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Translated by the Legal Assistance Unit of the Cambodia Office of the High Commissioner for Human Rights

(Unofficial translation)

KINGDOM OF CAMBODIA

NATION-RELIGION-KING

Royal Government of Cambodia

Sub-Decr. N° 30

SUB-DECREE

ON

FORMALITIES OF APPLICATION

FOR AUTHORIZATION TO ENTER, EXIT AND RESIDE

IN THE KINGDOM OF CAMBODIA, OF IMMIGRANT ALIENS

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**THE ROYAL GOVERNMENT OF CAMBODIA,**

- *Having seen the Constitution of the Kingdom of Cambodia.*
- *Having seen the Royal-Decree dated 24 September 1993, on Appointment of the 1st and 2nd Prime Ministers.*
- *Having seen the Royal-Decree, dated 01 November 1993, on Appointment of the Royal Government of Cambodia.*
- *Having seen the Royal-Kram (Law) n° 02 NS-94, dated 20 July 1994, which is promulgated the Law on Organization and Functioning of the Council of Ministers,*
- *Having seen the Royal-Decree n° NS-Roy-Decr.-1094-83, dated 24 October 1994, on Rectification of the Composition of the Royal Government of Cambodia.*
- *Having seen the Royal-Decree n° NS-Roy-Decr.-1094-90, dated 31 October 1994, on Rectification of the Composition of the Royal Government of Cambodia.*
- *Having seen the Royal-Kram(Law) n° NS- Roy-KR.-0196-08, dated 24 January 1996, which promulgated the Law on Establishment of the Ministry of Interior.*
- *Having seen the Law on Immigration, which was promulgated by the Royal-Kram (Law) n° 05-NS-94, dated 22 September 1994.*

- *Having the Sub-Decree n° 16 Sub-Decr., dated 20 December 1993, on the Organization and Functioning of the Ministry of Interior.*
- *Following the proposal of the Co-Ministers of Interior.*
- *Following the approval of the Council of Ministers.*

## **D E C I D E S:**

### **Chapter I**

#### **General Provisions**

#### **ARTICLE 1:**

An immigration alien, is a person as determined in the Chapter 3 of the Law on Immigration.

#### **ARTICLE 2:**

This present Sub-Decree determines the formalities to apply for authorization to enter, exit and reside in the Kingdom of Cambodia, of immigrant aliens .

### **Chapter II**

#### **Formalities of application for the entry into the Kingdom of Cambodia**

### **ARTICLE 3:**

An alien who wishes to come and stay in the Kingdom of Cambodia as an immigrant alien, may file an application with the Ministry of Interior only through diplomatic or consulate authority of the Kingdom of Cambodia, or only through any foreign authority which represents the interests of the Kingdom of Cambodia abroad, of which he/she shall:

- 1- fill up an application form for a visa.
- 2- enclose a copy of his/her own passport or any travel document of equivalent which has validity for at least 6 months, before to the date of entry into the Kingdom of Cambodia.
- 3- provide 3 (4x6cm) photos ( photos taken directly from the front, with no hat or colour eyes-glasses).
- 4- provide a health certificate which was issued by a medical doctor of his/her country of origin. The certified date on the Certificate should not be over 3 months old to the time of submission of the application.
- 5- provide enough evidences to prove that the concerned person has sufficient means to sustain his/her own cost of living as well as which of his/her dependents and has had a local sponsor who has enough capability and possibility to take responsibility with regards to his/her living condition and provision of other means.
- 6- provide a certification of his/her past criminal record issued by the competent authority of his/her country of origin.
- 7- provide a copy of a labour contract with the private and which is certified by the competent authority of the Kingdom of Cambodia, if any.
- 8- provide a certified slip, stating that he/she had deposited a bond for guaranteeing the travel costs, in case when he/she is to return to his/her country or for any eventual repatriation, at the rates of:  
  
  - A- 500,000 riels, for those aliens who come from a neighboring country of adjacent border with the Kingdom of Cambodia .
  - B- 1,250,000 riels, for those aliens who come from an asian or oceanian country.
  - C- 2,500,000 riels, for those aliens who come from a country of the Middle-East or African.
  - D- 3,370,000 riels, for those aliens who come from European or American country.

This above money shall be deposited at the National Bank of Cambodia, and which may not be withdrawn unless upon there is authorization from the Ministry of Interior.

