

**KINGDOM OF CAMBODIA**

***Nation – Religion – King***

*Ministry of Public Work*

and Transport

003/MoPWT

**CIRCULAR**

on

**Management of Means of Water Transport**

- *Having reviewed Anukret No. 14/ANK/BK of March 3, 1998 on the Organization and Functioning of the Ministry of Public Work and Transports;*
- *Having reviewed Prakas No. 852/BK/MoPWT/MEF on the determination of fees for vehicle identity card, number plate, driving license, and business license for technical inspection of vehicle, boat, motor boat, and all kinds of ferries;*
- *Having reviewed Prakas No. 403/BK/MOPWT of August 4, 1999 on the Organization and Functioning of Department of Water Transport;*

In order to ensure proper management of all kinds of vessels and/or boats navigating on the waterways within the and to ensure the safety, comfort, security, hygiene, traffic order, and to protect the lives of crew, passengers, tourists, property, means of transport, and the environment, the Ministry of Public Work and Transport hereby declares:

**CHAPTER 1**

**Vessel/Boat Identity Card**

**I. Issuance of Identity Card:**

All kinds of boats navigating on the waterways of the and having a loading capacity of 500 kilograms or more, including vessels/boats transporting goods, oil tankers, passenger boats, tourist boats, fishing boats, ferry boats, dredges, gravel/sand dredges, surveillance/craning ships, poling boats, trailer boats,

power boats, ferries, pontoon boats, floating houses, and rescue boats which belong to the State or are privately owned or owned by a foreigner who has been properly authorized to temporarily or permanently stay in the shall have a vessel/boat identity card issued by the Ministry of Public Work and Transport.

**1. General Department of Transport (Department of Water Transport)**

- (a) (a) Any vessel/boat with a loading capacity of 40 tons or more and an engine of 90HP or more;
- (b) (b) Any oil tanker;
- (c) (c) Any passenger boat with loading capacity of 50 seats or more;
- (d) (d) Any tourist boat;
- (e) (e) Any boat or vehicle ferry;
- (f) (f) Any boat navigating across provincial/municipal boundaries;
- (g) (g) Boat trailer with an engine capacity of 90HP or more;
- (h) (h) Any fishing boat;
- (i) (i) Any boat used for conducting business across borders;
- (j) (j) All kinds of foreigner boats which have been authorized to temporarily or permanently stay in the ;
- (k) (k) All kinds of power boats regardless of engine power;

**2. The provincial/city public works and transport office**

- (a) (a) All kinds of boats with a loading capacity below 40 tons or engine capacity less than 90HP;
- (b) (b) A passenger boat with a loading capacity less than 50 seats;

Military boats or national police boats which belong to the Ministry of Defense or the Ministry of Interior shall bear an identity card issued by the appropriate ministry.

**1. II. II. Application for Vessel/Boat Identity Card**

A boat owner shall apply for a boat identity card at the place and time specified below:

**1. General Department of Transport (Department of Water Transport)**

- (a) (a) Within one month for a boat located in Phnom Penh and no later than two months from the date of complete construction and rolling.
- (b) (b) Within two months from date of payment of duty for an imported boat.

## **2. Provincial/municipality public work and transport office**

(a) (a) Within one month, for a boat located in its province/municipality and two months for boat imported from another province/municipality, from the date of complete construction or rolling or from the date of complete sale;

(b) (b) Within no later than three months from date of payment of duty for an imported boat.

### **1. III. III. Files Required for Application of Vessel/Boat Identity Card**

The application form shall include the following files:

1. 1. Application form with a proper stamp;
2. 2. Contract of sale recognized by the competent authority;
3. 3. Applicant's certified letter of residence or identity card and photocopied family book;
4. 4. Administrative letter certifying that the boat does not belong to the State if an applicant is a civil servant;
5. 5. Director's certified letter if such boat belongs to the State;
6. 6. A proper import invoice, if it is an imported boat;
7. 7. A certified letter from the Ministry of Public Works and Transport if the boat is constructed or reformed.
8. 8. The construction plan approved by the Ministry of Public Works and Transport;
9. 9. A bibliography of the boat certified by a department director;

## **IV. Determination of numerals, initial letters on number plate, name of boat**

### **1. Category of vessel/boat:**

Number plates for vessels/boats navigating on the 's waterway shall be divided into the following categories:

#### **Category**

- 1: Dry goods boat
- 2: Passenger boat
- 3: Oil tanker
- 4: Trailer boat
- 5: Non-motor boat;
6. Boat, ferry boat, ferry, dredge, gravel/sand dredge, poling boat
- 7: Specialized or personal boat;

8: Fishing boat;

9: Foreigner's boat;

10: Tourist boat or power boat;

11: Rescue boat.

