

**KINGDOM OF CAMBODIA
NATION RELIGION KING**

Royal Government of Cambodia
No. 287 ANKR.BK

**Sub-decree
On
The Management and Use of National Domain Names on the Internet**

Royal Government of Cambodia

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen Royal Decree No. NS/RKT/0918/925 dated September 6, 2018 on the Appointment of the Royal Government of the Kingdom of Cambodia;
- Having seen Royal Decree No. NS/RKT/0320/421 dated March 30, 2020 on the Appointment and Adjustment of the Composition of the Royal Government of the Kingdom of Cambodia;
- Having seen Royal Kram No. NS/RKM/0618/012 dated June 28, 2018, promulgating the Law on the Organization and Functioning of the Council of Ministers;
- Having seen Royal Kram No. NS/RKM/0196/20 dated January 24, 1996, promulgating the Law on the Establishment of the Ministry of Posts and Telecommunications;
- Having seen Royal Kram No. NS/RKM/0196/16, dated January 24, 1996, promulgating the Law on the Establishment of the Ministry of Commerce;
- Having seen Royal Kram No. NS/RKM/1215/017 dated December 17, 2015, promulgating the Law on Telecommunications;
- Having seen Royal Kram No. NS/RKM/1119/017 dated November 2, 2019, promulgating the Law on E-Commerce.
- Having seen Sub-Decree No. 64 ANKR.BK, dated May 10, 2019 on the Organization and Functioning of the Ministry of Posts and Telecommunications;
- Having seen Sub-Decree No.38 ANKR.BK dated March 16, 2020 on the Organization and Functioning of the Ministry of Commerce;
- Pursuant to the request of the Minister of Posts and Telecommunications and the Minister of Commerce.

Decide

**Chapter 1
General Provisions**

Article 1._

This sub-decree sets out the principles, rules and mechanisms of the management and use of national domain names to promote the identity, value and existence of the national domains on the Internet, as well as to promote the use of national domain names in the provision of non-discriminatory and transparent public services.

Article 2._

This sub-decree applies to all individuals who use national domain names on the Internet.

Article 3._

The key terms used in this sub-decree is defined in the glossary that is an appendix to this sub-decree.

Chapter 2
Competent Institutions

Article 3._

The Ministry of Posts and Telecommunications, abbreviated as **MPT** as the competent institution in charge of managing national domain names on the Internet.

The Telecommunications Regulator of Cambodia, abbreviated as **TRC**, is responsible for regulating the use of national domain names on the Internet and has the following roles and responsibilities:

- A_ Provide, modify, transfer, revoke the registration certificate for the use of national domain names and update information related to national domain names.
- B_ Prepare a list of national domain names that are prohibited or reserved.
- C_ Prepare data for processing national domain names and publishing them publicly.
- D_ The information shall be kept private in electronic form by all means to ensure that the information is securely protected under all reasonable circumstances to avoid loss of access, modification, leakage or disclosure of such information, unless otherwise authorized by the owner of the information or by other parties as permitted by law.
- E_ Take action to temporarily suspend and delete the national domain names used illegally according to the laws or provisions in force.
- F_ Prepare legal documents and development plans to promote and encourage the use of national domain names.
- G_ Cooperate with domestic and international ministries and institutions on work related to the management of national domain names.
- H_ Carry out other roles and responsibilities as determined by the Minister of **MPT**.

Chapter 3
Use of National Domain Name

Article 5._

The use of national domain names is defined as follows:

- A_ The top level national domains available for use by individuals both in the country and abroad are defined as follows:
 - 1_ The requested name is .kh.
 - 2_ The requested name is .Khmer.
- B_ The second level national domains available for use by persons who established or registered in accordance with the laws of the Kingdom of Cambodia are defined as follows:
 - 1_ The requested name of .com.kh is a domain for commercial enterprises or public enterprises.

- 2_ The requested name of org.kh is a domain for organizations, associations and unions.
 - 3_ The requested name of .edu.kh is a domain for public and private educational institutions.
 - 4_ The requested name of net.kh is a domain for computer network companies or institutions.
- C_ The second level national domains available for use by state ministries and institutions are defined as the requested name of .gov.kh without limiting the term of validity and not require the payment of fees.