An alien who has a spouse or child of under 18 years old and who wishes to apply (for authorization) to be as an immigrant alien, may file an application in term of a whole family.

In case when upon such application was approved, the concerned person shall pay visa tax at the rate of 250,000 riels for each member of family, except for a child of 12 years old and below who shall pay only 125,000 riels each.

#### **ARTICLE 4:**

For minor(s) and spouse who had been living together and who depend on each other physically and financially in term as close members of a family, may also be entitled to receive authorization to be immigrants, when after an immigrant alien has been already recognized.

#### **ARTICLE 5:**

A decision of recognition of an alien as an immigrant alien, shall be done through a Proclamation of the Ministry of Interior.

### **Chapter III**

#### **Residing, Labour, Entry and Exit**

#### **ARTICLE 6:**

An alien who had been recognized as an immigrant alien by a Proclamation of the Ministry of Interior, shall file an application for a resident card with the Alien Office of the Provincial or Municipal Police Commissariat within 48 hours, after his/her arrival in the Kingdom of Cambodia.

#### **ARTICLE 7:**

An immigrant alien, shall file an application for a Labour Card as provided for under the Law on Labour of the Kingdom of Cambodia.

## **ARTICLE 8:**

Any immigrant alien who wishes to leave the Kingdom of Cambodia for temporary, shall apply for authorization from the Ministry of Interior. The formalities for this application consist of as follows:

- 1- shall fill up an application form for leaving the Kingdom of Cambodia and to submit it through the Provincial or Municipal Police Commissariat.
- 2- with a copy of his/her Passport or travel document enclosed.
- 3- shall provide a copy of the resident card of the Kingdom of Cambodia.
- 4- shall provide a (4x6) photo ( photo taken directly from the front with no hat or colour eye-glasses).
- 5- shall pay an entry or exit visa tax of 50,000 riels, for each visa.

For a child of 12 years old or below who is travelling with his/ her parent(s) or a guardian, needs not complete a separate formality, but he/she shall register and attached his/her photo with which of his/her parent(s) or guardian.

A minor child who is travelling alone, shall show up a letter of permission for travelling which is signed by his/her parent(s) or lawful guardian.

## **ARTICLE 9:**

An immigrant alien who has completed the formalities as stated in the article 8 above, may be entitled to get sealed " a multiple entry and exit authorization", on his /her passport or travel document. The duration of such multiple entry and exit authorization, shall not be exceeding 3 months.

Visa tax for such "multiple entry and exit authorization" , shall be 300,000 riels.

## **ARTICLE 10:**

All kinds of the above taxes, shall be paid into the National Budget.

Procedure for collection of above taxes, shall be determined by an inter-ministerial Proclamation of the Ministry of Economy and Finance and Ministry of Interior.

## **Chapter III**

### **Removal of Status of Immigrant Alien**

#### **ARTICLE 11:**

The immigrant alien status may be removed through a Proclamation of the Ministry of Interior, for those immigrant aliens who violated the provisions of the law of the Kingdom of Cambodia and who have been sentenced by the court for a criminal offence from 5 years or over.

## **Chapter IV**

### **Final Provisions**

#### **ARTICLE 12:**

Any provisions which is contrary to this present Sub-Decree, shall be hereby considered as null and void.

#### **ARTICLE 13:**

The Co- Ministers in charge of the Council of Ministers, Co- Ministers of Interior, Minister of Foreign Affairs and International Cooperation, Minister of Economy and Finance, Secretary of State for Social Affairs, Labour and Veterans, Secretary of State for Public Functions and all the Heads of the relevant institutions, shall implement this Sub-decree from the date of signature and forth./.

**Made in Phnom Penh, on 21 June 1996.**

**THE 1st PRIME MINISTER, THE 2nd PRIME MINISTER.**

Signatures and seals of:

**NORODOM RANARIDTH, HUN SEN.**

This is to be submitted to

Samdech Krom Preah, 1st Prime Minister

and to Samdech the 2nd Prime Minister.

**THE CO-MINISTERS OF INTERIOR,**

Signatures and seals of:

**SAR KHENG, YOU HOC KRY.**

**SENT TO:**

- Royal Cabinet of HM. the King.
- General Secretariat of the National Assembly.
- General Department of Royal Palace.
- Cabinet of Samdech Krom Preah 1st Prime Minister.
- Cabinet of Samdech the 2nd Prime Minister.
- Same as stated in article 3 above.
- Files- Chronos.