## 2. Initial letters:

Initial letters on a vessel's/boat's number plate that navigates on the waterways adjacent to/of Phnom Penh or province/ municipality of the shall be as follows:

- PP for Phnom Penh;
  - KD for Kandal province;
  - SR for Siem Reap;
  - BB for Battambang;
  - PS for Pursat;
  - KCHH for Kampong Chhnang
- KTO for Kampong Thom;
- KCH for Kampong Cham;
  - KT for Kratieh;
  - ST for Stung Treng;
  - PV for Prey Veng.

## 3. Table of allocation of number for boat circulating in the Kingdom

No	Name of Province/Municipality	Initial Number	Ending Number	Total	Others
1	Kampong Chhanng	2501	3000	500	
2	Kampong Thom	3001	3500	500	
3	Kampong Cham	3501	4000	500	
4	Kratieh	4001	4500	500	
5	Stung Treng	4501	5000	500	
6	Battambang	5001	5500	500	
7	Siem Reap	5501	6000	500	

8	Pursat	6001	6500	500	
9	Prey Veng	6501	7000	500	
10	Kandal	7001	8000	500	
11	Phnom Penh	7501	8000	500	
12	Ministry of Public Works and Transport	8001	9000	1000	

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**Examples:**

a) Phnom Penh

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- Dry goods boat PP1-7501
- Passenger boat PP2-7501
- Trailer boat PP4-7501

b) Kandal

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- Dry goods boat KD1-7001
- Passenger boat KD2-7001
- Trailer boat KD4-7001

**4. Size of letter and number**

The boat's number plate shall be placed on the lower part of the front side 0.20 centimeters above the deck. Identification letters and numbers of the vessel/boat shall be written in black on the white wall.

Height	24 cm	Thickness	4 cm
Width	12 cm	Space	3.5 cm

**5. Location of number plate**

A boat's identification number shall be written on the white wall, for example PP2-8004.

For commercial vessels/boats which regularly navigate across water boundaries, the letter PB shall be replaced by PP and HF shall be added at the end, e.g., PP1-8001HF.

**6. Destination Sign**

Passenger boats shall have a destination sign placed at the first level of both front sides and at the same level of the pilot cabin.

- The destination sign shall include:
  - Type of boat “Passenger Boat”;
  - Destination “Phnom Penh-Kampong Cham or Phnom Penh-Kratieh”;
  - Number of seats for passengers;
  - Number of seats for tourists;
  - Total loading capacity.

The size of a destination sign shall comply with the type of boat as specified below:

(a) (a) A destination sign shall be 1.10 meter wide and 2.20 meters long for a boat that is of 30 meters long or more.

(b) (b) A destination sign shall be 0.70 meter wide and 1.20 meters long for the boat that is of 18 meters to 29 meters long.

A destination sign shall be white with black letters and numbers for a private boat used for conducting public transport business.

A destination sign shall be black with white letters and numbers for boats that transport personal goods.

A destination sign shall be in green with white letters and numbers for public boats.

#### **7. Name of Vessel/Boat**

(a) (a) The name of a vessel/boat shall be determined by the owner and approved by the institution issuing the certificate of registration;

(b) (b) The names of boats shall not be similar in the same business areas unless the boats belong to the same owner. In this case, the serial number shall be placed after such name. For example, Gold Series 1, Gold Series 2, Morning Star 1, Morning Star 2 etc.

(c) (c) The name of a boat shall be written in black on the top and in the middle of the white wall.

## **CHAPTER II**

### **Transfer of Vessel/Boat Ownership**

In order to comply with legal requirements, a transfer of ownership or “transfer” shall be made for all exchanges of ownership. Any failure to transfer ownership to the new owner shall result in the original owner’s (seller’s ) legal liability.

**1. I. I. Place of transfer**

The new owner shall arrange a transfer of ownership at the institution as described in Chapter I.1 and I.2 upon the application for a boat identity card and the seller and buyer shall be present and effect thumb prints before the competent authority.

