



# LAW ON INVESTMENT OF THE KINGDOM OF CAMBODIA AND ITS RELATED SUB-DECREE



# LAW ON INVESTMENT OF THE KINGDOM OF CAMBODIA

## CHAPTER 1 GENERAL PROVISIONS

### Article 1:

This Law aims to establish an open, transparent, predictable and favorable legal framework to attract and promote quality, effective and efficient investments by Cambodian nationals or foreigners for socio-economic development in the Kingdom of Cambodia by:

1. Increasing Cambodia's competitiveness so its economic structure may diversify and become resilient to regional and global crises;
2. Modernizing and increasing the productivity of local industries and strengthening connectivity with regional and global supply chains by promoting increased capital inflows, and the transfer of technology, knowledge and know-how;
3. Establishing an investment incentive regime that is transparent, predictable, non-discriminatory and competitive that supports socio-economic policies; and
4. Providing protection to investors' rights and legitimate interests in the Kingdom of Cambodia through the establishment of a comprehensive and equitable legal framework in line with national interests.

### Article 2:

This Law applies to all Qualified Investment Projects, Expanded Qualified Investment Projects and Guaranteed Investment Projects registered with the Council for the Development of Cambodia or Municipal-Provincial Investment Sub-Committees.

### Article 3:

The terms used in this Law are defined as follows:

**"Investment Project"** refers to a Qualified Investment Project, an Expanded Qualified Investment Project or a Guaranteed Investment Project.

**"Qualified Investment Project"** abbreviated as **"QIP"** refers to an investment project that has received a registration certificate from the Council for the Development of Cambodia or a Municipal-Provincial Investment Sub-Committee.

**"Export Qualified Investment Project"** refers to a **QIP** that sells or transfers any proportion of its products to purchasers or recipients outside the Kingdom of Cambodia.

**"Supporting Industry Qualified Investment Project"** refers to a **QIP** in which any proportion of its products is supplied to export industries.

**"Domestically Oriented Qualified Investment Project"** refers to a **QIP** that does not export.

**"Expanded Qualified Investment Project"** abbreviated as **"EQIP"** refers to an expansion of a **QIP** in any form, including expansion of existing production, expansion through product line diversification within the same lines, expansion through the use of new technologies that enhance productivity or

protect the environment, expansion of infrastructure to serve basic telecommunications services, or expansion in any other forms to be determined by the Sub-Decree.

"**Guaranteed Investment Project**" abbreviated as "**GIP**" refers to an investment project registered with the Council for the Development of Cambodia or a Municipal-Provincial Investment Sub-Committee, and being clearly mentioned as a GIP not eligible for tax incentives.

"**Working Day**" refers to a calendar day which is an official working day of the Royal Government of Cambodia.

"**Production Inputs**" refer to raw materials, semi-finished products and production accessories, and goods that are transformed in the production process, except for petroleum products and spare parts for motor vehicles.

"**Cambodian Legal Entity**" refers to a company that has a place of business and is registered in the Kingdom of Cambodia, whose 51 (fifty-one) percent or more of its shares are held by persons of Cambodian nationality.

"**Construction Equipment**" refers to equipment that is assembled, made or produced to be used in or affixed to a construction to increase quality, comfort and ease of use, namely lamps, electric wires, fiber optic cables, sinks, faucets, bathtubs, elevators/escalators and pipes, except for air conditioners. The import of air conditioners for investment activities or projects in any sector will receive specific incentives to be stipulated in the Law on Financial Management or the Sub-Decree.

"**Person**" refers to a natural person or a legal entity.

"**Registration Certificate**" refers to the certificate issued by the Council for the Development of Cambodia or a Municipal-Provincial Investment Sub-Committee recognizing the investment project.

"**Investor**" refers to a person carrying out an investment project registered with the Council for the Development of Cambodia or a Municipal-Provincial Investment Sub-Committee.

"**Investment Activity**" refers to a business activity in the Kingdom of Cambodia that is established, acquired, sold, transferred, expanded or merged and authorized in writing by the institution in charge in accordance with the laws and regulations in force.

"**Investment Project Application**" refers to an application submitted by a person to the Council for the Development of Cambodia or a Municipal-Provincial Investment Sub-Committee for establishing a **QIP** and a **GIP**. This application may include one or more phases, including a QIP expansion application.

"**Production Equipment**" refers to heavy machinery, machine tools and other equipment used substantially in the production chain, except motor vehicles. The import of motor vehicles for investment activities or projects in any sector will receive specific incentives to be stipulated in the Law on Financial Management or the Sub-Decree.

"**Construction Material**" refers to construction items wholly converted or used in construction including the Construction Equipment of a **QIP** used to carry out its investment activities in the initial construction phase or expansion.

Construction Material, Construction Equipment and Production Equipment as stated in this Article shall meet technical standards and quantities relevant to the Investment Project.

"**Applicant**" refers to a person who applies for registration of an investment project with the Council for the Development of Cambodia or a Municipal-Provincial Investment Sub-Committee.

"**Sub-Decree**" refers to the Sub-Decree on the Implementation of the Law on Investment of the Kingdom of Cambodia.

## CHAPTER 2

### THE COUNCIL FOR THE DEVELOPMENT OF CAMBODIA

#### Article 4:

The Council for the Development of Cambodia abbreviated as “**CDC**” shall be established as an executive body acting as the “*Etat-Major*” and One-Stop Service of the Royal Government of Cambodia responsible for overseeing and managing development cooperation, private investment, and special economic zones.

#### Article 5:

The **CDC** is chaired by the Prime Minister and includes one or several vice-chairpersons and members as necessary. To ensure effective implementation of the missions stipulated in Article 4 of this Law, the Prime Minister may at his sole discretion delegate his authority to a member of the Royal Government or CDC management to undertake his duties to a certain extent or in any activities of the **CDC**. Such delegation includes management and use of budget and human resources in compliance with the laws and regulations in force.

The appointment of the members of the **CDC** shall be made by Royal Decree.

#### Article 6:

The **CDC** has the following organizational structure:

- General Secretariat of the **CDC**;
- Cambodian Cooperation Development Board abbreviated as “**CCDB**”; and
- Cambodian Investment Board abbreviated as “**CIB**”;

The General Secretariats of the **CDC**, **CCDB**, and **CIB** shall each be led by one Secretary General assisted by Deputy Secretaries General as deemed necessary.

The **CDC** may establish additional structures or mechanisms by the Sub-Decree as deemed necessary.

#### Article 7:

The **CDC** has its separate budget under the national budget, and civil servants and employees under contract in compliance with laws and regulations in force.

#### Article 8:

The organization and functioning of the **CDC** shall be determined by Royal Decree.

## CHAPTER 3

### INVESTMENT MECHANISM AT MUNICIPAL-PROVINCIAL LEVEL

#### Article 9:

To enhance the effectiveness of services rendered to Investors, the review and approval of private investments and settlement of disputes related to investment projects shall be delegated to municipal-provincial administrations in accordance with a decision of the Royal Government to establish Municipal-Provincial Investment Sub-Committees as the “*Etat-Major*” of the municipal-provincial administrations. Rights, authorities, size of investments, and the organization and functioning of Municipal-Provincial Investment Sub-Committees shall be determined by a separate Sub-Decree.

## CHAPTER 4

### REGISTRATION AND IMPLEMENTATION OF INVESTMENT PROJECTS

#### Article 10:

Any person who wishes to implement a **QIP**, **EQIP**, or **GIP** shall submit a written application to the **CDC** or a Municipal-Provincial Investment Sub-Committee.

The Investment Project Application may be made through information technology platforms.

#### Article 11:

The Investment Project Application shall be accompanied by information to be specified in the Sub-Decree.

#### Article 12:

Upon receipt of the Investment Project Application, the **CDC** shall review and make a decision on the application through the One-Stop Service mechanism.

The One-Stop Service mechanism stipulated in paragraph 1 of this Article is the mechanism for reviewing and deciding on the Investment Project Application by representatives of relevant ministries and institutions seconded to the **CDC** according to the assignment and delegation of authority from the head of relevant ministries and institutions under the coordination of the **CDC**.

If the proposed Investment Project is not on the Negative List, to be determined separately by the Sub-Decree, the **CDC** shall issue the Registration Certificate to the Applicant within 20 (twenty) Working Days.

The Registration Certificate shall be affixed with a barcode with identification number or QR code or other technology that contains preliminary data related to the registered Investment Project for the benefit of other registrations and the implementation of the Investment Project.

Relevant ministries and institutions requiring registrations and conducting compliance reviews of the Investment Project implementation shall not require the Applicants or Investors to provide documentation already included in the barcode with identification number or QR code or other technology affixed to the Registration Certificate issued by the **CDC**.

#### Article 13:

Investment Projects that have obtained a Registration Certificate may be implemented automatically but it does not exempt the Investment Project from obtaining other permits as required by the laws and regulations in force.

All Investment Projects shall be subject to monitoring and inspection through the One-Stop Service mechanism coordinated by the **CDC** to ensure their compliance with the laws and requirements for obtaining the Registration Certificate.

The person carrying out an Investment Project shall provide a report on the implementation of the project according to the specific schedule set by the **CDC**. The detailed format of the report template shall be determined by the **CDC**'s guidelines.

The provision of the report on the implementation of the Investment Project is not a basis for exemption from an on-site inspection if the **CDC** deems necessary or if there is any complaint from persons who claim to have been affected by the implementation of the Investment Project.

**Article 14:**

The procedures for registration of Investment Project with Municipal-Provincial Investment Sub-Committees shall be determined by a separate Sub-Decree.

**CHAPTER 5**

**INVESTMENT GUARANTEES AND PROTECTION**

**Article 15:**

Investors will be treated without discrimination in relation to restitution, compensation or other economic remedies in the event that their investment suffers losses due to armed conflict, civil disturbance or state of emergency provided that there are laws and policies of the Royal Government of Cambodia on any reasonable restitution or compensation.

Foreign investors shall not be subject to any discrimination on the basis of foreign nationality, except for land ownership as stipulated in the Constitution of the Kingdom of Cambodia and any other regulations in force.

**Article 16:**

The State shall not undertake any nationalization actions which may affect the assets of the Investors in the Kingdom of Cambodia.

**Article 17:**

The State shall not undertake any expropriation which may affect, either directly or indirectly, an approved Investment Project or undertake any measures similar to expropriation, except for the purpose of public interest and that such expropriation shall meet the following conditions:

1. Non-discrimination;
2. Fair and just compensation; and
3. Compliance with the laws and procedures in force for expropriation.

**Article 18:**

The Royal Government of Cambodia shall not fix the price of products or services created or rendered by the Investment Project.

**Article 19:**

In accordance with applicable laws and regulations, the Investors are entitled to freely purchase foreign currencies and to repatriate those foreign currencies to settle financial obligations associated with their investment through authorized intermediary banks. These transfers include:

1. Capital contributions including initial capital contributions;
2. Income, capital gains, dividends, royalties, license fees, management and technical assistance fees, interest and other income from investments;
3. Income from total or partial sale or dissolution of the company implementing the Investment Project;
4. Payment of import and repatriation of both principal and interest of the loan;
5. Payment of compensation in case of civil disturbance, expropriation or confiscation by the State;
6. Payment arising from the settlement of a dispute by any means including court decisions or arbitration awards; and

7. Other income and salary of employees.

**Article 20:**

Investors' intellectual property is protected in accordance with the laws and regulations related to the intellectual property of the Kingdom of Cambodia.

**Article 21:**

Investors' ownership of land for the purpose of implementing Investment Projects is granted only to persons of Cambodian nationality in accordance with the laws and regulations in force.

Investors have the right to use land through economic land concessions or perpetual leases or leases for a fixed duration in accordance with the laws and regulations in force.

**Article 22:**

A person who is considered as an Investor pursuant to this Law has the following rights:

1. The right to hire foreign employees to manage or operate an Investment Project within a quota not exceeding the number stipulated by the laws and regulations in force in the event that it is not possible to find qualified Cambodian employees to manage or operate the Investment Project. The permission to hire foreign employees is based on current circumstances and is not permanent.
2. The right to obtain a temporary long-term stay permit for oneself, spouse and children who are minors during the period when the Investment Project is operating.
3. The right to request temporary long-term stay permits for foreign employees and their spouses and children who are minors during the valid period of the employment contract.
4. The right to obtain a work permit and employment book for oneself and foreign employees.

The **CDC** or the Municipal-Provincial Investment Sub-Committee shall issue a letter to certify the investment status for the persons involved in the Investment Project at the request of the Investor to be used for applying for a temporary long-term stay permit, work permit, employment book and other necessary purposes in accordance with the procedures in force.

Special procedures for applying for work permits and employment books as stated in this Article shall be set out in the joint Prakas between the **CDC** and the Ministry in charge of Labor.

Formalities and special procedures for applying for a temporary long-term stay permit as stated in this Article shall be determined by a separate Sub-Decree.

**Article 23:**

The Investor is entitled to receive after-care services for the Investment Project registered with the **CDC** or a Municipal-Provincial Investment Sub-Committee.

Conditions, formalities and procedures for providing after-care services for the Investment Project as stated in paragraph 1 of this Article shall be determined by the Sub-Decree.

## **CHAPTER 6 INVESTMENT INCENTIVES**

**Article 24:**

The following investment sectors and activities are entitled to investment incentives:

1. High-tech industries involving innovation or research and development;
2. Innovative or highly competitive new industries or manufacturing with high added value;

3. Industries supplying regional and global production chains;
4. Industries supporting agriculture, tourism, manufacturing, regional and global production chains and supply chains;
5. Electrical and electronic industries;
6. Spare parts, assembly and installation industries;
7. Mechanical and machinery industries;
8. Agriculture, agro-industry, agro-processing industry and food processing industries serving the domestic market or export;
9. Small and medium-sized enterprises in priority sectors and small and medium-sized enterprise cluster development, industrial parks, and science, technology and innovation parks;
10. Tourism and tourism-related activities;
11. Special economic zones;
12. Digital industries;
13. Education, vocational training and productivity promotion;
14. Health;
15. Physical infrastructure;
16. Logistics;
17. Environmental management and protection, and biodiversity conservation and the circular economy;
18. Green energy, technology contributing to climate change adaptation and mitigation;
19. Other sectors and investment activities not listed by this Law deemed by the Royal Government of Cambodia to have potential for socio-economic development.

**Article 25:**

The sectors and investment activities listed in Article 24 of this Law that are not on the Negative List shall receive basic tax and/or customs duties incentives in whole or in part after obtaining the Registration Certificate certifying the **QIP** status.

The sectors and investment activities listed in Article 24 of this Law that are not entitled to both tax and customs duties incentives will be stipulated in the Negative List of the Sub-Decree.

**Article 26:**

Investment activities registered as **QIP** are entitled to choose basic incentives under the following two options:

**1. Option 1:**

- Income Tax exemption for 3 (three) to 9 (nine) years, depending on the sector and investment activities, from the time of earning its first income. Sectors and investment activities, as well as the period of income tax exemption, shall be determined in the law on financial management and/or the Sub-Decree. After the income tax exemption period has expired, the **QIP** is entitled to paying income tax at a progressive rate proportional to the total tax due as follows:
  - 25 (twenty-five) percent for the first 2 (two) years;
  - 50 (fifty) percent for the next 2 (two) years; and

- 75 (seventy-five) percent for the last 2 (two) years.
- Prepayment Tax exemption during income tax exemption period;
- Minimum Tax exemption provided that an independent audit report has been carried out;
- Export Tax exemption, unless otherwise provided in other laws and regulations; or

**2. Option 2:**

- Deduction of capital expenditure through special depreciation as stated in the tax regulations in force;
- Eligibility of deducting up to 200 (two hundred) percent of specific expenses incurred for up to 9 (nine) years. Sectors and investment activities, specific expenses, as well as the deductible period, shall be determined in the Law on Financial Management and/or the Sub-Decree;
- Prepayment Tax exemption for a specific period of time based on sectors and investment activities to be determined in the Law on Financial Management and/or the Sub-Decree;
- Minimum Tax exemption provided that an independent audit report has been carried out;
- Export Tax exemption, unless otherwise provided in other laws and regulations.

In addition to the incentives stated in paragraph 1 of this Article:

- a. Export **QIP** and Supporting Industry **QIP** are entitled to customs duty, special tax and value-added tax exemption for the import of Construction Material, Construction Equipment, Production Equipment and Production Inputs;
- b. Domestically Oriented **QIP** is entitled to customs duty, special tax and value-added tax exemption for the import of Construction Material, Construction Equipment, and Production Equipment. The incentives for Production Inputs shall be determined in the Law on Financial Management and/or the Sub-Decree.

**QIP** located in special economic zones is entitled to the same incentives and protections as other **QIP** set forth in this Law.

**Article 27:**

In addition to the basic incentives set out in Article 26 of this Law, investment activities registered as **QIP** receive additional incentives as follows:

1. Value-added tax exemption for the purchase of locally made Production Inputs for the implementation of the **QIP**.
2. Deduction of 150 (one hundred and fifty) percent from the tax base for any of the following activities:
  - a. Research, development and innovation;
  - b. Human resource development through the provision of vocational training and skills to Cambodian workers/employees;
  - c. Construction of accommodation, food courts or canteens where reasonably priced foods are sold, nurseries and other facilities for workers/employees;
  - d. Upgrade of machinery to serve the production line; and

- e. Provision of welfare for Cambodian workers/employees, such as comfortable means of transportation to commute from their homes to factories, accommodation, food courts or canteens where foods are sold at reasonable prices, nurseries and other facilities.
3. Entitlement to income tax exemption for the Expansion of **QIP** which will be determined in the Sub-Decree.

**Article 28:**

In addition to the incentives set out in Article 26 and Article 27 of this Law, any specific sector and investment activities having high potential to contribute to national economic development may receive specific special incentives to be set out in the Law on Financial Management.

**CHAPTER 7**

**ACQUISITION, SALE OR MERGER OF INVESTMENT PROJECT**

**Article 29:**

Rights, privileges and other entitlements of the **QIP** may not be transferred to any third party, except the transfer through acquisition, sale and merger of the Investment Project.

**Article 30:**

Investment Project may be acquired, sold or merged without losing the incentives, investment guarantee and any obligations attached thereto if the acquisition, sale or merger is done in accordance with applicable laws and regulations and through a written request to the **CDC** or the Municipal-Provincial Investment Sub-Committee, where detailed procedures shall be determined by the Sub-Decree.

**CHAPTER 8**

**NULLIFICATION OF INVESTMENT PROJECT**

**Article 31:**

Investment Project may be nullified for any of the following cases:

1. Inability to continue to implement the **QIP**;
2. Dissolution of the legal entity implementing the **QIP**;
3. Failure to fulfil the obligations set out in the laws and regulations in force;
4. At the request of the relevant ministries/institutions for the Investment Project which adversely affects environment or national security or public interests or people's welfare or at the request of the Investor.

