

# Resettlement Planning Document

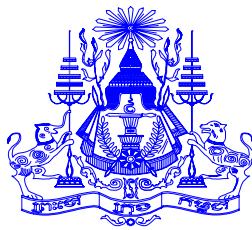
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Public Information Booklet (part of Resettlement Plan)  
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April 2006

## Cambodia: Second Power Transmission and Distribution Project

Prepared by Electricité du Cambodge, The Kingdom of Cambodia

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# **KINGDOM OF CAMBODIA**

## **Greater Mekong Subregion Transmission Project**

230kV Transmission Line from Kampot  
to Sihanoukville via Prey Nob and  
Substations

# **PUBLIC INFORMATION BOOKLET**

Prepared by

Ministry of Economy and Finance  
Ministry of Industry, Mines and Energy  
Electricité du Cambodge

April 2006

1. QUESTION: WHAT IS THE 220kV TRANSMISSION LINE FROM KAMPOT TO SIHANOUKVILLE

ANSWER: The project is a 78 km long 230kV Transmission Line bringing electricity from Kampot substation (Kampot Province) to Sihanoukville (Sihanoukville Province) through Prey Nob. It will guarantee reliable electricity supply to Sihanoukville and Prey Nob areas. It also may supply electricity to the coastal communities of the region.

The project will require a substation 150 m by 100 m in area at Prey Nob and a smaller (40 m by 50 m) substation on the ridge above the Sokimex oil terminal. The transmission line between these substations and the Kampot substation will require a cleared right of way (ROW) 30 m wide.

For safety reasons, houses and structures are not permitted within the ROW. However, grazing of livestock and the growing of rice and vegetables can continue on the ROW, but trees taller than 3 m must be removed or pruned back.

2. QUESTION: WILL WE BE AFFECTED BY THE TRANSMISSION LINE?

ANSWER: The design and construction of the transmission line will attempt to avoid or at least minimize the impacts on the communities along its right-of-way and on Bokor National Park. Based on the initial census and inventory of potential losses of physical assets conducted in April 2005, there are a limited number of affected residential houses and agricultural land belonging to the people at the two substation sites and along the right-of-way. During detailed design, these potential effects may be avoided or minimized since the actual alignment will be determined at that time and through further consultation with you and the local communities. After the detailed design including land surveys, the area that will be affected by the Project will be marked on the ground and houses will be marked so that affected persons (APs) will know if they are affected and to what extent. This is expected to occur sometime in 2007.

In case the effects on land, houses and structures can not be avoided, APs will be properly compensated in cash or in kind for their land, houses, structures, crops and trees and even communal properties. This will allow the affected persons to restore their lost assets, resources or incomes. Rehabilitation assistance will also be provided to the few APs who will be required to relocate in another location within their village.

The project will purchase the land at the substation sites and where towers will be built, but other land along the ROW remains with the present owner.

3. QUESTION: WHAT IF MY LAND IS AFFECTED BY THE TRANSMISSION LINE?

ANSWER: For affected land, compensation shall be in the form of replacement land as a priority, or cash at current market values. Compensation shall also be paid for any new access roads or any damage to trees or crops during construction affecting your land.

4. QUESTION: DO WE NEED TO HAVE A LAND TITLE IN ORDER TO BE COMPENSATED?

ANSWER: No. Lack of formal legal rights to land does not prevent any APs from receiving compensation and rehabilitation assistance. Those APs who have been provided with users rights or any form of written or verbal agreements with Provincial, District or Commune authorities to utilize the land are entitled to compensation and assistance. Non-titled land users and occupants including tenants are also entitled to compensation and assistance.

5. QUESTION: DOES COMPENSATION APPLY TO MY AFFECTED HOUSES OR OTHER STRUCTURES?

ANSWER: Yes. Houses and structures that will be affected by the Project shall be compensated for at replacement cost without deduction for depreciation or salvageable materials in order that you may rebuild a new structure elsewhere on your plot, another of your plots or a new replacement plot provided.

6. QUESTION: WHAT ABOUT MY CROPS AND TREES?

ANSWER: Affected crops and trees will be compensated for at current market value. Compensation for annual crops will be based on the anticipated harvest at market value while trees will be based on type, age and productivity. Compensation for perennial crops and trees will be compensated at market value multiplied by five to compensate for lost future productivity. Trees will be replaced with seedlings and fertilizer and agricultural extension assistance provided to help your new trees grow.

