

*Submitted to the
Council of Ministers*

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TOURISM LAW

OF THE KINGDOM OF CAMBODIA

Submitted by
Ministry of Tourism

Phnom Penh, Cambodia
Draft May 23rd, 2002

Chapter I: General provisions

Article 1: This law shall apply to all economic activities relating to tourism, travel, entertainment, recreation and leisure businesses in the Kingdom of Cambodia, whether owned or operated by the private or public entities for the purpose specified below:

- Develop in a sustainable manner the tourism sector in order contribute to poverty reduction;
- Protect and conserve the unique cultural and natural resources on which the tourism industry is based;
- Improve and maintain the quality of tourism services in the Kingdom of Cambodia by introducing a quality assurance system, in order to provide security and increase the satisfaction of tourists;
- Create an effective marketing and promotion program through a public/private sector partnership effort; and
- Contribute to the international friendship and understanding through tourism industry.

Article 2: The following terms where used in this law shall have the meanings ascribed thereto:

- **"tourism operator"** means natural person or legal entities who operates the tourism business activities.
- **"tourism"** means the activities of person travelling to and staying in any places outside their usual places for not less than one day and one night but not more than one year for leisure, not for business and other purposes.
- **"tourist"** mean any person who travelling but not include persons who seek to establish residence or to engage in a profit activity there.
- **"tourism activities"** are the activities set out in Article 4 of this Law.
- **"tourism license"** means license issued by the Ministry of Tourism related to the tourism activities.

Article 3: The Ministry of Tourism shall prepare both National and Regional Tourism Development Plans in consultation with the relevant institutions and the private sector all of which shall be approved by the Royal Government.

The National Tourism Development Plan shall:

- Identify important policies, strategies and planning for the development of tourism; and
- Propose measures for ensuring the sustainability of the national tourism development.

The Regional Development Plans shall contain:

- Tourism development strategies for the respective regions; and
- Measures for ensuring the sustainability of the development and management of tourism in the said regions;
- Comply with the National Tourism Development Plan.

The National and Regional Tourism Developmen

In case any requirement shall be approved as a legal fulfilment by another ministry, the Ministry of Tourism shall recognize that the operator has fulfilment of the said requirement.

Article 10: The operator of the tourism shall make the application for the issuance or the renewal of a tourism business license in the prescribed form and accompanied by the fee and other support documents as determined by a *Prakas* of the Ministry of Tourism.

Article 11: The Ministry of Tourism shall review and evaluate the application for tourism license and advise the applicant within thirty (30) days from its receipt of a complete application.

The officer in charge handling the review and evaluation of the applicant's business shall refrain from processing the application, if he has a personal conflict of interest.

Article 12: With the compliance of Articles 8, a tourism license may be issued by the Ministry of Tourism may issue a tourism license for a validity of at least one (1) year. The partial compliance of Articles 8 and upon payment of the prescribed fees, the Ministry of Tourism may issue a provisional tourism license for a period not to exceed three (3) months.

Tourism operator who has a provisional tourism license and latter comply with the requirements of Article 8 may have a permanent tourism license.

Article 13: Before the expiration date of license, the licensee shall submit an application for

- failed to comply with all or any of the duties as stipulated under this law.
- sale the counterfeit souvenir gifts or mislead of its the sources to the tourist who is a buyer.

In making any cancellation, suspension or downgrading of tourism license the Ministry of

Article 21: A hotel classification system based on international standards shall be established by a *Prakas* prepared by the Ministry of Tourism.

Article 22: To encourage quality assurance in the tourism industry the Ministry of Tourism shall develop a special Eco-label as an award to any tourism operator who strictly complied with the environmental standards of the Ministry of Environment.

Only tourism operators who has been awarded the special Eco-label shall have the right to affix this label onto their products or services with the general public and their customers.

