

Kingdom of Cambodia
Nation Religion King

Royal Government
No. 64/ANK/BK

Anukret
on
Determining and Operating of the Checkpoints at International Gates,
International Border, Bilateral International Gates, Border Area and
Seaport throughout the Kingdom of Cambodia

Royal Government

Referring to the Constitution of the Kingdom of Cambodia;

Referring to Preach Reach Kret No NS/RKT/1198/72 of November 30, 1998 on the Formation of the Royal Government of Cambodia;

Referring to Preach Reach Kram No 02/SN/94 of July 20, 1994 promulgating the Law on the Organization and Functioning of the Council of Ministers;

Referring to Anukret No 07 ANK of September 18, 1993 on the Organization and Functioning of the Ministry of Interior;

Referring to Anukret No 04 ANK of January 20, 2000 on the Organization and Functioning of the Ministry of Economy and Finances;

Referring to Anukret No 54 ANK/BK of September 22, 1997 on the Organization and Functioning of the Ministry of Commerce;

Referring to Anukret No 14 ANK/BK of March 03, 1998 on the Organization and Functioning of the Ministry of Public Works and Transports;

Pursuant to the proposal of the Minister in Charge of the Office of the Council of Ministers,

IT IS HEREBY DECIDED

CHAPTER 1
GENERAL PROVISION

ARTICLE 1

The purpose of this Anukret is to determine and operate checkpoints at international gates, international borders, bilateral gates, border areas and seaport, and to control all inbound and outbound activities of passengers, transports and all merchandises transportation into the Kingdom of Cambodia in order to secure safety, stability, social order and to protect welfare for people in the country and also to preserve state revenues.

CHAPTER 2
DEFINITIONS

ARTICLE 2

All checkpoints at international gates are posts where joint units control the movements of passengers, transports and all merchandises inbound and outbound of international airports and seaports in the country as determined in Article 7 of Chapter 3 of this Anukret.

ARTICLE 3

All checkpoints at international border are posts where joint units control the movement of passengers, transports and all merchandises inbound and outbound of international borders located along the border lines as determined in Article 8 of Chapter 3 of this Anukret.

ARTICLE 4:

All checkpoints at bilateral border are post in which joint units control the movement of passengers, transports and all merchandises inbound and outbound of bilateral borders located along the border lines as determined in Article 9 of Chapter 3 of this Anukret according to the bilateral agreement between the neighboring countries with the Kingdom of Cambodia.

ARTICLE 5:

All checkpoints at borders areas are post in which joint units control the movement of passengers, who are permanent resident of that areas, transports and all merchandises inbound and outbound of border gates located along the border lines according to the agreement between the neighboring countries with the Kingdom of Cambodia as determined in Article 10 of Chapter 3 of this Anukret.

ARTICLE 6:

All checkpoints at sea port is post which joint units control over the movement of inbound and outbound activities of seaport and passengers, who are the citizen of neighboring countries, means of transports and all merchandises at seaport located in the country as determined in Article 11 of Chapter 3 of this Anukret.

**CHAPTER 3
DETERMINATION OF CHECKPOINT AT INTERNATIONAL GATES**

ARTICLE 7:

The following areas shall be considered as checkpoints at international gates:

Phnom Penh:	Pochentong International Airport and Phnom Penh International Port.
Sihanoukville	Sihanoukville International Seaport.
Siem Reap	Siem Reap Airport.

ARTICLE 8:

The following areas shall be considered as checkpoints at international borders:

Svay Rieng	Bavet
Kandal and Prey Veng Province	Khaom Sam Nor – Koh Rokar
Takeo	Phnom Din
Koh Kok	Cham Yeam
Bantean Meanchey	Poy Pet
Stoeung Treng	Dong Kralar.