7. QUESTION: WHAT ABOUT OUR COMMON PROPERTY?

ANSWER: For common property resources, the affected land will be replaced in areas identified in consultation with affected communities and relevant organizations.

8. QUESTION: HOW DO YOU DETERMINE REPLACEMENT COST OR CURRENT MARKET VALUE FOR OUR LAND AND OTHER ASSETS?

ANSWER: To ensure that the rates reflect the actual replacement costs at current market value, the Project has carried out a Replacement Cost Study. This is an independent and objective study of the value of land, structure and other types of losses of what is now the Feasibility Study Phase for the Project. These rates will be updated by a professional asset valuer during the Detailed Design Phase and final compensation rates will be established. The established rates that will be proposed during the Design Phase of the Project must be acceptable to both APs and the Government and its Resettlement Committee.

9. QUESTION: IN CASE THERE WILL BE RELOCATION OF HOUSES OR BUSINESS INVOLVED, HOW CAN THE PROJECT HELP ME REBUILD MY HOUSE OR BUSINESS DURING RELOCATION?

ANSWER: Apart from the compensation for loss of land and other assets at replacement cost, the Project shall ensure that the standard of living of APs is maintained or better improved after the Project. Therefore, the Project shall provide mitigation and subsistence allowance to relocating APs.

- **Housing Relocation Allowance** will be provided to relocating APs to enable them to transport household effects, salvaged and new building materials to new sites equivalent to the following: Cash payment of \$20 per temporary field shelters, \$40 for houses being relocated on same plot and \$60 for houses relocated to another plot in same village area.
- **Cost of Living Allowance** during the transition period of 30 kg of rice per month for every person in the household for 6 months, for every relocating household and households severely affected by loss of 10% or more of productive, income-generating assets.
- **Business Relocation Allowance** will be provided for any business that will be required to close down during the relocation period. A lump sum amount will be provided to small shops equal to the actual income lost, to be determined through consultation with APs. Big businesses will also be compensated for actual loss but will have to provide their business income statement. For employees, cash compensation for lost wages for each day that they cannot work while business is reorganising to its new site.
- **Special Assistance for Socially or Economically Vulnerable Households** like the very poor or households headed by the aged, women or disabled without support, or ethnic minorities, or the landless will be entitled to special assistance to help them improve their socio-economic conditions. Each vulnerable household will be provided with \$20 for each vulnerability. In addition, severely affected vulnerable APs will be assessed and appropriate assistance in cash or in kind will be provided based on identified needs and priorities to help them to improve their socio-economic status.

10. QUESTION: DOES THAT MEAN ANYBODY IN OUR COMMUNITY CAN CLAIM FOR COMPENSATION?

ANSWER: No. Entitled APs are those persons who will have been surveyed during a final Detailed Measurement Survey (DMS) based on the actual location of the Right-of-Way and Substations. The cut-off date for determining eligibility for compensation shall be at the completion of the AP Census that will take place after Detailed Design and pegging of the ROW and substation sites and on its approval by the ADB and the Cambodian Government. Persons who try to use the surveyed area after the cut-off-date will not be entitled to compensation or any other form of resettlement assistance. A list of permitted land uses for the Right-of-Way will be issued to all owners of lands affected.

11. QUESTION: DO WE NEED TO CLEAR THE AFFECTED AREA IMMEDIATELY ONCE OUR LAND, HOUSES, OR STRUCTURES HAVE BEEN IDENTIFIED AS AFFECTED?

ANSWER: No. Clearing of the Project area will only take place after compensation for affected land and other lost assets has been received by APs. After the AP has acknowledged receipt of payment, the Project shall provide a reasonable time and assistance for APs to clear the area in order for construction activities to commence. Effective dates will be notified to affected land owners and users.

12. QUESTION: DO WE NEED TO PAY ANY ADMINISTRATIVE OR SERVICE FEES TO THE PROJECT ONCE WE RECEIVE OUR COMPENSATION?

ANSWER: No. The APs are not allowed to pay any service fees or donations. APs who are asked for service fees or donations by any government or Project staff in the area must report this directly to the Provincial authority, the Project Management Organization, EDC, or to the Independent Monitoring Organization (IMO), which is a non-governmental organization (NGO) hired by the supervising engineer to monitor the Project's resettlement activities.

