

Construction Certification License

May 2021 Publication

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The construction law of 2019 requires a regular construction compliance certification to ensure the quality and safety of constructions before using them or having them used. Any persons who want to carry out construction certification shall obtain qualification license from Ministry of Land Management, Urban Planning and Construction (“MLMUPC”).

In addition to the construction law of 2019, the Royal Government of Cambodia issued sub-decree no.225 dated 30 December 2020 which stipulates conditions and procedures for construction certification. Pursuant to this sub-decree, the following construction and construction work shall require certification:

- (i) any design document used for construction or demolition work that requires a construction permit;
- (ii) any construction or demolition work that requires a construction permit;
- (iii) any new, repaired, renovated, or modified construction that requires a certificate of occupancy;
- (iv) any construction and construction equipment that requires regular safety and quality certification; and
- (v) any construction that may cause a risk to human, property, or security or public order.

The construction certification may be conducted by a private licensed certifier. There are four categories of construction certification license: (1) license for certification of general construction, (2) license for certification of construction design, (3) license for certification of building structure; and (4) license for certification of mechanical/electrical/water works. Each certification license is divided into various sub-categories according to the scope of certification that can be performed by the certifiers.

An individual professional or legal entity who meets qualifications required by MLUPC may apply for the licenses. However, the license for certification of general construction may only be granted to qualified legal entities duly registered in Cambodia. Both Cambodian and foreign Individual construction professionals may only apply for sub-category 3 of the other three licenses.

A construction certification license is valid for three (3) years and may be renewed within thirty (30) days prior to its expiration according to Prakas No. 033 issued by MLUPC on 21 January 2021. Any application for a new or renewed license shall be reviewed and decided by MLMUPC within twenty (20) working days upon the issuance of the receipt of the application documents.

Any construction certifier who operates without a valid license may be punishable by a fine of up to 40,000,000 Riels (approximately US\$10,000) and an imprisonment term of up to three (3) years if repeating the offense within one (1) year.

Should you need more details about the construction certification license, please contact HBS Construction Real Estate Practice Group at keattech@hbslaw.asia or by phone at **+85523 224 337**.

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