

**Kingdom Of Cambodia
Nation Religion King**



Royal Government of Cambodia

No. 123 អនក្រឹត្យ.ប័ណ្ណ

**Sub Decree
On
Procedure to allow Non-Immigrant Foreigner to
Enter, Leave, and Reside in the Kingdom of Cambodia**



Royal Government

- Having seen Constitution of Cambodia
- Having seen Royal Kret NS/RKT/0913/903 dated 24 Sept 2013 on Nomination of Royal Government of Cambodia
- Having seen Royal Kret NS/RKT/1213/1393 dated 21 Dec 2013 on the modification of the composition of the Royal Government of Cambodia.
- Having seen Royal Kram 02/NS/94 dated 20 July 1994 promulgating the law on establishment and function of council of minister
- Having seen Royal Kram NS/RKM/0196/08 dated 24 Jan 1996 promulgating the law on establishment of Ministry of Interior.
- Having seen Royal Kram NS/RKM/0196/10 dated 24 Jan 1996 promulgating the law on establishment of Ministry of Foreign Affairs and International Cooperation.
- Having seen Royal Kram NS/RKM/0196/18 dated 24 Jan 1996 promulgating the law on establishment of Ministry of Economy and Finance.
- Having seen Royal Kram 05/NS/94 dated 22 Sep 1994 1996 promulgating the law on establishment on Immigration Law.
- Having seen Sub-Decree 109 អនក្រឹត្យ.ប័ណ្ណ dated 19 Sep 2015 on organization and functioning of the Ministry of Interior.
- Having seen Sub-Decree 77 អនក្រឹត្យ.ប័ណ្ណ dated 20 Dec 1993 on organization and functioning of Ministry of Foreign Affairs and International Cooperation.
- Having seen Sub-Decree 488 អនក្រឹត្យ.ប័ណ្ណ dated 16 Oct 2013 on organization and functioning of Ministry of Economy and Finance.
- Base on the request of ministry of Interior.

Hereby Decided

Chapter 1

General Provision

Article 1:

The purpose of this sub-decree is to strengthen efficiency of the work in managing non-immigrant foreigners in the Kingdom of Cambodia.

Article 2:

This Sub Decree targeted to define the procedure to allow entry, exit, and residency of non-immigrant foreigners in the Kingdom of Cambodia.

Article 3:

This Sub Decree has the scope of its coverage on non-immigrant foreigners entering, leaving, and residing in the Kingdom of Cambodia.

Chapter 2

Procedure for Entering and Leaving the Kingdom of Cambodia

Article 4:

For non-immigrant foreigners who wish to enter the Kingdom of Cambodia must apply for entry visa at:

- Diplomatic mission, General Consulate, or Honorary Consulate of the Kingdom of Cambodia that are base abroad.
- International Entry Points
- Tourism e-visa website.

Article 5:

For countries that have visa exemption agreement with the Kingdom of Cambodia, holder of diplomatic, official, special, and business passports, their stay is determined according to this agreement. For foreigners that holding all kinds of passport and wishing to stay beyond the permitted period in this agreement are required to apply for the appropriated type of visa as stipulate in Article 9 of this Sub-Decree.

Article 6:

In applying for visa at diplomatic mission, or general consulate and honorary consulate of the Kingdom of Cambodia, and at International border crossing points of the Kingdom of Cambodia, all non-immigrant foreigners shall do the following:

1. Fill out visa application form.
2. Show a passport or a travel document with equivalent value and validity of at least six (6) month.
3. Provide one (1) 4x6 photo.
4. Foreigners who travel on passports of their parents or their guardians can be include in the visa application form filled out by their parent or guardians, but they are obligated to pay visa fee like other foreigners carrying individual passports do.
5. Pay Visa fee as defined in Article 16 of this Sub-Decree. The fee is non-refundable even in the case a visa request is denied.

For “K” visa type. Applicants must attach necessary documents to prove that they have Khmer nationality by birth.

Article 7:

In applying for tourist electronic visa (e-visa) website, non-immigrant foreigners must:

1. Check into the e-visa website of the ministry of foreign Affair and International cooperation.
2. Fill out the visa form and upload a photo.
3. Have a passport with validity of at least six (6) months.

4. Foreigners who travel on passports of their parents or guardians can be included in the visa application form filled out by their parents or guardians, but they are obligated to pay visa fee like other foreigners carrying individual passport do.
5. Pay visa fee by credit card.

This fee will be refunded to the travellers in case they are not allowed to enter the country by immigrant officers at international entry points on ground of technical fault in the e-visa system or insufficient information from the travellers.