**Article 32:**

In the case of nullification under Article 31-1 of this Law, the Investor shall apply for nullification directly or through an authorized representative to the **CDC** or the Municipal-Provincial Investment Sub-Committee. The request shall be signed by the Investor or the authorized representative, stating the reasons for the inability with supporting documents.

In the case of nullification due to dissolution under Article 31-2 of this Law, if the dissolution is made by voluntary liquidation and dissolution, the Investor shall apply for nullification directly or through an authorized representative to the **CDC** or the Municipal-Provincial Investment Sub-Committee.

In the case of nullification due to dissolution under Article 31-2 of this Law, if the dissolution is made by a court decision, the Investor shall apply for nullification directly to the **CDC** or the Municipal-Provincial Investment Sub-Committee, enclosing the final court decision and relevant documents of

dissolution of the legal entity implementing the **QIP**, as well as a statement of interest with relation to the **QIP** to be nullified.

**QIP** may be nullified at the discretion of the **CDC** or the Municipal-Provincial Investment Sub-Committee in accordance with the conditions set out in Article 31-3 of this Law.

The detailed procedures for nullification by request and nullification by discretion under paragraphs 1 to 4 of Article 31 of this Law shall be determined by the Sub-Decree.

**Article 33:**

Even if the Investment Project is nullified, the Investor is not exempt from fulfilling tax and other obligations.

**Article 34:**

Investors may appeal the nullification of the Investment Project by submitting a written complaint to the **CDC** or the Municipal-Provincial Investment Sub-Committee in accordance with procedures in force.

In case of appeal, the **CDC** or a Municipal-Provincial Investment Sub-Committee shall make a decision on such appeal.

In case of dissatisfaction with the above decision, the appealing Investor may file a complaint to the relevant court of the Kingdom of Cambodia.

**Article 35:**

If the Investment Project is nullified, the Investor may transfer the residual assets abroad or use them in the Kingdom of Cambodia. If the Investment Project used imported Construction Material, Construction Equipment, Production Equipment or Production Inputs with the exemption of customs duty, special tax and value-added tax for less than 5 (five) years, the Investor is obliged to pay taxes on Construction Material, Construction Equipment, Production Equipment and other Production Inputs, which shall be determined by the Sub-Decree in accordance with the laws and regulations in force.

## **CHAPTER 9**

### **DISPUTES AND DISPUTE RESOLUTION**

**Article 36:**

Disputes between Investors and Investors related to the Investment Project may be resolved by the **CDC** or Municipal-Provincial Investment Sub-Committees through reconciliation in accordance with procedures in force and upon written request to the **CDC** or the Municipal-Provincial Investment Sub-Committees by any party to the dispute.

Within 30 (thirty) days following receipt of the written request for reconciliation, the **CDC** or the Municipal-Provincial Investment Sub-Committee shall arrange for reconciliation with Investors and other stakeholders, as needed, to find a suitable solution.

If the above reconciliation is not successful, the dispute may be resolved through:

1. National or international arbitration with the consent of the disputing parties;
2. Relevant courts of the Kingdom of Cambodia.

**CHAPTER 10**  
**IMPLEMENTATION**

**Article 37:**

Upon the entry into force of this Law, the Royal Government of Cambodia shall issue a Sub-Decree on the Implementation of the Law on Investment of the Kingdom of Cambodia for an effective and comprehensive implementation of the provisions of this Law.

**CHAPTER 11**  
**TRANSITIONAL PROVISIONS**

**Article 38:**

The following Sub-Decrees shall remain in full force until they are replaced by new Sub-Decrees or legal instruments:

1. Sub-Decree No. 111 ANK/BK dated 27 September 2005 on the Implementation of the Amendment to the Law on Investment of the Kingdom of Cambodia;
2. Sub-Decree No. 79 dated 8 June 2021 on the Establishment of Municipal-Provincial Investment Sub-Committees;
3. Sub-Decree No. 34 ANK/BK dated 23 April 2007 on the Amendment of Section 1, Annex 1 of Sub-Decree No. 111, dated 27 September 2005, on the Implementation of the Amendment to the Law on Investment of the Kingdom of Cambodia;
4. Sub-Decree No. 60 ANK/BK dated 5 April 2016 on the Organization and Functioning of the Council for the Development of Cambodia;
5. Sub-Decree No. 33 ANK/BK dated 13 February 2019 on the Revision of Article 15 of Sub-Decree No. 111, dated 27 September 2005, on the Implementation of the Amendment to the Law on Investment of the Kingdom of Cambodia;
6. Sub-Decree No. 148 ANK/BK dated 29 December 2005 on the Establishment and Management of Special Economic Zones;
7. Other relevant legal instruments.

**Article 39:**

The **CDC** shall continue to perform its duties until the promulgation of a Royal Decree on the Organization and Functioning of the Council for the Development of Cambodia.

**Article 40:**

Investments that have received investment incentives and are authorized by the Law on Investment of the Kingdom of Cambodia promulgated by Royal Kram No. 03/NS/94 dated 05 August 1994, and the Law on Amendment to the Law on Investment of the Kingdom of Cambodia promulgated by Royal Kram No. NS/RKM/0303/009 dated 24 March 2003, and other Sub-Decrees are considered as **QIPs** under this Law and the relevant Sub-Decree.

Investments that have not received investment incentives but received investment guarantees and are authorized by the Law on Investment of the Kingdom of Cambodia promulgated by Royal Kram No. 03/NS/94 dated 05 August 1994, and the Law on Amendment to the Law on Investment of the Kingdom of Cambodia promulgated by Royal Kram No. NS/RKM/0303/009 dated 24 March 2003, and other Sub-Decrees are considered as **GIPs** under this Law and the relevant Sub-Decree.

**QIPs** that have been entitled to income tax exemption prior to the promulgation of this Law, shall continue to receive the incentives for the remaining income tax exemption.

**CHAPTER 12**  
**FINAL PROVISIONS**

**Article 41:**

The Law on Investment of the Kingdom of Cambodia promulgated by Royal Kram No. 03/NS/94 dated 05 August 1994 and the Law on Amendment to the Law on Investment of the Kingdom of Cambodia promulgated by Royal Kram No. NS/RKM/0303/009 dated 24 March 2003 and any other regulations contrary to this Law shall be abrogated.

**Article 42:**

This Law shall be promulgated immediately.



**Kingdom of Cambodia  
Nation Religion King**

\*\*\*\*\*

**Royal Government of Cambodia  
No. 139 ANKr.BK**

**SUB-DECREE  
ON  
IMPLEMENTATION OF LAW ON INVESTMENT OF THE KINGDOM OF CAMBODIA**

**ROYAL GOVERNMENT**

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen the Royal Decree No. NS/RKT/0918/925 dated 6 September 2018 on the Appointment of the Royal Government of the Kingdom of Cambodia;
- Having seen the Royal Decree No. NS/RKT/0320/421 dated 30 March 2020 on the Appointment and Reorganization of the Composition of the Royal Government of the Kingdom of Cambodia;
- Having seen the Royal Kram No. NS/RKM/0618/012 dated 28 June 2018 Promulgating the Law on the Organization and Functioning of the Council of Ministers;
- Having seen the Royal Kram No. NS/RKM/1021/014 dated 15 October 2021 Promulgating the Law on Investment of the Kingdom of Cambodia;

**IT IS HEREBY DECIDED**

**CHAPTER 1**

**GENERAL PROVISIONS**

**Article 1.\_**

This Sub-Decree aims to implement the provisions of the Law on Investment of the Kingdom of Cambodia.

**Article 2.\_**

This Sub-Decree applies to investment projects which are registered and recognized by the Council for the Development of Cambodia or by the Capital-Provincial Investment Sub-Committees.

**Article 3.\_**

Key terms used in this Sub-Decree are defined as follows:

**Council for the Development of Cambodia** (abbreviated to “**CDC**”) means the executive body acting as the “*Etat-Major*” and One-Stop Service of the Royal Government responsible for

overseeing and managing development cooperation, private investment, and special economic zones.

**Municipal-Provincial Investment Sub-Committees** (abbreviated to “**MPISC**”) means entities performing their duty as “*Etat-Major*” for the Capital-Provincial Administration to be used as a mechanism to review and approve a private investment and solve disputes related to the investment project.

**Investment Activity Group 1** (abbreviated to “**Group 1**”) means an Investment Activity Category as stated in Section 1, Annex 2 of this Sub-Decree, and which is the Investment Activity Category that uses high-tech or is in a priority sector of the Royal Government.

**Investment Activity Group 2** (abbreviated to “**Group 2**”) means an Investment Activity Category as stated in Section 2, Annex 2 of this Sub-Decree, and which is the Investment Activity Category that uses mid-tech.

**Investment Activity Group 3** (abbreviated to “**Group 3**”) means an Investment Activity Category as stated in Section 3, Annex 2 of this Sub-Decree, and which is the Investment Activity Category that uses low-tech.

**Investment Project** means a Qualified Investment Project, an Expansion- Qualified Investment Project, and a Guaranteed Investment Project.

**Qualified Investment Project** (abbreviated to “**QIP**”) means an Investment Project that has received a Registration Certificate from the CDC or a MPISC.

**Export Qualified Investment Project** means a QIP which sells or transfers any proportion of its products to purchasers or recipients outside the Kingdom of Cambodia.

**Supporting Industry Qualified Investment Project** means a QIP in which any proportion of its products is supplied to export industries.

**Domestically Oriented Qualified Investment Project** means a QIP that does not export.

**Expanded-Qualified Investment Project** (abbreviated to “**EQIP**”) means an expansion of a QIP in any form, including but not limited to expansion of existing production, expansion through product line diversification within the same lines, expansion through the use of new technologies that increase/enhance productivity or protect the environment, expansion of infrastructure to serve basic telecommunication services, or expansion in any other forms.

**Guaranteed Investment Project** (abbreviated to “**GIP**”) means an Investment Project registered with the CDC or a MPISC and being clearly mentioned as a GIP but not eligible for tax incentives.

**Working Day** means a calendar day which is an official working day of the Royal Government of Cambodia.

**Production Inputs** means raw materials, semi-finished products, and production accessories, including goods that are transformed in the production process, except for petroleum products and spare parts for motor vehicles.

**Cambodian Legal Entity** means a company that has a place of business and is registered in the Kingdom of Cambodia, in which 51 (fifty-one) percent or more of its shares is held by persons with Cambodian nationality.

**Construction Equipment** means equipment that is assembled, made, or produced to be used in or affixed to a construction to increase quality, comfort, and ease of use, including but not limited to lamps, electric wires, fiber optic cables, sinks, faucets, bathtubs, elevators/escalators, pipes, and air conditioners. The incentive for import of air conditioners as stated in this Sub-Decree is only for serving QIP in the manufacturing sector. Import of air conditioners for an Investment Activity or project in any specific sector other than the manufacturing sector will receive the incentives to be stipulated in the Law on Financial Management or in a separate sub-decree.

**Person** means a natural person or a legal entity.

**Negative List** means the list of Investment Project set out in Annex 1 of this Sub-Decree and in accordance with Article 12 of the Law on Investment of the Kingdom of Cambodia, being the list of Investment Activities ineligible to be qualified as QIP.

**List of Investment Activity Category** means the list of Investment Activities as stated in Annex 2 of this Sub-Decree which includes the list of Investment Activity Group 1, Group 2 and Group 3 which are allocated based on the priority policies of the Royal Government and the technological level.

**Tax on Income subject to Incentives** means Tax applicable to taxable income from the business activity of a QIP. Taxable Income refers to the net income to be calculated in accordance with the applicable tax provisions.

**Registration Certificate** means a certificate issued by the CDC or a MPISC recognizing the Investment Project.

**Investor** means a person who implements the Investment Project registered with the CDC or a MPISC.

**Investment Activity** means a business activity in the Kingdom of Cambodia that is established, acquired, sold, transferred, expanded, or merged and authorized in writing by an institution in charge in accordance with the laws and regulations in force.

**Logistics Center (or Logistics)** means a center for the collection, storage and distribution of goods for transport including logistic services (logistics) with value-added Services such as: services for lifting up/lifting down goods, loading/unloading goods, assembling goods, classifying goods, packaging goods, consolidating goods for package into containers, fulfilling customs formalities and processing information for goods inflow.

**Investment Project Registration Application** means an application submitted by a Person to the CDC or MPISC for the purpose of QIP and GIP establishment. This application may include one or more phases, including the application for expansion of a QIP.

**Production Equipment** means heavy machinery, machine tools and other equipment used substantially in the production chain, except motor vehicles.

**Construction Material** means construction items used or wholly converted to be used in construction including the Construction Equipment for a QIP used to carry out its investment activities in the initial construction phase or expansion. Construction Material includes raw materials for mixture, combination, assembly, or use as building components/structures, Construction Equipment, or construction products including but not limited to sand, stone, gravel, cement, iron, glass, clay, ceramic, and wood.

Construction Equipment, Construction Material, and Production Equipment as stated in this Article shall meet technical standards and quantities relevant to the Investment Project.

**Applicant** means a person who applies for registration of an Investment Project with the CDC or a MPISC.

**Investment Capital** means an investment value indicated in a local currency or foreign currency excluding the land value and working capital.

**EQIP Capital** means an additional investment value on the existing QIP to be used only for the investment in new Construction Material and Production Equipment.

**Investment Project Registration Application Documents** means an application for registration as stated in the form set out in Annex 5, Annex 6 and Annex 7 of this Sub-Decree and the Supporting Documents for registration application.

**Professional Services** means professional services including but not limited to legal services, finance, accounting, audit, tax advisory, architecture, engineering, information technology services, information dissemination, commercial advertisement, and management services.

**Authorized Representative** means a legal representative who is assigned by a natural person or legal entity to implement the Investment Project and who is entitled to make decisions in accordance with powers assigned to them/it pursuant to a power of attorney.

**Supporting Documents** means documents to be submitted together with other Investment Project Registration Application or other application.

## CHAPTER 2

### PROCEDURES FOR REGISTRATION AND IMPLEMENTATION OF AN INVESTMENT PROJECT

#### Article 4.\_

The Investment Project Registration Application for a QIP shall fulfil the following conditions:

1. The Applicant must be a person who implements the Investment Project or by the Authorized Representative;
2. The proposed Investment Project registration as a QIP must have a specific project location and registered office in the Kingdom of Cambodia;

3. The proposed Investment Project registration as a QIP is not an Investment Activity covered in the activities stated in Annex 1 of this Sub-Decree.

The Person who wishes to implement a QIP must submit a written Investment Project Registration Application for a QIP to the CDC or a MPISC to obtain the incentives, guarantees and protections in compliance with the laws and regulations in force.

For the Investment Project Registration Application as QIP which is made in compliance with the 2<sup>nd</sup> Paragraph of this Article, the Applicant must provide the necessary information in accordance with the Application Form as stated in Annex 5 of this Sub-Decree.

The above Investment Project Registration Application for a QIP can also be made through the information technology platform.

The complete Investment Project Registration Application for a QIP shall be signed by the Person who implements the Investment Project or by the Authorized Representative.

Where the Investment Project Registration Application for a QIP is signed by the Authorized Representative, the Authorized Representative shall submit the document confirming his/her right to be a representative and the Supporting Documents confirming the scope of his/her authority for any decision making.

The Person who wishes to invest and operate in more than one Investment Activity shall submit a separate Investment Project Registration Application for a QIP for each Investment Activity, except for activities support the main Investment Project or Expansion-Qualified Investment Project.

An Investment Project that is nullified, closed, or suspended without following the applicable procedures shall not be allowed for reregistration as a new Investment Project.

An Investment Project that has been found to have been deliberately nullified or closed for tax avoidance or evasion shall not be eligible for reregistration as a QIP.

The Applicant shall pay fees according to the prescribed public service fee schedule.

#### **ARTICLE 5.\_**

The Investment Project Registration Application as an EQIP shall meet the following conditions:

- 1- The Applicant must be the Person who implements the Investment Project or their/its Authorized Representative;
- 2- The proposed project to be registered as an EQIP shall be an existing QIP;
- 3- The proposed project to be registered as an EQIP shall not include the acquisition, sale; or merger of other QIPs that have already received incentives on Tax on Income;
- 4- The proposed project to be registered as an EQIP shall not be a supplement to the Investment Capital of the initially registered QIP;

- 5- The proposed project to be registered as an EQIP shall have an EQIP Capital at least equal to the minimum capital as stated in Annex 1 of this Sub-Decree.

The Person who wishes to implement an EQIP shall submit a written Investment Project Registration Application for an EQIP to the CDC or a MPISC in accordance with the procedures and forms set out in Annex 6 of this Sub-Decree.

The above Investment Project Registration Application for an EQIP can also be carried out through an information technology platform.

The complete Investment Project Application for an EQIP shall be signed by the Person who implements the Investment Project or by their/its Authorized Representative.

Where the Investment Project Application for an EQIP is signed by the Authorized Representative, the Authorized Representative shall submit the document confirming their right to act as a representative and the Supporting Documents confirming the scope of his/her authority for any decision making.

The Applicant shall pay the fees according to the prescribed public service fee schedule.

#### **ARTICLE 6.\_**

The Person who wishes to apply for registration as a GIP shall submit a written Investment Project Registration Application for a GIP to the CDC or a MPISC in accordance with the procedures and the forms set out in Annex 7 of this Sub-Decree to obtain the guarantees and protections in compliance with the Law on Investment of the Kingdom of Cambodia and international investment-related agreements or treaties which Cambodia has ratified. The above Investment Project Registration Application for a GIP can also be carried out through an information technology platform.

The complete Investment Project Registration Application for a GIP shall be signed by the Person who implements the Investment Project or by the Authorized Representative. Where the Investment Project Registration Application for a GIP is signed by the Authorized Representative, the Authorized Representative shall submit the document confirming their right to act as a representative and the documents confirming the scope of his/her authority for any decision making.

The Applicant shall pay the fees according to the prescribed public service fee schedule.

The CDC or a MPISC shall review the application as stated in Paragraph 1 of this Article by considering the advantages of the project to the needs of the national economy before issuing a Registration Certificate to the Applicant at its discretion.

As a basis for approval, the CDC and a MPISC shall apply the following conditions:

- 1- The Applicant shall be the Person who implements the Investment Project or its Authorized Representative.

2- The proposed project for registration as a GIP shall have a specific project location and registered office in the Kingdom of Cambodia.

3- The proposed project for registration as a GIP shall not be an Investment Activity prohibited by the applicable laws or regulations of the Kingdom of Cambodia.

4- A legal entity which implements a GIP shall not be held or controlled by a natural person who is not a citizen of any of the member States of the Association of Southeast Asian Nations (ASEAN), or of any country that has not entered into international investment-related agreements or treaties that Cambodia has ratified, or of any country that does not have diplomatic relations with the Kingdom of Cambodia.

