

# Legal Document

**Title:** Sub-Decree No. 131 on Timber and Non-timber Forest Products

**Type:** Sub Decree

**Issuing Agency:** Ministry of Agriculture, Forestry and Fisheries

**Responsible Agency:** Ministry of Agriculture, Forestry and Fisheries

**Issuing Date:** 28-11-2006

*UNOFFICIAL TRANSLATION*

## KINGDOM OF CAMBODIA

### Nation-Religion-King

#### SUB-DECREE

#### ON

#### TIMBER AND NON-TIMBER FOREST PRODUCTS

#### ALLOW FOR EXPORT AND IMPORT

ROYAL GOVERNMENT OF CAMBODIA

No.131 អនក្រឹត្យ

#### ROYAL GOVERNMENT OF CAMBODIA

Have seen: the Constitution of the Royal Government of Cambodia (RGC);

Have seen: the Royal Decree ៩៧/រក្ស/០៧០៤/១២៤ dated 15<sup>th</sup> July 2004 on the establishment of the RCG;

Have seen: the Royal Code (Preah Reach Kram) ០២/៩៧/៩៤ dated 20<sup>th</sup> July 1994 on the promulgation of the law on arrangement and implementation of the Council of Minister;

Have seen: the Royal Code ៩៧/រក្ស/០១៩៦/១៣ dated 24<sup>th</sup> January 1996 on the promulgation of the law on the establishment of the Ministry of Agriculture forestry and Fisheries;

Have seen: the Royal Code ສກ/ກຍ/0802/016 dated 31<sup>th</sup> August 2002 on the promulgation of the Law on Forestry;

Have seen: the Decree (kret) 57 ຖ dated 26<sup>th</sup> July 1989 on the promulgation of the Law on Import and Export Tax,

Have seen: the Sub-decree 17 ສສຖ.ບກ dated 7<sup>th</sup> April 2009 on the arrangement and implementation of the Ministry of Agriculture Forestry and Fisheries;

Have seen: the Sub- decree 64 ສສຖ.ບກ dated 11<sup>th</sup> September 2003 on the change of name of the Department of Forestry to Forestry Administration;

Receiving the adoption from the plenary session of the Council of Minister on 20<sup>th</sup> October 2006;

### **Hereby decided as follows**

**Article 1:** The objective of the Sub-decree is to identify Forest and Non-Timber Forest Products allowed to export and import.

**Article 2:** The following products are allowed export:

A. Allow to export all kinds of processed and non-processed timber products deriving from man-made forest. Timber products from rubber plantation are under different jurisdiction,

B. Allow to export forest and non-timber forest products from legal sources of natural forest as follows:

1. Furniture, parts of furniture, and parts of bookshelf;
2. Wood-carving products, wood toys, decorated wood forest product and other similar products;
3. Parquet and flooring board;
4. Assembled or not yet assembled wood crate and pallet board;
5. Mauled and sanded wood door and window frame, finger joined board, wood for tool handle;
6. Wood glue together to become board;
7. Particle board under high pressure and plywood;
8. Wood veneer, rotary or slice into piece;
9. Cross-cutting wood, 15cm, maximum thickness, with or without bark;
10. S2S or S4S (smoothed 2 sides or smoothed 4 sides) with export quality;
11. Wood chip, wood pulp;
12. Wood match, tooth-pick, chop sticks;
13. Railway sleeper (except luxury wood);
14. Square wood with a maximum width/thickness of 25cm, which have been seasoned naturally (sun dry) or technically in dry kiln;
15. Painting frame, photo frame, glass frame, art carving board and its holder, and other similar products;
16. Timber or non-timber forest products following traditional style:

- a. Art or traditional spirit products such as racing boat, rowing boat, ox-cart, buffalo cart, horse cart, roofless howdah
- b. Daily used instrument such as bow, mortar, pestle, carrying frame, woven baskets, luggage, fish traps, animal cages, box for keeping metal material, cigarette or other tool used in agriculture such as plow, rake, mattock handle, cleaver, or knife handle, axe handle, hitching post, wedge, basket for carrying soil
- c. Equipment and other tool used in agriculture such as plow, rake, mattock handle, cleaver or knife handle, axe handle, hitching post, wedge, basket for carrying soil
- b. Equipment and fishing tools such as fish traps, posts, oar, paddle
- c. Music instrument such drum, Khmer guitar, xylophone, Khmer violin, zither
- d. Other similar products;
  - 1- Bamboo plywood, assembled bamboo sticks or boards, rattan, vine and other similar products;
  - 2- All kinds of wood resin/latex and wild mushroom;
  - 3- Oil extracted from timber and non-timber forest products;
  - 4- Products from medicinal plants, poisonous plants, sweet smell plants, bio-chemical and substance for tannery plants;
  - 5- Flowers, leaves, fruits of wild plants;
  - 6- Products processed from all kinds of non-timber forest product;
  - 7- Wildlife product, processed or not processed and wildlife specimens from the group of common wildlife species.