The level and type of other national domain names shall be determined by the decision of the RGC at the request of the Minister of **MPT**.

The requested name defined in point A, point b and point c of this article may be given in Khmer or in a foreign language and may be consonants, vowels, numbers or hyphens or a combination of letters, vowels and/or hyphens, but must not exceed 63 (sixty-three) characters and can identify the transaction or service of the person requesting the national domain name shall be authorized. The Letters, vowels, and hyphens that can apply for registration under the top level and second-level domains shall be determined by the **MPT**.

Article 6._

The state ministries and institutions that intend to use the second level national domain name as stated in point C of article 5 must apply to the **MPT**, and store the data in the Kingdom of Cambodia, unless otherwise specified by other regulations or decisions of the RGC. All state ministries and institutions that have been granted the right to use the national domain name must send the names and contact information of the authorized focal persons to the **TRC** to perform tasks related to the management and use of national domain names through automation system.

MPT shall post and store the data of all the state ministries and institutions that use the national domain name in the National Data Center or State Data Center and provide support to all state ministries and institutions to ensure the efficiency and sustainability of using national domain names.

Article 7._

Legal entities registered in the Kingdom of Cambodia shall provide an e-mail address with the national domain name as defined in Article 5 of this Sub-Decree at the time of the annual declaration relating to the status of the company at the Ministry of Commerce.

Despite the provisions of the first paragraph of this article, legal entities may have the right to use other domain names in addition to the national domain name for their commercial operations.

Article 8._

The registration of national domains must follow the priority principles of the application. The national domain names which cannot be registered are as follows:

- A_ The same or similar national domain name which may be confused with the name or abbreviated name or abbreviation of the official name or translation of any state name, intergovernmental organization or an organization established by an international

convention, except with the permission of the competent authority of that State or that organization.

B_ The same or similar ational domain names that may be confused with:

- National domain name registered at **TRC**
- Brands or trademarks registered in the Kingdom of Cambodia
- Company name or business name of registered enterprise.

C_ National domain names reserved and prohibited.

D_ The name of a national domain that affects the morals, traditions, beliefs, religions and violates the laws and regulations in force.

For the national domain names reserved and prohibited, the mechanisms for cooperation, connection and exchange of information related to national domain names and national domain name owners shall be determined by an inter-ministerial prakas between the minister of **MPT** and the Minister of Commerce.

Article 9._

Except for state ministries and institutions, the individuals who wish to use the national domain name can apply to the **TRC** directly through the automation system or through the national domain registration agency.

The person applying for national registration through the automation system must fill out the application and provide the relevant documents in accordance with the Prakas of the Minister of **MPT**. **TRC** shall review and decide on the application for national domain registration within 3 (three) working days after the date on which the applicant fills in the correct information and provides sufficient documents. In the event that it is found that the application or the provision of documents is incorrect, **TRC** shall notify the person requesting to correct the information or providing additional documents within 3 (three) working days from the date of the notice. In the event of no correction, the application will be considered a waiver. **TRC** shall review and decide on the application for national domain registration within 3 (three) working days after the day the applicant corrects the information or provides additional documents as determined by **TRC**.

After receiving the notice of the decision to provide the national domain name as defined in the second paragraph of this article, the applicant must pay a fee for the use of the national domain name in order to obtain the right to use it.

The provisions of the second and third paragraphs above of this article also apply to national domain registration applications through the National Domain Registration Agency.

The conditions, formalities and procedures for applying for and being licensed as a National Registration Agent shall be determined by a Prakas of the Minister of **M.P.T**.

Article 10._

Registered national domain names are valid for at least one (1) year from the date of registration and can be renewed for subsequent years under the condition that the national domain name owner pays a fixed fee.

The owner of the national domain name has the following rights to the national domain name:

- A_ The right to use national domain names to identify web addresses, e-mail addresses and addresses of services that use other means to advertise activities or businesses or other information and for online communication.
- B_ The right to create sub-domains for use in its operations or activities.
- C _ The right to transfer the use of the national domain name to a third party.

