

Monthly Law Update

February 2013

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Company

Prakas No. 062 (MOC) dated February 27, 2013 on Creation of Legal Consulting Group.

Legal Consulting Group shall be established as a general mechanism of the Ministry of Commerce to verify and certify on the legal compliance of the content of the memorandum and articles of association of the company and other relevant documents for company registration. This working group composes of six (06) chiefs of departments of the Ministry of Commerce. Legal Department of the Ministry of Commerce is appointed as general secretariat of this working group.

Prakas No. 063 (MOC) dated February 27, 2013 on Joint Procedure of Providing Relevant Services for Business Registration.

This Prakas aims to determine all requirements and unified procedure for the examination on the company names, the examination and certification on the compliance of the content of the memorandum and articles of association, publication in the Commercial Bulletin and the company registration based on the Law on Commercial Enterprises, Law on the Commercial Rules and Commercial Registrars and law concerning Marks, Trade Names and Acts of Unfair Competition.

All the information and services related to the Company Registration can be found at the one single window counter at the Department of Business Registration of the Ministry of Commerce.

Finance

Prakas No. 001 February 08, 2013 on Implementing the Change of Operating Rules of Cambodia Securities Exchange.

This Prakas aims to implement the amendment of the Implementation of Operating Rules of Cambodian Securities Exchange, the Implementation the Change of Public Services of Operating Rule of Securities Market and Companies, and the Implementation the Change of Public Service of the Operating Rules of Securities Clearing and Settlement.

Industry - Mine and Energy

Prakas No. 073 (MIME) dated January 25, 2013 on Equivalence of System of Weight Units in the Sector of Precious Metals. (L&R/Ind-Min&Eng/Khm/2013) (Royal Gazette, Year 13, No. 11, dated February 12, 2013).

The aim of this Prakas is to determine the mechanisms and management rules applicable for natural person or legal person, who has been doing business concerning the precious metal as mentioned in annex 1 and 2 of the Law on Cambodian Metrology, and if they want to implement another provision, must apply for the previous approval letter from the Center of Metrology of Ministry of Industrial, Mine and Energy.

Criminal and Procedure

Sub-decree No. 48 (RGC) dated January 31, 2013 on Formality and Condition of Management of Strong Acid. (L&R/Cri&Pro/Khm/2013) (Royal Gazette, Year 13, No. 13, dated February 19, 2013).

This purpose of this sub-Decree is to determine the requirements condition for sale, purchase, storage, distribution, transportation, packaging, carrying and utilization of all kinds of strong acid, causing danger to human health and lives. The strong acid refers to acid, raw material and acid element in liquid or solid form with pH of 3 or under endangering human health and lives as stated in annex of the Law on Management of Strong Acid, except of Sulfuric Acid in liquid form with the density of 33% used for battery.

The sellers of strong acid shall apply for approval letter from the local authorities along with the technical comments from the municipality and provincial commissariat. The sellers shall provide in detail information concerning the use of strong acid, and also record or identify information of purchaser. The purchaser of strong acid shall be more than 18 years of age.
This sub-decree will be implemented after this sub-decree come into force within 6 (six) months. The Ministry of Interior and Ministry of Industry, Mine and Energy are the competent institutions in execution of this sub-decree.