tourist transport insurance, and shall ensure that travel agents use only the insured transport vehicle. The failure on the part of the owners or operators in providing documents of the compulsory insurance shall be grounds for a fine as provided in article 52 of the insurance law and for the suspension or seizure of tourist licenses.

The Ministry of Interior shall be responsible for checking all types of vehicles for the required technical certificates, transport licenses and stickers of the compulsory passenger transport insurance.

The Ministry of Economy and Finance shall be responsible for supervising and settling complaints concerning passenger transport insurance claims in a prompt and fair manner.

Section: 11

Any regulation contradicting this inter-ministerial Prakas shall be deemed null and void to the extent of such contradiction.

Section: 12

All relevant authorities or organizations under the jurisdiction to the four Ministries shall respectively and effectively implement this Prakas from the date of its signature.

Deputy Prime Minister,
Senior Minister
Co-Minister of Ministry of
Interior
Signature & Stamp
Sar Kheng, You Hok Kry

Minister
Ministry of Tourism
Signature & Stamp
Veng Sery Vuth

Minister
Ministry of Public Works
and Transport
Signature & Stamp
Khy Taing Lim

Senior Minister, Minister
Ministry of Economy and
Finance
Signature & Stamp
Keat Chhon

CC:

- The Council of Ministers
- The Cabinet of Samdech Prime Minister
- "To be informed"
- All Ministry- State Secretariat
- All Provincial and City halls
- As Section: 10
- "For implementation"
- Archives- Records