

APPENDIX VII: PUBLIC SERVICES RELATING TO TRADE, INVESTMENT AND SME

The Council for Administrative Reform of the Royal Government of Cambodia published in November 2009, with the support from gtz, Danida, French Embassy, JICA and World Bank, a booklet called “Category 4 (Part I) of *Compendium of Information on Public Services*” which aims to provide all public service users with an easy access to reliable and relevant information on public services.

This booklet contains information specifying the service providers, purposes of services, legal basis, eligibility criteria, service standards, documents required to access services and fees to be paid, in the fields of trade, investment and SME. The public services contained in this booklet include the followings.

1. Ministry of Commerce

- Certificate of Commercial Registration
- Trade Marks Registration
- Export Registration Certificate under Trade Preference System and Certificate of Origin
- Certificate of Origin for Export to Asia and Oceanic Continents
- Filing of Notification Letter of the Insured Operation
- Services related to:
 - Exported/imported goods inspection service
 - Certification of exported goods as required by applicant to meet requirements of the imported country
 - Trade Fair Coordination
 - Filing the Articles of Association
 - Provide the Business Management Certificate
 - Provide Consultation on Business Transaction, and others

2. Ministry of Industry, Mines and Energy

- Declaration on the Establishment of Factories
- Declaration of Operating Production, Small Industry and Handicraft
- Patent of Invention, Utility Model Certificate and Registration of Industrial Design
- License for the Production and Supply Business
- Certificate of Target and Standard for Chemical Use
- Permission for Investing in Generating-Transmitting and/or Distributing Electricity
- Certificate of Mineral Resources Registration
- License for Open Mining Hole and Quarry, and others

3. Ministry of Land Management, Urban Planning and Construction

- Business Operation Certificate
- Construction Permit

4. Ministry of Tourism

- Tourism License for Resort Service
- Tourism License for Road Transport Tourist Service
- Tourism License for Restaurant Service, and others

5. Ministry of Environment

- Environment Protection Contract
- Permit for Waste Disposal or Exportation of Solid Waste or Hazardous Waste
- Permit for Emission of Toxic Substance and Noise Disturbance from Stationary Source into the Atmosphere
- Permit of Discharging of Waste Water
- Approval Letter on Environmental Impact Assessment (EIA) Report
- Approval Letter of Environmental Protection Contract, and others

6. Ministry of Public Works and Transport

- License for Cargo and Passenger Transportation Business
- License for Goods and Passenger Transport Business Operation, and others

7. Ministry of Agriculture, Forestry and Fisheries

- Trade Permit for Agricultural Material (AMs)
- Agricultural Materials (AMs) Registration Certificate
- Import Permit of Agricultural Material
- Licensing of Cambodian Specified Rubber (CSR) Trademark
- Registration of rubber processing factories or local laboratories, and others

8. Ministry of Education, Youth and Sports

- License for Establishment of Educational Institution, and others

9. Council for the Development of Cambodia

- Registration of Qualified Investment Projects
- Checking the Import Request of Production Equipments, Construction Materials and Production Inputs Enough to Make Eligible the QIP

As an example of contents of the booklet, the description of service relating to “Certificate of Commercial Register” is shown below.

Name of Service	Certificate of Commercial Register
Purpose of Service	<ul style="list-style-type: none"> i. Provide legal entity for commercial enterprises by issuing the Certificate of Commercial Register ii. Hold commercial registers and manage data and names of commercial companies/enterprises iii. Register business and manage the capacity of commercial companies-enterprise
Legal Basis	<ul style="list-style-type: none"> - Royal Kram No. NS/RKM/0695/04 dated 26 June 1995, promulgating the Law on Commercial Rules and Commercial Register - Royal Kram No. NS/RKM/1199/12 dated 18 November 1995, promulgating the Law on Amendment of the Law on Commercial Rules and Commercial Register - Royal Kram No. NS/RKM/0605/019 dated 19 June 2005, promulgating the Law on Commercial Enterprises - Prakas No.098 MOC/SM2008 dated 7 April 2008 on Registration in the Commercial Register of Ministry of Commerce - Prakas No.104 MOC/SM2008 dated 7 April 2008 on Completion of Annual Declaration of Commercial Companies of Ministry of Commerce - Prakas No.099 MOC/SM2008 dated 7 April 2008 on Formalities and Procedures for the Change of the Commercial Articles and Associations of Ministry of Commerce - Inter-Ministerial Prakas No.639 SHV.BrK.CMB dated 7 April 2007 on the Administration Fee for Commercial Registration of Ministry of Commerce and Ministry of Economy and Finance - Notification No.0551 MOC/SM 2008 dated 12 March 2008 o the Contact Formalities and Period for Registration with the Department of Commercial Registration of Ministry of Commerce - Notification No.0849 MOC/SM 2008 dated 8 April 2008 on Exchange of Certificate of Commercial Register with the new forms and Completion of Annual Declaration of Commercial Company of Ministry of Commerce - Notification No.0844 MOC/SM 2008 dated 7 April 2008 on Deposit of Business Company's Capital in the Bank of Ministry of Commerce
Eligibility Criteria	Physical persons or legal entities that operate a business and regard it as their personal jobs permanently
Service Standards	<ul style="list-style-type: none"> - Providing commercial registration service takes place in accordance with the Law on Commercial Rules and Commercial Register and Law on

	<p>Commercial Enterprises and with formalities of commercial registration of countries in the world. For example, review of the company/enterprise's nomenclature that applies for registration and refusal to register any nomenclature identical or similar to the registered nomenclature, etc.</p> <ul style="list-style-type: none"> - In general, commercial registration takes between 3 and 5 days, if documents involving application for commercial registration are completed as required. - Administration fees for commercial registration are set as follows: <table border="1" data-bbox="491 647 1331 846"> <thead> <tr> <th></th> <th>Commercial company</th> <th>Individual enterprises/ businessmen taxable on profit</th> </tr> </thead> <tbody> <tr> <td>Application for registration</td> <td>420,000 Riels</td> <td>120,000 Riels</td> </tr> <tr> <td>Cancellation</td> <td>200,000 Riels</td> <td>60,000 Riels</td> </tr> <tr> <td>Other certificates</td> <td>60,000 Riels</td> <td>20,000 Riels</td> </tr> </tbody> </table>		Commercial company	Individual enterprises/ businessmen taxable on profit	Application for registration	420,000 Riels	120,000 Riels	Cancellation	200,000 Riels	60,000 Riels	Other certificates	60,000 Riels	20,000 Riels
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<p>Required Documentations</p>	<ol style="list-style-type: none"> 1. Enterprises <ul style="list-style-type: none"> - Registration form: 3 copies - Identification card or passports of proprietors: 3 copies - 4 x 6 photos of proprietors: 3 copies 2. Companies <ul style="list-style-type: none"> - Registration form: 3 copies - Identification card or passports of shareholders and managing officers: 3 copies - 4 x 6 photos of shareholders and managing officers: 3 copies - Bank statement (4 million Riels): 1 copy (Original) - Articles of association: 3 copies 												
<p>Comments</p>	<p>All businesspeople and commercial companies having their establishments, branches, representative offices, affiliates or other agents in the Kingdom of Cambodia must be hurried to register them in the commercial register at the Department of Commercial Register of Ministry of Commerce according to the law into force. In case of failures to do so, a penalty provided for in the law shall be applied.</p>												