13. QUESTION: IF THERE WILL BE DISAGREEMENTS OR PROBLEMS THAT ARISE DURING PROJECT IMPLEMENTATION SUCH AS COMPENSATION, TECHNICAL AND GENERAL PROJECT-RELATED DISPUTES? DO I HAVE THE RIGHT TO VOICE OUT MY COMPLAINT?

ANSWER: Yes. Any AP may file a complaint. The APs may present their complaints to the concerned Grievance Committee of local administrative officials and the Resettlement Committees. The complaint can be filed first at the Commune level and can be elevated to the highest or provincial level if the AP is not satisfied with the decision made by the commune and district level committee. APs will not have to pay any taxes, administrative or legal fees associated with their complaint.

Attempts will be made to settle the issues at the commune level through community consultation, involvement of the Resettlement Plan and Environment Coordinator (RPEC) hired by the supervising engineer, IMO, NGOs or facilitators if required. The concerned Resettlement Committees will properly document all complaints and resolutions.

14. QUESTION: WHEN IS THE PROJECT EXPECTED TO COMMENCE?

ANSWER: The Project will start soon after Asian Development Bank and the Cambodian Government approval, which may be in 2006. It is expected to take about 18 months to complete.

15. QUESTION: AS A RESIDENT OF ONE OF THE AFFECTED PROVINCES, WHAT CAN I DO TO HELP?

ANSWER: We would like you, both men and women, to participate fully in all consultation meetings and other Project-related activities to ensure that you are fully informed and your view are known and taken into account. Your active participation during the ground survey (DMS), detailed design and implementation will allow us to determine measures to accurately assess and pay compensation, mitigate impacts, to identify problems or potential problems, and to identify methods of responding immediately to solve any new problems.

16. QUESTION: HOW WILL YOU KNOW IF THE OBJECTIVES OF THIS PROJECT ARE MET?

ANSWER: Electricity du Cambodge and Ministry of Industry and Mines (MIME) will monitor all Project activities. An Independent Monitoring Organization (IMO) will be engaged by the supervising engineer (both for design and implementation) to monitor and report on compensation payments, Resettlement Plan implementation and recommend solutions to problems that APs may raise. Quarterly Reports will be prepared and submitted to ADB, EdC and MIME. A post-resettlement impact evaluation will also be undertaken to assess whether impacts of the Project have been mitigated adequately and the pre-Project standard of living of APs has been restored as a result of the Project's Resettlement Plan implementation.

The ADB will also monitor these activities in their regular supervision missions during the Project's implementation.

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If you have further queries and suggestions, please call or see us at:  
PMO \_\_\_\_\_ (and at Provincial Governor's Office for Kampot and Sihanoukville Provinces for the 220kV Line or for the Substations



TABLE 4-2: ENTITLEMENT MATRIX FOR KAMPOT-SIHANOUKVILLE TRANSMISSION LINE AND SUBSTATIONS

Type of Impact	Type of Eligible Person	Compensation Entitlement	Notes on Implementation
<b>1. LAND ACQUISITION</b>			
1.1 Permanent acquisition of arable land (required for transmission towers, substations and access roads).	<ul style="list-style-type: none"> <li>Owners with formal legal title, of land to be acquired for the Project</li> <li>Owners/occupiers, eligible for formal legal title under Cambodian law.</li> <li>Owners/occupiers with other evidence (land use certificates, applications for land use certificates, etc) of ownership/use rights</li> <li>Others recognised locally as having ownership/use rights.</li> <li>Occupiers/users of land owned by others, whether tenants, renters or other possessory land user.</li> </ul>	<ul style="list-style-type: none"> <li>Compensation: Replacement land nearby as a priority, including the cost of land fill if needed, or cash equivalent to replacement cost at the current market rate for buying same. (If less than 10% of total productive landholding affected, then cash is acceptable).</li> <li>Impact on viability of remaining land, due to fragmentation or reduced size, also needs to be considered. Therefore where the remaining land is not viable for its current use, compensation shall be provided for the entire parcel of land.</li> <li>Full Replacement Value of structures and other improvements.</li> <li>Severely affected farmers eligible for income rehabilitation assistance such as agricultural extension assistance to increase productivity on remaining land or training in a new livelihood and cost of living allowance during the transition period.</li> </ul>	<ul style="list-style-type: none"> <li>Replacement value shall be agreed at the DMS stage, through consultation.</li> <li>Land replacement or payment shall be made before construction begins, with sufficient time allowed for re-establishment of affected people.</li> <li>No distinction between titled and non-titled land holders</li> <li>Replacement land to be free from taxes, registration and transfer costs</li> <li>The owner can continue to have use of the land within ROW for agriculture to grow rice or vegetables and trees less than 3 m high.</li> <li>No severely affected farmers were identified during the Inventory of Losses and none are expected after detailed design. Rehabilitation measures have therefore not been budgeted.</li> </ul>
	<ul style="list-style-type: none"> <li>Agricultural labourers</li> </ul>	<ul style="list-style-type: none"> <li>Cash compensation equivalent to 3 months salary and assistance in obtaining alternative employment.</li> </ul>	