5- The proposed project for registration as a GIP shall not be carried out by an Authorized Representative to facilitate a foreigner who is prohibited from carrying out any activity in the Kingdom of Cambodia or abroad from receiving legal investment opportunities and various benefits under the Law on Investment of the Kingdom of Cambodia.

#### **ARTICLE 7.\_**

Pursuant to the One-Stop Service mechanism, in reviewing the Investment Project Registration Application as stipulated in the Law on Investment of the Kingdom of Cambodia, the CDC or a MPISC shall issue a Registration Certificate to the Applicant within a period not exceeding 20 (twenty) Working Days if the proposed Investment Project complies with the registration procedures as stated in this Sub-Decree and with the applicable laws and regulations. The Registration Certificate shall be issued in the form as prescribed in Annex 8 of this Sub-Decree, accompanied by the main conditions and incentives in the form set out in Annex 9 of this Sub-Decree.

The Registration Certificate is designated with a numbered barcode, QR code or other technological system which contains some basic data related to the registered Investment Project for the sake of other registration and for the Investment Project implementation. Ministries, institutions, capital/provincial administrations, departments, and units involved in handling relevant registrations and reviewing compliance of the Investment Project implementation need not require the Applicant or Investor to provide existing documents where the Registration Certificate issued by the CDC or a MPISC is affixed with a numbered barcode, QR code or other technological system.

Depending on the circumstances, the CDC or a MPISC reserves the right to delay or deny an Applicant's registration for an Investment Project Registration Application by issuing a written notice to the Applicant specifying any of the following reasons:

1- The Investment Project Registration Application does not comply with the registration procedures as stated in this Sub-Decree and the applicable laws and regulations; or

2- The Applicant did not provide sufficient information required by applicable law or by this Sub-Decree; or

3- The proposed project is highly sensitive, which requires prior consultation from the plenary meeting of the Council of Ministers or the Royal Government.

The notice of the delay of registration as stated in Paragraph 3 of this Article shall specify to the Applicant the points to be rectified or conditions to be complied with and the timeline for the rectification or compliance.

#### **ARTICLE 8.\_**

The issuance of the Registration Certificate to the Applicant does not exempt an Investment Project from obtaining any approval, authorization, license, permit or other registrations required by relevant ministries, institutions, capital/provincial administrations, departments and units under applicable laws and regulations.

Notwithstanding the expiration of the period of 20 (twenty) Working Days as stated in Paragraph 1 of Article 7 of this Sub-Decree, the competent ministries, institutions, capital/provincial administrations, departments, and units shall grant the required approvals, authorizations or licenses as prescribed by applicable laws and regulations. Delays in issuing permits from competent ministries, institutions, capital/provincial administrations, departments, and units without valid reasons shall not obstruct the implementation of Investment Project. The issuance date of the Registration Certificate to the Applicant is the commencement date of the project.

#### **ARTICLE 9.\_**

After verifying that the Investment Project Registration Application Documents have complied with the applicable procedures, the responsible official shall handle the application in accordance with the internal administrative procedures of the CDC or a MPISC without delay.

Upon receipt of the Investment Project Registration Application, the responsible official shall issue to the Applicant a receipt pending issuance of the Registration Certificate.

The CDC or a MPISC shall handle the review and approval of Investment Project Registration Application through the One-Stop Service mechanism prescribed by the Law on Investment of the Kingdom of Cambodia. The officials representing ministries, institutions, capital/provincial administrations, departments, and units stationed at the CDC or a MPISC shall give their written opinions on approval or disapproval of the application without delay through the One-Stop Service mechanism. These approval or disapproval opinions shall be considered as the opinions of the concerned ministry, institution, capital/provincial administration, department, and unit. The procedures and ways of working for the One-Stop Service mechanism shall be determined by the CDC or a MPISC.

The CDC or a MPISC shall issue a Registration Certificate to the Applicant upon receipt of a decision by the One-Stop Service mechanism. The Registration Certificate may be issued in writing to the Applicant in person, by Cambodia Post, by electronic means, or through the information technology platform officially used by the CDC or a MPISC.

## **ARTICLE 10.\_**

The CDC or a MPISC has obligations to inspect the implementation of Investment Projects in accordance with Article 13 of the Law on Investment of the Kingdom of Cambodia in order to ensure their compliance with the laws and requirements for obtaining the Registration Certificate.

The inspection of the implementation of the Investment Project shall be performed on a regular or as necessary basis with prior notice to the Person involved in the implementation of the Investment Project, except for suspicious cases where the relevant ministries, institutions, capital/provincial administrations, departments, and units may conduct inspection without any prior notice.

The purposes of the above inspection on the implementation of the Investment Project are:

To inspect requirement for and uses of the Construction Material, the Construction Equipment, the Production Equipment, and/or the Production Inputs to implement the Investment Project in accordance with the prescribed principles. The Production Inputs imported with tax incentives are not allowed to be stored beyond the expiry date or kept unused without valid reasons and without requesting to be re-exported, released for sale on local markets or transferred to another Investment Project under the applicable laws and regulations.

1- To inspect the progress of the Investment Project, including those involving State properties and/or public finances, and the use of investment incentives packages provided by the CDC or MPISC.

2- To inspect the actual existence and non-existence of the Investment Project.

## **ARTICLE 11.\_**

The Investor is required to provide reports within the timeline and according to the formalities as specified below:

1- Within 20 (twenty) Working Days of the closing date for submitting a tax return, the Investor has an obligation to provide the CDC or a MPISC with semi-annual and annual reports on:

A- The import of Construction Material, Construction Equipment, Production Equipment and/or Production Inputs for the production chain, with customs duty, special tax and value added tax exemption.

B- The actual implementation of the Investment Project by specifying the Investment Capital, number of workers, production status, market status and compliance with social and environmental protection obligations.

C- Compliance with tax obligations in accordance with the applicable regulations and Law on Taxation.

2- The detailed report template shall be determined by the guidelines of the CDC or a MPISC.

3- Obligations to provide semi-annual and annual reports:

A- Based on the semi-annual and annual reports provided by the Investor, the CDC or a MPISC shall issue a certificate of compliance to the Investor in the following year.

B- In the case that the CDC or a MPISC fails to issue a certificate of compliance to the Investor while the Investor has properly provided the reports in accordance with this Article, it is assumed that a certificate of compliance has been automatically granted to the Investor.

C- If the Investor fails to provide proper reports according to the provisions of this Article, the Investment Project will lose the incentives, guarantees and protections previously granted. The Investor shall submit a request to the CDC or a MPISC to obtain a certificate of compliance, accompanied by the reports and a letter stating the reasons for failure to provide the reports so that the Investment Project can continue to enjoy the incentives, guarantees and protections previously granted.

#### **ARTICLE 12.\_**

An Investor shall submit a written request to the CDC or a MPISC for approval of any changes related to the Investment Project and those changes are stated in statute filed with the CDC or a MPISC. The CDC or a MPISC will review and approve the request in accordance with the applicable procedures.

### **CHAPTER 3**

#### **INVESTMENT INCENTIVES**

#### **ARTICLE 13.\_**

Except as otherwise provided by law, the Investment Activity not covered by Annex 1 of this Sub-Decree may receive basic incentives in accordance with the criteria set out in the Annexes of this Sub-Decree upon obtaining a Registration Certificate certifying QIP status as per the Law on Investment of the Kingdom of Cambodia.

The review and approval or determination of whether an Investment Activity falls under Annex 1 of this Sub-Decree or not shall be based on the Investment Project Registration Application Documents and other official certifications.

In order to receive basic tax incentives, the QIP shall strictly comply with the obligations of the Investment Capital and/or land size and/or other conditions as specified in this Sub-Decree within the earliest period between the period specified in the QIP investment plan set at the time of the application or the year that the QIP receives its first revenue. Separately, the QIP in the agricultural sector should strictly comply with the obligations of the Investment Capital and/or

land size and/or other conditions as set out in this Sub-Decree until the last year of the tax exemption period.

The Investment Activity or Investment Project involving State properties and/or public finances without approval from the Ministry of Economy and Finance shall not be granted with Investment Project registration and incentives.

#### **ARTICLE 14.\_**

The Investment Activity registered as a QIP in accordance with Article 26 of the Law on Investment of the Kingdom of Cambodia is entitled to select one of the basic incentives options as follows:

- 1- Option 1, will receive the following incentives:
  - A- Tax on Income exemption starting from the time of receipt of first revenue from the business activity during a specific period according to the Investment Activity Category that is stated in the list of Investment Activity in Annex 2 of this Sub-Decree as follows:
    - 9 (nine) years for Group 1;
    - 6 (six) years for Group 2;
    - 3 (three) years for Group 3.
  - B- Entitlement to the incentive to pay Tax on Income at a progressive rate proportional to the total amount of tax due after the expiration of the Tax on Income exemption period:
    - 25 (twenty-five) percent for the first 2 (two) years;
    - 50 (fifty) percent for the next 2 (two) years; and
    - 75 (seventy) percent for the last 2 (two) years;
  - C- An exemption for the Prepayment of Tax on Income during a specific period according to the Investment Activity Category as stated in the list of Investment Activity of Annex 2 of this Sub-Decree as follows:
    - 9 (nine) years for Group 1;
    - 6 (six) years for Group 2;
    - 3 (three) years for Group 3.
  - D- A Minimum Tax exemption provided that an independent audit report has been obtained.
  - E- An export tax exemption, unless otherwise stated in other laws and regulations.
- 2- Option 2, will receive the following incentives:
  - A- Entitlement to deduct capital expenditure through special depreciation as stated in the applicable provisions on taxation.
  - B- Entitlement to deduct up to 200 (two hundred) percent of certain expenses within a specific period according to the Investment Activity Category as stated in the list of Investment Activity in Annex 2 of this Sub-Decree as follows:
    - 9 (nine) years for Group 1;

- 6 (six) years for Group 2;
  - 3 (three) years for Group 3.
- Certain expenses include:
- Expenses for training on specific skills for Cambodian employees to substitute foreign employees;
  - Expenses for using accounting books via an information technology system;
  - Expenses for providing scholarships to Cambodian employees to study certain skills abroad;
  - Expenses for the study, research and development, and hiring of foreign experts to provide training on new technologies, Industry 4.0, including artificial intelligence and robotics, or the arrangement of big data storage.
- C- An exemption for Prepayment of Tax on Income for a specific period according to the Investment Activity Category as stated in the list of Investment Activity in Annex 2 of this Sub-Decree as follows:
- 9 (nine) years for Group 1;
  - 6 (six) years for Group 2;
  - 3 (three) years for Group 3.
- D- A minimum tax exemption provided that an independent audit report has been obtained.
- E- An export tax exemption, unless otherwise stated in the other laws and regulations.

In addition to the incentives of the 2 (two) options above:

1- A QIP that has the right to import Construction Material, Construction Equipment and Production Equipment to serve its production line will have customs duty, special tax and value added tax exemption,

2- In addition to Item 1 of this Paragraph, an Export QIP or Supporting Industry Export QIP that has the right to import the Production Inputs to serve its production line will have customs duty, special tax and value added tax exemption. In the case that Production Inputs are not used to supply the production line, the Export QIP or the Supporting Industry Export QIP must pay customs duty, special tax and value added tax in accordance with the applicable laws and regulations.

3- Except otherwise provided in the law, any Investment Activity covered by Annex 3 of this Sub-Decree shall be granted with incentives to import the Construction Material, the Construction Equipment and the Production Equipment for its production line and the customs duty, special tax and value added tax exemption, but shall not be granted with the tax incentives after obtaining a Registration Certificate certifying a QIP status as stated in the Law on Investment of the Kingdom Cambodia.

4- The Domestically Oriented QIP with the Investment Activity covered under Annex 4 of this Sub-Decree that has the right to import the Production Inputs for its production line will have customs duty, special tax and value added tax exemption.

5- The Domestically Oriented QIP that can directly export or supply the Production Inputs to the Export QIP of any part of the products made from the imported Production Inputs and having fulfilled the tax obligations will be refunded or reserved for the payment of customs duty, special tax and value added tax on goods to be imported at a later date according to the applicable laws, regulations and procedures at the request of the Investor.

#### **ARTICLE 15.\_**

In addition to the basic incentives set forth in Article 14 of this Sub-Decree, a QIP shall receive the following additional incentives:

1. A QIP is exempted from value added tax on the purchase of locally produced Production Inputs for the implementation of the QIP. This value added tax exemption shall apply at the rate of 0 (zero) percent.
2. A QIP receives a deductible expense at the rate of 150 (one hundred and fifty) percent from the tax base for any of the following activities:
  - A. Research, development, and innovation.
  - B. Human resources development through the provision of vocational training and skills to Cambodian workers/employees.
  - C. Construction of accommodation, canteens, free of charge or affordable food courts, nurseries, and other facilities for workers/employees.
  - D. Modernizing machinery to serve the production line.
  - E. Offering welfare promotion to Cambodian workers/employees, such as providing comfortable means of transportation for workers to travel from their accommodation to the factory, accommodation, canteens, free of charge or affordable food courts, nurseries, and other facilities.
  - F. Investment or construction of infrastructure for all types of waste treatment, including solid waste, hazardous waste, liquid waste, and smoke.
- 3- A QIP that has the right to import the Construction Material and the Construction Equipment for the construction of accommodation, nurseries, first aid rooms, canteens, free of charge or affordable food court only for the workers of its Investment Project located at the premises of the Investment Project, will have customs duty, special tax and value added tax exemption.

#### **Article 16.**

The incentives shall be granted to the EQIP in accordance with the following:

1. A QIP with the request to expand the Investment Activity shall be entitled to receive an incentive on Tax on Income exemption period if the expanded project takes any of the following forms:
  - A. Expansion of the existing production.
  - B. Expansion through product line diversification within the same line.

- C. Expansion through the installation of new and modern technologies that increase productivity or protect the environment.

If the project expansion takes any other form, a permit from the Royal Government must be obtained.

2. From the time of QIP expansion, the EQIP shall be entitled to obtain the Tax on Income exemption according to the original Investment Activity within a specific period according to the Investment Activity Category as specified in the list of Investment Activities of Annex 2 of this Sub-Decree as follows:
  - A. 9 (nine) years for Group 1;
  - B. 6 (six) years for Group 2;
  - C. 3 (three) years for Group 3.
3. The part of revenue to be exempted from tax for an EQIP is equal to the total taxable income multiplied by the rate of EQIP Capital. The rate of EQIP Capital is equal to the EQIP Capital divided by the total Investment Capital. The total Investment Capital is equal to the Investment Capital of the initially registered QIP plus the EQIP Capital to be granted with the incentive. The calculation formula is as follows:

I TOIE	=	TTI x (EIC/TIC)
I TOIE	=	Income with Tax on Income Exemption
TTI	=	Total Taxable Income
EIC	=	EQIP Capital to be granted with Incentive
TIC	=	Total Investment Capital (IIC + EIC)
IIC	=	Initial Investment Capital of QIP

4. Prepayment of the Tax on Income for EQIP shall be exempted based on the proportion of the rate of EQIP Capital within the Tax on Income exemption period on the EQIP.
5. EQIP is entitled to a minimum tax exemption provided that an independent audit report has been obtained.

**Article 17.**

The QIP for assembling new motor vehicles is entitled to incentives in the form of reduced rate of custom duties, special taxes and value added taxes for the import of motor vehicle assembly parts to serve the domestic market according to the following criteria and reduced tax rates:

- Be eligible to the 50 (fifty) percent reduced tax rate, special tax, and value added tax incentive for the QIP that uses component parts which are finished products without further processing and with at least 3 (three) percent of domestic accessories, and meets 2 (two) of the following 3 (three) conditions: (1) using 400 (four hundred) or more component parts per motor vehicle; (2) having an

Investment Capital of USD 5,000,000 (five million US dollars) or more; and (3) employing 150 (one hundred and fifty) or more workers.

- Be eligible to the 70 (seventy) percent reduced tax rate, special tax, and value-added tax incentive for the QIP that uses component parts which are finished products without painting and with at least 5 (five) percent of domestic accessories, and meets 2 (two) of the following 3 (three) conditions: (1) using 500 (five hundred) component parts or more per motor vehicle, (2) having an Investment Capital of USD 15,000,000 (fifteen million US dollars) or more, and (3) employing 300 (three hundred) or more workers.
- Be eligible to the 80 (eighty) percent reduced tax rate, special tax, and value-added tax incentive for the QIP that uses unwelded and unpainted component parts and with at least 20 (twenty) percent of local accessories, and meets 2 (two) of the following 3 (three) conditions: (1) using 600 (six hundred) component parts or more per motor vehicle, (2) having an Investment Capital of USD 35,000,000 (thirty five million US dollars) or more, (3) employing 500 (five hundred) or more workers.
- Be eligible to the 90 (ninety) percent reduced tax rate, special tax, and value-added tax incentive for the QIP that uses component parts not having any casting mold, not bent, welded, and not painted yet, and with at least 40 (forty) percent of local accessories and meets 2 (two) of the following 3 (three) conditions: (1) using at 700 (seven hundred) or more component parts per motor vehicle, (2) having an Investment Capital of USD 45,000,000 (forty five million US dollars) or more, (3) employing 600 (six hundred) or more workers.

The criteria for fiscal incentives set out in this Sub-Decree are subject to review, assessment, and adjustment according to actual needs under the guidance and coordination of the Ministry of Economy and Finance in order to provide recommendations to the Royal Government to review and approve.

#### **Article 18.**

A QIP has the right to submit a request for incentives on customs duty, special tax, and value-added tax exemption to the CDC or a MPISC to review and approve through an inter-ministerial/institutional mechanism.

The procedures to grant incentives on customs duties, special tax, and value-added tax exemption for the import and use of the Construction Material, the Construction Equipment, the Production Equipment, and the Production Inputs for the Investment Project registered with the CDC shall be stated in a joint Prakas between the Ministry of Economy and Finance and the CDC.

The procedures to grant incentives on customs duties, special tax, and value-added tax exemption for the import and use of the Construction Material, the Construction Equipment,

the Production Equipment, and the Production Inputs for the Investment Project registered with the MPISC shall be stated in a joint Prakas between the Ministry of Economy and Finance and the Ministry of Interior.

The Investor or the Authorized Representative has the right to submit a written request to the CDC or a MPISC, through an inter-ministerial mechanism, to review and approve the transfer, sale, or re-export of the Construction Material, the Construction Equipment, the Production Equipment, and the Production Inputs which have been imported, whereby customs duties, special tax, and value-added tax is exempted, to other investors for use in the QIP or export abroad.

The Construction Material, the Construction Equipment, the Production Equipment, and the Production Inputs which have been imported whereby customs duties, special tax and value-added tax are exempted, and which are used, sold, transferred for other purposes with a prior approval from the CDC or a MPISC, the Investor is required to pay customs duties, special tax, and value-added tax in accordance with applicable laws and regulations related to customs.

