
Construction & Projects

Construction Permit by the Minister of Land Management, Urban Planning and Construction: Formalities and Procedures

On 20 January 2022, the Ministry of Land Management, Urban Planning and Construction ("**MLMUPC**") issued Prakas No. 013 on Formalities and Procedures for the Issuance of Construction Permit by the Minister of Land Management, Urban Planning and Construction ("**Prakas 013**") which sets out the formalities and procedures for the issuance of construction permits and the extension of construction permits by the MLMUPC for the purpose of implementation of Sub-Decree No. 224 ANKr.BK dated 30 December 2020 on the Construction Permit ("**Sub-Decree 224**").

Prakas 013 is applicable to construction works which are subject to the requirement of a construction permit from MLMUPC as provided for in Article 4 of the Sub-decree 224.

1. Application for Construction Permit

According to Prakas 013, the application for a construction permit shall be made by the construction owner (or its authorised legal representative). The prescribed form of the request letter together with required supporting documents (including architectural plan, certification report thereof, and certificate of compliance) are provided for in detail in the Prakas. The application documents shall be prepared in local (Khmer) language. Translation of the original English documents must be notarised by a notary public. Copy of original documents must be certified by local authorities or notarised by a notary public.

In the event that the construction project has commenced before the issuance of a construction permit, the application document shall also include:

- A report on the inspection and evaluation of the building work issued by the construction certifier; and
- A copy of the receipt of payment of the fine issued by the construction inspection official.

2. Process for the Issuance of Construction Permit

The application for a construction permit shall be submitted to the one-window service office of MLMUPC. The official of the one-window service office will review the application for completeness and correctness. Only complete and correct applications will be admitted for further processing by the one-window service office.

Construction & Projects

The complete application for a construction permit will be reviewed, verified, and evaluated by the General Department of Construction and the General Department of Cadastre and Geography of MLMUPC. MLMUPC will make its decision on the application within 45 working days from the date of the receipt of the complete application by the one-window service office. MLMUPC may also conduct an onsite inspection during the period of the review of the application.

The details of the process for the issuance of a construction permit are provided for under Chapter 3 of Prakas 013.

3. Construction Permit for Property Development Project

For the application for a construction permit for a property development project, in addition to the required documents for a normal application for a construction permit, the following documents are required:

- Land development license/permit issued by the competent authority; and
- Land development masterplan issued by the competent authority.

The construction permits for a property development project may be applied for by the construction owner in phases in according to the development masterplan as stated in the development license/permit.

The process for the issuance of a construction permit for a property development project is the same as the process of the application for a normal construction permit as stipulated in Chapter 3 of Prakas 013.

4. Extension of Construction Permit

Please note that a construction permit is issued for a certain specified period. Within 30 days prior to the expiration of the validity period of a construction permit, the construction owner (or its authorised legal representative) shall submit an application for an extension to the one-window service office.

In the event of any change in the application documents already submitted for the issuance of the initial construction permit, the construction owner (or its authorised legal representative) shall submit additional documents in relation to such change. The extension of the construction permit will only be granted once.

If you have any queries on the above, please feel free to contact our team members below who will be happy to assist.

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