Type of Impact	Type of Eligible Person	Compensation Entitlement	Notes on Implementation
1.2 Permanent acquisition of residential land (required for transmission towers, substations or access roads).	<ul style="list-style-type: none"> <li>• Owners with formal legal title, of land required to be acquired for the Project</li> <li>• Owners/occupiers, eligible for formal legal title under Cambodian law.</li> <li>• Owners/Occupiers with other evidence (land use certificates, applications for land use certificates, etc) of ownership/use rights</li> <li>• Others recognised locally as having ownership/use rights.</li> <li>• Occupiers/users of land owned by others, whether tenants, renters or other possessory land users.</li> </ul>	<ul style="list-style-type: none"> <li>• Compensation: Replacement land as a priority or cash equivalent to replacement cost of affected area at current market value.</li> <li>• When the affected premises are larger than any replacement plot purchased, cash compensation at replacement cost to cover the difference in area.</li> <li>• Impact on viability of remaining land, due to fragmentation or reduced size, also needs to be considered. Therefore where the remaining land is not viable for its current use, then compensation shall be provided for the entire parcel of land.</li> <li>• Full Replacement Value of structures and improvements.</li> </ul>	<ul style="list-style-type: none"> <li>• Replacement value shall be agreed at DMS stage, through consultation.</li> <li>• Compensation payment shall be made before construction begins, with sufficient time allowed for re-establishment of affected people.</li> <li>• No distinction between titled and non-titled land holders</li> <li>• Replacement land to be free from taxes, registration and transfer costs</li> <li>• The owner can continue to have use of the land within ROW for agriculture to grow rice or vegetables and trees less than 3 m high.</li> </ul>

Type of Impact	Type of Eligible Person	Compensation Entitlement	Notes on Implementation
<b>2. REMOVAL OF STRUCTURES, TREES, ETC (NOT NECESSARILY INVOLVING LAND ACQUISITION)</b>			
2.1 Removal of houses and other structures from ROW (required to be removed for safety reasons) – where house <i>can</i> be relocated on same block of land	<ul style="list-style-type: none"> <li>Owners of houses and other structures (well, pond, fence, latrine, shed, kiosk or shop, etc) (whether with land title or not)</li> </ul>	<ul style="list-style-type: none"> <li>Full Replacement Value of structures (no reduction for depreciation or salvage value)</li> <li>Where structure only partly within ROW, but whole structure needs to be moved, then compensation shall be due for whole structure</li> <li>Reinstatement of equivalent improvements and infrastructure including other buildings, fences, wells, ponds, etc.</li> <li>Relocation Expenses and Cost of Living Allowance during the transition period</li> </ul>	<ul style="list-style-type: none"> <li>Replacement Value shall be agreed at DMS Stage</li> <li>Materials shall be available for salvage by owner, with no reduction in payment</li> <li>Payment of compensation shall be made before construction begins, with sufficient time allowed for re-establishment</li> <li>Any Permits needed for building shall be arranged by Executing Agency</li> <li>AP retains ownership of the affected land, but with restricted use</li> <li>Sufficient time shall be allowed for re-establishment of houses and infrastructure before construction begins</li> </ul>