Article 11._

The owner of the national domain name has the following obligations:

- A_ Ensure the accuracy of the information and documents provided to TRC and the National Domain Registration Agency.
- B_ Do not use national names to promote activities or trades or other information and communicate on the Internet that affect the culture, morals, good traditions of the nation, individual rights, consumer rights, public interests, law, national security or public order.
- C_ Do not allow the use or lease of national domain names to third parties.
- D_ Do not transfer or authorize the use or lease of sub-domains created under the registered national domain name to third parties.
- E_ Notify and meet the requirements of **TRC** in case of intention to transfer the use of national domain name.
- F_ Cooperate with **MPT** and **TRC** as well as the relevant competent authorities in cases where required by law and other legal documents in force.

Article 12._

The owners of national domain names under the top level domain may transfer their national domain name to a third party by submitting the application for transfer to **TRC** directly through the automation system attached to the relevant documents and continue to pay the annual fee for the use of the national domain name that is the subject of the transfer.

The provisions of the first paragraph above also applies to the transfer of national domain names through the National Domain Registration Agency.

Article 13._

The national domain names under the second level domain may be transferred to third parties in accordance with the provisions of Article 12 above and subject to the following conditions:

- A_ There is a change of brand name or a merger.
- B_ There is an agreement between the applicant and the owner of the national domain name.
- C_ There is a decision from the arbitration or the court or the competent court related to the transfer of the national domain name.
- D_ The owner of the national domain name has died or has been declared missing by a court.

Article 14._

The national domain names that expire without paying a service fee shall be temporarily suspended from the date of expiration. Suspended national domain names may be reactivated after the national domain name owner pays the fee in full.

In case of non-payment of service fee within 60 (sixty) days after the expiration date, the national domain name shall be deleted from the national domain name management system.

Article 15._

In addition to the conditions stated in the second paragraph of Article 14 above, the national domain name may be removed from the national domain name management system in the following cases:

- A_ At the request of the owner of the national domain name.
- B_ The violation of the obligations as stated in article 11 of this sub-decree.
- C_ At the request of the competent authority in accordance with the applicable laws and regulations.
- D_ According to the decision of the **TRC** or arbitration or competent court of the Kingdom of Cambodia.

Article 16._

The deleted national domain name as stated in articles 14 and 15 above shall be left blank and may be re-registered in accordance with the conditions and procedures of the national domain registration.

Article 17._

The conditions, formalities and procedures for the provision of transfer, temporary interest and removal of the national domain name from the national domain name management system shall be determined by a Prakas of the Minister of **MPT**.

Article 18._

Public service fees related to the use of national names shall be determined by an inter-ministerial prakas between the ministers of the **MPT** And the Minister of Economy and Finance.

Chapter 4
Database for Processing National Domain Name Information

Article 19._

MPT shall create a database for processing national domain name information to store and make public the registered national domain name information.

National domain name information to be made public includes:

- A_ National domain name.
- B_ Contact information of the person in charge of managing the national domain name.
- C_ The name of the National Domain Registration Agent.
- D_ Registration date, date of renewal and term of validity.
- E_ The server name of the registered national domain name.

In addition to the national domain name information set out above, the disclosure of other private information relating to the national domain name requires the prior consent of the national domain name holder or as required by the competent authority in accordance with applicable laws and regulations.

Chapter 5 Dispute Resolution

Article 20._

In the event of a dispute over a national domain name, the parties to the dispute shall settle it peacefully under the mediation of the **TRC** with the participation of relevant institutions.

The form and procedure of conciliation shall be determined by an inter-ministerial prakas between the ministers of the **MPT** and the Minister of Commerce.

In the absence of a settlement, the parties to the dispute may proceed to the arbitral tribunal or the competent court of the Kingdom of Cambodia in accordance with the provisions in force.

Article 21._

Fees for mediation as stated in paragraphs 1 and 2 of Article 20 above shall be determined by an inter-ministerial proclamation between the Minister of **MPT** and the Minister of Economy and Finance.

