

Unofficial English Translation

**Kingdom of Cambodia
Nation Religion King**

Ministry of Commerce

Number: 299 PN CBP PrK

Phnom Penh 29 December 2015

**Prakas
On
Business Registration through Automated System**

**Senior Minister
Minister of Commerce**

Pursuant to:

- The Constitution of the Kingdom of Cambodia
- Royal Decree number NS/RKT/0913/903, dated 24th of September 2013, on the appointment of the Royal Government of the Kingdom of Cambodia;
- Royal *Kram* number NS/RKM/0196/16, dated 24th of January 1996 that promulgated the Law on the Establishment of Ministry of Commerce;
- Royal *Kram* number NS/RKM/0695/04, dated 26th of June 1995 that promulgated the Law on Commercial Rules and Commercial Registration;
- Royal Decree number NS/RKM/1199/12, dated 18th of November 1999 that promulgated the Law on the Amendment of Commercial Rules and Commercial Registration;
- Royal *Kram* number NS/RKM/0605/19, dated 19th of June 2005 that promulgated the Law on Commercial Enterprise;
- Sub-decree number 131 ANKr BK, dated 19th of March 2014 on the Organization and Functioning of the Ministry of Commerce;
- Prakas number 191 PN ChBPPrK, dated 11th of July 2014 on the Organization and Functioning of the Department of Business Registration;
- The necessity of the Ministry of Commerce's objective in implementing business registration to facilitate investment and trade by reducing paperwork.

Decision

Article 1:

Every businessman and trade companies that have established their headquarters, branches, representative offices, affiliates or agents based in the Kingdom of Cambodia are obligated to register their business through the Ministry of Commerce's **automated business registration system** from anywhere via this Website: www.businessregistration.moc.gov.kh

Article 2:

Founder, administrator or owner of the company must fill in all necessary information and requirements in the form on the automated system. The information provided by the founder, administrator or owner of the company and relevant documents required by the Ministry of Commerce shall be uploaded in the automated system in electronic forms. In an event that the founder, administrator or owner of the company is unable to enter the information and documents in the automated system by themselves, they can visit the Ministry and request its business registration staff to do it on their behalf.

Article 3:

Documents needed for registration to be entered in the automated system are:

a) For company registration

1. Documents containing address, which can be electricity bill, water bill, house or building rent agreement, bank statement, etc.

2. Company statute
3. Photos 4x6
4. Identity card or passport of the company's owner and administrator
5. Honest declaration by the administrator to have no previous conviction in any commercial, civic or criminal case, and that he/she is currently not a civil servant bound by the Statutes of Civil Servants of the Kingdom of Cambodia
6. In the case where the company's owner is a legal person:
 - a certified copy of the original legal documents proving the company's registration
 - the original copy of letter appointing a legal person as the representative issued by the owner of the company
7. The company must provide two (02) copies of the original version of its statute, accompanied by a statement of bank deposit, to the Department of Business Registration within 30 days starting from the date a business registration certificate is issued. During this period, if the Department of Business Registration does not receive the original copy of the statute from the applicant, Ministry of Commerce reserves its right to reject the company's registration and delete it altogether from its database.

b) Registration of branch or representative office

1. Documents containing address, which can be electricity bill, water bill, house or building rent agreement, bank statement, etc.
2. A certified copy of the original legal documents proving the company's registration
3. Company's statement of decision establishing a branch or representative office and appointing an administrator of the branch or representative office
4. Identity card or passport of the administrator of the branch or representative office
5. Photos 4x6
6. Honest declaration by the administrator to have no previous conviction in any commercial, civic or criminal case, and that he/she is currently not a civil servant bound by the Statutes of Civil Servants of the Kingdom of Cambodia

c) Registration of company with co-ownership

1. Documents containing address, which can be electricity bill, water bill, house or building rent agreement, bank statement, etc.
2. Agreement establishing the company
3. Photos 4x6
4. Identity card or passport of the company's owners and administrator
5. Honest declaration by the administrator to have no previous conviction in any commercial, civic or criminal case, and that he/she is currently not a civil servant bound by the Statutes of Civil Servants of the Kingdom of Cambodia
6. In the case where the company's owners are legal persons:
 - a certified copy of the original legal documents proving the company's registration
 - the original copy of letter appointing the legal person as the representative issued by the owners of the company
7. The company must provide two (02) copies of the original version of its statute, accompanied by a statement of bank deposit, to the Department of Business Registration within 30 days starting from the date a business registration certificate is issued. During this period, if the Department of Business Registration does not receive the original copy of the statute from the applicant, Ministry of Commerce reserves its right to reject the company's registration and delete it altogether from its database.

d) Registration of single-owner enterprise

1. Documents containing address, which can be electricity bill, water bill, house or building rent agreement, bank statement, etc.

2. Identity card or passport of the enterprise's owner
3. The owner's photos 4x6
4. Honest declaration by the administrator to have no previous conviction in any commercial, civic or criminal case, and that he/she is currently not a civil servant bound by the Statutes of Civil Servants of the Kingdom of Cambodia

Article 4:

Founder, administrator or owner of the company must guarantee that the information and documents they provide and fill in the electronic form in the automated registration system of the Ministry of Commerce are truthful and not fraudulent. In an event the Ministry's registration officers find the information and documents to be untruthful or fraudulent, the Ministry will take action in conformity with Article 26 of the Law on Commercial Rules and Commercial Registration and the Law on the Amendment of Commercial Rules and Commercial Registration. In this regard the founder, administrator or owner of the company must be held responsible in accordance with Article 42 (new) and Article 43 of the Law on Commercial Rules and Commercial Registration and the Law on the Amendment of Commercial Rules and Commercial Registration, and other relevant laws still in force.

Article 5:

All transactions of service fees destined for the state budget will be made through electronic banking system as already determined by the provisions in the joint Prakas number 1643 SHV PrK dated 16th of December 2014 between the Ministry of Commerce and Ministry of Economy and Finance or other legal means that are still in force or to be amended. Company shall keep a receipt of payment issued by the automated system to serve as proof that the transaction has already been made. In an event where founder, administrator or owner of the company physically visit the Department of Business Registration to ask its registration officer for assistance in filling out the registration form on their behalf, the transaction of the service fee must be directly made at the cashier of public service fees at the Ministry of Commerce.

Article 6:

Any statement that contradicts this Prakas will be considered null and void.

Article 7:

Chief of Cabinet, Director-General, Inspector-General, Director of Department, Heads of Municipal/Provincial Departments of Commerce, and heads of other units under the Ministry of Commerce must implement this Prakas according to their respective duties from this date of 4 January 2016 onward.

Senior Minister
Minister of Commerce
[Signed and Sealed]
Sun Chanthol

Distribution:

- General Secretariat of the Senate
- General Secretariat of the National Assembly
- Office of the Council of Ministers
- Cabinet of SamdechAka MohaSenaPadeiTecho Hun Sen, Prime Minister
- Cabinet of H.E KeatChhon, Deputy Prime Minister
- Ministry of Economy and Finance
- National Audit Authority
- Relevant ministries
- Anti-Corruption Unit
- General Department of Camcontrol
- General Department of Custom Excise and Duty
- All municipal and provincial administrations
- Cambodian Chambers of Commerce
- Garment Manufacturers Association of Cambodia "for information"
- As in Article 8 for implementation
- Archive-Chronology