If the transfer of ownership falls under the Department of Transport’s jurisdiction (Chapter I-1) the provincial/municipal public work and transport office shall decide whether such sale is proper and if necessary relevant documents shall be sent through the provincial/municipal public work and transport office to the general Department of Transport (Department for Water Transport) for approval.

**II. Files required for the transfer of ownership**

Application for the transfer of ownership shall include the following files:

- (1) (1) One copy of the application with proper stamp;
- (2) (2) Certificate of registration (original copy);
- (3) (3) One copy of contract for sale with proper addresses of seller and buyer certified by local authority; and
- (4) (4) One copy of family book or identity card.

**III. Duration of transfer**

The ownership shall be completely transferred no later than fifteen (15) days from the date the seller and buyer affix the sale contact with stamp duty.

**IV. Replacement of boat’s engine**

If the boat owner replaces an engine or transforms the boat he/she shall apply for a new boat identity card with a proper stamp stuck to application form. In this case, the number plate shall remain the same, however, the alteration shall be registered into the boat registry. Decision for replacement of engine or transformation shall be made under the provisions stated in Chapter I-1 and I-2.

**CHAPTER III**

**Boat Piloting License and Mechanic License**

**1. I. I. There are three types of piloting licenses:**

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- 1) Piloting license class 1: A person who holds a piloting license class 1 shall be at least twenty five years of age and is entitled to pilot a vessel/boat with a capacity of 301 tons or more or a trailer boat with a capacity of 301 tons or more;
- 2) Piloting license class 2: A person who holds a piloting license class 2 shall be at least twenty five years of age and is entitled to pilot a vessel/boat with a capacity from 51 to 300 tons or a trailer boat with a capacity of 25 to 300 tons;
- 3) Piloting license class 3: A person who holds a piloting license class 3 shall be at least 22 years of age and is entitled to pilot a boat with a capacity of 50 tons or below or a trailer boat with a capacity of 50 tons or below.

## **II. Mechanic Licenses**

Any boat shall have one mechanic who is in charge of the boat engine. Each mechanic shall bear his/her mechanic license.

There are three types of mechanic licenses:

- 1) Mechanic license class 1: A person who holds a mechanic license class 1 shall be at least twenty-two years of age and shall be qualified to work on board a vessel/boat with a capacity of 151HP or more;
- 2) Mechanic license class 2: A person who holds a mechanic license class 2 shall be at least twenty-two years of age and shall be qualified to work on board the boat with a capacity of 91HP to 150HP;
- 3) Mechanic license class 3: A person who holds a mechanic license class 3 shall be at least twenty year of age and shall be qualified to work on board the boat with a capacity of 30HP to 90HP.

## **III. Department Issuing Piloting and Mechanic Licenses**

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Any boat with an engine capacity of 15HP or more shall have one patron or pilot and one mechanic.

The patron shall have a piloting license and mechanic shall have a mechanic's license.

Piloting licenses class 1, 2 and 3 and mechanic's licenses class 1, 2, and 3 shall be issued by the Ministry of Public Works and Transport (Department of water transport of the General department of transport).



#### **IV. Application for Piloting and Mechanic Examination**

A candidate who wishes to take the examination for piloting or mechanic's license shall submit an application form with the following documents:

- 1) One copy of application form with proper stamp;
- 2) One copy of medical examination certificate issued by a hospital specified by the Ministry of Health;
- 3) Three photos of 3 x 4cm size;
- 4) Receipt of examination tax;
- 5) One copy of certificate of qualification from boat owner and port authority;
- 6) One copy of academic certificate from school.

#### **V. Committee for Examination and Subjects**

##### **1) Committee for Examination**

The examination shall be organized at the Department of Water Transport and under management of a committee appointed by the general director of transport.

##### **2) Subjects**

The subjects for examination of piloting and mechanic's license shall include:

###### **(a) Piloting license**

Water traffic law, including oral questions, practices, and rescue measures.

###### **(b) Mechanic's license**

- Knowledge of mechanics and maintenance;
- Water traffic law (oral questions on theory);
- Certificate from school of mechanic repairs.

#### **VI. Issuance of Piloting or Mechanic Licenses**

- 1) 1) The license shall be issued to a candidate who passed the examination organized at the Department of Water Transport of the general department of transport of the Ministry of Public Work and Transport. The Department of Water Transport shall issue a temporary license which is valid for 45

days. A candidate who holds a temporary license shall pick up his/her license within 2 or 3 days prior to the expiration of temporary license.