Article 27: All tourism operators licensed under this law shall at all times:

- Comply with the code of conduct or code of ethics of their professional organisation or association;
- Behave in an honest, helpful, hospitable, responsible and professional manner, respectful of the interests of customers as well as of the customs, traditions and culture of the Khmer people;
- Provide honest and objective information to tourists. Ensure that the contractual clauses proposed to the customer are readily understandable as to the nature, price and quality of the services;
- Promptly issue to the tourist for any amount of money received from him, a voucher, ticket or a written receipt stating the details;
- Display clearly all tariffs, price-lists, tolls and fees of tourist services and with reference as the case may be to the applicable regulations on which they are based;
- Provide at all times means of identification and uniforms for all their staff on duty collecting tourist attraction fees or tolls.

Article 28: Tourism officials shall have the following duties to:

- Provide tourists with honest and objective information;
- Behave in an honest, helpful, hospitable, responsible and professional manner, respectful of the interests of customers as well as of the customs, traditions and culture of the Khmer people;
- Facilitate tourist travels by simplifying administrative procedures and formalities;
- Refrain from making differential treatment or discrimination on the basis of nationality; and
- Take necessary measures to provide the safety and security of tourists and their belongings and in all circumstances ensure the respect of their fundamental human rights.

Chapter VI: Tourism Development Fund

Article 29: A Tourism Development Fund shall be established and administered by the Ministry of Tourism in accordance with the Finance Law for the purpose of:

- providing education and training in the tourism sectors;
- the promotion of tourism and tourism products in Cambodia and abroad;
- the promotion of historical and cultural heritage in Cambodia and abroad; and
- the protection and restoration of historical and cultural monuments, support and protection of natural, historical and cultural heritage.

The Fund shall be financed through the annual state budget allocation, grants from national and international organizations, donations from charitable individuals, customers and from other funding sources not prohibited by law.

The administration of the funds shall be stipulated in a *Sub-Decree*.

Article 30: In order to promote and enhance the tourism sector, the Ministry of Tourism shall establish the Tourism Marketing and Promotion Board (“TMPB”) with the composition detailed in its drafted *Sub-Decree*.

TMPB shall have the following duties and responsibilities:

- to conduct market research, marketing and promotion;
- to perform the tasks expressly referred to in the present law;
- to perform other tasks as prescribed in sub-decrees;
- to act as a platform dialogue of the tourism sector;
- to act as a think tank body to advise the Ministry of Tourism on the policy and development plan for tourism marketing and promotion.

Chapter VIII: Prohibition to Minor under 18 of Years of Age

Article 31: Minors under eighteen (18) years of age are not permitted to be in the accommodation services and leisure activities business that affected their teen unless they are accompanied by legal guardian.

Persons who manage the accommodation services and leisure activities business that affected persons under eighteen (18) years of age are under a duty to prevent them on their premises.

Chapter IX: Offences and Penalties

Article 32: Any person who is in violation of Articles 7 and 16 of this law shall be liable to a monetary fine ranging from One million (1,000,000) Riels to Ten million (10,000,000) Riels.

Article 33: Any person who is in violation of Article 20 of this law shall be liable to a monetary fine ranging from Five Hundred Thousand (500,000) Riels to One Million (1,000,000) Riels and to an imprisonment from one (1) week to one (1) month.

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The offenses stipulated in the first paragraph shall be applied to those who have:

- obstructed inspecting agents from fulfilling their duties;
- given by any means, deliberately false and misleading information in response to requests by inspecting agents;
- destroy, or delete, falsify documents regards to business operation in their possession.

Article 34: Any person who provided false or misleading information in the application for a tourism license shall be liable to a monetary fine ranging from Five Hundred Thousand (500,000) Riels to One Million (1,000,000) Riels.

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Article 35: Any person who sale the counterfeit souvenir gifts or mislead its source of origin to the tourist shall be subject to the revocation of tourism license in accordance with Article 16 and shall be subject to double fine of the price bought and to an imprisonment from one (1) week to one (1) month.