The Construction Material, the Construction Equipment, the Production Equipment, and the Production Inputs which have been imported whereby customs duties, special tax and value-added tax are exempted, and which are used, sold, transferred for other purposes without a prior approval from the CDC or a MPISC, the Investor is required to pay customs duties, special tax, and value-added tax and other penalties in accordance with applicable laws and regulations related to customs.

For the disposal or destruction of the Construction Material, the Construction Equipment, the Production Equipment, and the Production Inputs, which have been imported whereby customs duties, special tax and value-added tax are exempted, the Investor must follow the procedures in accordance with the applicable laws and regulations.

After obtaining an approval from the CDC or a MPISC for sale, transfer, use for other purposes within 28 (twenty-eight) days, the Investor has an obligation to pay customs duty, special tax, and value-added tax, and/or other penalties in accordance with the applicable laws and regulations related to customs.

For failure or delay in payment of customs duties, special tax, and value-added tax and/or penalties as stated in this Article, the Investor shall be subject to administrative measures in accordance with applicable laws and regulations.

#### **CHAPTER 4**

#### **PROVISION OF INVESTMENT AFTER-CARE SERVICES**

#### **ARTICLE 19.\_**

The CDC or the MPISC shall provide the following investment after-care services:

1- Study and assess the status and the progress, actual demands, and challenges of the Investment Project or the Investor by collecting information provided by the Investor.

2- Organize meetings between representatives of relevant ministries and institutions and the Investor to disseminate, orient, and raise awareness of current update and development of policies, and enforcement of law, regulations and procedures related to the investment.

3- Consult and coordinate with relevant ministries, institutions, capital/provincial administrations, departments, and units to obtain approval, authorization, licenses, permits or registrations and visas for entry and exit of the Investor.

4- Organize matchmaking programs for both domestic and foreign Investors with an aim to promote the local supply chain clustering.

5- Organize meetings between representatives of relevant ministries, institutions, capital/provincial administrations, departments and units and the Investor in order to disseminate, orient, and raise awareness of a data system management for the local supply chain clustering and provide general investment after-care services.

6- Coordinate with the existing Investment Projects to promote the attraction of suppliers of Production Inputs of those Investment Projects to invest in Cambodia with an aim of developing comprehensive link to the Backward Linkages and Forward Linkages.

7- Consult on finding strategic and potential locations for the Investment Project or EQIP that can connect to economic poles and other major economic corridors in Cambodia, the Mekong Sub-region, and the ASEAN region.

8- Consult on human resource development, research, development and innovation.

9- Coordinate with relevant units on financial support for the Investor.

10- Consult with the Investor on any challenges and seek possible solutions in order to prevent any eventual investment disputes.

11- Consult on dispute resolution mechanisms for any dispute arising from the Investment Project implementation pursuant to Article 36 of the Law on Investment of the Kingdom of Cambodia.

The CDC or the MPISC shall set up an investment after-care service mechanism to promote the effectiveness of the investment facilitation with an aim to increase trust and seek for possible solutions to challenges faced by Investors at all stages of Investment Project implementation, which will ensure the interests of all relevant parties, fair competition and favorable investment environment.

## **ARTICLE 20.\_**

The investment after-care services shall be made through a mechanism of inter-ministries, institutions, capital/provincial administrations, departments, and units that are the “*Etats - Major*” of the CDC or a MPISC, which shall be established by the decision of the CDC or a MPISC.

The CDC or a MPISC shall assign a coordinator as “a principal official” to lead the mechanism of inter-ministries, institutions, capital/provincial administrations, departments, and units with participation of the representatives of relevant ministries and institutions.

Relevant ministries, institutions, capital/provincial administrations, departments, and units shall appoint a representative with decision-making power to participate in implementing the mechanism of inter-ministries, institutions, capital/provincial administration, departments, and units.

#### **ARTICLE 21.**

An Investor may obtain the investment after-care services from the mechanism of inter-ministries, institutions, capital/provincial administrations, departments, and units by submitting a written application to the CDC or a MPISC, and by stating any specific challenges and specific measures which impact the Investment Project in accordance with the form set out in Annex 10 of this Sub-Decree.

After receiving the Application for investment after-care services, the CDC or a MPISC shall respond to the Applicant on the approval to set out a training schedule and program, and identify and assess issues.

If necessary, the **CDC** or a **MPISC** shall coordinate with the relevant ministries, institutions, capital/provincial administrations, departments, and units to help address the issues, or may invite the Investor to meet in person with the ministries, institutions, capital/provincial administrations, departments, and units to find solutions.

### **CHAPTER 5**

#### **ACQUISITION, SALE, OR MERGER OF INVESTMENT PROJECTS**

##### **Article 22.**

The Investment Projects may be acquired, sold, or merged by continuing the investment incentives, guarantees, and protections, and complying with all obligations in accordance with the Law on Investment of the Kingdom of Cambodia and this Sub-Decree if the acquisition, sale, or merger is not prohibited by law or is not restricted under a Certificate of Registration or a concession contract.

The Investment Projects may be acquired, sold, or merged by the Investor in compliance with the Law on Investment of the Kingdom of Cambodia and the applicable regulations. If a Person who is not qualified as an Investor wishes to acquire or merge the Investment Project, they must file a written application to the CDC or a MPISC pursuant to the procedures in place.

Two or more Investment Projects can be merged into a single Investment Project by retaining the name of one of the original Investment Projects or creating a new name of Investment Projects by continuing the investment incentives, guarantees, and protections and complying with all obligations.

A merger of the Investment Projects does not diminish the legal personality of the Investor who implements the Investment Projects prior to the merger, unless the Investor is a legal entity that is dissolved in accordance with the applicable laws and regulations.

Failure to register the acquisition, sale, or merger of one or more Investment Projects with the CDC or a MPISC pursuant to Chapter 5 of this Sub-Decree, the purchaser shall lose the right to investment incentives, guarantees, and protections.

**Article 23.**

A Person who intends to acquire or sell the Investment Project must submit a written application to the CDC or a MPISC by enclosing necessary Supporting Documents as follows:

1. Application letter signed by the chairman of the board of directors or the authorized director.
2. The resolution of the Investor as the vendor or purchaser. If the Investor is a legal entity, the resolution must be made by the shareholders.
3. The resolution of the shareholders or the board of directors, together with a copy of statute of the parent company located abroad, and translated into Khmer or English, and all of these documents are affixed with the company stamp, and certified by a lawyer or notary public if the shareholder is a legal entity located abroad.
4. Investment Project sale and purchase agreement.
5. Certification letter on tax debts to the State and other liabilities.
6. Letter of delivery-receipt of inventory list for inventories with incentives granted by the CDC or a MPISC.
7. Identification card for "Khmer nationals" or passport for "foreigners" (new member).

The Person who wishes to merge the Investment Project must submit a written application to CDC or a MPISC by enclosing certain necessary Supporting Documents as follows:

1. Application letter signed by the chairman of the board of directors or the authorized director.
2. The resolution of the Investor as the owner of the Investment Project. If the Investor is a legal entity, the resolution must be made by the shareholders.
3. The resolution of the shareholders or the board of directors, together with a copy of statute of the parent company located abroad, and translated into Khmer or English, and all of these documents are affixed with the company stamp, and certified by a lawyer or notary public if the shareholder is a legal entity located abroad.
4. The name of the Investor of the Surviving Investment Project after the merger.
5. Merger agreement.
6. Valid articles of incorporation (AOI) of the Surviving Company that is a legal entity implementing the merged Investment Project.
7. Certification letter on tax debts to the State and other liabilities.

8. Letter of delivery-receipt of inventory list for inventories with incentives granted by the CDC or the MPISC.
9. Identity card "Khmer nationality" or passport "foreigner" (new member).

The Investment Project which is considered as being acquired, sold, or merged is after this Investment Project is granted with an official approval and acknowledgment on the new articles of incorporation of the Surviving Company being the legal entity that continues to implement the Investment Project from CDC or a MPISC.

The Investor who implements the Investment Project through the acquisition, sale, or merger of the Investment Project in accordance with Chapter 5 of this Sub-Decree shall assume all exiting rights and obligations under the Investment Project.

## **CHAPTER 6**

### **NULLIFICATION OF INVESTMENT PROJECT**

#### **Article 24.**

In the case that the Investment Project is nullified owing to the inability to continue implementing the Investment Project as stated in Point 1 of Article 31 of the Law on Investment of the Kingdom of Cambodia, the Investor must apply directly or through the Authorized Representative for nullification of the Investment Project to the CDC or a MPISC by enclosing certain necessary Supporting Documents as follows:

1. An application letter signed by the Investor or the Authorized Representative. If the Investor is a legal entity, the application letter must be signed by the chairperson of the board of directors.
2. The resolution of the shareholders or resolution of the board of directors together with a copy of statute of the parent company located abroad, translated into Khmer or English, and all of these documents are affixed with the company stamp and certified by a lawyer or notary public if the shareholder is a legal entity located abroad.
3. The valid articles of incorporation (AOI) of the legal entity.
4. Documents confirming the debt status for workers/employees.
5. Summary of financial statements for the last three (3) years from the date on which the decision was made to end the implementation of the Investment Project.
6. Other Supporting Documents that can demonstrate the status of the implementation of the Investment Project, if any.

In the case that the Investment Project is nullified due to the fact that the legal entity implementing the Investment Project is dissolved by the unanimous consent of the general partners, as stated in Point 2 of Article 31 of the Law on Investment of the Kingdom of Cambodia, the Investor must apply directly or through the Authorized Representative to the CDC or a MPISC by enclosing certain Supporting Documents as follows:

1. Application letter signed by the chairman of the board of directors or the Authorized Representative.

2. The resolution of the shareholders or resolution of the board of directors together with a copy of statute of the parent company located abroad, translated into Khmer or English, and all of these documents are affixed with the company stamp and certified by a lawyer or notary public where the shareholder is a legal entity located abroad.
3. Meeting minutes of the board of directors at which the decision to dissolve the legal entity is made.
4. The valid articles of incorporation (AOI) of the legal entities.
5. Documents confirming the debt status for workers/employees.
6. Summary of financial statements for the last three (3) years from the date on which the decision was made to end the implementation of the Investment Project.
7. Other Supporting Documents that can demonstrate the status of the implementation of the Investment Project, if any.

In the case of nullification of the Investment Project owing to the legal entity implementing the Investment Project having been dissolved by the court's judgment as stated in Point 2 of Article 31 of the Law on Investment of the Kingdom of Cambodia, the Investor must apply directly or through the Authorized Representative to the CDC or a MPISC to nullify the Investment Project by enclosing the final judgment of the court on the dissolution of the legal entity.

In the case of nullification of the Investment Project owing to non-performance of the obligations set out in the applicable laws and regulations as stated in Point 3 of Article 31 of the Law on Investment of the Kingdom of Cambodia, the CDC or a MPISC has the discretion to nullify the Investment Project if:

1. the Investor fails to comply with the requirements of the Certificate of Registration. The noncompliance due to force majeure is not included in this case; or
2. the Investor fails to commence the Investment Project within 12 (twelve) months after the Certificate of Registration is granted. This excludes the non-performance of the Investment Project owing to force majeure or implementing the concession contract where the duration of which will be set by the contract; or
3. The actual Investment Project implementation differs from the registered investment objective.

In the case of nullification of the Investment Project at the request of the relevant ministry/institution or at the request of the Investor, as stated in Point 4 of Article 31 of the Law on Investment of the Kingdom of Cambodia, the relevant ministry/institution or the Investor must apply to nullify the Investment Project to the CDC or a MPISC for review and approval by enclosing the following Supporting Documents:

1. The facts of adverse effect on the environment or national security or the public interest or the people's welfare; or
2. The facts that the Investor evades fiscal obligations; or
3. The investor's failure to fulfill the obligations outlined in the Registration Certificate, except in the case of force majeure; or
4. The loss of right to use the investment premises of the Investment Project.

The Investment Project is considered nullified when the CDC or a MPISC confirms the nullification of the Investment Project by a written letter.

**Article 25.**

If the Investment Project is nullified, the Investor may transfer the residual assets abroad or use them in the Kingdom of Cambodia in compliance with the procedures and content of Article 18 of this Sub-Decree.

**Article 26.**

Even if the Investment Project is nullified, the Investor may still be subject to tax and other obligations under applicable laws and regulations.

**CHAPTER 7  
FINAL PROVISIONS**

**Article 27.**

Any provisions that are contrary to this Sub-Decree shall be abrogated.

**Article 28.**

The Minister in charge of the Office of the Council of Ministers, the Minister of Economy and Finance, the Ministers of all Ministries, the Heads of all relevant institutions, and the Governors of the Capital/Provinces shall be responsible for implementing this Sub-Decree in accordance with their respective duties as of the signature date.

Phnom Penh, 26 June 2023.

**Prime Minister**

[Signed and stamped]

**SAMDECH AKKA MOHA SENA PADEI TECHO HUN SEN**

**CC:**

- Ministry of the Royal Palace
- General Secretariat of Constitutional Council
- General Secretariat of the Senate
- General Secretariat of the National Assembly
- Cabinet of Samdech Akka Moha Sena Padei Techo Prime Minister
- Cabinets of Samdech(s), Excellencies Deputy Prime Ministers
- As defined in Article 28
- Royal Gazette
- Documentation-archives.

## ANNEX 1: NEGATIVE LIST

of the Sub-Decree No. 139 dated 26 June 2023 on the Implementation of the Law on Investment of the Kingdom of Cambodia

### INVESTMENT ACTIVITIES OR INVESTMENT ACTIVITY CATEGORIES THAT ARE INELIGIBLE FOR INVESTMENT INCENTIVES

<b>A. Investment Activities or Investment Activity Categories in the Agricultural Sector</b>			
<b>No.</b>	<b>Investment Activities or Investment Activity Categories</b>		<b>Criteria</b>
A.1	Crop and animal production and other agricultural activities		
	A.1.1	Rice crops	<ul style="list-style-type: none"> <li>• Rice crops: Investment capital less than USD 2,000,000 (two million US Dollars) or land size of less than 500 (five hundred) hectares</li> <li>• Production of rice seeds: Land size of less than 50 (fifty) hectares</li> </ul>
	A.1.2	Horticulture and subsidiary crops	<ul style="list-style-type: none"> <li>• Vegetable crops: Investment capital less than USD 1,000,000 (one million US Dollars) or land size of less than 10 (ten) hectares</li> <li>• Fruit crops: Investment capital less than USD 1,000,000 (one million US Dollars) or land size of less than 100 (one hundred) hectares</li> <li>• Ornamental plants: Investment capital less than USD 1,000,000 (one million US Dollars) or land size of less than 10 (ten) hectares</li> </ul>
	A.1.3	Industrial crops	<ul style="list-style-type: none"> <li>• Starch crops, such as cassava, red corn, beans, etc.: Investment capital less than USD 1,000,000 (one million US Dollars) or land size of less than 100 (one hundred) hectares</li> <li>• Sugar crops, such as palm tree, sugar cane: Investment capital less than USD 1,000,000 (one million US Dollars) or land size of less than 500 (five hundred) hectares</li> <li>• Oil crops, such as beans, cashew, sesame, sunflower, coconut, palm oil, etc. Investment capital less than USD 1,000,000 (one million US Dollars) or land size of less than 100 (one hundred) hectares</li> </ul>

			<ul style="list-style-type: none"> <li>• Fiber crops, such as cotton, jute (ကြေးမုံ), flax (ခိုင်), mulberry (မဒ), etc.: Equivalent capital of less than USD 500,000 (five hundred thousand US Dollars) or land size of less than 50 (fifty) hectares</li> <li>• Other industrial crops, such as coffee and tea, except for tobacco: Investment capital less than USD 500,000 (five hundred thousand US Dollars) or land size of less than 50 (fifty) hectares</li> </ul>
	A.1.4	Animal breeding	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	A.1.5	Living modified organisms (LMOs)	
	A.1.6	Production of tobacco products	
	A.1.7	Raising of small four-legged animals (Farm of small four-legged animals)	Investment capital less than USD 500,000 (five hundred thousand US Dollars) or less than 500 (five hundred) animals
	A.1.8	Raising of large four-legged animals (Farm of large four-legged animals)	Investment capital less than USD 1,000,000 (one million US Dollars) or less than 300 (three hundred) animals
	A.1.9	Raising of four-legged animals for milk (Farm of four-legged animals for milk)	Investment capital less than USD 500,000 (five hundred thousand US Dollars) or less than 100 (one hundred) animals
	A.1.10	Raising of poultry (poultry farm)	Investment capital less than USD 500,000 (five hundred thousand US Dollars) or less than 20,000 (twenty thousand) animals
	A.1.11	Mixed farming	Investment capital less than USD 300,000 (three hundred thousand US Dollars) and having a land size of less than 30 (thirty) hectares
	A.1.12	Wild mammal husbandry	Investment capital less than USD 250,000 (two hundred fifty thousand US Dollars) or less than 250 (two hundred fifty) animals
	A.1.13	Wild bird husbandry	Investment capital less than USD 250,000 (two hundred fifty thousand US Dollars) or less than 1,500 (one thousand five hundred) animals
	A.1.14	Wild reptile husbandry	Investment capital less than USD 250,000 (two hundred fifty thousand US Dollars) or less than 1,000 (one thousand) animals
	A.1.15	Timber plantation	Investment capital less than USD 500,000 (five hundred thousand US Dollars) or land size of less than 400 (four hundred) hectares

	A.1.16	Tree plantation	Investment capital less than USD 250,000 (two hundred fifty thousand US Dollars) or land size of less than 100 (one hundred) hectares
	A.1.17	Rubber planting	Investment capital less than USD 2,000,000 (two million US Dollars) or land size of less than 500 (five hundred) hectares
	A.1.18	Rubber processing or rubber wood processing	Investment capital less than USD 1,000,000 (one million US Dollars)
A.2	Aquaculture		
	A.2.1	Freshwater aquaculture	Investment capital less than USD 1,000,000 (one million US Dollars) or land size of less than 5 (five) hectares
	A.2.2	Marine aquaculture	Investment capital less than USD 3,000,000 (three million US Dollars) and having a land size of less than 10 (ten) hectares
A.3	Fishing		
A.4	Salt production or processing		Investment capital less than USD 500,000 (five hundred thousand US Dollars) or land size of less than 5 (five) hectares

