

Council of Ministers  
ANK 25/ April 22, 1989

### **Sub- decree on Providing House Ownership to The Cambodia Population**

- Referring to the constitution of the People's Republic of Kampuchea
- Referring to the law on the Organization of the Council of Ministers promulgating by decree No 3 of February 10, 1982.
- Referring to decree No 7 of July 13, 1982.
- Referring to sub-decree No 1 of October 20, 1981.
- Referring to sub-decree No 03, of December 20, 1982 on house rental in Phnom Penh

### **DECISION**

#### **Article 1:**

The land for housing, building and flat in the People's Republic of Kampuchea is the Property of the people and is managed by the State according to the law.

No-one can claim the rights of ownership that existed before 1979 on the various housing land.

#### **Article 2:**

From now onwards the state provides ownership to each Cambodian family occupying any house in Commune or District of the country. It is the authority of commune and District to recognize. The Cambodian family who lives in the house, separate house or flat shall have the right to ownership occupation and to live there continuously.

House ownership could be inherited to the successors or relatives to use or manage for indefinite period or transferred to any person to use and manage, unless their usage and management is contrary to the law. The foreigners shall be prohibited by the state from buying any house or land for residential purpose.

#### **Article 3:**

The abovementioned house owner should pay tax for their land on which the house is located.

If the house is common house or shared by many owners, then the owners of flat or owner of that portion shall jointly pay tax for that common property according to their portions.

The annual land tax shall not be determined more than 5% of net salary of employees, civil servant workers or arm forces.

#### **Article 4:**

The heads of household living in his resident which are governed by commune shall apply for ownership of their residents through the commune or district.

Employees, arm forces, workers shall apply for ownership through their own ministries, departments or entities that are responsible for sending those application forms to provincial municipal revolutionary people committee to take action.

The provincial- municipal revolutionary people committee is the competent entity to issue official certification to people.

The Khmer version is the official version of this document.

**Article 5:**

Beside workers, employees, arm force or civil servants, the people who live in any residential house or land shall buy that residential house and lands from the State to keep as their owns, except they had spent their own money to build a house on it so far.

The ownership of any house built by people with their expenses shall be issued to them. In special circumstances, the provincial municipal people revolutionary committee shall determine actual policy. The house fees shall be determined based on areas, types and conditions. The Council of Ministers authorizes the provincial municipal people revolutionary committee to determine the above fees according to actual situation of each provinces /municipalities.

**Article 6:**

Any family or people who are currently living in public building will have no right to claim ownership on that public building

All public houses shall be used for public interest.

**Article 7:**

House transferring or donation shall be processed with the contract prepared by the buyer or transferees. That contract shall be registered in land registry with payment of 10% of house values as residential house, business offices, craft or industrial places.

**Article 8:**

Any buildings or houses used for industrial purposes must pay tax to the State. The amount of tax is determined by the Council of Ministers according to the size of the industry.

**Article 9:**

The owner of the house shall have an obligation to maintain cleanliness, hygiene, repaired in order to avoid any smell or sound vibration that bad effects.

**Article 10:**

Permission must be given from the Provincial Municipal People Revolutionary Committee for renovations or new constructions,

**Article 11:**

The Provincial Municipal People Revolutionary Committee shall be responsible to manage houses, building and to monitor house or building registration, house ownership's allocation; house fees and tax collection and shall be responsible for Public roads, drains maintenance and noise control within their jurisdiction.

**Article 12:**

Any provisions that are contradict to this sub-decree shall be considered null and void.

**Article 13:**

The Council of Ministers, all ministries, departments and all the Provincial Municipal People Revolutionary Committee shall be responsible to carry out this sub-decree.

**Article 14:**

This sub-decree shall be enter into force from the date of public promulgation.