**Article 3:** The following products are not allowed to export:

- 1-Logs whether debarked or nor;
- 2-Crude or rough sawn timber;
- 3-Squared logs with a thickness or width of more than 25cm, even when smoothed;
- 4- Oil extracted from MOREAH PROEUV (Dyxosilum Lorreiri), yellow vine, and yellow vine powder;
- 5- Firewood and charcoal from natural forests.

**Article 4:** The following products are allowed to import:

- A. Round or squared logs, sawn timber, and other forest and non-timber forest products;
- B. Processed timber or non-timber forest products.

**Article 5:** Forest and non-timber forest products allowed to export or import are subjected to pay taxes in accordance with existing laws.

**Article 6:** As mentioned in article 2, paragraph B, point number 16 of this Sub-decree:

A. Export of processed timber or non-timber forest products following traditional style at family or tourist scales are allowed without requirement of export license, and transportation permit issued by Head of Forestry administration;

B. Export of processed timber or non-timber forest products following traditional style by client or third party for commercial purpose are allowed without Export License requirement. However, transportation permit issue by Head of Forestry Administration will be required.

**Article 7:** Except products stipulated in article 2, paragraph B, point number 16 of this Sub-decree, export of timber and non-timber forest products as stipulated in article 2 require export license issue by Ministry of Commerce and visa by the Head of Forestry Administration. Extension of export license validity will be issued by Ministry of Commerce.

**Article 8:** The import of processed and non-processed timber and non-timber forest products as stipulated in article 4 if this sub-decree for raw material of local industry production require import license issue by the Ministry of Commerce with visa issue by the Head of Forestry Administration and require transportation permit issue by the Head of Forestry Administration.

**Article 9:** Strictly ban the import of all kinds of epidemic plants, wildlife, and other flora or fauna which impact local sources of genetic.

**Article 10:** The Royal Government may allow the export or import of other forest and non-timber forest products when necessary according to regional, international or national socio-economic demand.

**Article 11:** Forest and non-timber forest products will be allowed to export or import only through government official ports.

**Article 12:** Any regulation that is contrast to this Sub-decree is nullified.

**Article 13:** Minister in charge of Council of Ministers, Minister of Agriculture Forestry and Fisheries, Minister of Economy and Finance, Minister of Commerce, Minister of Environment, Minister of Health, Ministers, State Secretaries of all relevant ministries, must implement this Sub-decree in accordance with their respective duties from this date of signature onward.

Capital city of Phnom Penh, 28<sup>th</sup> November 2006

Prime Minister

**HUN SEN**

Signed and Sealed

Receivers:

- Ministry of the Royal Palace

- General Secretary of the Constitutional Council
- General Secretary of the Senate
- General Secretary of the National Assembly
- General Secretary of the Royal Government
- Cabinet of the Prime Minister
- Cabinet of H.E. Deputy Prime Minister
- Provincial cities and Municipalities
- Same as article 13
- Chronological files

## List Measures/Standards

Name	Description	Status	Measures/Standards	Measure Class
<u>Export prohibition of timber and non-timber products</u>	A number of timber and non-timber products under article 3 are not allowed to be exported	Active	Measure	Goods
<u>Export tax requirement for exports of timber and non-timber forest products</u>	Forest and non-timber forest products which are allowed to export are subject to export taxes under existing law	Active	Measure	Goods
<u>Requirement for transportation permit on exports of processed timber and non-timber forest products following traditional style or third party for commercial purpose</u>	Exports of processed timber and non-timber forest products following traditional style or third party for commercial purpose are allowed without export license. But transportation permit must be issued by head of ministry administration.	Active	Measure	Goods
<u>Requirement for export license for exports of timber and non-timber forest products</u>	Exports of timber and non-timber forest products require export license from MOC via forestry administration. The extension of license is issued by MOC.	Active	Measure	Goods
<u>Requirement for import license for import of timber and non-timber forest products</u>	Imports of timber and non-timber forest products as raw materials for local industry production requires an import license from MOC via Forestry Administration	Active	Measure	Goods
<u>Requirement for import permit for import of timber and non-timber forest products</u>	Imports of timber and non-timber forest products as raw materials for local industry production require that a transportation permit is issued by Head of Forestry Administration	Active	Measure	Goods
<u>Import ban of certain timber and non-timber products</u>	A strict ban on the import of all kinds of empidement plants, wildlife, and other flora and fauna which impact the local sources of genetics	Active	Measure	Goods
<u>Requirement to restrict exports of timber and non-timber products to an assigned port</u>	Forest and non-timber forest products are allowed to be exported through government official port only.	Active	Measure	Goods

<u>Requirement to restrict the imports of timber and non-timber products to specific ports</u>	Forest and non-timber forest product are allowed to be imported through government official ports only.	Active	Measure	Goods
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