2) In case of loss of license, the licensee shall report to the local police and bring statement of such loss certified by such local police to the Department of Water Transport for a duplicate license. If the license is torn, scratched, or its content becomes unreadable, the owner shall request for a new license.

3) A candidate who failed the examination shall re-apply for the examination when such later examination is announced.

## **CHAPTER IV**

### **Construction and Repairs of the Vessel/Boat**

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#### **I. Boat Construction**

- · The construction of any kind of vessel/boat shall be authorized by the institution stated in paragraph I.1 and I.2 of Chapter I regarding the rights over boat;
- · A boat owner shall apply for boat construction with the institutions stated above. The application form shall include:
  - (1) One copy of application form with proper stamp;
  - (2) One copy of list of materials;
  - (3) One copy of boat design;
  - (4) One copy of residential certificate.
- · Decision for construction shall be at the discretion of the general department of transport of the Ministry of Public Works and Transports and of director of provincial/ municipal public work and transport respective to type of boats stated in paragraph I-1 and I-2 above.
- · Upon receipt of a construction license, the department of water transport shall provide a boat bibliography book to the owner. At the completion of construction, the director of such construction shall sign the bibliography book.

#### **II. Vessel/Boat Repairs**

- · A repair of any kind of vessel/boat shall be authorized by the Department of Water Transport of the general department of transport.
- · A boat owner shall submit an application for boat repair with the following files:
  - (1) One copy of application form with proper stamp;
  - (2) One copy of list of materials;
  - (3) One copy of boat design;

(4) One copy of residential certificate.

**III. Upon the completion of repairs, the owner shall report to the Department of Water Transport for technical re-inspection.**

**IV. The construction or development of any type of construction or repair site shall be authorized by the Ministry of Public Works and Transport.**

- The application form shall include:
  - (1) One copy of application form with proper stamp;
  - (2) One copy of land title certified by authority;
  - (3) One copy of plan of construction;
  - (4) One copy of residential certificate;
  - (5) One copy of tax payment receipt.

## **CHAPTER V**

### **Technical Inspection of Vessels/Boats**

- The purpose of technical inspection is to guarantee that a vessel or boat meets adequate technical conditions, to ensure safety, comfort, security, traffic, traffic order, and protect the State as well as private property and lives of citizens and passengers who travel on waterways of the . Vessels/boats shall meet technical conditions as stated in point 1 below:

**1. 1. 1. Technical conditions of vessels/boats authorized for business or commercial transactions:**

(a) (a) Body of Boat:

The body, whether constructed of iron, wood or fiber glass/plastic, shall be of sufficient quality to ensure safety;

(b) (b) Engine system:

Each part of the engine shall be installed in a well-running manner with a metal encasement to protect passengers or other persons from danger from touching the engine.

(c) (c) Steering system and piloting:

The pilot's seat shall have enough space and be in proper order to allow the pilot full visibility.

(d) (d) Roof of Boat:

– Any boat 25 meters long or more may be fully covered by a roof;

- For any boat 21 to 24 meters long, 3 meters at the stern shall be left uncovered;
- For any boat 8 to 20 meters long, half of the stern shall be left uncovered;

(e) Horn and bell:

All vessels/boats shall be equipped with a horn for sending emergency blasts when necessary. The horn's sound shall be audible for a distance of 1,500 meters at least. In addition to a horn, all boats shall have bells with a 0.20m-diameter bottom for use in emergency or bad weather.

(f) Lights and signals:

f(1) Various boats, trailer boats

Various boats and trailer boats, passenger boats, cargo boats, oil tankers, and trailer boats shall have the following lights:

- One daylight bulb installed on the mast in the middle and on median line of the boat which shall be at least 3 meters above the roof. Such light shall be visible from a distance of 1,500 meters in normal weather and shall be flashed from 225 degree straight ahead. During the daytime, a daylight bulb shall be replaced by a black ring buoy with a diameter of 0.30m.
- Cargo boats shall have one additional daylight and red light bulb. The daylight bulb shall be placed above the red light in a distance of 1 meter. A white triangle sign shall be used instead of the daylight bulb and black ring buoy shall be used instead of the red light during the daytime.
- A boat loading inflammable or explosive substances shall have another red light placed at the same level of the daylight bulb mentioned above. A red letter "B" shall be used instead of this red light during the daytime.
- A trailer boat with at least 100 meters long shall have two daylights placed 1 meter from each other (in top down order). A trailer boat with more than 100 meters long shall have three daylights placed 1 meter from each other. The black ring buoy with a diameter of 0.30m shall be used instead of these daylight bulbs during the daytime.
- There shall be one green light on the right hand side and one green light on the left hand side installed on top of the roof and these shall be visible from the distance of 1000 meters in good weather. The red light shall flash 112.30 degree and be placed on the left hand side. The green lights shall flash 112.30 degree ahead and on right hand side. The shade shall be affixed to protect light reflection from the back.

