



Version 1.0 | 14 December 2020

Based on the Timber Legality Risk Assessment, V1.0 from November 2020

Cambodia List of Applicable Legislation

Timber



LIFE - Support EUTR II - LIFE18 GIE/DK/000763

V4 | Voices for
MF | Mekong Forests

This publication has been developed with support from the LIFE programme of the European Union and Voices for Mekong Forests



COUNTRY SPECIFIC
TOOLS



Preferred by Nature has adopted an “open source” policy to share what we develop to advance sustainability. This work is published under the [Creative Commons Attribution Share-Alike 3.0 license](#). Permission is hereby granted, free of charge, to any person obtaining a copy of this document, to deal in the document without restriction, including without limitation the rights to use, copy, modify, merge, publish, and/or distribute copies of the document, subject to the following conditions: The above copyright notice and this permission notice shall be included in all copies or substantial portions of the document. We would appreciate receiving a copy of any modified version.

The European Commission support for the production of this publication does not constitute endorsement of the contents which reflects the views inly of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

Overview of Legal Categories



Legal Rights to Harvest

03



Third Parties' Rights

10



Taxes and Fees

07



Trade and Transport

11



Timber Harvesting Activities

08



Traceability

N/A



Legal Rights to Harvest

Legal Category	Applicable legislation and regulations	Links to legislation	Legal Authority
1.1. Land tenure and management rights	Forest Law (2002). Article 2, 10-11, 15, 37, 106. Chapter 9.	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Land Law (2002) Article 8, 30-31,34-35, 43, 52, 56, 58, 88-89, 98, 116, 259.	LINK	Ministry of Land Management, Urban Planning and Construction
	Protected Areas Law (2008). Chapter 6.	LINK	The General Department of Administration for Nature Conservation and Protection, Ministry of Environment
	Sub-decree no. 46 on the Procedures to Establish Cadastral Index Map and Land Register	LINK	The General Department of Cadastre and Geography, Ministry of Land Management, Urban Planning and Construction
	Sub-decree 53 on Procedure Establishment Classification and Registration of Permanent Forest Estate	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Sub-decree 79 on Community Forestry Management 2003	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries

Sub-decree 5 on Forest Concession Management 2000	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
Declaration of the Government on Land Policy (RGC 2009)	LINK	The Council for Land Policy, Government of Cambodia
National Forest Programme (2010–2029)	LINK	Ministry of Agriculture, Forestry and Fisheries
Sub-decree on the Organization and Functioning of the Ministry of Agriculture, Forestry and Fisheries (April 2000)	LINK	Ministry of Agriculture, Forestry and Fisheries
Instruction no. 20 on the implementation of the Royal Government Directive no. 1	No hyperlink	Council for Land Policy
Sub-decree no. 146 on Economic Land Concessions (2005).	LINK	Provincial-Municipal State Land Management Committee
Order 01BB on Measures for Strengthening and Increasing the Effectiveness of the Management of Economic Land Concessions	No hyperlink	Provincial-Municipal State Land Management Committee
Sub-decree no. 19 on Social Land Concessions (2003)	LINK	The Commune Council, Provincial/Municipal Land Use and Allocation Committee National Social Land Concession Committee
Circular Related to Illegal Occupation of State Land in 2007	LINK	Authority of State Land Occupation
National Strategic Development Plan: 2014–2018	LINK	Ministry of Planning
Sub-decree 52 on the Organization and Functioning of the Council for Development of Cambodia (CDC)	LINK	Council for Development of Cambodia
Law on Investment in the Kingdom of Cambodia (1994)	LINK	Council for Development of Cambodia

	The Law on Commercial Enterprise (2005)	LINK	Ministry of Commerce
	Sub-decree 129 on Rules and Procedures on Reclassification of State Public Properties and Public Entities	LINK	The State Property Management Authority, Government of Cambodia
	Prakas on Guideline on Community Forestry (2006)	No hyperlink	Ministry of Agriculture, Forestry and Fisheries
	Law on the Administration of Factories and Handicrafts	LINK	Ministry of Industry and Handicraft
	Prakas no. 607 on Procedures and Formalities for Establishment of Factory and Handicraft	LINK	Ministry of Industry and Handicraft
	Sub-decree no. 26 on Rules for Granting User Rights to Plant Trees within State Forest Lands (March 2008)	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Zoning Guidelines for the Protected Areas in Cambodia, Chapter 8	LINK	Ministry of Environment
1.2. Concession licenses	Forest Law (2002). Chapter 5	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Land Law (2002) Article 59, 61,	LINK	Ministry of Land Management, Urban Planning and Construction
	Sub-decree 5 on Forest Concession Management 2000 Chapter 2.	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Instruction no. 20 on the implementation of the Royal Government Directive no. 1: 26	NA	Council for Land Policy
	Sub-decree no. 146 on Economic Land Concessions (2005). Article 4, 6, 10, 37, 39, 42. Chapter 2.	LINK	Provincial-Municipal State Land Management Committee
	Order 01BB on Measures for Strengthening and Increasing the Effectiveness of the Management of Economic Land Concessions	No hyperlink	Provincial-Municipal State Land Management Committee
	Sub-decree no. 19 on Social Land Concessions (2003). Article 3, 17-18.	LINK	The Commune Council,