#### **B. Investment Activities or Investment Activity Categories in the Service Sector**

<b>No.</b>	<b>Investment Activities or Investment Activity Categories</b>	<b>Criteria</b>
B.1	Investment activity in research and development or innovations in natural sciences, environment, or engineering	Investment capital less than USD 1,000,000 (one million US Dollars)
B.2	Investment activity in educational institutes and vocational training institutes that support manufacturing, agriculture, tourism, infrastructure, environment, engineering, and science sectors	Investment capital less than USD 1,000,000 (one million US Dollars)
B.3	Investment activity in secondary education	Investment capital less than USD 1,000,000 (one million US Dollars)
B.4	Investment activity in higher education	Investment capital less than USD 4,000,000 (four million US Dollars)
B.5	Investment activity in the establishment of hospitals and polyclinics	Investment capital less than USD 5,000,000 (five million US Dollars) and less than 40 (forty) beds
B.6	Investment activity in the establishment of hemodialysis centers	Investment capital less than USD 5,000,000 (five million US Dollars)
B.7	Investment activity in the establishment of diagnostic centers	Investment capital less than USD 5,000,000 (five million US Dollars)

B.8	Investment activity in the establishment of care and treatment centers for the elderly	Investment capital less than USD 5,000,000 (five million US Dollars)
B.9	Investment activity in the establishment of logistics centers with specific technical specifications for warehousing, such as cold storage	
B.9.1	Investment activity in logistics center projects	Investment capital less than USD 10,000,000 (ten million US Dollars)
B.9.2	Investment activity in cold storage and cold chain projects (including forklifts and facilities)	Investment capital less than USD 3,000,000 (three million US Dollars)
B.10	Investment activity in agro-industrial and industrial packaging	Investment capital less than USD 1,000,000 (one million US Dollars)
B.11	Investment activity in internationally recognized laboratories for quality check and control of agricultural/agro-products or food products	Investment capital less than USD 15,000,000 (fifteen million US Dollars)
B.12	<p>Services on agricultural infrastructure support, including:</p> <ul style="list-style-type: none"> <li>- Net/plastic house installation services</li> <li>- Irrigation systems from water source to cultivation site (water distribution system, drip system, sprinkler system, etc.)</li> <li>- Structure/construction for indoor cultivation</li> <li>- Provision of post-harvest services such as cleaning, drying and silo facilities, classification, painting, and packaging, research, and technical consultation to increase agricultural yields</li> <li>- Services of maintenance and preservation of crop quality, pest control services, packaging, quality control, and disinfection</li> <li>- Irrigation system maintenance and management</li> <li>- Land maintenance</li> <li>- Pest control management</li> </ul>	Investment capital less than USD 1,000,000 (one million US Dollars)

B.13	Agricultural support services	<ul style="list-style-type: none"> <li>• Plant protection and phytosanitary services: Investment capital less than USD 1,000,000 (one million US Dollars)</li> <li>• Agricultural crop mapping services: Investment capital less than USD 1,500,000 (one million five hundred thousand US Dollars)</li> <li>• Laboratory for analyzing soil, fertilizers, biopesticides, pesticide formulations, pesticide residue, seed quality testing and plant: Investment capital less than USD 1,000,000 (one million US Dollars)</li> </ul>
B.14	Services on installation, equipping, and repairing of industrial machinery serving the agricultural and agro-industrial sector	Investment capital less than USD 1,000,000 (one million US Dollars)
B.15	Services on installation, maintenance, and repairing agricultural machinery	
B.16	Genetically modified organism testing laboratory	Investment capital less than USD 5,000,000 (five million US Dollars)
B.17	Plant tissue culture laboratory	Investment capital less than USD 1,000,000 (one million US Dollars)
B.18	Establishment of telecommunication equipment testing centers	Investment capital less than USD 5,000,000 (five million US Dollars)
B.19	Investment activity in the museum of natural sciences, environment, technology	Investment capital less than USD 8,000,000 (eight million US Dollars)
B.20	Investment activity in the seabed or cultural tourism museums or operation of historical sites and historic buildings	Investment capital less than USD 2,000,000 (two million US Dollars)
B.21	Investment activity in botanical gardens, or tourist parks, or zoos, or biodiversity and genetic resources conservation activities	Investment capital less than USD 5,000,000 (five million US Dollars)
B.22	Investment activity in modern amusement parks	Investment capital less than USD 10,000,000 (ten million US Dollars) and having a land size of less than 5 (five) hectares
B.23	Investment activity in the establishment of ecotourism sites	Investment capital less than USD 10,000,000 (ten million US Dollars) and having a land size of less than 100 (one hundred) hectares
B.24	Investment activity in the establishment of great tourism sites	Investment activities that do not comply with the conditions set out in relevant regulations in force
B.25	Investment activity in accommodation services	

	B.25.1	Hotels	Less than 4 (four) stars rating
	B.25.2	Resorts with a variety of services (including services such as hotels, amusement parks, gyms, and zoos)	Including 3 (three) stars hotels and land size of less than 10 (ten) hectares
	B.25.3	Resort hotels	Hotels with less than 4 (four) stars rating
B.26	Establishment of modern libraries		Investment capital less than USD 1,000,000 (one million US Dollars)
B.27	Investment activity in the establishment of theaters		Investment capital less than USD 8,000,000 (eight million US Dollars)
B.28	Investment activity in the establishment of art galleries		Investment capital less than USD 5,000,000 (five million US Dollars)
B.29	Investment activity in the establishment of shopping malls/shopping complexes		Investment capital less than USD 10,000,000 (ten million US Dollars)
B.30	Investment activity in centers purposely used as international trade exhibition center or convention halls		Investment capital less than USD 10,000,000 (ten million US Dollars)
B.31	Postal & courier services		
B.32	Production activities and activities supporting the production of animation and motion pictures		Investment capital less than USD 1,000,000 (one million US Dollars)
B.33	Production activities and activities supporting the production of videos, pictures and TV shows, sound recording activities or music promotion		
B.34	All kinds of commercial activity, import, export, wholesale, retails including duty free shops All kinds of transportation services by water, land and air Investment activity in domestic river transport services		
B.35	Domestic inland water transport service for agricultural products		Investment capital less than USD 2,000,000 (two million US Dollars)
B.36	Restaurants, karaoke parlors, bars, nightclubs, massage parlors, fitness centers and markets that are not within the investment project of hotels or resorts which are a QIP.		

	Investment activities in the services of restaurants, karaoke parlors, bars, nightclubs, massage parlors, fitness centers, markets, etc., conducted by third parties and located in the premises of a QIP.	
B.37	Tourism service provider, tourism agent, tourism information and tourism advertisement	
B.38	Service/business in casinos, gambling or betting games, or integrated commercial gambling centers or other commercial gambling centers	
B.39	Currency and financial businesses and services, including bank, financial institution, insurance company, and all kinds of financial intermediation	
B.40	Activities related to the press or media, such as radio, television, newspapers, magazines, production or reproduction of theatrical videos or related activities	
B.41	Professional services	
B.42	Real estate development	
B.43	Establishment of digital signature certification	Investment capital less than USD 1,000,000 (one million US Dollars)

**C. Investment Activities or Investment Activity Categories in the Industrial Sector**

<b>No.</b>	<b>Investment Activity or Investment Activity Categories</b>	<b>Criteria</b>
C.1	Manufacturing and/or assembly or installation of aircrafts, spacecrafts, machinery, or other related parts	Investment capital less than USD 2,000,000 (two million US Dollars)
C.2	Manufacturing and/or assembly or installation of railway locomotives and rolling stock or other related parts	Investment capital less than USD 1,000,000 (one million US Dollars)
C.3	Building and/or assembly or installation of ships or floating structures	Investment capital less than USD 1,000,000 (one million US Dollars)

C.4	Manufacturing and/or assembly or installation of pleasure or sporting boats		Investment capital less than USD 1,000,000 (one million US Dollars)
C.5	Manufacturing and/or assembly or installation of motor vehicles except motorcycles and tricycles		Investment capital less than USD 2,000,000 (two million US Dollars)
C.6	Manufacturing and/or assembly or installation of motorcycles or motor tricycles		Investment capital less than USD 1,000,000 (one million US Dollars)
C.7	Manufacturing and/or assembly or installation of bodies (coachwork), or trailers and semi-trailers		Investment capital less than USD 1,000,000 (one million US Dollars)
C.8	Manufacturing of parts or accessories for motor vehicles		Investment capital less than USD 1,000,000 (one million US Dollars)
C.9	Manufacturing and/or assembly or installation of bicycles and invalid carriages		Investment capital less than USD 1,000,000 (one million US Dollars)
C.10	Manufacturing of bicycle parts		Investment capital less than USD 1,000,000 (one million US Dollars)
C.11	Manufacturing and/or assembly or installation of machinery or equipment		
	C.11.1	Manufacturing and/or assembly or installation of engines or turbines, except for aircraft, motor vehicles, and cycle engines	Investment capital less than USD 1,000,000 (one million US Dollars)
	C.11.2	Manufacturing and/or assembly or installation of fluid or gas power equipment	
	C.11.3	Manufacturing and/or assembly or installation of agricultural, forestry, agro-industry, or food-processing machinery	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	C.11.4	Manufacturing and/or assembly or installation of metal-forming machinery or machine tools	Investment capital less than USD 1,000,000 (one million US Dollars)
	C.11.5	Manufacturing of machinery for metallurgy	
	C.11.6	Manufacturing and/or assembly or installation of machinery for mining, quarrying and construction	

	C.11.7	Manufacturing and/or assembly or installation of machinery for textile, apparel, and leather production		
	C.11.8	Manufacturing and/or assembly or installation of multi-functional industrial robots for special purposes in agro-industrial or industrial sectors		
	C.11.9	Manufacturing of industrial machinery (such as industrial refrigerators, industrial weighing machines, packaging machines, industrial water filters, centrifuges etc.)		
	C.11.10	Manufacturing of pumps, compressors, tabs or other valves		
	C.11.11	Manufacturing of bearings (roulement), gears, gearwheels, and driving elements		
	C.11.12	Manufacturing of ovens, furnaces, or furnace burners		
	C.11.13	Manufacturing of lifting or handling equipment		
	C.11.14	Manufacturing of power-driven hand tools		
	C.11.15	Manufacturing of office equipment or supplies, except for computers and peripheral equipment		
C.12	Manufacturing and/or assembly or installation of electronic equipment or optical products			
	C.12.1	Manufacturing and/or assembly or installation of electronic computers		Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	C.12.2	Manufacturing and/or assembly or installation of peripheral equipment		
	C.12.3	Manufacturing of electronic valves or tubes		
	C.12.4	Manufacturing and/or assembly or installation of semiconductor panels or other electronic components		

	C.12.5	Manufacturing and/or assembly or installation of telecommunication equipment	
	C.12.6	Manufacturing of measuring, testing, navigating or control equipment	
	C.12.7	Manufacturing and/or assembly or installation of irradiation, electromedical or electrotherapeutic equipment	
	C.12.8	Manufacturing of photographic equipment	
	C.12.9	Assembly or installation of photographic equipment	
	C.12.10	Manufacturing of watches or clocks	
	C.12.11	Assembly or installation of watches or clocks	
	C.12.12	Manufacturing and/or assembly or installation of magnetic or optical media	
	C.12.13	Manufacturing and/or assembly or installation of televisions	
	C.12.14	Manufacturing and/or assembly or installation of audio recording or photo capturing, or receiving and copying equipment	
C.13	Manufacturing and/or assembly or installation of electrical equipment		
	C.13.1	Manufacturing and/or assembly or installation of electric motors, transformers, motor sets or generators	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	C.13.2	Manufacturing of electricity distribution or controlling apparatus	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	C.13.3	Manufacturing of fiber optic cables	Investment capital less than USD 1,000,000 (one million US Dollars)
	C.13.4	Manufacturing of insulated wires or cables made of steel, copper or aluminum or electronic cables	Investment capital less than USD 1,000,000 (one million US Dollars)
	C.13.5	Manufacturing of wiring devices	Investment capital less than USD 1,000,000 (one million US Dollars)

	C.13.6	Manufacturing of electric lighting equipment	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	C.13.7	Manufacturing and/or assembly or installation of home appliances	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	C.13.8	Manufacturing and/or assembly or installation of home heating appliances	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	C.13.9	Manufacturing of batteries or accumulators or storage system, high-density fuel cell and power storage devices (chargers and cables)	Investment capital less than USD 1,000,000 (one million US Dollars)
C.14	C.14.1	Manufacturing of solar cells or panels or parts or systems	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	C.14.2	Assembly or installation of solar cells or panels or parts or systems	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
C.15	Manufacturing and/or assembly or installation of medical equipment		
	C.15.1	Manufacturing and/or assembly or installation of high-risk or high-technology medical devices (e.g., X-ray machine, MRI machine, CT scan machine, or implants, etc., or medical devices used for public health research)	Investment capital less than USD 5,000,000 (five million US Dollars)
	C.15.2	Manufacturing and/or assembly or installation of other medical devices except medical devices made of fabrics or cotton thread	Investment capital less than USD 2,000,000 (two million US Dollars)
	C.15.3	Manufacturing and/or assembly or installation of medical devices made of fabrics or cotton thread (e.g., gowns or drapes, caps, face masks, gauze, or cotton wool used in the health sector)	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
C.16	Manufacturing of traditional medicine, modern medicine, and raw materials for producing medicine		<ul style="list-style-type: none"> <li>• Traditional medicine: Investment capital less than USD 500,000 (five hundred thousand US Dollars)</li> </ul>

		• Modern medicine and raw materials for producing medicine: Investment capital less than USD 2,000,000 (two million US Dollars)	
C.17	Manufacturing of biogas from local waste or plants	Investment capital less than USD 500,000 (five hundred thousand US Dollars)	
C.18	Manufacturing of bioplastics products	Investment capital less than USD 500,000 (five hundred thousand US Dollars)	
C.19	Manufacturing of basic chemicals that do not violate the regulations of international organizations or the World Health Organization	Investment capital less than USD 1,000,000 (one million US Dollars)	
C.20	Manufacturing of fertilizers or nitrogen compounds	Investment capital less than USD 500,000 (five hundred thousand US Dollars)	
C.21	Manufacturing of plastics or synthetic rubber in primary forms	Investment capital less than USD 1,000,000 (one million US Dollars)	
C.22	Manufacturing of pesticides or other agrochemical products that do not violate the regulations of international organizations or the World Health Organization	Investment capital less than USD 700,000 (seven hundred thousand US Dollars)	
C.23	Manufacturing of paints, varnishes or similar coatings	Investment capital less than USD 500,000 (five hundred thousand US Dollars)	
C.24	Manufacturing of soap, detergents, cleaning and polishing preparations, perfumes, or cosmetics	Investment capital less than USD 500,000 (five hundred thousand US Dollars)	
C.25	Manufacturing of man-made fibres	Investment capital less than USD 500,000 (five hundred thousand US Dollars)	
C.26	Manufacturing of products extracted from plant	Investment capital less than USD 500,000 (five hundred thousand US Dollars)	
C.27	Manufacturing of rubber tyres or tubes, and retreading or rebuilding of rubber tyres	Investment capital less than USD 1,000,000 (one million US Dollars)	
C.28	Manufacturing of other rubber products except tyres and tubes	Investment capital less than USD 500,000 (five hundred thousand US Dollars)	
C.29	Manufacturing of plastics products	Investment capital less than USD 500,000 (five hundred thousand US Dollars)	
C.30	Manufacturing of other non-metallic mineral products		
	C.30.1	Manufacturing of glass or glass products	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	C.30.2	Manufacturing of refractory products, except for concrete such as mortars, refractory ceramic goods, pressure cookers, stove pads, magnesite, dolomite or chromite	Investment capital less than USD 500,000 (five hundred thousand US Dollars)

	C.30.3	Manufacturing of porcelain or ceramic products	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	C.30.4	Manufacturing of cement	Investment capital less than USD 5,000,000 (five million US Dollars)
	C.30.5	Manufacturing of lime or plaster	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
C.31	Manufacturing or processing of metals		
	C.31.1	Manufacturing of basic iron or steel	Investment capital less than USD 1,000,000 (one million US Dollars)
	C.31.2	Manufacturing of basic precious or other non-ferrous metals	
	C.31.3	Boiling and casting of iron or steel	
	C.31.4	Boiling and casting of non-ferrous metals	
C.32	Manufacturing of metal construction equipment, except for machinery		
	C.32.1	Manufacturing of large-scale structural metal products	Investment capital less than USD 1,000,000 (one million US Dollars)
	C.32.2	Manufacturing of other fabricated metal products such as metal cables, plaited bands, nails and pins, rivets, washers and similar non-threaded products, ship propellers, anchors, assembled railway track fixtures, hooks, or permanent metallic magnets	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	C.32.3	Manufacturing of household appliances made of fabricated metal products	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	C.32.4	Manufacturing of tanks, reservoirs or containers of metal	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	C.32.5	Manufacturing of cutlery, hand tools or general hardware	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
C.33	Manufacturing of textiles, garments, footwear, bags, or textile-related products		
	C.33.1	Manufacturing of textile products or spinning, weaving or finishing of textile products	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	C.33.2	Manufacturing of made-up textiles articles, except apparel	
	C.33.3	Manufacturing of wearing apparel	

	C.33.4	Manufacturing of leather or leather/fur-related products	
	C.33.5	Manufacturing of footwear	
	C.33.6	Manufacturing of luggage, handbags and the like, saddlery or harness or travel goods	
	C.33.7	Manufacturing of clothing accessories (such as buttons, zippers or labels, etc.)	
C.34	Manufacturing of products of locally-grown agricultural wood, corks, straws or plaiting materials		Investment capital less than USD 500,000 (five hundred thousand US Dollars)
C.35	Manufacturing of paper		Investment capital less than USD 10,000,000 (ten million US Dollars)
C.36	Manufacturing of pulp		Investment capital less than USD 10,000,000 (ten million US Dollars)
C.37	Manufacturing of paper processing		Investment capital less than USD 10,000,000 (ten million US Dollars)
C.38	Manufacturing of materials made from paper		Investment capital less than USD 500,000 (five hundred thousand US Dollars)
C.39	Large-scale printing on paper, fabrics, plastics, glass or mirrors except for color dyeing		Investment capital less than USD 1,000,000 (one million US Dollars)
C.40	Manufacturing of coke or refined petroleum products		
	C.40.1	Manufacturing of coke from refined petroleum	Investment capital less than USD 5,000,000 (five million US Dollars)
	C.40.2	Manufacturing of refined petroleum products	Investment capital less than USD 5,000,000 (five million US Dollars)
C.41	Manufacturing of hand-propelled vehicles such as luggage trucks, handcarts, sledges or shopping carts, etc.		Investment capital less than USD 500,000 (five hundred thousand US Dollars)
C.42	Manufacturing of furniture		Investment capital less than USD 1,000,000 (one million US Dollars)
C.43	Manufacturing of bijouterie, jewelry or related articles		Investment capital less than USD 500,000 (five hundred thousand US Dollars)
C.44	Manufacturing of musical instruments		Investment capital less than USD 500,000 (five hundred thousand US Dollars)
C.45	Manufacturing of sports goods		Investment capital less than USD 500,000 (five hundred thousand US Dollars)
C.46	Manufacturing of games or toys		Investment capital less than USD 500,000 (five hundred thousand US Dollars)
C.47	Manufacturing of beverages made from agricultural products		Investment capital less than USD 500,000 (five hundred thousand US Dollars)
C.48	Manufacturing or processing of food products		