- One flash light shall be installed at the stern and flashed 135 degree backward and can be seen from a distance of 1,500 meters.

f(2) The boat, ferry boat with a capacity of 25 tons or more shall have:

- Two lights shall be placed on the roof, one red light on the left and one green light on the right, and may be seen from the distance of 900 meters and flashing 112.30 degree ahead and both sides.

- One flash light shall be placed at the stern of the boat and flashing 135 degree backward

f(3) A ferry boat with a capacity of or below 25 tons shall have one day light flashing in all directions that is placed at least at height of 2 meters above the roof.

(g) Safety equipment:

g(1) Buoy, ring buoy, and life vests

- Boats shall have ring buoys and life vests for use in an emergency.

- Small buoy shall be of diameter 0.25m and 0.60m long.

- Large buoy shall be of diameter 0.30m and 1.30m long.

There shall be five or more buoys on board each boat. There shall be four red buoys with white colored rims. The name and number of the boat shall be written on a slate placed at the front of the boat.

For example, gold series PP2-8000. The buoy shall be placed on the roof of the boat without any fastening.

- Buoys shall have a diameter of 0.60m to 0.80m and thickness of 0.15m to 0.20m.

A buoy shall be painted in alternate stripes of red and white color with the name and number of the boat e.g. gold series PP8-0000. There shall be more than five buoys for each boat.

- Life vest: Passenger or tourist boats shall have adequate buoys for each passenger.

g(2)The bridge:

A boat shall have a wooden bridge with at least 0.40 meters wide to be used by the passengers.

g(3) Fire equipment and water pump:

A boat shall be equipped with fire extinguished equipment water pump to be used in case of fire or leaking.

g(4) Reserved medicines and toilets:

Passenger boats and tourist boats shall have a number of reserved medicines for use in case of emergency or illness. Passenger boats and tourist boats shall have a clean and good toilet.

g(5) Tarpaulin or used tyre, wood, pushing pole, rope, anchor:

A boat shall have a tarpaulin to protect sunlight and rain. Used tyres and wood shall be placed on both sides to protect the boat against an incidental crash and there shall be a pushing pole for using when the boat get alongside or berth.

g(6) Water surveillance tool:

A boat shall have a depth surveillance tool to protect the boat from running aground.

g(7) Cargo loading scale:

At the time of technical inspection, a boat shall have a depth line on the external framework or loading line to indicate maximum loading capacity as instructed by the committee for boat technical inspection.

g(8) Communication radio: Any boat that navigates for a long destination shall have a communication radio.

## **2. Type of technical inspection:**

There are three types of specification inspection:

(a) (a) A compulsory inspection is the initial inspection prior to the application for a transport license;

(b) A periodic inspection shall be made to a boat that has been operated and such inspection of technical condition shall be made on the date fixed by the Department Water Transport or provincial/city public work and transport office. Such inspection shall made once every six months for wooden body boats and once a year for iron/metal or fiber glass plastic body boats. In special cases, a shorter period may be set in compliance with consideration of the committee for inspection.

(c) A random inspection is an inspection without prior notice to the boat owner. The purpose of this inspection is to ensure the respect of law, business license, and other regulations that require the owner to properly comply with State restrictions. Random inspections shall be made at any time and place on the waterways.

## **3. The powers and rights to inspect:**

(a) (a) Compulsory inspections and frequent inspections:

– Such inspection shall be made by the Department of Water Transport of the general department of transport.

– Such inspection shall be made by the transport office at the provincial/city public work and transport office.

(b) Random inspection:

– At the ministerial level, a random inspection shall be made by a joint committee, appointed by the Minister, in compliance with notice of the Council of Ministers in which a representative of the Ministry of Public Work and Transport is a chairman. Such inspection shall be made at an invitation of the chairman when the Ministry of Public Work and Transport considers it necessary.

