

KINGDOM OF CAMBODIA

National Religion King

Unofficial Translation



Ministry of Economy and Finance
No. 581 MEF



Council for the Development of Cambodia
No. 1276 CDC/CRDB

Inter-Ministerial Prakas

on

**Procedures for the Application to Import Materials, Machineries, Vehicles and Fossil Fuels of
the Grant Aid with Tax and Excise Borne by the Royal Government of Cambodia**



Deputy Prime Minister, Minister of Economy and Finance
First Vice Chairman of the Council for the Development of Cambodia

- Having seen the Constitution of the Kingdom of Cambodia,
- Having seen the Royal Decree N° NS/RKT/0908/1055 dated September 25, 2008 on the formation of the Royal Government of Cambodia,
- Having seen the Royal Kram N° 02/NS/94 dated July 20, 1994 promulgating the law on the Organization and Functioning of the Council of Ministers,
- Having seen the Royal Kram N° NS/RKM/0196/18 dated January 24, 1996 promulgating the law on the formation of the Ministry of Economy and Finance,
- Having seen the Royal Kram N° NS/RKM/0297/03 dated February 24, 1997 promulgating the law on Taxation,
- Having seen the Royal Kram N° NS/RKM/0707/017 dated July 20, 2007 promulgating the law on Customs,
- Having seen the Sub-Decree N° 04 ANK.BK dated January 20, 2000 and related Sub-Decree on the Organization and Functioning of the Ministry of Economy and Finance,
- Having seen the Sub-Decree N° 149 ANK.BK dated October 03, 2008 on the Organization and Functioning of the Council for the Development of Cambodia,
- In pursuant to the needs of work,

DECIDED

Article 1:-

In order to promote efficiency and to expedite the inter-ministerial mechanisms between the Ministry of Economy and Finance and the Council for the Development of Cambodia with regard to the review and examination of applications to import materials, machineries, vehicles and fossil fuels with tax and excise borne by the Royal Government to implement projects in the framework of Grant Aid or serve for functioning in offices of development cooperation agencies, the project implementing agencies

(Ministries and Institutions of the Royal Government of Cambodia and/or Development Partners' agencies, International Organizations and Non-Governmental Organizations) are required to submit documents in advance to the Council for the Development of Cambodia as detailed below:

A. For Development Partners and International Organizations:

1. Framework Agreement between the Royal Government of Cambodia and the concerned Development Partner or International Organization,
2. Financing Agreement or other documents which are of similar form, between the Royal Government of Cambodia and the concerned Development Partner or International Organization,

B. For Non-Governmental Organizations:

1. Official letter from ministries/institutions of the Royal Government of Cambodia that permits the concerned non-governmental organization to operate in Cambodia,
2. Agreement on project implementation and/or Memorandum of Understanding between ministries/institutions of the Royal Government and the concerned non-governmental organization,

Article 2:-

For each specific request to import materials, machineries, vehicles and fossil fuels, the project implementing agency shall submit other relevant documents, in addition to those highlighted in Article 1 above, to the Council for the Development of Cambodia as follows:

1. Request letter from the head or authorized representative of the project implementing agency,
2. Project document and/or other documents pertaining to the project for which the respective materials, machineries, vehicles and fossil fuels are required,
3. Work Plan and Annual Budget, showing source of funds for project implementation or a master list of required machineries, materials, vehicles and fossil fuels to be imported with tax and excise borne by the Royal Government,
4. Annual progress report of the project implementation for the most recently-completed year,
5. List of vehicles and machineries that were previously permitted for import and their current status/condition,
6. Documents pertaining to importation which include:
 - Invoice
 - Packing list
 - Bill of lading

In respect of the occasional humanitarian aid, a certificate of donation is additionally required to accompany the importation documents stated in point 6 above.

Article 3:-

For the import of vehicles to implement the project of a Development Partner and/or International Organization or for serving in the office of the development cooperation agencies in the framework of Grant Aid, and for which the tax and excise is to be borne by the Royal Government, the Royal Government permits the import of vehicles which are equipped with standard specifications as originally fixed by the United Nations Office for Project Services (UNOPS). In case the specification is

above those that were originally fixed, the applicant is required to provide appropriate justification in order to further request the approval of the Minister of Economy and Finance.

Article 4-:

The request by a Non-Governmental Organization to import a vehicle with tax and excise borne by the Royal Government to implement projects or to serve for functioning in its office is required to request for principal approval from the Council for the Development of Cambodia in advance to placing a purchase order. For the request for principal approval, the individual organization is required to enclose with the request letter a pro-forma invoice that details the prospective vehicle's specifications. The Royal Government shall not permit the importation of luxurious sedan vehicles (code: 8703) or vehicles having a value of more than US\$ 30,000. In case the luxurious sedan vehicle (code: 8703) or vehicle with a value of more than US\$ 30,000 is to be requested for import, the applicant is required to provide appropriate reasons in order to further request for the approval of the Minister of Economy and Finance.

Article 5-:

The materials, machineries, vehicles and fossil fuels imported with tax and excise borne by the Royal Government are not permitted to be sold, transferred for use at other places or by other agencies other than the agency to whom it was permitted. Disposal cannot take place without permission of customs' administrative arrangement.

Article 6-:

To ensure effectiveness in granting permission to import materials, machineries, motor vehicles and fossil fuels with tax and excise borne by the Royal Government and to follow up the progress of the project implementation, officials mandated to officiate on the mechanism of the Inter-Ministerial Meeting between the Ministry of Economy and Finance and the Council for the Development of Cambodia will be permitted to inspect activities related to project implementation at the project site, if necessary.

Article 7-:

All regulations contradictory to this Inter-Ministerial Prakas are abrogated.

Article 8-:

The General Secretariat of the Ministry of Economy and Finance, the General Department of Customs and Excise of Cambodia, the General Department of Taxation, the Council for the Development of Cambodia, Ministries and Implementing Agencies, Development Partners, International Organizations and Non-Governmental Organizations shall be responsible to fully adhere to and implement this Inter-ministerial Prakas in line with their mandates from the date of signature.

Phnom Penh, 10 June, 2013

- CC: - Office of the Council of Ministers
 - Ministry of Foreign Affairs and International Cooperation
 - Ministry of Economy and Finance
 - Council for the Development of Cambodia
 - Cabinet of Samdech Akeak Moha Sena Padey Techo HUN SEN,
 Prime Minister of the Kingdom of Cambodia
 - Article 8 for implementation
 - Royal Gazette
 - Archives

SIGNED AND SEALED

KEAT CHHON, M.P.
 Deputy Prime Minister
 Minister of Economy and Finance
 First Vice Chairman of the Council for the
 Development of Cambodia