Chapter 6 Interim Provisions

Article 22._

All state ministries and institutions that are using other domain names and/or are storing data outside the Kingdom Cambodia shall change to the national domain name and transfer the data storage to the Kingdom of Cambodia within 12 (twelve) months after this sub-decree comes into force, unless otherwise specified by the RGC.

Article 23._

The person who has been granted permission to register under the second level national domain before this sub-decree came into force and did not register the company in accordance with the laws of the Kingdom of Cambodia must register the company and apply for national domain registration within 12 (twelve) months after the entry into force of this sub-decree.

Article 24._

The owner of national domain name who has registered the national domain through a person or agent who does not have a certificate issued by **TRC** shall apply for registration of national domain name at **TRC** within 6(six) months after this sub-decree comes into force.

Chapter 7
Final Provision

Article 25._

Any provisions that are contrary to this sub-decree shall be repealed.

Article 26._

The Minister in charge of the Office of the Council of Ministers, the Minister of Economy and Finance, the Minister of Posts and Telecommunications, the Minister of Commerce, all the ministers of all ministries and all the heads of relevant institutions shall be responsible for the implementation of this sub-decree according to their respective duties from the date of signing.

Executed in Phnom Penh, December 31,
2021

Prime Minister

(Signature and Seal)

**Samdech Akka Moha Sena Padei Techo Hun
Sen**

Respectfully Inform

Samdech Akka Moha Sena Padei Techo Prime Minister to sign

Minister of Posts and Telecommunications

(Signature and Seal)

Chea Vanradot

Minister of Commerce

(Signature and Seal)

Pan Sosak

Places of Receipt:

- Ministry of Royal Palace
- General Secretariat of the Constitutional Council
- General Secretariat of the Senate
- General Secretariat of the National Assembly
- Cabinet of Samdech Akka Moha Sena Padei Techo Prime Minister
- Cabinet of Samdech His Excellency Lok Chumteav Deputy Prime Minister
- As in Article 26
- Royal Gazette
- Archives-Chronicles

Annex to Sub- Decree No. 287 ANKR.BK dated December 31, 2021

On the management and use of national domains on the Internet

Glossary	
1_ Domain Name	Refers to a name used to identify an Internet address of the Sever comprised of the requested name, which may be consonants, vowels, numbers, or hyphens, or a combination of letters, vowels, and/or other hyphens and letters, separated by a comma (Dot). Domain names can be created by: A_ The use of letters, vowels, and hyphens in ASCII tables, called ASCII domain name. B_ The use of letters, vowels, and hyphens of the national language of any country, called Internationalized Domain Name.
2_ Name Domain Name	Refers to names with the words .khmer (dot khmer) and .kh (dot kh) at the end. The hierarchy of national domain names is divided into first-level domains, second-level domains, and other-level domains.
3_ Top Level Domain	Refers to the highest level domain in the hierarchy of national domain names, including .Khmer and .kh and is marked as the identity of the Kingdom of Cambodia on the Internet.
4- Second Level Domain	Refers to the domain to the left after the first level domain.
4_ Registrar	Refers to a person who is registered in accordance with the laws of the Kingdom of Cambodia and has received a certificate issued by the TRC in providing services related to national domain registration.
6_ Mark	Refers to the visible signs and can distinguish the different characteristics of the goods or services of each enterprise.
7_ Database	Refers to a collection of data communications stored on a computer in any way, in which they can be easily viewed, added, searched or changed.
8_ Registrant	Refers to a person who has received a certificate of registration for the use of a national domain name from TRC.
9_ WHOIS	Refers to the Internet protocol used for public search for information related to registered national domain names and is designed in accordance with the technical regulations number RFC3912 of the corporation for identifying the name and Internet number (ICANN) .
10_ Server	Computers or devices that supply information or services to other computers in the network.
11_ Subdomain	Refers to the domain that was created and is located to the left after the name requested for national domain registration.
12_ Person	Refers to a natural person or legal entity.