

[Unofficial Translation]
Ministerial Decree
On
Pre-Arrival Processing Procedure

Deputy Prime Minister
Minister of Economy and Finance

- Noting the Constitution of the Kingdom of Cambodia
- Noting the Royal Decree No. NS/RKM/0823/1981 dated 22 August 2023 on the appointment of the Royal Government of the Kingdom of Cambodia
- Noting the Royal Decree No. NS/RKM/0618/012 dated 28 June 2018 which promulgates the Law on the Organization and Functioning of the Council of Ministers
- Noting the Royal Decree No. NS/RKM/0196/18 dated January 24, 1996, which promulgates the Law on the Establishment of the Ministry of Economy and Finance
- Noting the Royal Decree No. NS/RKM/0707/017, dated July 20, 2007, promulgating the Law on Customs
- Noting the Royal Decree No. NS/RKM/1119/017 dated November 2, 2019, promulgating the Law on Electronic Commerce
- Noting Royal Decree No. NS/RKM/0904/002 dated 09 September 2004, promulgating the Law on the Accession Protocol of the Kingdom of Cambodia to the World Trade Organization
- See Royal Decree No. NS/RKAM/ 0116/001 dated 14 January 2016 promulgating the Law on the Approval of the Protocol for the Amendment of the Marrakesh Agreement on the Establishment of the World Trade Organization Agreement, adding the Trade Facilitation Agreement in Annex 1A of the Marrakesh Agreement
- Noting the Sub-Decree No. 43, dated 28 February 2022 on the Organization and Functioning of the Ministry of Economy and Finance
- Noting the Sub-Decree No. 116 dated 5 June 2022 on the Upgrading of 2 Customs and Excise Branches to Departments Under the Supervision of the General Department of Customs and Excise of the Ministry of Economy and Finance

- Noting the Ministerial No. 163 MEF.PrK.GDCE dated 24 March 2023 on the Organization and Functioning of Sub-Departments under the General Department of Customs and Excise of the Ministry of Economy and Finance
- At the request of the General Department of Customs and Excise of Cambodia

Decides

Article 1.-

This Ministerial Decree sets out the rules and procedures for electronic cargo declaration and pre-arrival processing.

Article 2.-

This Ministerial Decree applies to imports and transits through all means of conveyance.

Article 3.-

The key terms used in this Ministerial Decree are defined as follows:

- **Conveyance** refers to maritime vessels, airplanes or other means of transportation used to transport human or cargo.
- **Shipping documents** refer to documents in paper or electronic form that detail the shipments that have taken place or are about to take place. Shipping documents include the cargo manifest, waybill and/or other documents in similar form that can be verified by Customs.
- **Cargo Manifest** refers to a list of transported goods via maritime vessels, airplanes or rail of each specific journey.
- **Waybill** refers to master bill and/or house bill.
- **Master bill (master bill of lading, master air waybill)** refers to cross-border cargo shipping documents specifying the information of a specific shipment or consolidated package issued by the carrier to the freight forwarder or NVOCC after agreeing to deliver the goods to a specific place in accordance with the terms of delivery.
- **House bill (house bill of lading, house air waybill)** refers to cross-border cargo shipping documents specifying specific shipping information issued by the freight forwarder, express courier, or NVOCC following agreement to deliver the goods from the consignor to the consignee at a designated place. House bills can be issued by

the carrier in case the owner of the goods receives delivery services directly from the carrier.

- **Container Status Message (CSM)** refers to information on the movement status of the container, whether the container is stuffed or empty.
- **Carrier** refers to persons who operate and have the ownership rights over the conveyance, also including persons who have the management rights and operate through a lease, as well as express couriers.
- **Non-Vessel-Operating Common Carrier (NVOCC)** refers to persons who receive management rights and operate vessels through a lease.
- **Freight forwarder** refers to persons who provide freight forwarding services on behalf of their customers such as consolidating, storing, compacting, arranging goods for delivery by any means of transportation, and/or preparing documents for export or import.
- **Express courier** refers to persons who provides goods delivery or forwarding services as express delivery.
- **Agent** refers to persons who are qualified and are authorized to act as a representative of persons with obligations to declare cargo.
- **Actual date of arrival** refers to the date as stipulated in Article 9 of this Ministerial Decree.
- **Pre-Arrival SAD** refers to customs declarations lodged before the arrival of the goods and can be checked by Customs.

Article 4.-

Imported and transited cargo are subject to declarations in electronic form to the customs administration prior to arrival.

Article 5.-

Shipping documents to be provided to the Customs Administration for the cargo declaration include the cargo manifest, master bill, house bill, and/or other documents in similar form which describe the cargo and conveyance that will enter the customs territory of the Kingdom of Cambodia.

