

## The Provision of E-Commerce Permit or License, Fines under the Competency of the Ministry of Commerce (MoC), and the New Public Service Fees under the MoC

**Ministry of Commerce (MoC) – Notification No. 1143 dated 26 May 2021 on the Provision of E-Commerce Permit or License (“Notification No. 1143”), Inter-Ministerial Prakas No. 316 dated 12 May 2021 on the Fines under the Competency of the MoC (“Prakas No. 316”), and Inter-Ministerial Prakas No. 315 dated 12 May 2021 on the New Public Service Fees under the MoC (Prakas No. 315)**

### **Obligation to Request for E-Commerce License or Permit**

On 26 May 2021, the MoC has issued Notification No. 1143 to remind all relevant persons and entities who conduct e-commerce business under the Law on E-Commerce, Sub-Decree on the Determination of Types, Formalities and Exceptions, and Prakas No. 290 dated 9 October 2020 on the Provision of E-Commerce Permits or Licenses to submit the application documents in order to obtain an e-commerce license or permit to the Commercial Registration Department (CRD) from the date of this notification.

The applicant can either submit the application documents directly to the CRD of the General Department of Commercial Service of the MoC or through the website: [www.ecommercelicensing.moc.gov.kh](http://www.ecommercelicensing.moc.gov.kh).

Note that for any relevant persons or entities who have conducted their e-commerce business without a permit or license, as required under the applicable laws and regulations, their business activities shall be terminated and they shall be penalized in accordance with the applicable laws and regulations.

### **Fines under the Competency of the MoC**

Any person who violates the Law on Commercial Rules and Commercial Registration, Law concerning Marks, Trade Names and Acts of Unfair Competition, Law on Commercial Enterprise, and Law on E-Commerce as well other relevant regulations, according to Prakas No. 316, shall be fined as follows:

No.	Offense Description	Fines Amount
1	Have not registered for any amendment or other changes with the MoC	1,000,000 Riels (approx. US\$250)
2	Have not lodged the annual declaration of commercial enterprise	2,000,000 Riels (approx. US\$500)
3	Have provided the false information and documents required for the company registration	1,000,000 Riels (approx. US\$250)
4	Have conducted the e-commerce business without the approval	10,000,000 Riels (approx. US\$250)
5	Have provided the false information on the report, minutes, or other documents of the company, which are required to submit to retain at the MoC	2,000,000 Riels (approx. US\$500)
6	Have not filed a copy of the financial report to be retained at the MoC	2,000,000 Riels (approx. US\$500)
7	The request to re-register mark later than the permitted 6-month period	200,000 Riels (approx. US\$50)

### **New Public Service Fees under the MoC**

On 12 May 2021, under Prakas No. 315, the MoC and Ministry of Economy and Finance have issued a new Joint Prakas to update public services including types of services, fees, the timeline for providing public services under the MoC and validity in accordance with each type of service.

Under Prakas No. 315, the MoC also provides the public service fees for a new application for license/permit, license/permit renewal, amendment application as well as suspension/closure application relating to the e-commerce business.

### **Commentary:**

The Government continues to take steps to enforce applicable regulations on e-commerce business in the Kingdom of Cambodia. In order to comply with the applicable laws and regulations and to avoid severe penalties, we advise the relevant persons or owners legal entities engaging in e-commerce activities to ensure that they have obtained an e-commerce permit or license for their businesses.

Meanwhile, all legal persons existing and registered under the MoC shall pay attention to their compliance obligations with the MoC (i.e. annual reporting, amendment application...) as non-compliance shall be subjected to the penalties mentioned above.

Should you require any support or assistance in preparing for the e-commerce license or permit, please contact us.

## Contact us

### KPMG Cambodia Ltd.

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