

**Kingdom of Cambodia
Nation Religion King**

**Ministry of Commerce
No. 112 MOC/SM 2013**

**Prakas
on
Revision of Certificate of Origin Issuance Procedures**

Senior Minister, Minister of Commerce

- Having seen the Constitution of the Kingdom of Cambodia
- Having seen Royal Decree (Preah Reach Krit) No. NS/RKT/0908/1055 dated 25 September 2008 on Appointment of Royal Government of Cambodia
- Having seen Royal Decree (Preah Reach Krit) No. 02/NS/94 dated 20 July 1994 on Organization and Functioning of Council of Ministers
- Having seen Royal Code (Preah Reach Kram) NS/RKM/0196/16 dated 24 January 1996 promulgating the Law on Establishment of Ministry of Commerce
- Having seen Sub-decree (Anukrit) No. 91 OrNKR.BK dated 01 August 2007 on Organization and Functioning of Ministry of Commerce
- According to the Joint Prakas 985 MoEF dated 28 December 2012 on Public Services Provided by the Ministry of Commerce
- According to the necessity of the Ministry of Commerce

Decides

Article 1

The procedures of Certificate of Origin Issuance for the export of goods from Cambodia to the global market stipulated in the previous Prakas of the Ministry of Commerce shall be updated, aimed at facilitating trade and to be in compliance with the Rules of Origin of the import country.

Article 2

The companies and exporters who intend to export goods from Cambodia must come to register to be eligible for export of goods at the technical department of the Ministry of Commerce according to the regulation in effect. For companies and exporters who intend to export goods other than agricultural products, garment, textile, footwear etc, the application must be accompanied by documents related to the cost breakdown of the export products so that a calculation can be made with regard to product compliance with the Rules of Origin determined by the country granting tariff preferences.

Article 3

Companies and exporters who export goods from Cambodia to the global market, despite under or not under trade preferential system which Cambodia enjoys from the country granting trade preferences, must come to apply for Certificate of Origin at the technical department of the Ministry of Commerce or at the Single Window stationed at the Council for the Development of Cambodia or at the Ministry of Commerce's representative offices stationed at special economic zones across the Kingdom of Cambodia.

Article 4

The procedures of the application for Certificate of Origin shall be set as follows:

1- Export by sea

A- Garment goods, textile products, footwear and other commodities (apparels) such as bag, hat etc.

- Application form for Certificate of Origin by the company
- A copy of cheque proving the payment of administrative fee and Export Management Fee
- A receipt of payment of public service fee
- Invoice
- Packing list
- Bill of Lading
- Joint Inspection Report of the exported textile goods by the General Department of Customs and Excise of Cambodia and General Department of CAMCONTROL
- Cambodia Outward Declaration
- Company's Letter of Authorization of its representative

B- Other products other than garment, textile, footwear and apparels

- Application form for Certificate of Origin by the company
- A copy of cheque proving the payment of administrative fee and Export Management Fee
- A receipt of payment of public service fee
- Invoice
- Packing list
- Bill of Lading
- Cambodia Outward Declaration
- Certificate of Quantities of export goods by CAMCONTROL (CQ)
- Customs Declaration by the General Department of Customs and Excise of Cambodia (CD)
- Company's relevant documents that can prove the origin of the goods
- Export license (for goods required to have export license)
- Company's Letter of Authorization of its representative

C- Goods of small handicraft and agriculture

- Application form for Certificate of Origin by the company
- A copy of cheque proving the payment of administrative fee and Export Management Fee, if required by any regulation
- Invoice

- Packing list
- Bill of Lading
- Cambodia Outward Declaration
- Certificate of Quantities of export goods by CAMCONTROL (CQ)
- Customs Declaration by the General Department of Customs and Excise of Cambodia (CD)
- Company's relevant documents that can prove the origin of the goods (in case of milled rice and agricultural products in which some are sensitive)
- Company's Letter of Authorization of its representative

D- Goods of garment with multi-cam color, green color (dark green color) and army green color

The procedure and documents required for the export and import of this type of goods shall be implemented in accordance with the Prakas of the Ministry of Commerce which is in effect.

2- Export by air

A- Garment goods, textile product, footwear, and other commodities (apparels) such as bag, hat etc.

- Application form for Certificate of Origin by the company
- A copy of cheque proving the payment of administrative fee and Export Management Fee
- A receipt of payment of public service fee
- Invoice
- Packing list
- Company's Letter of Authorization of its representative

After having exported the goods, the following documents must be submitted further:

- Airway Bill
- Joint Inspection Report of the exported textile goods by the General Department of Customs and Excise of Cambodia and General Department of CAMCONTROL
- Cambodia Outward Declaration

B- Goods of small handicraft and agriculture

- Application form for Certificate of Origin by the company
- A copy of cheque proving the payment of administrative fee and Export Management Fee, if required by any regulation
- Invoice
- Packing list
- Company's Letter of Authorization of its representative

After having exported the goods, the following documents must be submitted further:

- Airway Bill

- Joint Inspection Report of the export goods by the General Department of Customs and Excise of Cambodia and General Department of CAMCONTROL
- Cambodia Outward Declaration

3- Garment goods, textile product and product made of leather and other products that are transported by truck across Cambodian border to be shipped later by air in the neighboring country (Land-Air)