Type of Impact	Type of Eligible Person	Compensation Entitlement	Notes on Implementation
2.2 Removal of structures from ROW – where house <i>cannot</i> be relocated on same block of land, requiring owners to relocate to another residence in same village	<ul style="list-style-type: none"> <li>Owners of houses and other structures (well, pond, fence, latrine, shed, kiosk or shop, etc) (whether with land title or not)</li> </ul>	<ul style="list-style-type: none"> <li>Full Replacement Value of structures (no reduction for depreciation or salvage value)</li> <li>Equivalent Replacement Land within the same village as a priority, or if replacement land cannot be provided, cash sufficient to buy replacement land. Land to be equivalent in terms of area, access, within same village, above flood level, etc.</li> <li>Where structure only partly within ROW, but whole structure needs to be moved, then compensation shall be due for whole structure</li> <li>Reinstatement of equivalent improvements and infrastructure including other buildings, sheds, fences, wells, ponds, etc</li> </ul>	<ul style="list-style-type: none"> <li>Replacement Value shall be agreed at DMS Stage</li> <li>Materials shall be available for salvage by owner, with no reduction in payment</li> <li>Payment of compensation shall be made before construction begins, with sufficient time allowed for re-establishment</li> <li>Any Permits needed for building shall be arranged by Executing Agency</li> <li>AP retains ownership of the affected land, but with restricted use</li> <li>Sufficient time shall be allowed for re-establishment of houses and infrastructure before construction begins</li> </ul>
2.3 Removal of rented houses from ROW	<ul style="list-style-type: none"> <li>Tenants paying rent on houses owned by others</li> </ul>	<ul style="list-style-type: none"> <li>Relocation Expenses and Cost of Living Allowance during the transition period</li> <li>Three months' rent allowance</li> </ul>	<ul style="list-style-type: none"> <li>Sufficient time shall be allowed for re-establishment of houses and infrastructure before construction begins</li> <li>Assistance shall be provided to ensure that an equivalent replacement house acceptable to the AP is obtained.</li> </ul>
2.4 Cost of Living Allowance during transition period	<ul style="list-style-type: none"> <li>All relocating households and farmers losing more than 10% or more of their total productive landholding</li> </ul>	<ul style="list-style-type: none"> <li>Cost of Living Allowance during the transition period of 30kg of rice per person for six (6) months</li> </ul>	<ul style="list-style-type: none"> <li>Cost of Living Allowance shall be paid on a monthly basis in advance during the transition period</li> </ul>
2.5 Relocation costs of	<ul style="list-style-type: none"> <li>Relocating households and</li> </ul>	<ul style="list-style-type: none"> <li>Cash payment of \$20 per temporary field shelters,</li> </ul>	<ul style="list-style-type: none"> <li>This amount is reportedly sufficient to</li> </ul>

Type of Impact	Type of Eligible Person	Compensation Entitlement	Notes on Implementation
transporting new and salvaged materials and personal possessions.	businesses.	\$40 for houses being relocated on same plot and \$60 for houses relocated to another plot in same village area	transport possessions from Kampot to Sihanukville, and should therefore be sufficient to transport within or between villages

Type of Impact	Type of Eligible Person	Compensation Entitlement	Notes on Implementation
2.6 Special assistance for socially or economically vulnerable households	<ul style="list-style-type: none"> <li>APs belonging to vulnerable groups, including households who are below poverty line (earning less than \$14 per capita per month), headed by the aged, women, disabled, landless, or otherwise vulnerable, such as ethnic minorities</li> </ul>	<ul style="list-style-type: none"> <li>\$20 allowance per family even if vulnerable household is not severely affected. Households with more than one factor of vulnerability will be entitled to a \$20 allowance for each factor. For example, households that are very poor and headed by a woman would be entitled to \$40, etc.</li> <li>This is in addition to other entitlements and allowances.</li> <li>In addition severely affected and vulnerable APs will receive any other necessary support to improve their socio-economic status.</li> </ul>	They will be assessed and appropriate assistance in cash or in kind will be provided based on identified needs and priorities to help them to improve their socio-economic status.
2.7 Annual crops	<ul style="list-style-type: none"> <li>Owners of crops</li> </ul>	<ul style="list-style-type: none"> <li>Owners of annual crops will be given two months notice to harvest crops prior to clearance. Annual crops that cannot be harvested by APs will be compensated at replacement cost at current market value.</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>
2.8 Removal of perennial fruit and timber trees and crops from ROW (required to be removed for safety reasons)	<p>a. Owners of trees and crops</p> <p>b. Owners of private and public shade trees</p>	Full Replacement Value, for type, size, age and productive value of trees or crops including loss for production until trees mature (calculated as minimum of 5 years lost productivity, depending on the tree type) and trees will be replaced with saplings at a rate of 10 saplings for 1 old tree and fertilizer and extension assistance to increase productivity of new and remaining trees.	<ul style="list-style-type: none"> <li>Trees, less than 3 m in height, rice and vegetable crops may remain in ROW</li> <li>Trees shall be available for salvage by owner, with no reduction in payment</li> </ul>

