

Kingdom of Cambodia
National Religion King

Royal Government of Cambodia

- Ministry of Economy and Finance
- Ministry of Public Works and Transport
- Ministry of Tourism
- Ministry of Interior

N^o. PRK.SHV.SK.MPH Phnom Penh, 16th October, 2002

Inter-ministerial Prakas
On
Insurance for Passenger Liability

Ministries
Of
Economy and Finance –Public Works and Transport –Interior- Tourism

- Referring to the constitution of Kingdom of Cambodia
- Referring to Royal Decree N^o NS/RKT/1198/96 dated 25 November 1998 on nomination of Prime Minister of the Royal Government of Cambodia.
- Referring to the Royal Decree N^o NS/RKT/1198/72 dated 30 November, 1998 on formation of Royal Government of the Kingdom of Cambodia
- Referring to Preah Reach Kram N^o NS/RKM/0196/08 date 24 January 1996 on Promulgation of the Ministry of Interior
- Referring to the Preah Reach Kram N^o NS/RKM/0196/18 date January 24, 1996 promulgating the law on formation of the Ministry of Economy and Finance
- Referring to Preah Reach Kram N^o NS/RKM/0196.03 dated 24 January 1996 promulgating the law on establishment of the Ministry of Public Works and transport.
- Referring to Preah Reach Kram N^o NS/RKMV/0196.15 dated on 24 January 1996 promulgating the law on establishment of the Ministry of Tourism.
- Referring to Preah Reach Kram N^o NS/RKM/0700/02 dated 25 July, 2000 promulgating the law on Insurance
- Referring to Sub-Decree on Insurance N^o106 ANKr.BK dated 22 October, 2001
- Pursuant of the proposal of the Ministry of Economy and Finance

Section: 1

The Insurance for Passenger transport is important to benefit and protect the rights of those traveling by any means of Transport required to be licensed within the Kingdom of Cambodia. All physical or legal persons licensed to own or operate any types of passenger transport vehicle by road, sea, river, railroad or air must comply with technical standard and loading capacity of each passenger transport vehicle.

Section: 2

All type of passenger transport means authorized to be operated, as transport service in the Kingdom of Cambodia shall be required to have passenger transport liability insurance.

Section: 3

The minimum amount of insurance required shall be

- \$5,000.00 is minimum compulsory compensation for bodily injury or death per person
- \$50,000.00 is minimum compulsory compensation for bodily injury or death per occurrence of an accident
- \$1,000.00 is minimum compulsory compensation for property damage.
- \$100,000.00 is minimum compulsory compensation for bodily injury or death in an accident provided that vehicles of owners or operators has loading capacity of carrying more than ten passengers or more
- \$250,000.00 is minimum compulsory compensation for bodily injury or death in a accident provided that vehicles of owners or operators has loading capacity of carrying more than 50 persons or more

Section: 4

The passenger liability insurance is required to be purchased at an insurance company duly registered in the commercial register and licensed to do an insurance business in the Kingdom of Cambodia unless the Ministry of Economy and Finance determines that such insurance is not enforced to buy from any of the local licensed insurers. With respect to the transport of passengers in international travel, passenger liability coverage under international travel, passenger liability coverage under international travel agreements or treaties shall be deemed to meet the insurance required of this Prakas. Compulsory passenger liability insurance do not liable for passenger who has not paid his/her traveling fee.

Section: 5

Whenever an accident occurs involving a passenger entering in, or exiting from an insured passenger transport vehicle, the operator shall take immediate measures to aid injured passengers and prevent further injuries. The Owner or operator of the vehicle shall also provide immediate notice of the accident to the insurer.

Section: 6

The Insurance Company shall, on behalf of the insured, indemnify the victims in accordance with the terms of the insurance coverage or cover note. The compensation must be settled very immediately and not later than 10 days following receipt of the necessary claim documents, traffic police report except when the insurer find out no such coverage is in the agreement or the compensation is not reasonable.

Section: 7

Before granting a new passenger transport license or renewal thereof to the owner or operator of passenger transport vehicle, the Ministry of Public Works and Transport or Provincial-Municipal Department of the Public Work and Transport shall required the vehicle owner or operator to provide evidence of the required insurance for passenger transport liability. Owners or operators holding existing license for the transport of passengers when this Prakas goes into effect shall have 60 days to furnish the Ministry of Public Works and Transport or Provincial-Municipal Department of Public Works and Transport with evidence of the required insurance. If the vehicle owner or operator fails to get the required insurance, the aforesaid authorities shall temporarily suspend the passenger transport license and technical certificate until the vehicle owner or operator can provide evidence of the required insurance.

Section: 8

The provincial and municipal land traffic police who are on duty along the roads, and order police who are on duty at various stations shall check all land passenger transport vehicle for the insurance sticker on the windscreen of the vehicle in order to find out which vehicle vehicles do not comply with the compulsory passenger transport insurance. The police who identify any non-compliance with the insurance requirement shall report such non-compliance to the appropriate licensing authority. Non-compliance shall lead to a fine as specified in article 52 of the insurance law. The provincial and municipal traffic police must:

1. fine and instruct the vehicle owner to buy insurance within 7 days at least
2. suspend transportation operation permission and technical certificate in case that the owner does not accept the above instruction
3. if still not accepted, the vehicle is temporally suspended until the owner can provide compulsory passenger liability insurance certificate on time

Section: 9

Whenever any required passenger transport liability insurance is cancelled by the insurer for non-payment of the premium or for some other breach of the insurer's obligations, the insurer shall provide notice of such cancellation to the appropriate license authority that issued the required license to the owner or operator of the insured vehicles.

Section: 10

The Ministry of Public Works and Transport or Provincial-Municipal Department of Public Works and Transport shall have the duty to periodically inspect the business documents of any passenger transport owner or operator or any passenger transport vehicles and demand evidence that the required insurance is in effect and shall be responsible for grating the technical certificates and transport licenses. The failure of the owner or operator to provided evidence of the required insurance shall be grounds for a fine as provided in article 52 of the insurance law and for the suspension or revocation of the owner or operator licenses.

The Ministry of Tourism shall be responsible for educating the tourist industry on the passenger transport insurance requirement and ensuring that travel agents only book reservation with owners or operator or passenger transport vehicles which have the required insurance.

The Ministry of Interior shall responsible to check all vehicles for the required technical certificate, transport license and proof of insurance.

The Ministry of Economy and Finance shall be responsible to supervise the prompt and fair settlement of passenger transport insurance claims.

Section: 11

Any regulation contradicting this inter-ministerial Prakas shall be deemed null and void to the extent of such contradiction.

Section: 12

All concerned authority or organizations relating to four Ministries shall respectively and effectively implement this Prakas from the date of its signature.