Persons responsible for submitting cargo declaration may transmit these data directly from their electronic system to the electronic system of the Customs Administration (System to System) or enter the data directly into the system designated by the General Department of Customs and Excise of Cambodia if they do not have their own electronic system.

The methods and technical specifications for submitting cargo declaration in electronic form shall be prescribed by the General Department of Customs and Excise of Cambodia.

Article 6.-

Persons with the obligation to submit cargo declarations to the Customs Administration include:

- Carriers are obliged to electronically declare cargo with data on the cargo manifest, waybill and/or other documents in similar form, including container status messages.
- Freight forwarders and NVOCCs are obliged to electronically declare cargo with data on the master bill (if any), house bill and/or other documents in similar form.
- Express couriers are obliged to electronically declare cargo with data on the cargo manifest (if any), waybill and/or other documents in similar form.
- Other operators as determined by the General Department of Customs and Excise of Cambodia.

Persons declaring cargo may appoint an agent to declare on their behalf but retain the responsibility over the accuracy of such cargo declarations.

The General Department of Customs and Excise of Cambodia may determine the conditions and qualifications of persons who may be eligible to act as agents.

Article 7.-

The relevant person who are obliged to submit the cargo declaration as stipulated in Article 6 of this Ministerial Decree shall provide the shipping documents in electronic form for the purpose of risk assessment within the following timeframe:

A. Maritime Transportation

- For containerized cargo, shall submit no later than 24 (twenty-four) hours before the goods are loaded on the conveyance at the last port of departure.
- For bulk cargo, non-containerized cargo, and liquid cargo, shall submit no later than 24 (twenty-four) hours before the goods arrive at the port of the Kingdom of Cambodia.

B. Air Transportation

- Must report before the aircraft leaves the foreign airport of departure.

C. Land Transportation

- For goods transported by truck, shall submit no later than 1 (one) hour before arrival at the border of the Kingdom of Cambodia.
- For goods transported by train, shall submit no later than 2 (two) hours before arrival at the border of the Kingdom of Cambodia.

Article 8.-

Persons who submit the cargo declaration may make corrections, additions, or deletions of information and/or data before the goods arrive at the customs territory of the Kingdom of Cambodia. The latest information and data of the cargo declaration shall be considered official upon arrival of the goods. Corrections, additions, deletions of information and/or data prior to arrival of the goods are not subject to penalties.

Persons who submit the cargo declaration shall inform the Customs Administration of the arrival or non-arrival of the cargo or conveyance to the customs territory of the Kingdom of Cambodia.

Article 9.-

The actual date of arrival of the goods shall be determined as follows:

- For maritime transport, shall be determined by the date of completion of the ship formalities.
- For air transport, shall be determined by the date of entry into the temporary customs storage.
- For land transport, shall be determined by the date of arrival at the border of the Kingdom of Cambodia.

Article 10.-

Once the cargo declaration is sufficient, the declarant/importer can submit a pre-arrival SAD, accompanied by supporting documents through electronic means in accordance with the prevailing regulations.

Once the goods arrive, the “pre-arrival SAD” will be automatically registered as a “Customs Declaration”, which is subject to continued processing in accordance with the prevailing regulations and procedures for customs declarations.

Article 11.-

Detailed procedures for submitting cargo declarations and pre-arrival SADs shall be determined by the General Department of Customs and Excise of Cambodia.

Article 12.-

Carriers, freight forwarders, NVOCCs, express couriers and other relevant persons obliged to submit the cargo declaration that fail to comply with the provisions of Article 6, Article 7 and/or violate any of the provisions of this Ministerial Decree shall be subject to administrative fines and/or other penalties in accordance with the prevailing relevant regulations.

Article 13.-

Any provisions contrary to this Ministerial Decree shall be considered repealed.

Article 14.-

The Cabinet of the Minister, the Secretary-General, the Director General, the Inspector General and all the heads of the relevant units under supervision of the Ministry of Economy and Finance and the relevant parties shall be responsible for the implementation of this Ministerial Decree according to their respective duties from the date of signing onward.

Phnom Penh, 27 October 2023

Deputy Prime Minister

Minister of Economy and Finance

[Signature]

Dr. Aun Pornmonirath

CC:

- Office of the Council of Ministers
- Cabinet of Samdech Moha Borvor Thibdei Prime Minister
- Cabinet of Excellencies the Deputy Prime Ministers
- Municipal – Provincial Office
- Chamber of Commerce of Cambodia

- As stated in Article 14 "For implementation"
- Royal Gazettes
- Records-Archives