			Provincial/Municipal Land Use and Allocation Committee, National Social Land Concession Committee
	Circular Related to Illegal Occupation of State Land in 2007	LINK	Authority of State Land Occupation
	National Strategic Development Plan: 2014–2018	LINK	Ministry of Planning
	Sub-decree no. 26 on Rules for Granting User Rights to Plant Trees within State Forest Lands (March 2008)	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Sub-decree 79 on Community Forestry Management 2003. Article 25, 27.	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
1.3. Management and harvesting planning	Forest Law (2002). Article 9, 21	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	The Cambodian Code of Practice for Forest Harvesting (1999)	No hyperlink	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Forest Concession Management Planning Manual	No hyperlink	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Sub-decree 79 on Community Forestry Management 2003. Article 30	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Sub-decree 146 on Economic Land Concessions (2005). Article 16, 24, 25	LINK	Provincial-Municipal State Land Management Committee
1.4. Harvesting permits	Forest Law (2002). Article 20, 24-25, 31, 33, 35, 37, 74	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Sub-decree 79 on Community Forestry Management 2003	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries



Taxes and Fees

Legal Category	Applicable legislation and regulations	Links to legislation	Legal Authority
1.5. Payment of royalties and harvesting fees	Forest Law (2002). Chapter 11, Article 52, 58	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Sub-decree 79 on Community Forestry Management 2003. Article 12-13	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Prakas no. 089 on royalty classes: MAFF (2005) Forbidding to Harvest Timber and NTFP	No hyperlink	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Joint Prakas between MAFF and MEF on rate of royalties of different timber qualities	No hyperlink	Ministry of Agriculture, Forestry and Fisheries Ministry of Economy and Finance
1.6. Value added taxes and other sales taxes	Forest Law (2002). Article 73	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Customs Law (2007)	LINK	General Department of Custom and Excise of Cambodia
	Law of Taxation (1997)	LINK	Ministry of Economy and Finance
	Sub-decree 131 (2006) on Forest and NTFP allow for export and import	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
1.7. Income and profit taxes	Sub-decree on patent on selling goods	No hyperlink	Ministry of Economy and Finance
	Law of Taxation (1997)	LINK	Ministry of Economy and Finance
	Prakas on The Profit Tax (2004)	LINK	General Department of Taxation, Ministry of Economy and Finance



Timber Harvesting Activities

Legal Category	Applicable legislation and regulations	Links to legislation	Legal Authority
1.8. Timber harvesting regulations	Forest Law (2002). Article 31, 32, 36, 38, 70	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	The Cambodian Code of Practice for Forest Harvesting (1999)	No hyperlink	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Sub-decree using and management forest (2008)	No hyperlink	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Sub-decree 5 on Forest Concession Management (2000)	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Sub-decree 79 on Community Forestry Management 2003. Article 12	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
1.9. Protected sites and species	Protected Areas Law (2008)	LINK	The General Department of Administration for Nature Conservation and Protection, Ministry of Environment
	Decision no. 050 dated 12 August 1986 on classification of wood qualities and allowable minimum Diameter at Breast Height (in cm) cutting	No hyperlink	The General Department of Administration for Nature Conservation and Protection
	Directive on the Measure of Prevention, Obstruction and Suppression from Transportation, Collection, Stocking	No hyperlink	Ministry of Environment

	and Export of Rosewood (<i>Dalbergia cochinchinensis</i>), Order no. 2BB, 22		
	Inter-Ministerial Proclamation on Strengthening Management of Economic Land Concessions. no.177 Bror Kor.Kor Sor Kor, issue by the Ministry of Agriculture, Forestry and Fisheries, and the Ministry of Environment, 14th May 2014. Royal Government of Cambodia.	LINK	Ministry of Environment
	Sub-decree 131 (2006) on Forest and NFTP allow for export and import. Article 2	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
1.10 Environmental requirements	Forest Law (2002). Chapter 1, article 4. Chapter 5, article 19, 35.	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Sub-decree 72 on Environmental Impact Assessment Process, Annex, article 6, 8.	LINK	Ministry of Environment
	Law on Environmental Protection and Natural Resource Management	LINK	Ministry of Environment
	The Cambodian Code of Practice for Forest Harvesting (1999)	No hyperlink	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
1.11. Health and safety	Labour Law (1997) Chapter 8, Health and Safety of Workers. Article 230, 238.	LINK	Ministry of Labour and Vocational Training
	Law on social security schemes for persons defined by the provisions of the Labour Law (2002)	LINK	Ministry of Labour and Vocational Training
	Prakas 220 on Determination of Contribution Rate and Formality of Paying Contributions for the Health Care Scheme	LINK	Ministry of Labour and Vocational Training
	Prakas 037 on the Establishment of a Single Labour Inspector Team.	LINK	Ministry of Labour and Vocational Training
	Sub-decree 16 concerning the Establishment of National Social Security Fund	LINK	Ministry of Labour and Vocational Training
	Prakas 109 on Health Care Benefits	LINK	Ministry of Labour and Vocational Training