Article 8:

For exit visa, non-immigrant foreigners must:

1. Fill out an exit visa form.
2. Show a passport or a travel document with equivalent value.
3. Provide two (2) 4 x 6 photos.
4. Attach:
 - A copy of complaint about passport loss or damage that has been filled with and recognized by the competence authorities. Countries that have diplomatic relation with the Kingdom of Cambodia – although they do not have diplomatic residency inside the Kingdom of Cambodia – Can still send to the Ministry of Interior or through a diplomatic channel a new passport or travel document with equivalent value to their citizens to use in applying for exit visa.
 - A letter or release from prison following decision of the court
 - Birth Certificate or a document with equivalent value for children born inside Cambodia, or other documents as needed.
5. Pay visa fee as defined in Article 16 of this sub-decree. The fee will not be refundable if the visa has already expired.

Chapter 3

Type, Validity, Duration of Stay, And Visa Fee

Article 9:

Entry visa types are defined as follows:

1. Diplomatic visa which is represented by capital letter A. This visa is issued to non-immigrant foreigners who hold diplomatic passport and to their family member.
2. Official visa which is represented by capital letter B. This visa is issued to non-immigrant foreigners who are official passport holders sent on a mission in the framework of state or international organization that has signed a memorandum of understanding with the ministry of Foreign Affairs and International Cooperation.
3. Courtesy visa is represented by capital letter C. This visa is issued to non-immigrant foreigners and their family members whose presence the Ministry of Foreign Affairs and international cooperation, or other ministries regard as being on cooperation or courtesy visit.
4. Transit visa which is represented by capital letter D. This visa is issued to non-immigrant foreigners who in transit, to drivers/pilots, staff members, employees, and workers on vehicles, train, ship, or airplane.
5. Business visa is represented by capital letter E. This is a single entry visa is for non-immigrant foreigners who do not fall under any visa types.

6. Long term business visa is represented by capital letters E1, E2, and E3. This visa is for business people who wish to make multiple entries and exits as determined in principle by the Royal Government with the objective to promote economic and technological potentials.
7. Special visa is represented by capital letter K. This visa is for individual of Khmer birth who are holding foreign passport or travel document of equivalent value.
8. ACMECS visa is represented by capital letter KHM. This visa is issued to tourists who wish to visit countries within the strategic economic cooperation region of Ayeyawady-Chao Phraya-Mekong, or ACMECS.
9. Tourist visa is represented by capital letter T. This is a single entry visa for non-immigrant foreigners who are tourists.
10. Long term tourist visa is represented by capital letter T1 T2 and T3. This visa is issued to tourists who plan to make multiple entries exits as determined in principle by the Royal Government in order to promote tourism and culture potentials.

Article 10:

Types of visa for extending temporary stay are defined as follows:

1. A_{EX} represents visa extension for non-immigrant foreigners who had received A visa type.
2. B_{EX} represents visa extension for non-immigrant foreigners who had received B visa type.
3. C_{EX} represents visa extension for non-immigrant foreigners who had received C visa type.
4. E_B represents visa extension for general non-immigrant foreigners who are employees, business people, staff members, worker, and others who had receive E visa type.
5. E_G represents visa extension for non-immigrant foreigners who had received E visa type.
6. E_P represents visa extension for non-immigrant foreigners who received E visa type for entering the country to explore business opportunities.
7. E_R represents visa extension for non-immigrant foreigners who retired and who had E visa type.
8. E_S represents visa extension for non-immigrant foreigners who are students and who had received E visa type.
9. E_T represents visa extension for non-immigrant foreigners who technical expert and who had received E visa type.
10. E1_{EX}, E2_{EX}, E3_{EX} represents visa extension for non-immigrant foreigners who are business people and who had received E1, E2, and E3 visa types.
11. T_{EX} represents visa extension for non-immigrant foreigners who had received T visa type.
12. T_{EX} represents visa extension for non-immigrants foreigners who had received T visa type.
13. T1_{EX}, T2_{EX}, and T3_{EX} represent visa extension for non-immigrant foreigners who are tourist and who had received T1, T2, and T3 visa types.

Article 11:

Exit Visa is represented by capital letter E_x. This visa is issued to non-immigrant foreigner who has obtained a new passport or a new equivalent travel document provided by foreign embassy or consulate to meet the person's desire to leave the Kingdom of Cambodia.

This visa is also issued to any non-immigrant foreigner who is required to leave the Kingdom of Cambodia.