- Application form for Certificate of Origin by the company
- A copy of cheque proving the payment of administrative fee and Export Management Fee
- A receipt of payment of public service fee
- Invoice
- Packing list
- Report by production inspection officers and export products required to have at least 50% of the total quantities applied for export (for goods applied for export in a large quantity) and at least 20% for goods applied for export in a small quantity, which the factory can finish the production within only 2 days.
- Company's Letter of Authorization of its representative

Within 30 days at the latest after obtaining the Certificate of Origin, the exporter must submit further the following documents:

- Airway Bill
- Joint Inspection Report of the exported textile goods by the General Department of Customs and Excise of Cambodia and General Department of CAMCONTROL
- Cambodia Outward Declaration

4- Export by truck

A- Garment goods, textile product, footwear and other commodities (apparels) such as bag, hat etc:

- Application form for Certificate of Origin by the company
- A copy of cheque proving the payment of administrative fee and Export Management Fee
- A receipt of payment of public service fee
- Invoice
- Packing list
- Joint Inspection Report of the exported textile goods by the General Department of Customs and Excise of Cambodia and General Department of CAMCONTROL
- Cambodia Outward Declaration
- Company's Letter of Authorization of its representative

B- Goods of small handicraft and agriculture

- Application form for Certificate of Origin by the company
- Invoice
- Packing list
- Bill of Lading
- Cambodia Outward Declaration

After having exported the goods, the following documents must be submitted further:

- Certificate of Quantities of export goods by CAMCONTROL (CQ)
- Customs Declaration by the General Department of Customs and Excise of Cambodia (CD)
- A copy of cheque proving the payment of administrative fee
- Proof document proving the origin of the goods that the company buys (in case of milled rice and agricultural products in which some are sensitive)

Article 5

The total timeframe must be set at the maximum of 16 hours of working hours for the technical department at the Ministry of Commerce, Single Window stationed at the Council for the Development of Cambodia and the Ministry of Commerce's representative offices stationed at special economic zone administration and this timeframe of the process of Certificate of Origin issuance does not include the timeframe for preparing document and formality by the company or legal representative of the company. The total timeframe above is allocated on an actual basis for officers relevant to the production work and can be revised by the Minister of Commerce if necessary and when the automatic system of the issuance of Certificate of Origin is introduced officially.

Article 6

The inspection of the production and export goods must be conducted by technical officers of the Ministry of Commerce at the location of the production, at the place of goods collection or at the goods warehouse at the request of the company or exporter or according to the necessity of the technical department in which:

- For agricultural goods and products processed out of produce: the inspection must be conducted before applying for Certificate of Origin. If necessary, the company or exporter who used to be permitted for export several times already can make a request to the Minister of Commerce for an inspection after applying for Certificate of Origin.
- For garment goods, textile and product made of leather: the inspection must be conducted after applying for Certificate of Origin but not later than 30 days from the day of the issuance of Certificate of Origin.

Article 7

The collection of revenues from the Administrative Fee must be made by cheque at the Accounting Department of the Ministry of Commerce in accordance with the Joint Prakas 985 MoEF dated 28 December 2012 on Public Service Provided by the Ministry of Commerce.

The collection of revenues from Export Management Fee (EMF) must be made in accordance with the Joint Prakas between the Ministry of Commerce and the Ministry of Economy and Finance which is in effect.

Article 8

The payment of public service fee must be made in accordance with the Joint Prakas 985 MoEF dated 28 December 2012 on Public Service Provided by the Ministry of Commerce.

Article 9

The General Department of International Trade has a role as focal point by having the Trade Preferences Department as its aide in checking, searching, verifying and clarifying the accuracy of the Certificate of Origin in case there is any question by the import country. The detailed procedure related to the inspection and preparation of clarification documents will be determined by a separate Prakas of the Ministry of Commerce.

Article 10

The procedures of stock matching between the imported raw materials and the exported goods must be conducted at the Trade Preferences Department in accordance with the Sub-decree 91 OrNKr.BK dated 01 August 2007, Instruction of the Ministry of Commerce 0051 MOC/SM 2011 dated 10 January 2011 and Trade Facilitation Policy of the Royal Government.

Article 11

The exporter must hurry to apply for Certificate of Origin and fulfill the obligation of payment to the national budget not later than 30 days after the goods have been exported, counting from the date recorded in the Joint Inspection Report by the General Department of Customs and Excise of Cambodia and the General Department of CAMCONTROL.

The exporter who is late or fails to fulfill the formality of applying for Certificate of Origin must receive a fine or a temporary suspension of export. The Ministry of Commerce will check the possibility of re-allowing the export when the exporter has fulfilled the formality of applying for Certificate of Origin and has made due payments to the national budget and pay all fines.

Article 12

Any provision contrary to this Prakas shall be abrogated.

Article 13

Cabinet Chief, Secretary of State, Under Secretary of State, Director General, Inspector General, Director of Department, Representative Office of the Ministry of Commerce stationed at the administration of special economic zones across the country, and relevant units shall implement this Prakas in an effective way from the date of signature.

Phnom Penh, 23 May 2013
Senior Minister
Minister of Commerce
(signed and sealed)
Cham Prasidh

CC:

- *General Secretariat of Senate*
- *General Secretariat of National Assembly*
- *Cabinet of Samdech Akka Moha Sena Padei Techo Hun Sen*
- *Office of the Council of Ministers*

Unofficial Translation

- *National Authority of Audit*
- *Anti-Corruption Unit*
- *As in Article 13 “for implementation”*
- *Archives*