	The Cambodian Code of Practice for Forest Harvesting (1999). Pages 50-61	No hyperlink	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Sub-decree 01 concerning the Establishment of Social Security Scheme on Health Care for Persons Defined by the Provisions of the Labour Law	LINK	Ministry of Labour and Vocational Training
1.12. Legal employment	The Civil Code of Cambodia (2008)	LINK	Ministry of Labour and Vocational Training
	Labour Law (1997)	LINK	Ministry of Labour and Vocational Training
	Law on Trade Unions (2016)	LINK	Ministry of Labour and Vocational Training
	Decree 38 on Contract and Other Liabilities, 1988	No hyperlink	Ministry of Labour and Vocational Training



Third Parties' Rights

Legal Category	Applicable legislation and regulations	Links to legislation	Legal Authority
1.13. Customary rights	Forest Law (2002). Article 15, Chapter 9, article 31, 40-47.	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Environmental Code Book 1, table 2 Book 2 table 3	LINK	Ministry of Environment
	Sub-decree 79 on Community Forestry Management 2003. Article 12	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Prakas No. 219 on Community Forestry Guideline	No hyperlink	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Sub-decree no. 146 on Economic Land Concessions (2005). Article 4	LINK	Provincial-Municipal State Land Management Committee

	Sub-decree 83 on Procedures of Registration of land of Indigenous Communities (2009)	LINK	Ministry of Agriculture, Forestry and Fisheries
	Protected Areas Law (2008). Article 22, 24, 26, 38.	LINK	The General Department of Administration for Nature Conservation and Protection, Ministry of Environment
1.14. Free prior and informed consent	Not applicable. No legislation in place on Free, Prior and informed consent.		
1.15. Indigenous peoples' rights	Not applicable. No legislation in place on Indigenous peoples' rights.		



Trade and Transport

Legal Category	Applicable legislation and regulations	Links to legislation	Legal Authority
1.16. Classification of species, quantities, qualities	Forest Law (2002). Article 29, 54	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Customs Law (2007)	LINK	General Department of Custom and Excise of Cambodia
1.17. Trade and transport	Forest Law (2002). Chapter 13, article 68.	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Customs Law (2007)	LINK	General Department of Custom and Excise of Cambodia

1.18. Offshore trading and transfer pricing	Customs Law (2007)	LINK	General Department of Custom and Excise of Cambodia
	Prakas 986	LINK	Ministry of Economy and Finance
1.19. Custom regulations	Forest Law (2002). Article 72, 73	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Customs Law (2007)	LINK	General Department of Custom and Excise of Cambodia
	Sub-decree 131 (2006) on Forest and NFTP allow for export and import. Article 1, 2, 3, 11.	LINK	Forestry Administration, Ministry of Agriculture, Forestry and Fisheries
	Sub-decree no. 209 on the Enforcement of the list of prohibited and restricted goods	LINK	General Department of Customs and Excise, Ministry of Finance and Economy
1.20. CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (1973)	LINK	The World Conservation Union
	Sub-decree 53 on International Trade and Endangered Animal and Plant Species (2006)	No hyperlink	Ministry of Agriculture, Forestry and Fisheries
	Promulgation of the Law on Adoption of the Convention on International Trade in Endangered Species of Wild Fauna and Flora	No hyperlink	Ministry of Agriculture, Forestry and Fisheries
1.21. Legislation requiring due diligence/due care procedures	Not applicable. There is no legislation on place related to due diligence/due care procedures.		

About Supporting Legal Timber Trade

Supporting Legal Timber Trade is a joint initiative run by Preferred by Nature with the aim of supporting timber-related companies in Europe with knowledge, tools and training in the requirements of the EU Timber Regulation. Knowing your timber's origin is not only good for the forests, but good for business. The joint initiative is funded by the LIFE programme of the European Union.



Preferred by Nature (formerly known as NEPCon) is an international non-profit organisation working to support better land management and business practices that benefit people, nature and the climate. We do this through a unique combination of sustainability certification services, projects supporting awareness raising, and capacity building.

Preferred by Nature | www.preferredbynature.org | info@preferredbynature.org