ARTICLE 9:

The following areas shall be considered as checkpoint at bilateral border gates:

Rattanakiri	Or Yada
Mondulkiri	Dak Dam
Phreah Vihear	Prasat Preah Vihear
Kratie	Snoul
Kompong Cham	Trapaing Plong
Kampot	Prek Chak
Svay Rieng	Prey Vor

ARTICLE 10:

The following areas shall be considered as checkpoints at border areas:

Mondulkiri	Lapakhe
Kratie	Chey Klaing and Trapaing Sre
Kompong Cham	Chan Moul Da nig Chom Kravien
Prey Veng	Peam Montear and Kos Sampoeuv
Svay Rieng	Samrong Bosmonn and Sre Baraing
Kandal	Chrey Thom-Khnar Taing You
Takeo	Bak Day and Kompong Krasaing
Kompot	Ton Hon
Posat	Phnom Roesussey, Spean Chey Chomnas and Gate No 56
Bantean Meanchey	Boeung Trakoun and Melay
Odar Meanchey	Or Smach, Chom Roeus Ngam and Preah Pralay
Preah Vihear	An Ses

Battambang	Phnom Chy, Gate 400, Gate 203, Pheam Kear, Svay Chek and Or Rom Douk
Pailin city	border gate

ARTICLE 11:

The following areas shall be considered as checkpoints at seaports:

Kompot	Kos Ses, Trapaing Lpoeuv and provincial town.
Kep city	Kep city
Sihanoukville	Tonoup Rolok and Steoung Hav.
Koh Kok	Bak Klap, Thmor Sar, Sre Ambil and Kos Sdech.

CHAPTER 4

GEOGRAPHICAL DETERMINATION OF CHECKPOINT AT INTERNATIONAL GATES

ARTICLE 12:

Location of checkpoints at all gates shall be considered within the jurisdiction of competent agencies of each checkpoints to conduct checking activities.

Size and location of every checkpoints at each gate shall be determined by a Joint Prakas of the Minister of Economy and Finances, Minister of Commerce and Ministers of Interior.

Regarding to the checkpoint at Pochentong and Siem Reap international airports, that Joint Prakas shall be determined in collaboration with the Minister in charge of the office of the Council of Ministers.

Regarding to the checkpoint at Phnom Penh and Sihanoukville international ports, that Joint Prakas shall be determined in collaboration with the Minister of Public Works and Transports.

In case that the border sub-commission of the Ministry of National Defense was also involved, then that Joint Prakas shall be done in collaboration with the Minister of National Defense.

Size of actual location of the checkpoints at international, bilateral international and border area gates, shall be determined by a Joint Prakas of the Ministers of Economy and Finances, Commerce, Interior and Public Works and Transports upon the approval of the Joint Committee in charge of border affairs.

CHAPTER 5

COMPOSITIONS

ARTICLE 13:

The composition for checkpoints at international gates shall be as follows:

a. Pochentong International Airport:

1. Official of the Civil Aviation Authority of State Secretariat of Civil Aviation	Chairman and Assistant	2 persons
2. National Police Chief, Alien Department—Ministry of Interior	Vice-Chairman and staffs	45 -
3. Custom and Excise officials—Ministry of Economy and Finance	Members and staffs	63 -
4. CAMCONTROL officials—Ministry of Commerce	Members and staffs	15 -

b. Phnom Penh International Port :

1. Officials of Phnom Penh International Port—Ministry of Public Works and Transport	Chairman and staffs	3 persons
2. National Police officials, Alien Department-Ministry of Interior	Vice-Chairman and staffs	29 -
3. Custom and Excise officials—Ministry of Economy and Finance	Members and staffs	30 -
4. CAMCONTROL officials—Ministry of Commerce	Members and staffs	14 -
5. KAMSAB officials—Ministry of Public Works and Transport.	Members and staffs	2 -

c. Preah Sihanoukville International Seaport gate:

1. Officials of Sihanoukville International Seaport—Ministry of	Chairman and	3 persons
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	Public Works and Transport	staffs	
2.	National Policemen, Alien Department—Ministry of Interior	Vice-Chairman and staffs	49 -
3.	Custom and Excise officials—Ministry of Economy and Finance	Members and staffs	47 -
4.	CAMCONTROL officials—Ministry of Commerce	Members and staffs	29 -
5.	CAMSAB officials—Ministry of Public Works and Transport	Members and staffs	2 -
d. Seam Reap Airport:			
1.	Officials of the Civil Aviation Authority—State Secretariat of Civil Aviation	Chairman and staffs	2 persons
2.	National Police Chief, Alien Department—Ministry of Interior	Vice-Chairman and staffs	29 -
3.	Custom and Excise officials—Ministry of Economy and Finances	Members and staffs	10 -
4.	CAMCONTROL officials—Ministry of Commerce	Members and staffs	3 -
Article 14:			
For checkpoints at the international borders:			
a. Poy Pet :			
1.	Governor of Banteay Meanchey or representative	Chairman	1 person
2.	National Police Chief, Alien Department—Ministry of Interior	Vice-Chairman and staffs	39 -
3.	Custom and Excise officials—Ministry of Economy and Finances	Members and staffs	36 -
4.	CAMCONTROL officials—Ministry of Commerce	Members and staffs	11 -
b. Bavet :			
1.	Governor of Svay Rieng or representative	Chairman	1 person
2.	National Police Chief, Alien Department—Ministry of Interior	Vice-Chairman and staffs	39 -
3.	Custom and Excise officials—Ministry of Economy and Finances	Members and staffs	24 -
4.	CAMCONTROL officials—Ministry of Commerce	Members and staffs	9 -
c. Phnom Din :			
1.	Governor of Takeo or representative	Chairman	1 person
2.	National Police Chief, Alien Department—Ministry of Interior	Vice-Chairman and staffs	39 -
3.	Custom and Excise officials—Ministry of Economy and Finances.	Members and staffs	15 -
4.	CAMCONTROL officials—Ministry of Commerce	Members and staffs	8 -
d. Cham Yeam :			
1.	Governor of Koh Kong or representative	Chairman	1 person
2.	National Police Chief, Alien Department—Ministry of Interior	Vice-Chairman and staffs	39 -
3.	Custom and Excise officials—Ministry of Economy and Finances	Members and staffs	12 -
4.	CAMCONTROL officials—Ministry of Commerce	Members and staffs	6 -
e. Kh'orm Samnor—Koh Roka :			
1.	Governor of Kandal or representative	Chairman	1 person
2.	National Police Chief, Alien Department—Ministry of Interior	Vice-Chairman and staffs	39 -
3.	Custom and Excise officials—Ministry of Economy and	Members and	

Finances	staffs	24 -
4. CAMCONTROL officials—Ministry of Commerce	Members and staffs	9 -

f. Dong KraLor :

1. Governor of Stung Treng or representative	Chairman	1 person
2. National Police Chief, Alien Department—Ministry of Interior	Vice-Chairman and staffs	24 -
3. Custom and Excise officials—Ministry of Economy and Finances	Members and staffs	15 -
4. CAMCONTROL officials—Ministry of Commerce	Members and staffs	6 -

Article 15:

For checkpoints at bilateral gates:

1. Administrative official whose rank is equal to the Chief of his/her interested Provincial/Municipal hall	Chairman	1 person
2. National Police Chiefs, Alien Department of their interested Provincial/Municipal Police Station.	Vice-Chairman and staffs	24 -
3. Custom and Excise officials—Ministry of Economy and Finances	Members and staffs	3 to 29
4. CAMCONTROL officials—Ministry of Commerce	Members and staffs	7 -

There is another checkpoint at Preah Vihear temple gateway:

1. Administrative officials whose rank is equal to the Chief of Preah Vihear Provincial hall.	Chairman and staffs	3 persons
2. National Police Chief, Alien Department of their provincial/municipal police station	Vice-Chairman and staffs	24 -
3. Officials of the Ministry of Tourism	Members and staffs	12 -

Article 16:

For checkpoints at border areas:

1. Administrative official whose rank is equal to the Chief of his/her interested Provincial/Municipal hall.	Chairman	1 person
2. National Police Chief, Police Department in charge of ground border defending.	Vice-Chairman and staffs	24 -
3. Custom and Excise officials—Ministry of Economy and Finances	Members and staffs	4 to 37
4. CAMCONTROL officials—Ministry of Commerce	Members and staffs	9 -

Article 17:

For checkpoints at seaport gates:

1. Administrative official whose rank is equal to the Chief of his/her Provincial/Municipal hall.	Chairman	1 person
2. National Police Chief, Alien Department—Provincial/Municipal Police Station	Vice-Chairman and staffs	24 -
3. Custom and Excise officials—Ministry of Economy and Finances	Members and staffs	12 -
4. CAMCONTROL officials—Ministry of Commerce	Members and staffs	5 -

There is other checkpoint at Koh Ses (Horse Island):

Chiefs of the National Police and Naval Department.	Vice-Chairman
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Chapter 6: Duties and Obligations

Article 18:

Chief of the checkpoints shall have the following duties and obligations:

- To preside over the meetings organized by the checkpoints;
- To administer and maintain all the works and public order during the meeting;
- To call for meetings at least once a month in which all competent representatives shall be attended;
- To directly administer all units under his/her jurisdiction to properly process in compliance with the Constitutional, laws, Anukret, Prakas, regulations, rules and internal regulations of the checkpoint;
- To protect sovereign and territory;
- To protect security, safety, and social order;
- To facilitate all works in checkpoints to be coherent;
- To perform and prepare a report about the activities of checkpoint, of police forces, competent officials to their Ministries/Institutions in case that any officials or unit violates the rules;
- To works in collaboration with concerned authorities in the country and neighboring countries as well to ensure that the agreements and laws of each country have been complied with;
- To direct and inspect the construction and renovation of checkpoints and shall also maintain it in good conditions according to national architect, to promote the **prosperity** of the Kingdom of Cambodia with effective in collaboration with local authorities and concerned institutions in order to prevent any difficulties for passengers.
- To ensure there is only common checkpoint;
- To submit monthly, quarterly, semester, 9-month, and annual reports to the Cabinet of the Council of Ministers and ministries/institutions through the governors.

Article 19:

Police officers at gateways shall have the following duties and obligations:

- To check both inbound and outbound activities of Khmer and foreigners passengers ;
- To check any movement of inbound and outbound of transports and merchandises into the Kingdom of Cambodia in order to search and immediately crackdown any illegal pass, trafficking of human beings, women and children, any movement of falsified currencies, drug, antiquities, transportation and sale of illegal weapon and explosives, and other crimes in order to protect security, and social order;
- To check and maintain the borderline located in each geographical gate;
- To take actions to ensure the security, social order at all gates and shall, if necessary, collaborate and request for intervention from the concerned provincial administration;
- However, the National Police, Alien Department, who work at the Phnom Penh International Port shall provide companion to any vessel from the **central point of** the river to the port.

Article 20:

Custom and Excise official shall have the following duties and obligations:

- To control and collect taxes, duties and any other charges on all goods, means of transports, import-export included passengers baggage, post package, currencies, metal or precious stone and other items as listed in the **Custom Tariff** of the Kingdom of Cambodia according to existing procedures, laws and regulations.
- To certify the custom declaration and if any offense was found , the custom official shall prepare report and detain or temporary confiscate those offended things while pending the decision of competent institutions.
- If deem necessary, custom and excise officials shall collaborate with other the concerned authorities or institutions while searching for any custom offenses .

Article 21:

CAMCONTROL officials shall have the following duties and obligations:

- To control the quantity, weight, quality, condition of goods to be imported-exported and to issue certificates confirming the abovementioned facts.
- To prevent and seize the import-exported goods which are bad or defected and crackdown all falsifications;

- To collect charges and fees generated from the inspection of import-export goods and those amount shall be paid into the State budget.

Article 22:

Officials of the Ministry of Public Works and Transport shall have the following duties and obligations:

- To inspect and facilitate all merchant ship and tourism boats to dock at Preah Sihanoukville and Phnom Penh International Ports;
- To inspect, record and regularly report on number of ships, baggage to be transited, damage or loss of inbound and outbound goods to be imported and exported from the Kingdom of Cambodia; and
- To facilitate the process of providing companion inbound and outbound of any ships to dock at international ports.

Article 23:

- Mobile custom and excise team under jurisdiction of the Department of Custom and Excise shall have duties and obligations to search and crack down all illegal activities into the country.
- This team may detain any means of transport in case of prima facie of smuggling into the country following the obtained information and authorization provided by the Department of Custom and Excise for every factual case. The anarchic activities conducted by such team shall be strictly prohibited.

Article 24:

All competent officials shall produce monthly, quarterly, semester, 9-months, and annual reports submitted to their institutions and chairmen.

Article 25:

The competent authorities at all checkpoints shall simultaneously collaborate with each other to control according to their separate duties and scope of works at one-stop area, without repeating any checking activities on the same merchandises more than one time during passage. In case that any competent authority fails to participate in the checking process set by the chairman then the checking shall be considered as completed.

The formalities inspection of inbound and outbound movement of the international ships to the Kingdom of Cambodia through sea border or Mekong gate shall be done once only by the competent authorities when ships reached to Preah Sihanoukville or Phnom Penh Ports. At Mekong gate, if necessary, the custom and excise and border police officers may appoint their officials and agents to accompany the ships.