	C.48.1	Manufacturing or processing or preserving of meat	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	C.48.2	Manufacturing or processing or preserving of fish, crustaceans (lobsters, crabs), or molluscs (snails, clams)	
	C.48.3	Manufacturing, processing, or preserving of fruit and vegetables	
	C.48.4	Manufacturing or processing of vegetable or animal oils or fats	
	C.48.5	Manufacturing or processing of dairy products	
	C.48.6	Manufacturing or processing of fresh milk or cream	
	C.48.7	Manufacturing or processing of milk powder, condensed milk, or evaporated milk	
	C.48.8	Manufacturing or processing of ice cream, boxed ice cream, ice pop or ice in various flavors	
	C.48.9	Manufacturing or processing of grain mill products, starches, and starch products	
	C.48.10	Manufacturing or processing of bakery, rusks, biscuits, preserved pastry goods	
	C.48.11	Manufacturing or processing of sugar	
	C.48.12	Manufacturing or processing of cocoa, chocolate, sugar confectionery	
	C.48.13	Manufacturing or processing of macaroni, noodles, couscous or similar farinaceous products	
	C.48.14	Manufacturing or processing of prepared meals or dishes, such as frozen, canned, vacuum-prepared meals which are packaged and labeled for re-sale	

	C.48.15	Manufacturing or processing of coffee, tea, or herb infusion, infant formula and baby foods	
	C.48.16	Manufacturing or processing of processed spices, sauces, condiments or other cooking products	
C.49	Manufacturing or processing of prepared animal feeds		Investment capital less than USD 500,000 (five hundred thousand US Dollars)

#### D. Investment Activity or Investment Activity Categories in the Infrastructure Sector

No.	Investment Activity or Investment Activity Categories	Criteria
D.1	Investment activity in the technologies that contribute to climate change adaptation or mitigation	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
D.2	Investment activity in the management, protection or conservation of the environment, biodiversity, or circular economy	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
D.3	Investment activity in the management and prevention of environmental pollution, such as the treatment and decontamination of soil, industrial waste, or petroleum waste	Investment capital less than USD 1,000,000 (one million US Dollars)
D.4	Investment activity in data management, collection, and processing centers	Investment capital less than USD 1,000,000 (one million US Dollars)
D.5	Investment activity in special economic zone development (SEZ)	Investment activities that do not comply with the conditions set out in relevant regulations in force
D.6	Investment activity in the development of small and medium enterprise (SME) cluster	Investment activities that do not comply with the conditions set out in relevant regulations in force
D.7	Investment activity in industrial park development	Investment activities that do not comply with the conditions set out in relevant regulations in force

D.8	Investment activity in the development of science, technology, innovation or information and communication technology (ICT) park	Investment activity that is not compliant with the conditions as stated in the applicable legal instruments	
D.9	Investment activity in the physical infrastructure		
	D.9.1	Investment activity in the construction of civil engineering projects, such as the construction of roads, sea/river bridges, railways	Investment activities that do not comply with the conditions set out in relevant regulations in force
	D.9.2	Investment activity in port projects	<ul style="list-style-type: none"> <li>• Investment capital less than USD 20,000,000 (twenty million US Dollars) for international port projects</li> <li>• Investment capital less than USD 2,000,000 (two million US Dollars) for national port projects or port projects used for specific types of goods</li> <li>• Investment capital less than USD 2,000,000 (two million US Dollars) for marina tourism ports</li> <li>• Investment capital less than USD 500,000 (five hundred thousand US Dollars) for fishing ports and fishing marinas</li> </ul>
	D.9.3	Investment activity in the construction of tourist cable cars	Investment capital less than USD 2,000,000 (two million US Dollars)
	D.9.4	Investment activity in clean water supply projects	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	D.9.5	Investment activity in the main infrastructure for transmission networks and substations	Investment capital less than USD 7,000,000 (seven million US Dollars)
	D.9.6	Investment activity in the construction of the main infrastructure for natural gas supply and distribution	Investment capital less than USD 20,000,000 (twenty million US Dollars)
	D.9.7	Investment activity in the construction of infrastructures for the management, collection, sorting, processing, and treatment of solid or hazardous waste, or landfills	<ul style="list-style-type: none"> <li>• Investment capital less than USD 1,000,000 (one million US Dollars) for investment at the district or group-of-districts level</li> <li>• Investment capital less than USD 2,000,000 (two million US Dollars) for investment at the provincial-capital level</li> </ul>

			• Investment capital less than USD 3,000,000 (three million US Dollars) for investment at the regional level
	D.9.8	Investment activity in the construction of infrastructures for liquid waste management and treatment	Investment capital less than USD 1,000,000 (one million US Dollars)
	D.9.9	Investment activity in the construction of irrigation systems, reservoirs, or pumping stations	Investment capital less than USD 2,000,000 (two million US Dollars)
	D.9.10	Investment activity in the generation of renewable energy	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	D.9.11	Investment activity in the construction of power plants	Investment capital less than USD 10,000,000 (ten million US Dollars)
D.10	Investment activity in parking lots		Investment capital less than USD 3,000,000 (three million US Dollars)
D.11	Investment activity in the digital industrial sector		
	D.11.1	Investment activity in the construction of satellite system infrastructures	Investment capital less than USD 60,000,000 (sixty million US Dollars)
	D.11.2	Investment activity in software development	Investment capital less than USD 500,000 (five hundred thousand US Dollars)
	D.11.3	Investment activity in the construction of fiber-optic cables	Investment capital less than 60,000,000 (sixty million US Dollars)
	D.11.4	Investment activity in the construction of submarine fiber-optic networks	Investment capital less than 40,000,000 (forty million US Dollars)
	D.11.5	Investment activity in the establishment of data centers and/or cloud services	Investment capital less than 20,000,000 (twenty million US Dollars)

## ANNEX 2

of the Sub-Decree No. 139 dated 26 June 2023 on the Implementation of the Law on Investment of the Kingdom of Cambodia

### LIST OF INVESTMENT ACTIVITY CATEGORIES

#### SECTION 1

#### INVESTMENT ACTIVITY GROUP 1 (GROUP 1)

No.	Investment Activities	ISIC Code
1	Manufacturing and/or assembly or installation of aircrafts, spacecrafts, machinery, or other related parts	3030
2	Manufacturing and/or assembly or installation of railway locomotives and rolling stock or other related parts	3020
3	Building and/or assembly or installation of ships or floating structures	3011
4	Manufacturing and/or assembly or installation of pleasure or sporting boats	3012
5	Manufacturing and/or assembly or installation of motor vehicles except motorcycles and tricycles	2910
6	Manufacturing and/or assembly or installation of bodies (coachwork) or trailers and semi-trailers	2920
7	Manufacturing of parts or accessories for motor vehicles	2930
8	Manufacturing and/or assembly or installation of machinery or equipment	28
8.1	Manufacturing and/or assembly or installation of engines or turbines, except aircraft, vehicles, and cycle engines	2811
8.2	Manufacturing and/or assembly or installation of fluid or gas power equipment	2812
8.3	Manufacturing and/or assembly or installation of agricultural, forestry, agro-industry, or food-processing machinery	2821
8.4	Manufacturing and/or assembly or installation of metal-forming machinery or machine tools	2822
8.5	Manufacturing of machinery for metallurgy	2823
8.6	Manufacturing and/or assembly or installation of machinery for mining, quarrying and construction	2824
8.7	Manufacturing and/or assembly or installation of machinery for textile, apparel, and leather production	2826
8.8	Manufacturing and/or assembly or installation of multi-functional industrial robots for special purposes in agro-industrial or industrial sectors	2829

	8.9	Manufacturing of industrial machines (such as industrial refrigerators, industrial weighing machines, packaging machines, industrial water filters, centrifuges, etc.)	
9	Manufacturing and/or assembly or installation of electronic equipment or optical products		26
	9.1	Manufacturing and/or assembly or installation of electronic computers	2621
	9.2	Manufacturing and/or assembly or installation of peripheral equipment	2622
	9.3	Manufacturing of electronic valves or tubes	2611
	9.4	Manufacturing and/or assembly or installation of semiconductor panels or other electronic components	2612
	9.5	Manufacturing and/or assembly or installation of telecommunication equipment	2630
	9.6	Manufacturing of measuring, testing, navigating, or control equipment	2651
	9.7	Manufacturing and/or assembly or installation of irradiation, electromedical or electrotherapeutic equipment	2660
	9.8	Manufacturing of photographic equipment	2670
	9.9	Manufacturing of watches or clocks	2652
	9.10	Manufacturing and/or assembly or installation of magnetic or optical media	2680
	9.11	Manufacturing of televisions	2641
	9.12	Manufacturing of audio recording or photo capturing, or receiving and copying equipment	2642
10	Manufacturing of solar cells or panels or parts or systems		
11	Manufacturing of tyres or tubes, and retreading or rebuilding of rubber tyres		2211
12	Manufacturing of other rubber products except tyres and tubes		2219
13	Investment activity in the research and development or innovation in natural sciences, environment, or engineering		7210
14	Investment activity in digital industrial sector		
	14.1	Investment activity in the construction of satellite system infrastructures	
	14.2	Investment activity in the construction of fiber-optic cables	
	14.3	Investment activity in the construction of submarine fiber-optic networks	
	14.4	Investment activity in the establishment of data centers and/or cloud services	
15	Investment activity in secondary education		
16	Investment activity in higher education		8530

17	Investment activity in the technologies that contribute to climate change adaptation or mitigation	
18	Investment activity in the management, protection, or conservation of the environment, biodiversity, or circular economy	
19	Investment activity in the management and prevention of environmental pollution, such as the treatment and decontamination of soil, industrial waste, or petroleum waste	39
20	Investment activity in special economic zone development (SEZ)	
21	Investment activity in the development of small and medium enterprise (SME) cluster)	
22	Investment activity in industrial park development	
23	Investment activity in the development of science, technology, innovation, or information and communication technology (ICT) park	
24	Investment activity in physical infrastructure	
24.1	Investment activity in the construction of civil engineering projects, such as the construction of roads, sea/river bridges, railways	
24.2	Investment activity in the construction of the main infrastructure for natural gas supply and distribution	
24.3	Investment activity in the construction of infrastructures for the management, collection, sorting, processing, and treatment of solid or hazardous waste, or landfills	
24.4	Investment activity in the construction of infrastructures for liquid waste management and treatment	
24.5	Investment activity in the construction of irrigation systems, reservoirs, or pumping stations	
24.6	Investment activity in the construction of power plants	
25	Investment activity in the establishment of hospitals and polyclinics with equivalent investment capital from 25,000,000 (twenty-five million) US Dollars and with more than 80 (eighty) beds	
26	Investment activity in the establishment of care and treatment centers for the elderly	
27	Investment activity in the establishment of logistics centers projects	
28	Genetically modified organism testing laboratory	
29	Investment activity in internationally recognized laboratories for quality check and control of agricultural/agro-products or food products	
30	Agricultural support services	
30.1	Plant protection services and phytosanitary services	
30.2	Services on agricultural crop mapping	

	30.3	Laboratory for analyzing soil, fertilizers, biopesticides, pesticide formulations, pesticide residue, seed quality testing and plant	
31	Crop and animal production and other agricultural activities		
	31.1 Cultivation		
	31.1.1	Rice crops	0111, 0112, 0113
	31.1.2	Horticulture and subsidiary crops	
	31.1.3	Industrial crops including starch, sugar, oil, and fiber crops	
	31.1.4	Plant breeding	0130
	31.2 Animal production or other animal farming		014
	31.2.1	Raising of small four-legged animals (Farm of small four-legged animals)	
	31.2.2	Raising of large four-legged animals (Farm of large four-legged animals)	0143, 0144
	31.2.3	Raising of four-legged animals for milk (Farm of four-legged animals for milk)	0146
	31.2.4	Raising of poultry (poultry farm)	
	31.2.5	Mixed farming	0150
	31.3 Planting of trees or other plants		
	31.3.1	Tree planting	
	31.3.2	Tree plantation	
	31.3.3	Rubber planting	
	31.3.4	Rubber processing or rubber wood processing	
32	Aquaculture		032
	32.1	Freshwater aquaculture	0322
	32.2	Marine aquaculture	0321
33	Investment activity in the main infrastructure for transmission networks and substations with equivalent investment capital from 30,000,000 (thirty million) US Dollars		
34	Manufacturing of textile products or spinning, weaving or finishing of textile products		
35	Investment activity in international port projects with equivalent investment capital from 20,000,000 (twenty million) US Dollars		
36	Plant tissue culture laboratory		
37	Manufacturing and/or assembly or installation of high-risk or high-technology medical devices, (e.g. X-ray machine, MRI machine, CT scan machine and implants, etc.) or medical devices used for public health research) with equivalent investment capital from 5,000,000 (five million) US Dollars		

## SECTION 2

### INVESTMENT ACTIVITY GROUP 2 (GROUP 2)

No.	Investment Activities	ISIC Code
1	Manufacturing or processing of food products	10
1.1	Manufacturing or processing or preserving of meat	1010
1.2	Manufacturing or processing or preserving of fish, crustaceans (lobsters, crabs), or molluscs (snails, clams)	1020
1.3	Manufacturing or processing or preserving of fruit and vegetables	1030
1.4	Manufacturing or processing of vegetable or animal oils or fats	1040
1.5	Manufacturing or processing of dairy products	1050
1.6	Manufacturing or processing of fresh milk or cream	1051
1.7	Manufacturing or processing of milk powder, condensed milk, or evaporated milk	1052
1.8	Manufacturing or processing of ice cream, boxed ice cream, ice pop or ice in various flavors	1053
1.9	Manufacturing or processing of grain mill products, starches, and starch products	1060
1.10	Manufacturing or processing of bakery, rusks, biscuits, preserved pastry goods	1071
1.11	Manufacturing or processing of sugar	1072
1.12	Manufacturing or processing of cocoa, chocolate, sugar confectionery	1073
1.13	Manufacturing or processing of macaroni, noodles, couscous or similar farinaceous products	1074
1.14	Manufacturing or processing of prepared meals or dishes such as frozen, canned, vacuum-prepared meals which are packaged and labeled for re-sale	1075
1.15	Manufacturing or processing of coffee, tea or herb infusion, infant formula and baby foods	1076
1.16	Manufacturing or processing of processed spices, sauces, condiments or other cooking products	1077
2	Manufacturing or processing of prepared animal feeds	1080
3	Manufacturing of beverages made from agricultural products	
4	Manufacturing of basic chemicals that do not violate the regulations of international organizations or the World Health Organization	2011
5	Manufacturing of fertilizers or nitrogen compounds	2012

6	Manufacturing of paper		17
7	Manufacturing of pulp		
8	Manufacturing of plastics or synthetic rubber in primary forms		2013
9	Manufacturing of pesticides or other agrochemical products that do not violate the regulations of international organizations or the World Health Organization		2021
10	Manufacturing of paints, varnishes or similar coatings		2022
11	Manufacturing of soap, detergents, cleaning and polishing preparations, perfumes, or cosmetics		2023
12	Manufacturing of man-made fibres		2030
13	Manufacturing of products extracted from plant		
14	Manufacturing of plastics products		2220
15	Manufacturing of other non-metallic mineral products		23
16	16.1	Manufacturing of glass or glass products	2310
	16.2	Manufacturing of refractory products, except for concrete, such as mortars, refractory ceramic goods, pressure cookers, stove pads, magnesite, dolomite, or chromite	2391
	16.3	Manufacturing of porcelain or ceramic products	2393
	16.4	Manufacturing of lime or plaster	2394
17	Manufacturing or processing of metals		24
	17.1	Manufacturing of basic iron or steel	2410
	17.2	Manufacturing of basic precious or other non-ferrous metals	2420
	17.3	Boiling and casting of iron or steel	2431
	17.4	Boiling and casting of non-ferrous metals	2432
18	Manufacturing of large-scale structural metal products		2511
19	Manufacturing of other fabricated metal products such as metal cables, plaited bands, nails and pins, rivets, washers and similar non-threaded products, ship propellers, anchors, assembled railway track fixtures, hooks, or permanent metallic magnets		2599
20	Manufacturing of household appliances made of fabricated metal products		25991
21	Assembly or installation of watches or clocks		2652
22	Manufacturing and/or assembly or installation of magnetic or optical media		2680
23	Assembly or installation of televisions		2641
24	Assembly or installation of audio recording, or photo capturing, or receiving, and copying equipment		2642
25	Assembly or installation of photographic equipment		2671
26	Manufacturing and/or assembly or installation of electrical equipment		27
	26.1	Manufacturing and/or assembly or installation of electric motors, transformers, motor sets, or generators	2711

	26.2	Manufacturing of electric distribution or control apparatus	2712
	26.3	Manufacturing of fiber optic cables	2731
	26.4	Manufacturing of insulated wires or cables made of steel, copper or aluminum or electronic cables	2732
	26.5	Manufacturing of wiring devices	2733
	26.6	Manufacturing of electric lighting equipment	2740
	26.7	Manufacturing and/or assembly or installation of home appliances	2751
	26.8	Manufacturing and/or assembly or installation of home heating appliances	2752
	26.9	Manufacturing of batteries or accumulators or storage system or high-density fuel cell and power storage devices (chargers and cables)	2720
27		Manufacturing of pumps, compressors, tabs or other valves	2813
28		Manufacturing of bearings (roulement), gears, gearwheels, and driving elements	2814
29		Manufacturing of ovens, furnaces, or furnace burners	2815
30		Manufacturing of lifting or handling equipment	2816
31		Manufacturing of power-driven hand tools	2818
32		Manufacturing and/or assembly or installation of motorcycles or motor tricycles	3091
33		Manufacturing and/or assembly or installation of bicycles and invalid carriages	3092
34		Manufacturing of bicycle parts	
35		Investment activity in educational institutes and vocational training institutes that support manufacturing, agriculture, tourism, infrastructure, environment, engineering, and science sectors	8522
36		Investment activity in the domestic inland water transport service for agricultural products	5022
37		Investment activity in museum of natural sciences, environment, technology	
38		Investment activity in the seabed or cultural tourism museums or operation of historical sites and historic buildings	9102
39		Investment activity in the botanical gardens, or tourist parks, or zoos, or biodiversity and genetic resources conservation activities	9103
40		Investment activity in the modern amusement parks	9321
41		Investment activity in the establishment of ecotourism sites	
42		Investment activity in the establishment of great tourism sites	
43		Manufacturing of traditional medicines, modern medicines, and raw materials for producing medicine	21
44		Manufacturing of biogas from local waste or plants	

