The Khmer version is the official version of this document.

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Unofficial Translation

Ministry of Justice
Ministry of Land Management, Urban Planning and Construction
No: 02 PKR.03/ November 26, 2003

JOINT PRAKAS
ON
DETERMINATION OF COMPETENCE OF THE COURT AND CADASTRAL COMMISSION REGARDING LAND DISPUTES

- Referring to the Constitution of the Kingdom of Cambodia
- Referring to Royal Kram No. 02/NS/94 of July 20, 1994 promulgating the Law on the Organization and Functioning of the Council of Ministers,
- Referring to Royal Decree No. /NS/RKT/1198/72 of November 30, 1998 on the Appointment of the Royal Government,
- Referring to Royal Kram No NS/RKM/0196/04 of January 24, 1996 promulgating the law on the establishment of the Ministry of Justice,
- Referring to Royal Kram No. NS/RKM/0699/09 of June 23, 1999 promulgating the Law on the Establishment of the Ministry of Land Management, Urban Planning and Construction
- Referring to Royal Kram No.NS/RKM/0801/14 of August 30, 2001 promulgating the Land Law
- Referring to Sub Decree No 47 ANK/BK of May 31 on the organization and functioning of the Cadastral Commission;
- Pursuant to the needs of the Ministry of Justice and Ministry of Land Management, Urban Planning and Construction;

Decided

Praka 1.
All land disputes shall be divided in according to the following competence:

- Disputes over registered land, means a land with any types of titles issued by cadastral administration, shall be subject to the competence of the court;
- Disputes over unregistered land, means a land without any types of titles issued by cadastral administration, shall be subject to the competence of the Cadastral Commission;

Praka 2.
Upon the date of its signature, all provincial/municipal courts shall cease to accept a petition on unregistered land disputes, which are subject to the competence of the Cadastral Commission.

Praka 3.
All unregistered land dispute petitions, which are subject to the competence of the Cadastral Commission and had been received by the court of all levels before this Prakas has been issued, shall be proceeded by those courts until the final process.

Praka 4.
All contractual disputes over unregistered land such as succession dispute, sale/purchase contract, lease agreement and morgages shall be subject to the competence of the courts.

Praka 5.
Any provisions contrary to this Prakas shall be considered null and void.

Praka 6.
The court of all levels, inspection departments, all departments of the Ministry of Justice, department general of administrative, Cadastral and Geographical General Department, Provincial and Municipal Departments of Land Management, Urban Planning, Construction of the Ministry of Land Management, Urban Planning and Construction and Cadastral Commission of all levels shall effectively implement this Prakas from the date of its signatures.