Any dockings of international ships at other ports outside the specified ports could be done upon prior permission from the chairman of checkpoint of Preah Sihanoukville or Phnom Penh International Ports.

Article 26:

The competent officials at all checkpoints shall always be present to perform their duties in one office in order to process all application form on time for passengers and merchandises' owners.

Article 27:

Chief of each competent authority shall produce a rotation shift including holiday according to the actual situation of checkpoint to process their sustainable works.

**Chapter 7
Competent of Local Authorities**

Article 28:

Provincials/Municipals Governors on behalf of the Royal Government shall have the following duties and responsibilities:

- To establish and monitor the implementation of the internal regulation of checkpoints located within their territory and facilitate all works that checkpoint could perform its works in conformity with existing laws and regulations.
- To crack down and eliminate the illegal checkpoint established within territory under his/her control;
- To review and sign on a report prepared by checkpoint and submit to the Office of the Council of Ministers and the concerned ministries/institutions.

Chapter 8 Mandate

Article 29:

The mandates of chairman of checkpoint along the international gates, international border, bilateral, border areas, sea border gates and chief of competent authority shall be for a period of two (2) years.

Article 30:

The mandate of competent officials at each checkpoint at the international gates, international border, bilateral border, border areas, and sea border shall be for a period of one (1) year.

Article 31:

The head of each ministry/institution may, at any time, reshuffle the chief and competent officials of each checkpoint pursuant to the needs.

Chapter 9 Intervention Forces

Article 32:

The Royal Armed Forces, National Military Police, National Police, and other competent authorities nearest the international, international border, multilateral, regional border, and sea border gates shall provide its intervention if there is any request from the chairman of checkpoint.

Article 33:

The intervention forces as stated in Article 32 shall not establish its bases or conduct any activities within the checkpoint areas without any request from the chairman of checkpoint.

Chapter 10 Monitoring Mechanism

Article 34:

A monitoring mechanism, in which chairman is the representative of the Office of the Council of Minister and members are the concerned Ministries/Institutions and Provincial/Municipal halls, shall be established by Prakas of the Minister in charge of the Office of the Council of Minister in order to monitor the activities of checkpoints and report to the head of the Royal Government.

Chapter 11 Penalty

Article 35:

Competent authority officer who take advantage from his/her duty and power to cause any difficulties to passengers, owners of vehicles and merchandises without legal justification shall be subject to fine according to existing laws.

Article 36:

Any provincial administration fails to perform its duty and mission to eliminate all anarchies checkpoints within their territories shall be subject to fine according to Law on General Statute of Civil Servant.

Chapter 12 Transitional Provision

Article 37:

The checkpoint is a common post for common gate. In case such place has not been established, all competent officials shall temporary work together in the office of the Custom and Excise until this common post is completely built.

Chapter 13

Final Provisions

Article 38:

Anukret No. 45/ANK/BK of August 29, 1997, Anukret No. 49/ANK/BK of September 17, 1997, the Royal Government Order No. 22 of September 18, 1997, Anukret No. 36/ANK/BK of June 2, 1998, Decision No. 18 of November 11, 1997 of the Office of the Council of Ministers and all provisions which contrary to this Anukret shall be considered null and void.

Article 39:

The Ministers in charge of the Office of Council of Minister, Minister of Foreign Affairs and International Cooperation, Co-Ministers of Interior, Co-Ministers of National Defense, Minister of Economy and Finances, Minister of Commerce, Minister of Public Works and Transport, concerned ministers, Secretaries of State of all ministries and institutions, the Royal Government Delegation to the Phnom Penh, Kep, Pailin Municipalities, municipal and provincial governors shall implement this Sub-Decree from the date of its signature.

Phnom Penh, July 09, 2001

Signed and sealed by Samdech Hun Sen
Prime Minister

CC:

- Ministry of Royal Palace.
- Secretariat General of the Senate,
- Secretariat General of the National Assembly;
- Office of the Prime Minister;
- Office of the Deputy Prime Minister;
- As Article 39
- Records

Has been inform to the Prime Minister
for his signature
Senior Minister, Minister in charge of the Office of the Council of Ministers
Signed by H.E Sok An