– At the provincial/municipal level, a random inspection shall be made by a joint committee, provincial or municipal governor, in which a representative of the provincial/municipal public work and transport office is a chairman. Such inspection shall be made at an invitation of the chairman if provincial/municipal public work and transport office consider it necessary.

(c) Inspection Minutes:

– The committee shall prepare minutes of inspection and record all defects in a technical inspection book during the course of inspection.

– If a gross defect is found on any boat, the committee shall order an immediate suspension of its business. The inspection committee shall seize the traffic document and issue a receipt for such seizure to the boat owner and instruct the owner to repair such defect and cause it to be re-inspected by the Department of Water Transport or provincial/city public work and transport office. The documents by the joint committee shall be maintained at the Department of Water Transport or provincial/city public work and transport office at the completion of each inspection.

#### **4. Procedures, files required before and after periodic inspection:**

(a) (a) A boat owner shall file his/her traffic document with the Department of Water Transport or provincial/city public work and transport office on the date of inspection.

Traffic document shall include:

- (1) Boat identity card;
- (2) Boat piloting license;
- (3) Technical inspection book;
- (4) Boat log book;
- (5) Business license;

(6) Traffic visa book;

(7) (7) Receipt of tax payment.

(b) (b) If it is declared that the boat meets technical conditions and is seaworthy, the owner shall request the return of these seven documents.

(c) If it is declared that the boat does not meet technical conditions, such seven documents shall be temporarily filed with the Department of Water Transport or provincial/city public work and transport office where the owner shall present such documents for re-inspection within 7 after the first inspection.

(c) (c) At the expiration of such period, if the boat owner fails to bring the boat for inspection he/she shall apply for first renewal of traffic documents.

(e) If the period for first renewal elapses and the owner is unable to bring the boat for inspection he/she shall apply for second renewal. The period of such renewal shall not be more than 4 months from the date the boat found to not meeting technical condition. If such 4-month period elapsed, the business license shall be deemed void.

#### **5. Failure to comply with date specifying for inspection:**

(a) If a boat owner fails to comply with the specified date of inspection, he/she shall be fined an amount calculated based on number of days which he/she delayed.

(b) If the 7-day period after the first inspection elapses as stated in paragraph 4(c) and a boat owner fails to bring his/her boat for re-inspection and fails to apply for renewal of the traffic document then the boat is in default regarding the technical inspection.

(c) If the period for application for first renewal elapses and the boat owner fails to bring his/her boat for technical inspection and fails to apply for second renewal of traffic document then the boat is in default regarding the technical inspection.

(d) If the owner applied for subsequent renewals for 4 months from the date the committee declared that the boat was not qualified for transportation and the boat owner remained unable to bring his/her boat for inspection, the business license shall be deemed void. Each application for renewal of traffic document shall be supported by proper reasons.

## **CHAPTER VI**



## **Boat Technical Inspection Book**

### **Boat Log Book**

### **Traffic Visa Book**

#### **(a) (a) Technical inspection book:**

1. 1. The results of the inspection shall be recorded in this book. There shall be one technical inspection book kept for one boat;
2. 2. The boat pilot shall properly keep the book to present to the competent authority at any time for inspection. The pilot shall be fined for causing any tearing or loss of pages.
3. 3. The book shall be issued by the Department of Water Transport or provincial/municipal public work and transport office;
4. 4. After each inspection, the Department of Water Transport or provincial/ municipal public work and transport office shall send a copy of observations and remarks related to the inspection and fines for offenses committed since the first inspection;
5. 5. Exceptions from inspections shall be authorized for boats which are prohibited from being used and the traffic document, identity card, piloting license, business license, technical inspection book, tax and patent payment book shall be filed with the Department of Water Transport or provincial/municipal public work and transport office;
6. 6. If the book is lost, the pilot shall immediately report to the local authority and then submit the certificate of loss to the Department of Water Transport and provincial/municipal public work and transport office to request for a duplicate; and
7. 7. If all pages of the book are used, scratched, or its contents became illegible, the owner shall request a new book from the Department of Water Transport and provincial/municipal public work and transport office to request for a duplicate.

#### **(b) (b) Activity log book:**

- (1) (1) All boats shall maintain an activity log book to record daily activity.
- (2) (2) The patron or pilot shall keep an activity log book in a proper manner and present it to the competent authority at any time of inspection.
- (3) (3) If the book is lost, the patron or pilot shall immediately report to the local police and present to the Department of Water Transport or provincial/municipal public work and transport and offer to buy another book.

