

**Kingdom of Cambodia
Nation Religion King**

**Ministry of Commerce
No. 3198 MoC**

**Prakas
On
Procedure for Application for and Issuance of All Forms of Certificate of Origin via
Automation System**

Minister of Commerce

- Having seen the Constitution of the Kingdom of Cambodia
- Having seen Royal Code NS/RKT/0913/903 dated 24 September 2013 on Appointment of the Royal Government of the Kingdom of Cambodia
- Having seen Royal Code 02/NS//94 dated 20 July 1994 promulgating the Law on Organization and Functioning of the Council of Ministers
- Having seen Royal Code NS/RKM/0196/16 dated 24 January 1994 promulgating the Law on Establishment of Ministry of Commerce
- Having seen Sub-decree 131 OrNkr.BK dated 19 March 2014 on Organization and Functioning of Ministry of Commerce
- Having seen Regulation 04 BB dated 15 November 2006 on Strengthening of Non-Tax Revenues of the Royal Government
- Having seen Prakas 112 MOC/SM 2013 dated 23 May 2013 on Adjustment to the Procedures of Issuance of Certificate of Origin
- Having seen Inter-ministerial Prakas 233 MOC dated 29 November 2013 on Adjustment to the Procedures for fulfilling the formality for export to overseas
- Having seen Joint Prakas 1643 MoEF dated 16 December 2014 on Amendment to the Public Service Fees of the Annex Table of Joint Prakas 985 MoEF.BrK dated 28 December 2012 on Public Service of the Ministry of Commerce
- Having seen Prakas 161 MOC dated 30 May 2014 on Pilot Introduction of Application for Certificate of Origin via automation system
- According to the necessity of the Ministry of Commerce

Decide

Article 1

The formality of applying for and issuing all forms of certificate of origin (CO) via the automation system shall be introduced for the purpose of facilitating trade and fulfilling the requirements of the rules of origin of import countries.

Article 2

The producer or exporter who has registered to use the automation system for applying for Certificate of Origin Form “A” can apply for all forms of certificate of origin [or] annex instead of certificate of origin or annex that does not require the issuance of certificate of origin.

The producer or exporter who has not registered to use the automation system for applying for Certificate of Origin Form “A” and wishes to apply for other forms of certificates of origin [or] annex instead of certificate of origin or annex that does not require the issuance of certificate of origin shall register to use the automation system via www.co.moc.gov.kh of the

Ministry of Commerce by entering the required information and documents into the automation system as follows:

- Company name and address
- Certificate of business registration and company extract (scanned from the original)
- Certificate of Generalized System of Preferences registration (scanned from the original)
- List of exported items
- Cost Breakdown or reference documents as required by the rules of origin
- Authorization letter from the company director or managing director for registering or signing the application form and the certificate of origin (scanned from the original)
- Identify card or passport of the person who authorizes and the person who is authorized and 1 photo 4 x 6 (scanned from the original)
- Other documents as required by the law (scanned from the original)

Article 3:

The producer or exporter who has registered to use the automation system can apply for all forms of certificate of origin or annex instead of certificate of origin via automation system and shall attach the following original documents:

- Invoice
- Packing List
- Cost Breakdown or reference documents as required by the rules of origin
- Report of the technical officers of the Ministry of Commerce on inspection of export goods with multi-cam color, green color (dark green color and army green color); Land-Air goods or report of initial goods examination
- Other documents as required by the import country in compliance with the rule of origin.

In case the producer or exporter who has exported goods is not required to apply for the certificate of origin, they need to fill out the annex in the automation system and attach the following documents:

- Invoice
- Packing List

After receiving approval, the producer or exporter shall attach the bill of lading and joint inspection report on exported textile goods of the General Department of Customs and Excise and the Cambodia Import-Export Inspection and Fraud Repression Directorate General (Camcontrol) when taking the annex to be filed at the Ministry of Commerce.

Article 4:

When applying for the certificate of origin via automation system, the producer or exporter shall pay the public service fee via bank electronic system based on the joint Prakas 1643 MoEF dated 16 December 2014 between the Ministry of Commerce and Ministry of Economy and Finance and other relevant regulations. The receipt of the payment stating the amount of money paid into the account of the Ministry of Commerce shall be printed or kept properly as evidence that the payment has been made.

The payment of public service via bank electronic system shall be in Riel. In case some public services are in US dollar, it shall be changed to Riel based on the daily exachnagne rate of the National Bank of Cambodia.

Article 5

After receiving approval from the Ministry of Commerce via automation system, the producer or exporter shall print the certificate of origin of all forms or annex instead of the certificate of origin and bring it to the Export-Import Department of the Ministry of Commerce to be submitted to the leaders of the Ministry of Commerce for signature.

In case the producer or exporter cannot print the certificate of origin of all forms or annex instead of the certificate of origin on their own, they can request the Export-Import Department of the Ministry of Commerce to print it.

In case the producer or exporter cannot print the certificate of origin on their own, they shall fulfill the formality to ask for the Blank Form from the Export-Import Department of the Ministry of Commerce and shall make a report on the use to the Export-Import Department of the Ministry of Commerce in the first week of the following month.