Article 12:

Sample and characteristics of each visa type are to be determined for implementation by an inter-ministerial Prakas between Minister of Interior, Minister of Foreign Affairs and International Cooperation, and Minister of Economy and Finance.

Article 13:

Validity of each visa type from the date of its issuance is as follows:

- A Visa Valid not more than three (3) months
- B Visa Valid not more than three (3) months
- C Visa Valid not more than three (3) months
- D Visa Valid not more than seven (7) months
- E Visa Valid not more than three (3) months
- E1 Visa Valid for one (1) year
- E2 Visa Valid for two (2) years
- E3 Visa Valid for three (3) years
- Ex Valid for seven (7) years
- K Visa Valid up to the expiration date of the passport
- KHM Visa Valid not more than three (3) months
- T Visa Valid not more than three (3) months
- T1 Visa Valid for one (1) year
- T2 Visa Valid for two (2) years
- T3 Visa Valid for three (3) years

Cambodia's diplomatic mission or general consulate abroad can issue diplomatic visa with one year validity for multiple entries to diplomats who accredited to but not base in the Kingdom of Cambodia.

Once this visa expires, foreigners that holding this visa but not yet use it for entering or leaving the Kingdom of Cambodia must apply for a new visa.

Article 14:

Foreigners who has been issued visa to enter the Kingdom of Cambodia can stay in the country for the following duration:

- A visa for three (3) months
- B visa for three (3) months
- C visa for three (3) months
- D visa for five (5) days
- E visa for one (1) month
- E1 visa for one (1) month
- E2 visa for one (1) month
- E3 visa for one (1) month
- K visa up to the expiration date in the passport
- KHM visa for one (1) month
- T visa for one (1) month
- T1 visa for one (1) month
- T2 visa for one (1) month
- T3 visa for one (1) month

Extension of temporary stay must comply with the provision in Article 19 of this Sub-Decree.

Article 15:

The purpose of the residency of non-immigrant foreigners in the Kingdom of Cambodia must be in line with the type of visa issued or with the visa exemption agreement with the Kingdom of Cambodia.

Article 16:

Visa fee, visa form, and procedures for collecting fee shall be determined by an inter-ministerial Prakas between Minister of Interior, Minister of Foreign Affairs and International Cooperation, and Minister of Economy and Finance, following approval by the head of the Royal Government.

Chapter 4

Issuance and Denial of Entry and Exit Visa

Form, Duration, and Fee for Extension of Temporary Stay

Article 17:

- a) Diplomatic mission, or consulate general and honorary consulate of the Kingdom of Cambodia that are based overseas can exercise their competence to issue or deny all types of visa, with the exception of tourist E visa.
- b) Ministry of Foreign Affairs and International Cooperation has the competence to:
 - Issue or deny all type of visa at international entry points of the Kingdom of Cambodia, with the exception of tourist E visa and KHM visa type
 - Extend temporary stay and determine single or multiple entry and exit for all type of visa, with the exception of A, B, and C visa types.
- c) Ministry of Interior has the competence to:
 - Issue or deny all types of visa at international entry points of the Kingdom of Cambodia, with the exception of tourist E visa and KHM visa type
 - Extend temporary stay and determine single or multiple entry and exit for all types of visa, with exception of A, B, and C visa types.

Article 18:

Single or multiple entry and exit for all types of visa is defined as follows:

- | | |
|------------|-------------------------|
| - A visa | multiple entry and exit |
| - B visa | Single entry and exit |
| - C visa | Single entry and exit |
| - D visa | Single entry and exit |
| - E visa | Single entry and exit |
| - E1 visa | multiple entry and exit |
| - E2 visa | multiple entry and exit |
| - E3 visa | multiple entry and exit |
| - Ex visa | single entry and exit |
| - K visa | multiple entry and exit |
| - KHM visa | single entry and exit |
| - T visa | single entry and exit |
| - T1 visa | multiple entry and exit |
| - T2 visa | multiple entry and exit |
| - T3 visa | multiple entry and exit |

Article 19:

Extension of temporary stay is determined as follows:

- A_{EX} visa type can be extended for one (1) month or for until the end of the mission
- B_{EX} visa type can be extended for one (1) month, for twelve (12) months at a time, or for until the end of the mission
- C_{EX} visa type can be extended for one (1) month, or for twelve (12) months at a time
- D visa type cannot be extended unless under specific and extremely necessary circumstance, where individual can request an extension of stay like T_{EX} visa type.
- E_B visa type can be extended for one (1) month, three (3) month, six (6) month, or twelve (12) months for one time only.
- E_G visa type can be extended for one (1) month, three (3) month, six (6) months, or twelve (12) months
- E_P visa type can be extended for one (1) month, three (3) month, six (6) months, for one time only
- E_R visa type can be extended for one (1) month, three (3) month, six (6) month, or twelve (12) months
- E_S visa type can be extended for one (1) month, three (3) month, six (6) month, or twelve (12) months
- E_T visa type can be extended for twenty-four (24) month for the first time and then for twelve (12) months for three time after which the foreigner must leave the country
- E1_{EX} visa type can be extended for one (1) month, three (3) month, six (6) month, or twelve (12) months
- E2_{EX} visa type can be extended for one (1) month, three (3) month, six (6) month, or twelve (12) months
- E3_{EX} visa type can be extended for one (1) month, three (3) month, six (6) month, or twelve (12) months
- T_{EX} visa type can be extended for one (1) month for one time only.
- T1_{EX} visa type can be extended for one (1) month or three (3) month for one time only.
- T2_{EX} visa type can be extended for one (1) month or three (3) month for one time only.
- T3_{EX} visa type can be extended for one (1) month or three (3) month for one time only.

In requesting extension of stay for all types of visa-with the exception of A, B, and C visa types – concerned individuals must present themselves at the General Department of Immigration of the Ministry of Interior in order to fill out the application form.

Article 20:

Procedures required in requesting extension of temporary stay are as follows:

1. Fill out an extension application.
2. Attach passport with validity of at least six (6) months beyond the extension period to be requested.
3. Provide one (1) 4x6 photo.
4. Pay fee or to be exempted from paying fee in accordance with Article 22 of this sub-decree.

5. For extension of business visa, individuals shall attach:
- a. E_B Visa type
 - Business license and Patent Certificate, or
 - Work contract, or
 - Necessary documents supporting the emerging necessity during the extension period being sought
 - Documents proving marital status and relationship with children.
 - b. E_G Visa type
 - Relevant documents supporting purpose of the extension
 - c. E_P Visa type
 - Project or
 - Relevant documents supporting purpose of the extension
 - d. E_R Visa type
 - Documents or letters proving retirement
 - Documents showing retirement fund in the bank or other relevant document.
 - e. E_S Visa type
 - Letter from education institution recognized by the Ministry overseeing education sector
 - Assurance from parents or guardians that individual in question has enough ability to support the studies, or other relevant documents.
 - f. E_T Visa type:
 - Operating license of the company, enterprise, or entity that individual in question is working for
 - Work contract
 - Statement supporting claim of spousal relation as husband, wife, or child, and of marital status of individual in question.

Article 21:

In case support is lost or damaged, the visa extending temporary stay will remain valid.

Individuals shall present themselves at the Ministry of Interior to have the extended and still valid transferred a new passport free of charge.

Article 22:

Fee for extension of temporary stay, form, and procedure for collecting the fee shall be defined by an inter-ministerial Prakas between Minister of Interior, Minister of Foreign Affair and International Cooperation, and Minister of Economy and finance, following approval by the Head of the Royal Government.

Fee for all types of visa stated above shall be channeled into the national budget.

Chapter 5

Prohibition of Entry, Exit, and Temporary Stay

Article 23:

Non-immigrant foreigners will be banned from entering into, exiting into, exiting from, and staying temporarily in the Kingdom of Cambodia under the following circumstance:

- a. Entry ban
 1. Invalid passport or travel document

2. Lacking a visa, exception will be applied for citizens of countries that have a mutual agreement with Kingdom of Cambodia.
3. Insanity
4. Being listed as a banned person by Ministry of Interior
5. Carrying severe form of disease already declared by the Royal Government
6. Being involved in offenses committed outside the Kingdom of Cambodia
7. Unclear travel history
8. Unclear purpose of travel
9. Lacking means for self-support or family members to refer for support in solving issues
10. Committing fraud by way of scratching, erasing, overwriting on, or making addition to the data on the travel document or other relevant documents.
11. Having been expelled previously from the kingdom of Cambodia. Re-issuance of entry visa shall be determined by a Prakas of Minister of Interior.
12. Having unlawfully boarded a ship, car, train, or airplane to enter the Kingdom of Cambodia.
13. Ministry of Interior has enough ground to believe that admitting individual under any of the above-described circumstance will undermine the interests of public order, social morality, and could also be harmful to security of the nation and international community at large.