45	Manufacturing of bioplastics products		
46	Investment activity in the data management, collection, and processing centers		6311
47	Investment activity in the clean water supply projects		
48	Investment activity in the generation of renewable energy		
49	Investment activity in the construction of cold storage and cold chain projects (including forklift and facilities)		
50	Investment activity in the agro-industrial and industrial packaging		
51	Services providing agricultural infrastructure support		
	51.1	Net/plastic house installation services	
	51.2	Irrigation systems from water source to cultivation site (water distribution system, drip system, sprinkler system, etc.)	
	51.3	Structures/construction for indoor cultivation	
	51.4	Provision of post-harvest services such as cleaning, drying and silo facilities, classification, painting and packaging, research, and technical consultation to increase agricultural yields	
	51.5	Service of maintenance and preservation of crop quality, pest control services, packaging, quality control, and disinfection	
	51.6	Irrigation system maintenance and management	
	51.7	Land maintenance	
	51.8	Pest control management	
52	Other industrial crops, such as coffee and tea, except for tobacco		
53	Animal breeding		
54	Wild animal husbandry		
	54.1	Wild mammal husbandry	
	54.2	Wild bird husbandry	
	54.3	Wild reptile husbandry	
55	Investment activity in the main infrastructure for transmission networks and substations with equivalent investment capital from 15,000,000 (fifteen million) US Dollars to less than 30,000,000 (thirty million) US Dollars		
56	Manufacturing of leather or leather/fur-related products		
57	Manufacturing of footwear		
58	Manufacturing of luggage, handbags and the like, saddlery or harness or travel goods		
59	Investment activity in the establishment of national port projects or port projects used for specific types of goods with equivalent investment capital from 2,000,000 (two million) US Dollars		

60	Investment activity in the establishment of tourism and marina tourism port projects with equivalent investment capital from 2,000,000 (two million) US Dollars	
61	Investment activity in the establishment of hospitals and polyclinics with equivalent investment capital from 10,000,000 (ten million) US Dollars to less than 25,000,000 (twenty-five million) US Dollars and from 50 (fifty) to 80 (eighty) patient beds	
62	Investment activity in the establishment of hemodialysis centers	
63	Investment activity in the establishment of diagnostic centers	
64	Manufacturing of paper processing	
65	Manufacturing and/or assembly or installation of other medical devices except for medical devices made of fabrics or cotton thread with equivalent investment capital from 2,000,000 (two million) US Dollars	

### SECTION 3

#### INVESTMENT ACTIVITY GROUP 3 (GROUP 3)

No.	Investment Activities	ISIC Code
1	Manufacturing of textiles, garments, footwear, bags, or textile-related products	13
1.1	Manufacturing of made-up textiles articles, except apparel	1392
1.2	Manufacturing of wearing apparel	14
1.3	Manufacturing of clothing accessories (such as buttons, zippers or labels, etc.)	
2	Manufacturing of products of locally-grown agricultural wood, corks, straws or plaiting materials	1620
3	Manufacturing of materials made from paper	
4	Large-scale printing on paper, fabrics, plastic, glass or mirror except for color dyeing	18
5	Manufacturing of coke or refined petroleum products	19
5.1	Manufacturing of coke from refined petroleum	
5.2	Manufacturing of refined petroleum products	
6	Manufacturing of tanks, reservoirs or containers of metal	2512
7	Manufacturing of cutlery, hand tools or general hardware	2593
8	Manufacturing of office equipment or supplies, except computers and peripheral equipment	2817
9	Manufacturing of hand-propelled vehicles such as luggage trucks, handcarts, sledges or shopping carts, etc.	3099
10	Manufacturing of furniture	31
11	Manufacturing of bijouterie, jewelry or related articles	3210
12	Manufacturing of musical instruments	3220
13	Manufacturing of sports goods	3230
14	Manufacturing of games or toys	3240
15	Investment activity in physical infrastructures	
15.1	Investment activity in fishing ports and fishing marinas projects with equivalent investment capital from 500,000 (five hundred thousand) US Dollars	
15.2	Investment activity in the construction of tourist cable cars	
15.3	Investment activity in the main infrastructure for transmission networks and substations with equivalent investment capital from 7,000,000 (seven million) US Dollars to less than 15,000,000 (fifteen million) US Dollars	

16	Investment activity in the establishment of hospitals and polyclinics with equivalent investment capital from 5,000,000 (five million) US Dollars to less than 10,000,000 (ten million) US Dollars and from 40 (forty) to 50 (fifty) patient beds		
17	Assembly or installation of solar cells or panels or parts or systems		
18	Establishment of digital signature certification		
19	Investment activity in software development		
20	Salt production or processing		0893
21	Services on installation, equipping, and repairing of industrial machinery serving agricultural and agro-industrial sector		3320
22	Investment activity in parking lots		
23	Investment activity in accommodation services		55
	23.1	Hotels	5510
	23.2	Resorts with a variety of services (including services such as hotels, amusement parks, gyms and zoos)	
	23.3	Resort hotels	
24	Establishment of modern libraries		
25	Investment activity in the establishment of shopping malls/shopping complexes		
26	Investment activity in the establishment of theaters		
27	Investment activity in the establishment of art galleries		
28	Investment activity in centers purposely used as international trade exhibition center or convention halls		
29	Production activities and activities supporting the production of animation and motion pictures		
30	Manufacturing of cements		2394
31	Establishment of telecommunication equipment testing center		
32	Manufacturing and/or assembly or installation of medical devices made of fabrics or cotton thread (e.g., gowns, drapes, caps, face masks, gauze, or cotton wool used in the health sector) with equivalent investment capital from 500,000 (five hundred thousand) US Dollars		

**NOTE:**

“For other groups of investments activities which are not classified in Group 1, Group 2, or Group 3 of the above investment activities shall be subject to the review and approval by the Royal Government.”

“Incentives for the Expanded-Qualified Investment Project in the investment in antenna tower construction is subject to actual review, assessment, and adjustment under the guidance and coordination of the Ministry of Economy and Finance to propose to the Royal Government to review and approve.”

### ANNEX 3

of the Sub-Decree No. 139 dated 26 June 2023 on the Implementation of the Law on Investment of the Kingdom of Cambodia

#### LIST OF INVESTMENT ACTIVITIES OR INVESTMENT ACTIVITY CATEGORIES ELIGIBLE FOR CUSTOMS DUTIES, SPECIAL TAX, AND VALUE ADDED TAX EXEMPTION BUT NOT ELIGIBLE FOR TAX INCENTIVES

No.	Investment Activities or Investment Activity Categories	Criteria
1	Investment activity in the construction and/or expansion of mobile phone antenna systems/stations	Equivalent investment capital from USD 60,000,000 (sixty million US Dollars)
2	Investment activity in bonded warehouse	Equivalent investment capital from USD 6,000,000 (six million US Dollars)
3	Investment activity in distribution center	Equivalent investment capital from USD 10,000,000 (ten million US Dollars)
4	Investment activity in dry ports	Equivalent investment capital from USD 6,000,000 (six million US Dollars)
5	Exploration of all kinds of petroleum and mines	For the period of research activity
6	Mine exploitation business including processing for domestic manufacturing support	Equivalent investment capital from USD 1,000,000 (one million US Dollars)
7	Mineral or Petroleum Laboratory Establishment	Equivalent investment capital from USD 1,000,000 (one million US Dollars)
8	Mineral and Petroleum Resources Industry	
	8.1 Mineral Resources Industry	<ul style="list-style-type: none"> <li>• Industrial Mining License can only be issued to those who have obtained the exploration license for any exploration and exploitation purpose which have commercial viability and are located in the area permitted of the exploration license; and</li> </ul>

			<ul style="list-style-type: none"> <li>The tax incentives in this activity are subject to actual review, evaluation and adjustment under the guidance and coordination of the Ministry of Economy and Finance to propose to the Royal Government for approval.</li> </ul>
	8.2	Development of petroleum resources, petroleum production and petroleum processing and petrochemical industries	<ul style="list-style-type: none"> <li>Agreement/license/permit on development of petroleum resources, petroleum production and petroleum processing and petrochemical industries; and</li> <li>The tax incentives on this activity are subject to actual review, evaluation and adjustment under the guidance and coordination of the Ministry of Economy and Finance to propose to the Royal Government for approval.</li> </ul>
9		Investment activities in construction of infrastructure of petroleum and petroleum products storage depot facilities, or main infrastructure for the supply and distribution of petroleum or petroleum products	Equivalent investment capital from USD 20,000,000 (twenty million US Dollars)
10		Investment activities in the construction of the main pipeline for natural gas supply and distribution	Equivalent investment capital from USD 10,000,000 (ten million US Dollars) and the scope of the supply and distribution covered district or commune level.
11		Investment activities in the construction of in-building solutions systems (IBS systems)	Equivalent investment capital from USD 20,000,000 (twenty million US Dollars)
12		Supply center for production inputs and equipment.	Equivalent investment capital from USD 5,000,000 (five million US Dollars), and only supply to QIPs in the manufacturing sector and shall be in special economic zones or industrial parks or industrial agricultural processing zones/clusters or SMEs clusters, or manufacturing clusters, other concentration areas/clusters.

#### ANNEX 4

of the Sub-Decree No. 139 dated 26 June 2023 on the Implementation of the Law on Investment of the Kingdom of Cambodia

### LIST OF INVESTMENT ACTIVITIES OR INVESTMENT ACTIVITY CATEGORIES ELIGIBLE FOR PRODUCTION INPUT INCENTIVES FOR DOMESTICALLY ORIENTED QUALIFIED INVESTMENT PROJECTS

INVESTMENT ACTIVITIES OR INVESTMENT ACTIVITY CATEGORIES	
1	Horticulture and subsidiary crops
2	Industrial crop
3	Plant breeding
4	Production of domestic animals
5	Manufacture of animal feed
6	Manufacture of agricultural fertilizer and pesticide
7	Integrated farming
8	Supporting activities to agriculture and post-harvest crop activities
9	Aquaculture
10	Processing of domestic agricultural products (Agro-processing)
11	Manufacture of wood, cork, straw, and plaiting materials
12	Manufacture of furniture using all kinds of domestic soft wood
13	Manufacture of domestic rubber products
14	Manufacture of packaging material products and other materials using domestic solid waste as raw materials
15	Manufacture of pharmaceutical products
16	Manufacture of veterinary drug
17	Manufacture of medical devices
18	Manufacture of parts and components for QIP's assembling and installing of motor vehicles, motorcycles, tricycles, and electronic devices. Manufacture of spare parts and components to supply for domestically-used agricultural machinery
19	Manufacture of boilers and dryers 2513 Manufacture of boilers 2825 Manufacture of agricultural dryers
20	Manufacture of Metrological Materials and Equipment 2651 Manufacture of measuring, testing, navigating, and control equipment
21	Manufacture of supporting inclusive business

**ANNEX 5**

of Sub-Decree No. 139 dated 26 June 2023 on the Implementation of the Law on Investment  
of the Kingdom of Cambodia

**KINGDOM OF CAMBODIA  
NATION RELIGION KING**

\*\*\*\*\*

**COUNCIL FOR THE DEVELOPMENT OF CAMBODIA  
CAMBODIAN INVESTMENT BOARD**

\*\*\*\*\*

**REGISTRATION APPLICATION  
FOR A QUALIFIED INVESTMENT PROJECT**

**I. Structure of Company**

**A. General Information**

- Name of company: in Khmer: .....  
in Latin characters: .....
  
- Address: - Company's registered office: .....  
-Tel: .....Email: .....
  
- Name of parent company: .....  
Address: .....  
Tel: .....Website:.....  
Email:.....
  
- Form of Company: (*please tick ✓ in the box* )  
 Company  Partnership  
 Foreign Commercial Company

Note: Company includes private limited company, public limited company, and single member private limited company.

- Registered capital: .....USD Foreign: ..... % Local: ..... %
- Number of shares: ..... Share par value: .....

**B. Composition of Company**

- Shareholders:

Full name	Nationality	Number and Date of ID card or Passport	Address	Percentage of shares %
1. ....				
2. ....				
3. ....				

- Composition of the Board of Directors (including third party):

Full name	Nationality	Number and Date of ID Card or Passport	Address	Role in Company	Authorized signatory for all acts
1. ....					
2. ....					
3. ....					

## II. Request for Registration of an Investment Project

### A. General Information

- Investment activities: .....  
(Specify the type of QIP, ex: Domestically Oriented Industry)

- Investment Sector (please tick ✓ in the box )
    - Agriculture, Agri-industry  Physical infrastructure  Industry
    - Mineral Resources  Tourism  Basic telecommunication services
    - Others
- Code number:

No.	Investment activities	ISIC Code

- Applicant for investment
  - Name: ..... Nationality: .....  
Address: .....
  - Role in Company: ..... Tel: ..... Email: .....
  - Power of Attorney (if no role/duty in a company) number: .....  
Dated: .....
- Total investment capital.....USD, in which capital spent on:
  - Site preparation .....m<sup>2</sup>, Price: .....  
.....USD
  - Building construction .....m<sup>2</sup>, Price: .....USD  
Existing building  New building
  - Production Equipment Price: .....USD (the list is attached in the annex)
  - Office costs: .....USD
  - Other costs: .....USD
- Working Capital: .....USD
- Source of Investment Capital: - Own Capital: ..... Local Loan: .....

- Foreign Loan: .....

- Investment Location: Land lot No..... Street No. .... Village....., Commune/Sangkat ..... District/Khan/City ..... Capital/Province .....Size: .....m<sup>2</sup>
- Schedule for Project Implementation:
  - Construction commencement date: .....
  - Expected construction completion date:.....
  - Machinery installation date: .....
  - Production commencement date:.....
- Product Information:

Product Type	HS Code	Unit	Annual Production Capacity				Market	
			1 <sup>st</sup> Year		Full Production		Local %	Export %
			Quantity	Price (USD)	Quantity	Price (USD)		

- Export market: .....
- Labor force requirement:

Type of Labor	Commencement		Full Capacity	
	Local	Foreign	Local	Foreign
- Manager				
- Engineer				
- Technician				
- Consultant				
- Office Staff				
- Skilled Staff				
- Unskilled Staff				
<b>TOTAL</b>				

- Requirement of annual production input (raw materials): fill in the form as attached in the annex.
- Requirement of energy and water:
  - Coal or firewood: .....m<sup>3</sup>/year, Gas: ..... Tons/year
  - Fuel: .....Tons or Liters/year,

- Electricity (installed capacity): .....MW, annual requirement:.....KWH
- Water consumption: .....m<sup>3</sup>/year.

- B. Options:**       income tax exemption and investment guarantees.  
 special depreciation and investment guarantees.

(The investors can only select one of the two options listed above.)

**C. Information on Environment**

- Mode of transport of the raw materials and finished products (import-export) from-to the investment area:  
 Motor vehicle    Train    Others: .....

- Waste volume estimation:  
+ Liquid waste: .....m<sup>3</sup>/month, Solid waste: .....m<sup>3</sup> or tons/month  
+ Gas emission: ...../day

- Concentration estimation table in:  
+ *the process of liquid waste/sewage discharge*  
pH: .....  
Total Suspended Solids (TSS): .....  
(BOD<sub>5</sub>) .....  
(COD) .....  
Nitrate Nitrogen (NO<sub>3</sub>).....  
Ammonia (NH<sub>4</sub>) .....  
Oil and grease .....  
Total Nitrogen (TN) .....  
Total Phosphorus (TP) .....  
Heavy Metal.....

- + *Evaporation of gas and molecules in air*  
Carbon Monoxide (CO) .....  
Nitrogen Dioxide (NO<sub>2</sub>).....  
Sulfur Dioxide (SO<sub>2</sub>) .....  
Ozone (O<sub>3</sub>) .....  
Lead (Pb).....  
Total suspended particles (TSP) .....  
Inhalable particles with a diameter of less than 10 microns (PM<sub>10</sub>).....  
Inhalable particles with a diameter of less than 2.5 microns (PM<sub>2.5</sub>) .....

- Place used as disposal area for solid and liquid waste and gas emissions:  
.....  
.....  
.....
  
- Sources of increased noise and vibration  
.....  
.....  
.....
  
- Land area to be covered in the event of filling, leveling, or clearing new land  
.....  
.....  
.....
  
- Residing conditions of employees/workers:
  - Supply of clean water:  public clean water network  clean water network in village  Others
  - Health-safety: .....  
.....
  - Sanitation: .....  
.....
  - Solid waste management: .....  
.....

**D. Information on Tax**

Fill in the form attached in the annex.

**E. Information for requesting additional incentives.**

- Does the project undergo any research, development, or innovation?  
Yes       No
  
- Does the investment project have a human resource development plan by providing skills and vocational training to Cambodian employees/workers?  
Yes       No
  
- Does the investment project include the construction of accommodation, canteens or affordable food courts, nurseries, and other facilities for employees/workers?  
Yes       No
  
- Does the investment project include machinery modernization to support the production line?  
Yes       No

- Does the investment project promote the welfare of Cambodian employees /workers such as:
  - Providing comfortable means of transportation for employees/workers
  - Accommodation
  - Canteen or affordable food courts
  - Nurseries
  - Other facilities.

**Note:** Any chosen items shall be attached with supporting documents.

**III. Declaration:** As the project owner, I hereby declare that the above information is true and accurate without any intentional falsification.

Date: .....

**Signature**

**ANNEX 5.1**

of Sub-Decree No. ..... dated ..... on the Implementation  
of the Law on the Investment of the Kingdom of Cambodia

**TABLE OF PRODUCTION EQUIPMENT REQUIREMENTS**

For the investment project: .....

No.	Items	Unit	Quantity	Unit Price (USD)	Total Price (USD)	Sources	
						Local	Import
	1	2	3	4	5	6	7
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							

**ANNEX 5.2**

of Sub-Decree No. .... dated ..... on the Implementation  
of the Law on the Investment of the Kingdom of Cambodia

**TABLE OF PRODUCTION INPUTS REQUIREMENTS**

For the investment project: .....