Article 6:

The producer or exporter shall send the original documents as set below to the Export-Import Department of the Ministry of Commerce for verification and to be filed within 30 days after the Ministry of Commerce has issued the certificate of origin:

For garment goods, textile and footwear products and other products:

- The certificate of origin of all forms or annex instead of the certificate of origin (copy)
- Invoice
- Packing List
- Bill of Lading
- Joint inspection report of the General Department of Customs and Excise and the Cambodia Import-Export Inspection and Fraud Repression Directorate General (Camcontrol)

For handicraft, agricultural, fishery products and other products:

- The certificate of origin of all forms or annex instead of certificate of origin (copy)
- Invoice
- Packing List
- Bill of Lading
- Certificate of Quantity or inspection report of Camcontrol or customs declaration of the General Department of Customs and Excise (CD) or official documents certifying that the goods are exported from Cambodia.
- Relevant documents of the company that can prove the origin of the goods such as local Sale-Purchase Agreement etc.
- Export license (copy) for goods that are legally required to have an export license

Article 7

The maximum total time frame for issuing the certificate of origin of all forms shall be 11 hours and 55 minutes of working hours based on Annex 1 of the Joint Prakas 1643 MoEF dated 16 December 2014 between the Ministry of Commerce and Ministry of Economy and Finance or new time frame stipulated in the regulations that will be amended.

Article 8

The producer or exporter shall enter the data of imported raw materials and locally produced raw materials into the automation system by attaching the following documents:

For imported raw materials:

- Invoice with customs stamp (scanned from the original)
- Packing list with customs stamp (scanned from the original)
- Bill of lading with customs stamp (scanned from the original)

- Inspection report of Camcontrol (scanned from the original)
- Customs permit and customs declaration of the General Department of Customs and Excise (scanned from the original)
- Certificate of origin of the raw materials (scanned from the original)

For locally produced raw materials:

- Letter requesting the implementation of the Sale-Purchase Agreement of the raw materials (scanned from the original)
- Sale-Purchase Agreement of the raw materials (scanned from the original)
- Report of the technical officers of the Ministry of Commerce on inspection of production line of the supplying factory (scanned from the original)
- Invoice and packing list (scanned from the original)

The producer or exporter shall send the above original documents to the Export-Import Department of the Ministry of Commerce within 30 days counting from the date of the certificate of origin [or] annex instead of certificate of origin or annex that does not require the issuance of the certificate of origin to verify the proportion between the imported raw materials or the locally produced raw materials and the quantities of exported goods for inspection.

The producer or exporter shall send a report on the standard of the use of raw materials and the certificate of origin [or] annex instead of the certificate of origin or annex that does not require the issuance of certificate of origin (copy) that use those raw materials within 30 days after each export.

Article 9

The inspection of the production line and export products to ensure compliance with the rules of origin shall be carried out at the production location and the goods warehouse not exceeding 30 (thirty) days after receiving the certificate of origin of all forms [or] annex instead of the certificate of origin or annex that does not require the issuance of certificate of origin.

The inspection of the agricultural products and processed agricultural products shall be carried out two times per year except that the goods are irregular or need to be verified for compliance with the rules of origin.

Inventory counting of raw materials in the factory shall be carried out by the officers of the Ministry of Commerce two times per year (in the first six month and in the second six months) or can carry out an inspection for verification immediately when there is any irregularity.

Article 10

In case the process of the automation system is interrupted by technical matters or results from act of God, the producer or exporter can apply for the certificate of all forms [or] annex instead of the certificate of origin or annex that does not require the issuance of certificate of origin outside the automation system.

Article 11

The officer in charge shall inspect and verify the reference documents to ensure accuracy as required and approve the documents applying for the certificate of origin of all forms [or] annex instead of the certificate of origin or annex that does not require the issuance of the certificate of origin for the producer or exporter as per the time frame.

The officer in charge shall inspect and verify the original documents that are sent by the producer and exporter after the export.

Article 12

The producer or exporter shall hurry to apply for the annex that does not require the issuance of the certificate of origin via automation system and fulfill the obligation of payments for the national revenue no later than 30 days.

In case the producer or exporter is late, fails or commit any fraud in the process of fulfilling the obligation of payments for the national revenue, a 2% (percent) fine shall be imposed per month on export management fee (EMF) that must be paid or implement the regulation that will be amended as stipulated in regulation 04 dated 15 November 2006 on Strengthening of the Management of Non-tax Revenues of the Royal Government.

In case the producer or exporter is late or fails to send the documents to the Ministry of Commerce as stipulated in Article 6 and Article 8 above, the Ministry of Commerce will temporarily or permanently suspend the issuance of the certificate of origin.

In case the producer or export sends incorrect documents or fake documents, the Ministry of Commerce will take action in accordance with the law.

Article 13

Any provision contrary to this Prakas shall be abrogated.

Article 14

Director of cabinet, Director General, General Inspector, Department Directors, representative of the Ministry of Commerce at the administration of special economic zones and heads of relevant units under the supervision of the Ministry of Commerce shall implement this Prakas from the date of signature.

Phnom Penh, 26 August 2016

Minister of Commerce

(signed and stamped)

Pan Sorasak

CC:

- General Secretariat of the Senate
- General Secretariat of the National Assembly
- Office of the Council of Ministers
- Cabinet of Samdech Akka Moha Sena Padei Techo **Hun Sen**, Prime Minister
- Cabinet of Samdech Kralahom Deputy Prime Minister **Sar Kheng**
- Cabinet of H.E Standby Deputy Prime Minister
- Ministry of Economy and Finance
- National Audit Authority
- Relevant ministries and institutions
- Anti-Corruption Unit
- Camcontrol
- All municipal and provincial administrations
- Cambodia Chamber of Commerce
- Cambodia Rice Federation
- Garment Manufacturers Association in Cambodia
- “**for information**”
- As in Article 14 “**for implementation**”
- Archives