Type of Impact	Type of Eligible Person	Compensation Entitlement	Notes on Implementation
<b>3. BUSINESS IMPACTS</b> <i>(NONE ENCOUNTERED DURING HOUSEHOLD SURVEY BUT CATEGORY MAINTAINED FOR DMS AND FRAMEWORK)</i>			
3.1 Removal and relocation of business premises from the ROW	<ul style="list-style-type: none"> <li>Owner of business</li> </ul>	<ul style="list-style-type: none"> <li>As above for replacement of houses, structures and infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>As above for removal of houses, structures and infrastructure</li> </ul>
3.2 Lost business income while business interrupted during re-establishment period <sup>1</sup>	<ul style="list-style-type: none"> <li>Owner of business unable to carry out normal activities during the transition period</li> </ul>	<ul style="list-style-type: none"> <li>Business allowance equivalent to the lost business income during the transition period while businesses are being re-established</li> <li>A lump sum amount will be provided to small shops equivalent to actual income lost, to be determined through consultation with AP</li> <li>A lump sum amount will be provided to large businesses according to their business income statement.</li> </ul>	<ul style="list-style-type: none"> <li>Payment shall be made before construction begins</li> </ul>
3.3 Lost salaries and wages while business interrupted during re-establishment period	<ul style="list-style-type: none"> <li>Employees of business that is interrupted.</li> </ul>	<ul style="list-style-type: none"> <li>Payment of allowance for lost wages or salaries equivalent to the actual wages lost during the construction period in which business is temporarily affected, and must be equivalent to minimum wage for the duration of business closure or the period affected.</li> </ul>	<ul style="list-style-type: none"> <li>Payment shall be made before relocation begins</li> </ul>

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<sup>1</sup> This entitlement is the same as for Loan 2052.

Type of Impact	Type of Eligible Person	Compensation Entitlement	Notes on Implementation
<b>4. TEMPORARY CONSTRUCTION IMPACTS AND ONGOING IMPACTS DUE TO MAINTENANCE ACTIVITIES</b>			
4.1 Damage to crops during construction (temporary impact).	<ul style="list-style-type: none"> <li>Owners of Crops</li> </ul>	<ul style="list-style-type: none"> <li>Compensation for lost production in cash at market price (value of lost production within ROW or for access) for the period of construction or maintenance). This will be a minimum of one harvest where damage occurs during growing season.</li> </ul>	<ul style="list-style-type: none"> <li>Every effort will be made to schedule construction and maintenance activities outside of growing season (including field preparation, planting, harvesting and other agricultural activity).</li> <li>Construction and maintenance will be carried out so as to minimise damage. This will include preparation of a Construction Environmental Management Plan (EMP), including social aspects, incorporating environmental and social requirements in the contract, and monitoring to ensure compliance, and financial penalties on the EDC or contractor for non-compliance. Consideration will also be given to minimising the use of heavy machinery (this is also likely to have benefits in terms of employment generation)</li> <li>Construction will be required by Contract to stay within ROW</li> <li>Contractor will be required by contract to pay damages.</li> </ul>
4.2 Damage to fields, and associated infrastructure including bund walls, drains and channels	<ul style="list-style-type: none"> <li>Person using the field</li> </ul>	<ul style="list-style-type: none"> <li>Repair of damage, or payment for repair of damage, at replacement cost</li> </ul>	
4.3 Damage to any other assets or infrastructure during construction (including communally owned resources such as roads, drainage and irrigation facilities)	<ul style="list-style-type: none"> <li>Owners of the assets or infrastructure damaged</li> </ul>	<ul style="list-style-type: none"> <li>Repair of damage, or cost of repair at replacement cost in cash</li> </ul>	