

LEGAL ALERT

Cambodia
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Revised Application Procedures to Export and New Registration Requirement for Exporters

On 28 December 2018, the Ministry of Economic and Finance (“MEF”) and the Ministry of Commerce (“MOC”) issued an Inter-Ministerial Prakas (Proclamation) No. 1627 on the Revision of Procedures for the Application to Exported Goods to Foreign Countries, changing the procedures set under the previous Inter-Ministerial Prakas on Revision of Procedures in Fulfilling Formalities for the Export of Goods dated 29 November 2013. Under another new notification No. 4648 issued by the MOC on 31 December 2018, the MOC invites exporters to register in the Registration of Exporter System-REX (“RES”) starting from 1 January 2019.

Joint Prakas No. 1627 on the Revision of Procedure for Application to the Export of Goods to Foreign Countries

The new Prakas aims to facilitate the export of goods to foreign countries, providing additional requirements and conditions as follows:

- **Export to Foreign Countries Which Do Not Require Certificate of Country of Origin (“C/O”)**
For the export of products to foreign countries that do not require a C/O, the companies or exporters who wish to export goods from Cambodia, whether within or outside the preferential treatment schemes are not required to file an application requesting for a C/O.

[New Requirement](#)

A letter of notice shall be sent to the MOC (in the form as attached in Annex I of this Prakas) through the MOC’s online portal at <https://co.moc.gov.kh/> within 30 (thirty) days from the exported date.

- **Export to Foreign Countries Which Require a C/O**
If a C/O is required, the companies or exporters shall:
 - File the request to obtain a C/O at the MOC or at the MOC’s representative offices located in special economic zones; and
 - Pay the official fees as provided in the Joint Prakas No. 1217 dated 27 November 2017 and Prakas No. 3198 dated 26 August 2016 from the MOC on the Procedure of the Application and Issuance of Certificate of Origin through Online Application.
- **Companies or Exporters Under Preferential Treatment Schemes**
Companies or exporters, exporting under preferential treatment schemes (including the Everything But Arms Scheme (“EBA”) and the General System of Preferences (“GSP”)) shall register in the RES in the European Union (“EU”) in order to obtain legal status (“Statement of Origin”) in replacement of a C/O in accordance with Provision no. (EU) 2015/2447 dated 25 November 2015 and Provision no. (EU) 2017/989 dated 8 June 2017 of the European Commission with the following requirements and conditions:
 - [Conditions](#)
 - Having production base or registered address in the Kingdom of Cambodia;
 - Exported goods must fully comply with the C/O regulations of Europe, Norway, Switzerland, and Turkey;
 - Have sufficient knowledge and ability to use information technology systems;
 - Not under insolvency procedure; and
 - Not under invigilation or black listed by the competent authorities.



Application Request

In order to request for registration in the RES system, companies and exporters shall file the application attached with the following documents:

- Application Form as attached in Annex II of this Joint-Prakas or from the MOC or available in the MOC's website at moc.gov.kh;
- Certificate of Incorporation with the MOC, Registered Certificate of Exported rights under preferential treatment, and Copy of Patent Certificate; and
- List of original cost of the exported goods or documents evidencing the origin of the exported goods.

Duration

- Companies or exporters, which have been or intend to export goods to the EU, Norway, Switzerland, and Turkey shall file the registration in RES no later than 30 June 2020.
- Companies or exporters which had just initiated the operation of production or exported goods later than the mentioned deadline may still register even after the mentioned deadline.

On 31 December 2018, the MOC issued a notification instructing companies and exporters who wish to export all type of goods to the EU under the GSP to file the application for RES with the MOC in order to obtain legal exporting status (Statement of Origin) in replacement of C/O Form A, starting from 1 January 2019 onwards.

If you have any questions or require any additional information, please contact [Piseth Panha](#) and [Seangly Linna](#) or the ZICO Law partner you usually deal with.

This alert is for general information only and is not a substitute for legal advice.



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