

Phnom Penh, February 26, 2018

### Informed To

- **Director of Department of Comprehensive Taxpayer**
- **Director of All Provincials-Khan Tax Branch**

**Objective:** The Instruction on penalty to the Obstruction for the Tax Declaration Submission.

In the past, Office in Charge of Tax Declaration of Department of Comprehensive Taxpayer and Provincials-Khan Tax Branch throughout the country have implemented the penalty to the obstruction on the provisions on the taxation in accordance with the Article 128 and 133 of the Law on Taxation, in case of the taxpayer failed to submit the tax declaration with the fixed period. In order to ensure the consistency in continuation to implement this mechanism and strengthening the tax declaration submission of taxpayer in accordance with transparency, General Department of Taxation would like to instruct each unit should be followed with the cases as bellows:

- **Already paid but failed to submit the tax declaration in accordance with the specified law:** Office in Charge of Tax Declaration shall be invited the representative of enterprise in order to instruct and record for the first time and if the enterprise is still negligent in the monthly tax declaration submission will be penalized the obstruction tax in amount of 2,000,000 Riels (Two Million Riels).
- **Submit the tax declaration with tax payment but failed to pay same as declared:** Office in Charge of Tax Declaration shall be invited the representative of enterprise in order to instruct and record for the first time and if the enterprise is still negligent in the monthly tax declaration submission will be penalized the obstruction tax in amount of 2,000,000 Riels (Two Million Riels).
- **Late Payment of Taxes and Late Submission (Not over next month):** Office in Charge of Tax Declaration shall be invited the representative of enterprise in order to instruct and record for the first time without penalty of that obstruction (by impose additional tax in 10% only) because of late submission but not over next month.
- **Late Submission not over six months:** Office in Charge of Tax Declaration should be penalized to the enterprise who has no the tax amount that will be paid and the enterprise who has the tax amount that will be paid in monthly, should be imposed the additional tax in 10 % and interest of late payment in 2% per month and meanwhile shall be fined the obstruction in amount of 2,000,000 Riels more.
- **Late Submission over Six Months:** Office in Charge of Tax Declaration should be penalized to the enterprise who has no the tax amount that will be paid and the enterprise who has the tax amount that will be paid in monthly, should be imposed the additional tax in 10 % and interest of late payment in 2% per month and meanwhile shall be fined the obstruction in amount of 2,000,000 Riels per month with the undeclared month.

As informed above, please, the Department Director, Director of All Provincials-Khan Tax Branch conduct the implementation with high responsibilities and with effectively.

Please you accept my high consideration.

**Royal Government Delegation**

**In Charge of General Director of General Department of Taxation**

**[Signed & Seal]**

**Kong Vibol**

**CC:**

**-Deputy General Director in Charge of General Department**

**-Document-Archives**