

KINGDOM OF CAMBODIA

Nation Religion King

Ministry of Economy and Finance
No. 114 MEF. PRK

Phnom Penh, 15 February 2008

PRAKAS

on

Determination of Exempted Goods

**Senior Minister,
Minister of Economy and Finance**

- Having Seen the Constitution of the Kingdom of Cambodia;
- Having Seen Reach Kram N° NS/RKT/0704/124 dated 15 July 2004 on the Appointment of the Royal Government;
- Having Seen Reach Kram N° 02/NS /94 dated 20 July 1994 promulgating the Law on the Establishment and Organization of the Council of Minister;
- Having Seen Reach Kram N° 02/NS/RKM/0196/18 Dated 24 January 1996 promulgating the Law on the Establishment of the Ministry of Economy and Finance;
- Having Seen Reach Kram N° NS/RKM/0707/017 dated 20 July 2007 promulgating the Law on Customs;
- Having Seen Anukret N° 04 ANKR.BK dated 20 January 2000 on the Establishment and Organization of the Ministry of Economy and Finance;
- Pursuant to the priority task of the Ministry of Economy and Finance

HEREBY DECIDES

Praka 1.-

In accordance with the provisions of Article 26 of the Law on Customs, the exemption from customs import duty and taxes are granted for certain goods and to certain qualified importers.

The following goods are exempted from customs duties and taxes:

a. Goods imported by foreign diplomatic or consular missions, international organizations and agencies of technical cooperation of other governments, to use in the

exercise of their official function with the attachment of the certification from the Head of Mission, and the Ministry of Foreign Affairs and International Cooperation;

b. Goods imported for the personal use of the official personnel of missions and organizations as stated in sub-paragraph (a) of this Praka. The implementation of this sub-paragraph and sub-paragraph (a) of this Praka shall be based on existing international law and the principle of reciprocity between governments concerned;

c. Goods originating in Cambodia or goods that have previously been taxed which are outside the customs territory and re-import with no value added;

d. Goods exempted from customs import duties and taxes under the provisions of other laws and regulations of the Kingdom of Cambodia;

e. Goods donated for charity; goods for research and scientific purposes, samples and goods for exhibition with no commercial value; coffins containing human remains;

f. Goods up to a certain value or quantity imported by passengers, crews of conveyances and border crossers as determined by the Director of Customs;

g. Goods in transit or being transshipped through the customs territory;

h. Household goods, personal effects and belongings excluding motorized vehicles, imported by persons changing residence to Cambodia in quantities determined by the Director of Customs;

i. Industrial equipment, and products needed for the operation and maintenance of such equipment, that is used on the continental shelf for the exploration and extraction of hydrocarbons and other mineral and organic substances as approved by the Minister of Economy and Finance;

j. Other goods approved by the Minister of Economy and Finance.

Persons imported goods under the above paragraphs must provide documentary evidence to the customs administration that the goods are qualified for duty and tax exemption.

Organizations and persons wishing to apply for duty and tax exemption for goods imported under paragraphs (a) and (b) above must first obtain authorization from the Ministry of Foreign Affairs and International Cooperation, in accordance with existing procedures.

Persons wishing to import goods under the provisions of the Law on Investment of the Kingdom of Cambodia must follow the existing procedures and related regulations.

Praka 2.-

In accordance with the provisions of Article 27 of the Law on Customs, partial exemption of import duties and taxes is granted for certain goods and to certain qualified importers.

The following goods are partially exempted from customs import duties and taxes:

- a. Goods partially exempted from customs import duties and taxes under the provisions of any existing law;
- b. Seeds and breeding animals for agriculture;
- c. Goods expected to undergo repair, processing or testing;
- d. Goods re-imported in the same state;
- e. Goods imported by the Government for public purposes and goods imported in the form of temporary admission;
- f. Other goods determined by the Minister of Economy and Finance.

Persons who import goods in accordance with this provision shall provide documentary evidence to customs to prove that the goods are qualified for the partial duty exemption.

Praka 3.-

The following conditions shall apply with respect to the provisions and supplies on board of ships:

- Provisions and supplies on board of ships arriving from abroad intended to be consumed by crew and passengers shall not be subject to import duties and taxes as long as they are not offloaded. Customs officers may seal some cabinets and compartments containing such provisions and supplies;
- Provisions and supplies may be offloaded onto the customs territory only after completion of a customs declaration and payment of any duties and taxes;
- Provisions and supplies which are not exceeding basic requirements that are loaded onto ships to foreign destination shall not be subject to export duties and taxes;
- In all cases, the number of crew members and passengers and the quantity and types of supplies and provisions loaded on departing vessels shall be indicated on the shipping order, which shall be approved by the customs officers;
- Quantities of provisions and supplies referred to in this Praka that the customs determine to be excessive shall be subject to duties and taxes;

- Upon the return of a Cambodian ship to a port in the customs territory, the captain shall re-submit the shipping order issued upon departure, and any remaining provisions or supplies shall be unloaded with free of all duties and taxes.

Praka 4.-

The following conditions shall apply with respect to the provisions and supplies on board of aircraft:

- Provisions and supplies not exceeding basic requirements which brought in by aircraft from abroad shall not be subject to import duties and taxes as long as they are not offloaded;

- Provisions and supplies may be offloaded onto the customs territory only after completion of a customs declaration and payment of the duties and taxes;

- Provisions and supplies not exceeding basic requirements that are loaded onto aircraft with a foreign destination shall not be subject to export duties and taxes.

Praka 5.-

Any regulations contradict to this Prakas shall be null and void.

Praka 6.-

Delegate of the Royal Government in charge of Customs and Excise Department, Secretary General, Director of Cabinet, Director of the Department and involved units within the Ministry of Economy and Finance; including personnel and institutions concerned shall carry out the provisions of the s effectively from the signatory date.

Senior Minister,

Minister of Economy and Finance

Signature

Keat Chhon

C.C :

- Ministry of the Royal palace
- Secretariat General of the Senate
- Secretariat General of the National Assembly
- Cabinet of Samdech Akka Moha Sena Padei Techo **Hun Sen** Prime Minister of the Kingdom of Cambodia
- Council of Ministers
 - "To be informed"
- Customs and Excise Department
- As Praka 6
- Cambodia Chamber of Commerce
 - "For publicized cooperation and implementation"
- Official Journal
- Document - Archive