No.	Items	Unit	Quantity	Unit Price (USD)	Total Price (USD)	Sources	
						Local	Import
	1	2	3	4	5	6	7
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							

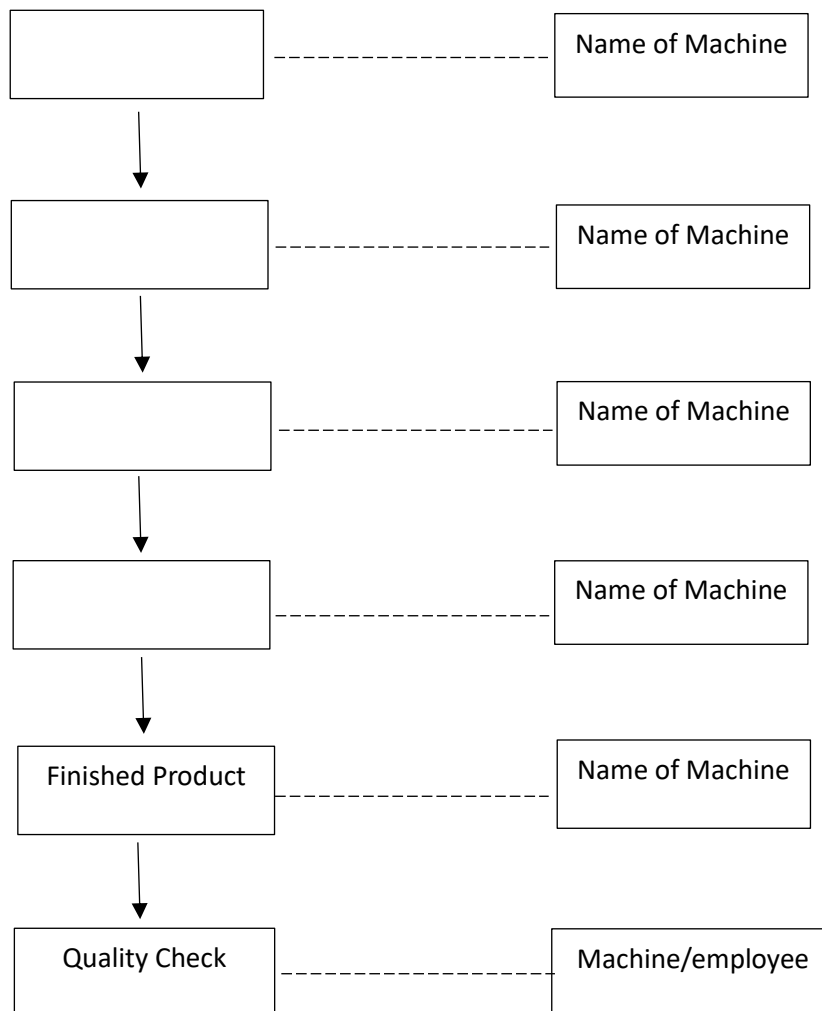
**ANNEX 5.3**

of Sub-Decree No. .... dated .....on the Implementation  
of the Law on the Investment of the Kingdom of Cambodia

**PRODUCTION LINE FLOWCHART**

For a manufacturing production project

Please show the production line starting from the production inputs to the finished products.





## **ANNEX 5.5**

of Sub-Decree No. .... dated ..... on the Implementation  
of the Law on Investment of the Kingdom of Cambodia

### **CHECK LIST OF REQUIRED DOCUMENTS FOR QUALIFIED INVESTMENT PROJECT “QIP”**

\*\*\*\*\*

1. Application for registration of a Qualified Investment Project
2. Statute of the company
3. Copies of shareholders' and the board of directors' passports or identity cards
4. Criminal records of foreign shareholders and members of the board of directors
5. Photos of members of the shareholders and the board of directors
6. In case shareholder is a legal entity, the following documents shall be attached:
  - a. Certificate of Commercial Registration of that legal entity
  - b. Power of Attorney appointing representatives of the legal entity
  - c. Background of parent company
7. Documents identifying the location (certificate of title, lease contract, land concession contract)
8. Map of location, building plan, factory plan, infrastructure, and machinery and machine layout plans.

**ANNEX 6**

of Sub-Decree No. 139 dated 26 June 2023  
on the Implementation of the Law on Investment of the Kingdom of Cambodia

**Kingdom of Cambodia**  
**Nation Religion King**  
\*\*\*\*\*

**COUNCIL FOR THE DEVELOPMENT OF CAMBODIA**  
**CAMBODIAN INVESTMENT BOARD**  
\*\*\*\*\*

**REGISTRATION APPLICATION FOR  
EXPANDED-QUALIFIED INVESTMENT PROJECT (EQIP)**

**1. Company Information:**

**1.1 General Information:**

- Company's name: .....
- Investment project: .....
- Investment location: .....

**1.2 Actual activities up to the present:**

- Actual investment capital: .....USD
  - Site preparation .....m<sup>2</sup>, Price: ..... USD
  - Building construction ..... m<sup>2</sup>, Price: ..... USD  
Existing building  New building
  - Production Equipment Price: .....USD (in the form as enclosed in the Annex)
  - Office cost: ..... USD
  - Other costs: ..... USD
- Total number of staff/workers .....
- Products for the last 3 years .....

Name of product	Year .....		Year .....		Year .....	
	Quantity	Amount	Quantity	Amount	Quantity	Amount

**2. Registration Application Documents for EQIP**

**2.1 References:**

- Resolutions of the board of directors or shareholders: .....
- QIP Registration Certificate: .....

- Certificate of Compliance as QIP: .....

**2.2 Applicant:**

- Name: ..... Nationality: ..... Address: .....
- Role in the company: ..... Tel: ..... Email: .....
- Power of Attorney (*if there is no role/duty in the company*) number: .....  
Dated .....

**2.3 Objective: .....**

**2.4 Expansion location: .....**

**2.5 E-QIP Capital:**

- Site preparation ..... m<sup>2</sup> Price: ..... USD
- Building construction ..... m<sup>2</sup> / Price: ..... USD  
Existing building  New building
- Production Equipment Price ..... USD  
(in the form as enclosed in the Annex)
- Office costs: ..... USD
- Other costs: ..... USD

**2.6 Sources of Capital:**

- Sources of investment capital: - Own Capital: .....
- Domestic Loan: .....
- Foreign Loan: .....

**2.7 Schedule for implementation:**

- Construction Commencement Date: .....
- Construction Completion date: .....
- Operation Date: .....

**2.8 List of production equipment to be used:**

No.	Items	Unit	Quantity	Unit Price (USD)	Total Price (USD)	Sources	
						Local	Import
	1	2	3	4	5	6	7
1							
2							
3							

(List of goods attached as an annex)

**2.9 Requirement of Production Inputs:**

Name of Product	Local		Foreign Source	
	Quantity	Price (USD)	Quantity	Price (USD)

(List of goods attached as an annex)

**2.10 Requirement of Workforce:**

Type of Labor	Commencement		Full Capacity	
	Local	Foreign	Local	Foreign
- Manager				
- Engineer				
- Technician				
- Consultant				
- Office Staff				
- Skilled Staff				
- Unskilled Staff				
<b>TOTAL</b>				

**2.11 Production Information**

Product Type	HS Code	Unit	Annual Production Capacity	
			Quantity	Price (USD)

**2.12 Estimated production capacity after the Expansion of the EQIP:**

Product Type	HS Code	Unit	Year 1		Year 2		Year 3	
			Quantity	Amount	Quantity	Amount	Quantity	Amount

**3. Market**

- Domestic: ..... %
- Foreign: ..... % (country: .....)

**4. Declaration:**

The given information is true and accurate.

Date: .....

**Company's Chairman**

**Signature and Stamp**

**ANNEX 6.1**

of Sub-Decree No..... dated .....

on the Implementation of the Law on Investment of the Kingdom of Cambodia

**CHECKLIST FOR COMPLETING THE FORM  
FOR THE EXPANDED QUALIFIED INVESTMENT PROJECT (EQIP)**

\*\*\*\*\*

1. Request for registration of the EQIP
2. Certificate of compliance as QIP
3. Minutes of the board of directors' meeting
4. Documents identifying the location (certificate of title, lease contract, land concession contract)
5. Map of location, building plan, factory plan, infrastructure, and machinery and machine layout plans.

**ANNEX 7**

of Sub-Decree No. 139 dated 26 June 2023  
on the Implementation of the Law on Investment of the Kingdom of Cambodia

**KINGDOM OF CAMBODIA  
NATION RELIGION KING**

\*\*\*\*\*

**COUNCIL FOR THE DEVELOPMENT OF CAMBODIA  
CAMBODIAN INVESTMENT BOARD**

\*\*\*\*\*

**REGISTRATION APPLICATION FOR GUARANTEED INVESTMENT PROJECT  
(GIP)**

**A- GENERAL INFORMATION OF THE INVESTOR**

**1) Information of Investor as Natural Person**

- Family name and first name: in Khmer: .....  
in Latin characters: .....  
Sex: ..... Nationality: ..... Citizenship: .....
- Identity Card or Passport No.: ..... Expiration date: .....
- Current Address: .....
- Phone No.: ..... Email: .....

**2) Information of Investor as Legal Entity.**

- Name of company: in Khmer: .....  
in Latin characters: .....
- Form of Company: *(please tick ✓ in the box)*  
 Company     Partnership     Foreign Commercial Company  
Note: Company includes private limited company, public limited company, and single member private limited company.
- Certificate of Incorporation: No. ....
- Address: - Company's registered office: .....  
-Tel..... Email: .....
- Name of parent company: .....  
Address: .....  
Tel: .....Website: .....  
Email: .....
- Composition of Shareholders and Shares
  - Shareholders:

Full name	Nationality	Number and Date of ID card or Passport	Address	Percentage of shares %
1. ....				
2. ....				
3. ....				

- Composition of the Board of directors (including third party):

Full name	Nationality	Number and Date of ID card or Passport	Address	Role in Company	Authorized signatory for all acts
1. ....					
2. ....					
3. ....					

## B- DETAILED INFORMATION OF THE INVESTMENT PROJECT

- Category of the Investment Project's Target: .....
- Investment Location: House No....., Street No. ... Village....., Commune/Sangkat ....., District/Khan/City ....., Capital/Province.....
- Registered Capital: ..... USD, Foreign..... %, Local: ..... %
- Number of shares: ....., share par value: .....
- Investment Capital: actual investment<sup>1</sup>..... USD, pledged investment<sup>2</sup> .....USD.
- Working Capital: .....USD
- Source of Investment Capital: Own Capital: .....USD, Local Loan:.....USD, Foreign Loan: ..... USD

## C- WAIVER OF RIGHTS

**FOR CAMBODIAN INVESTOR:** "We/I hereby self-declare that this Registration Application is for legal recognition of the project by the Royal Government of Cambodia through the Council for the Development of Cambodia in order to obtain protection in compliance with the applicable laws and regulations on investment but not as a means to sue or enable foreign investor to sue the Royal Government of Cambodia to the competent international investment arbitration on the basis of international treaties to which Cambodia is a signatory and consent to the discretionary rights of the Council for the Development of Cambodia to review the

<sup>1</sup> Shall provide the actual financial report with a certification by an official agent.

<sup>2</sup> Shall provide the investment/business plan signed by an authorized director.

necessary conditions for the continuation or issuance of a new Registration Certificate for the proposed project

**FOR FOREIGN INVESTOR:** “We / I hereby self-declare that this registration request is for the recognition of legitimacy on the projects by the Royal Government of Cambodia through the Council for the Development of Cambodia in order to obtain protection under the applicable national laws and regulations on investment and international treaties on investment to which Cambodia is a signatory while also recognize obligations as a responsible Investor and the obligations set out in the law and the pre-conditions set for obtaining this Registration Certificate. We / I hereby recognize reservations of Cambodia to international treaties on investment and consent to the discretionary rights of the Council for the Development of Cambodia to review the necessary conditions for the continuation or issuance of a new Registration Certificate for the proposed project.”

Phnom Penh, date.....

**Signature of Investor**

**Or Authorized Representative<sup>1</sup>**

---

<sup>1</sup> The Power of Attorney shall be provided for this case.

## **ANNEX 7.1**

of Sub-Decree No. .... dated .....  
on Implementation of the Law on Investment of the Kingdom of Cambodia

### **LIST OF REQUIRED DOCUMENTS**

The proposed investment project for registration as a GIP must have:

- 1- Statute of the Company
- 2- Copied passports of members of the Board of Directors and shareholders (for foreigners) which are certified by competent institution/agent of the Kingdom of Cambodia
- 3- Copied identity cards of members of the Board of Directors and shareholders (for Cambodian national) which are certified by competent institution or notary public or attorney-at-law of the Kingdom of Cambodia
- 4- Criminal Record of members of foreign shareholders and the Board of Directors
- 5- Photo (members of the Board of Directors and shareholders)
- 6- Certification on the deposited capital report at least 25 (twenty-five) percent of the registered capital issued by a bank in the Kingdom of Cambodia
- 7- In case shareholder is a legal entity, the following documents shall be attached:
  - A. Original or a certified copy of the certificate of incorporation which provides the information of commercial registration of that legal entity
  - B. The document appointing the representative of the legal entity and delegated rights
  - C. Brief background of the corporate shareholder (in a self-declaration form or in a document issued by competent institution/agent) indicating the good standing of the company.
- 8- Document identifying the location (certificate of title/lease contract/land concession contract).
- 9- Map showing the investment location, production building plan, administration building plan and other equipment location plan.
- 10- Self-declaration letter about accuracy of the information given above.

**ANNEX 8**

of Sub-Decree No. 139 dated 26 June 2023  
on the Implementation of the Law on Investment of the Kingdom of Cambodia



**ROYAL GOVERNMENT OF CAMBODIA  
COUNCIL FOR THE DEVELOPMENT OF CAMBODIA**



No: .....

**KINGDOM OF CAMBODIA  
NATION RELIGION KING**



.....

Date .....

**QUALIFIED INVESTMENT PROJECT REGISTRATION CERTIFICATE**

Pursuant to the Law on Investment of the Kingdom of Cambodia, the Council for the Development of Cambodia hereby issues the Investment Project Registration Certificate from the date of signature hereof ..... located at ..... with the following details:

- Name of Company : .....
- Registration Number : .....
- Conditions and Incentives : stated in the attached letter (Annex 9).

**SIGNATURE AND STAMP**



**ANNEX 9**

**of Sub-Decree No. 139 dated 26 June 2023 on the Implementation of the Law on Investment of the Kingdom of Cambodia**

**TO**

**MR./MRS.....**

**CHAIRMAN OF THE COMPANY.....**

**SUBJECT:** The Investment Project Registration Application.....

- REFERENCES:**
- Investment Project Registration Application received on .....
  - Law on Investment of the Kingdom of Cambodia promulgated by Royal Kram No. .... issued on .....
  - Sub-Decree No. .... ANKr.BK dated ..... on the Implementation of the Law on Investment of the Kingdom of Cambodia.
  - Pursuant to the outcome of the one-stop service meeting

Per the abovementioned subject and references, I would like to inform Mr./Mrs. that the Council for the Development of Cambodia “Cambodian Investment Board” hereby approves the registration of the project ..... located at ..... as the Qualified Investment Project (QIP) (please define type of QIP) in accordance with the contents and conditions as follows:

1. File the Statute of the company, dated..... consisting of the following shareholders:
  - Mr./Mrs.....
2. Record the QIP investment capital of ..... USD (.....United States Dollars) in CDC’s database.
3. Grant the incentives to QIP as follows:
  - Income tax exemption for the period of ..... year(s) commencing from ..... . After the expiration of the income tax exemption, QIP is entitled to the income tax reduction at a progressive rate proportional to the total amount of tax due:
    - 25 (twenty-five) percent for the first 2 (two) years;
    - 50 (fifty) percent for the next 2 (two) years; and
    - 75 (seventy-five) percent for the last 2 (two) years.
  - For the Export QIP and the Supporting Industry QIP
    - Entitled to customs duties, special tax, and value added tax exemption for the construction materials, construction equipment, production equipment and production inputs.

- For Domestically Oriented QIP
  - Entitled to customs duties, special tax, and value added tax exemption for the construction materials, construction equipment, and production equipment. For the import of the production inputs, it is obliged to comply with applicable laws and regulations.
- Other incentives as stated in the laws and regulations in force.

4. Your company shall comply with the conditions below:

- obtain a construction permit from competent authority
- obtain an Environmental Protection Contract or an Environmental Impact Assessment Report “EIA” with the approval from the Ministry of Environment.
- .....
- .....

Therefore, please follow the instructions above accordingly.

Please accept, Mr./Mrs. the assurance of my sincere regards.

**Signature and Stamp**

**Cc:**

- Office of the Council of Ministers
- Ministry of Interior
- Ministry of Economy and Finance
- Ministry of Land Management, Urban Planning and Construction
- Ministry of Industry, Science, Technology and Innovation
- Ministry of Commerce
- Ministry of Environment
- Ministry of Labor and Vocational Training
- Senior Minister in charge of special mission,  
Vice Chairman of “CDC”
- Cabinet of Samdech Techo Prime Minister, Chairman of the “CDC”
- .....Provincial Hall
- General Department of Customs and Excise of Cambodia
- General Department of Taxation
- Documentation-archives

**ANNEX 10**

**of Sub-Decree No. 139 dated 26 June 2023 on the Implementation of the Law on  
Investment of the Kingdom of Cambodia**

**KINGDOM OF CAMBODIA  
NATION RELIGION KING**

**COUNCIL FOR THE DEVELOPMENT OF CAMBODIA  
CAMBODIAN INVESTMENT BOARD**

**REQUEST FORM FOR INVESTMENT AFTER-CARE SERVICES**

**A- General Information:**

- Name of company:.....
- Registered address: .....  
.....
- Tel: .....
- Email: ..... Website: .....
- Investment location:.....  
.....  
.....
- Name of the authorized company representative: .....  
.....

**B- Investment After-care Services Request:**

- Consultation on any issues related to the investment project.
- Challenges related to investment project implementation.
- Challenges related to procedures of investment project implementation:
  - Administrative procedures
  - Other issues .....

**C- Description:**

.....  
.....  
.....  
.....  
.....

**D- Declaration:**

I hereby declare that the above information is true and accurate without any intentional falsification.

Therefore, please the management of the Council for the Development of Cambodia, kindly review and approve this application accordingly and accept the assurance of my highest consideration.

**Date:** .....

**Chairman of Company**

**Signature**

## Council for the Development of Cambodia (CDC)

Address: Government Palace, Sisowath Quay, Wat Phnom, Phnom Penh, Cambodia

Website: [www.cdc.gov.kh](http://www.cdc.gov.kh)

## Cambodian Investment Board (CIB)

Tel: 099 799 579 / 098 799 579 (Hotline)

Email: [helpdesk@cdc.gov.kh](mailto:helpdesk@cdc.gov.kh)

[info@cdc.gov.kh](mailto:info@cdc.gov.kh)

Website: [www.cdc.gov.kh](http://www.cdc.gov.kh)

China Desk            Email: [chinadesk@cdc.gov.kh](mailto:chinadesk@cdc.gov.kh)

Europe Desk          Email: [eudesk@cdc.gov.kh](mailto:eudesk@cdc.gov.kh) and CC to [info@eurocham-cambodia.org](mailto:info@eurocham-cambodia.org)

Japan Desk            Email: [japandesk@cdc.gov.kh](mailto:japandesk@cdc.gov.kh)

Korea Desk            Email: [koreadesk@cdc.gov.kh](mailto:koreadesk@cdc.gov.kh)

## Working Hours

From Monday to Friday

Morning 7:30am - 11:30am

Afternoon 2:00pm - 5:30pm



### Facebook

ក្រុមប្រឹក្សាអភិវឌ្ឍន៍កម្ពុជា

The Council for the Development of Cambodia



### Telegram & WhatsApp

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