(4) If all pages of the book are used, scratched, or its content illegible, the owner shall request a new book to replace the original book.

**(c) (c) Travel visa book:**

(1) All boat shall maintain their travel visa books. Such book shall be issued by the Department of Water Transport or provincial/municipal public work and transport office upon the receipt of the business license;

(2) The visa log book shall be used to present to the competent authority at all waterway checkpoints and port of transit.

(3) The patron or pilot shall maintain and keep travel visa book in a proper manner and present it to the competent authority at any time of inspection. He/she shall be fined for any missing pages..

(4) If the book is lost, the patron or pilot shall immediately report to the local police and present a certificate of lost issued by such local police to the Department of Water Transport or provincial/municipal public work and transport to obtain another book.

(5) If all pages are used, scratched, or its content illegible, the owner shall request for the new book from the Department of Water Transport or provincial/municipal public work and transport.

## **CHAPTER VII**

### **Business License for Water Transport**

#### **A. Business License:**

A boat owner who wishes to conduct water transport business shall apply for a business license at the institutions as provided in paragraph I-1 and I.2 of Chapter I (related right of control) except for passenger and fishing boats.

An application for business license shall include the following documents:

- (1) (1) One copy of application form with proper stamp;
- (2) (2) Boat identity card;
- (3) (3) Technical inspection book;
- (4) (4) Piloting and mechanic license;
- (5) (5) Travel visa book;

- (6) (6) Boat activity log book;
- (7) (7) Receipt of tax payment.

**B. Obligation of Boat Owner:**

- A boat owner shall respect the traffic hours, destination, transport business objectives authorized by the law;
- A boat owner may change destination or business objective only if he/she has conducted such business for 6 months;
- After obtaining of license, the owner shall put the boat in business no later than 30 days and if by any reason the boat cannot be put in business he/she apply for a suspension of business, as stated in paragraph A above, at the Ministry of Public Work and Transport (department of water transport) or at the provincial/municipal public work and transport office. The owner shall specify the reasons for such impossibility and indicate the duration for such suspension. The owner shall apply for a continuing suspension when such duration lapses. If the boat cannot be put in business for 4 months the business license shall be deemed void;
- The owner shall regularly pay the tax to the State;
- The owner shall comply with instructions of the Ministry of Public Work and Transport (department of water transport) or at the provincial/municipal public work and transport office or competent authority specified in the technical inspection book;
- The owner shall not load any goods or passengers on top of the roof and the cargo shall not overload the capacity of the vessel/boat; and
- In order to avoid environmental pollution, a boat shall bear rubbish bin or waste bin.

**C. Revocation of business license:**

- Any failure to comply with the above provisions shall be subject to revocation of business license;
- The rights to decide any revocation of business license shall rest with the Ministry of Public Work and Transport (department of water transport) or at the provincial/ municipal public work and transport office.

**CHAPTER VIII**

**Inspection of Local Ports and Ferry Ports**

**(1) (1) Inspection of local ports and ferry ports shall be subject to the department of water transport in cooperation with the provincial/ municipal public work and transport office.**

- Such inspection shall be arranged by the Ministry of Public Work and Transport and chaired by a representative of department of water transport.
- The purpose of such inspection is to regulate transit and berth by boat owner and to eliminate any illegal port and ferry port.
- To improve safety of boats in transit or at berth/dock, in particularly, to protect the lives and property of people and require the owner, patron or pilot to respect the law.

**(2) (2) Business license for local port and ferry ports:**

- The owner of port and ferry port who wishes to conduct port or ferry port business shall apply for a business license at the Ministry of Public Work and Transport (department of water transport).
- Application form shall include the following files:
  - 1) One copy of application form with proper stamp;
  - 2) One copy of construction license;
  - 3) One copy of residential certificate;
  - 4) One copy of material/equipment using plan; and
  - 5) One copy of receipt of tax payment.
- In addition to the above, the following documents shall be included:
  - 1) One copy of boat identity card;
  - 2) One copy of piloting and mechanic license;
  - 3) One copy of technical inspection book;
  - 4) One copy of charge book issued by the Ministry of Economy and Finance.

The general department of administration and the provincial/municipal public work and transport office shall immediately declare publish this Circular to the general public and institutions for effective application.

Phnom Penh, June 27, 2000

Minister of Public Work and Transport: **Khy Taing Lim**

Phnom Penh, October 1, 1999

Minister of Public Work and Transport: **Khy Taing Lim**