In case where any applicant for exit visa gives reason that falls under any of the above-mentioned descriptions, the Ministry of Interior, competence authority, shall take immediate measures to expel such individual from the Kingdom of Cambodia to their original point of departure.

b. Exit ban

1. Absence of exit visa
2. Individual is still involved in criminal or civil court case
3. Attempt to evade from conviction or from responsibility before the law
4. Individual having committed fraud by way of scratching, erasing, overwriting, or making additions to the data in the travel documents of other relevant documents.
5. Failure to pay fine for overstaying the visa, unless otherwise stated by the Minister of Interior
6. Minister of Interior has enough ground to believe that departure of such individual under any of the above-described circumstance will undermine the interests of the public or the Khmer people.

In case where any applicant for exit visa gives reason that falls under any of the above-mentioned description, the individual shall be dealt with by law currently in force.

c. Ban of temporary stay

1. Invalid passport or travel document
2. Lacking a visa. Exception will be applied for citizens of countries that have a mutual agreement with Kingdom of Cambodia.
3. Insanity

4. Absence of stamp confirming entry into the Kingdom of Cambodia by Cambodian immigration officials at international entry point or at any bilateral border crossing point.
5. Lacking means for self-support or family members to refer for support in solving issues
6. Committing fraud by way of scratching, erasing, overwriting on, or making additions to the data on the travel document, visa, residency card, work permit booklet, or other relevant documents.
7. Ministry of Interior reserves the right to view such behavior as harmful to the interests of public order, social morality, and to security of the nation and international community at large.

In case where an applicant seeking extension of his stay gives reason that falls under any of the above-mentioned descriptions, the Ministry of Interior, as the competence authority, shall take immediate measure to expel such individual from the Kingdom of Cambodia.

Article 24:

Non-immigrant foreigner who overstays his/her valid visa for a period under thirty (30) days is to be subjected to paying fine of 10\$ per day in a measure overseen by the General Department of immigration of Ministry of interior.

Article 26:

1. Non-immigrant foreigner who overstay his/her valid visa for a period beyond thirty (30) days to be subject to paying fine in compliance with Article 25 of this sub-decree and will be required to leave the Kingdom of Cambodia within seven (7) days the longest.
2. In case of resistance or attempt to evade from complying with the legal requirement stated in point 1 above, individual in question will be compelled to pay double the amount of fine and be subjected to undergo expulsion procedures under the immigration law.

Article 27:

1. Non-immigrant foreigner whose personal conduct shows the use of the visa in contradiction to the purpose stated during the application process is to be fined 100\$, followed by an order from the Minister of Interior for his/her expulsion from the Kingdom of Cambodia within seven (7) days the longest.
2. In case of resistance or attempt to evade from complying with the legal requirement stated in point 1 above, individual in question will be compelled to pay double the amount of fine and be subjected to undergo expulsion procedures under the immigration law.

Article 28:

Minister of Interior reserves the right to grant exemption of the penalty as stated in Article 25, Article 26, and Article 27 of this sub-decree.

Article 29:

Implementing the penalty is the competence of the General Department of Immigration of the Ministry of Interior.

Paying fine for the penalty will avert a law suit from being filled to the court.

Refusal to pay fine will lead to the filing of a suit for the offense with the court under the legal procedures, except when there is an intervention as stated in Article 28 above.

The collected fined will be channeled into the national budget.

Formality and procedures for the fine shall be defined by an inter-ministerial Prakas between Minister of Interior, Minister of Foreign Affair and International Cooperation, and Minister of Economy and Finance.

Chapter 7 **Final provision**

Article 30:

Sub-decree number 75 ANKr.BK, dated 20 August 1999, on the formality to allow non-immigrant foreigners enter, exit, and reside in the Kingdom of Cambodia, and other regulations that are contrary to this sub-decree will be abrogated.

Article 31:

Minister in charge of the Office of Council of Ministers, minister of Economy and Finance, Minister of Interior, Minister of Foreign Affair and International Cooperation, ministers of all minsters and heads of all relevant institutions are duty-bound to carry out this sub-decree according to their respective responsibility from the day it is signed onward.

Done at Phnom Penh, date: 10, June, 2016

Prime Minister

Seal and Sign

Samdach Aka Moha Sena Padei Dejo Hun Sen

CC:

- Ministry of royal palace
- General secretariat of constitutional council
- General secretariat of senate
- General secretariat of assembly
- General secretariat of Royal government
- Cabinet of Prime minister
- Cabinet of Deputy prime minister
- Council of Minister
- As art3
- Royal task
- Doc/archive