

## Table of Contents

- Accounting
- Administration
- Banking
- Criminal & Procedure
- Finance
- Forestry
- Health
- Investment
- Legal Profession
- Land & Property
- Military
- Transportation

## Accounting

### Sub-Decree No. 151 (RGC) dated September 11, 2009 on the Utilization of the Account of Privatization of Public Enterprises (L&R/Acc/2009/Khm) (Ogs, Year 09, No. 69, September 19, 2009)

The purpose of this Sub-Decree is to allow the Ministry of Economy and Finance to use the Account of Privatization of Public Enterprises for the expenses over the construction of the pillars of the Council of Ministers building and the International Conference Center.

## Administration

### Sub-Decree No. 139 of 26 August 2009 on Enterprises Census in Cambodia 2011

The objectives of this sub-decree is to do the Enterprises Census in Cambodia in 2011 by gaining the economic information about all fields of enterprises for all users and by producing the database in order to organize the policy, strategy, activities plan and other projects.

Its scope covers all economic units in Cambodia territory, except those of agricultural, forestry and fishery units. The commencement date of the census is 1st march 2011. It is to note that different levels of Committees for the Enterprises Census, being created for 2011, have the right to use the stamp as below :

- the National Committee has the right to use the stamp of Ministry of Planning
- the Technical Committee has the right to use the stamp of the Ministry of Planning
- the Propagandistic Committee has the right to use the stamp of the Ministry of Planning
- the Municipal-Provincial Committee has the right to use the stamp of the Municipality and of the Provinces.

Finally, it is also to note that this Sub-Decree establishes a list procedural steps and a list of composition of the National Committee for Enterprises Census under its Chapter 3.

## Banking

### Prakas No. F 8.09-215 BR.K dated September 15, 2009 on the Creation of the Position of Senior Technical Officials at the National Bank of Cambodia (L&R/Bnk/2009/Khm) (Ogs, Year 09, No. 71, September 27, 2009)

This Prakas establishes a Position of Senior Technical Officials called "Inspectors" who are different from governing officials and have the authority to conduct inspection, internal audit, to be an accounting professional, legal professional, IT specialists, to monitor banking institutions, to conduct research, to study financial markets, to command and manage machineries and modern equipments. This text also defines different grades of Inspector, the recruitment process and Inspector's remuneration.

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## Criminal & Procedure

**Decision No. 57 (RGC) dated September 04, 2009 on the Establishment of the Joint-Working Group for examination on execution of criminal cases in the law-implementing units (L&R/Crp/2009/Khm) (Ogs, Year 09, No. 68, September 15, 2009)**

This decision aims to establish a Joint Working Group to examine the execution of criminal cases in the law-implementing units. This Working Group is to examine the criminal cases, human trafficking, sexual exploitation, and execution related to case settlement in the Justice Police units (Police and Military Police), institutions of Prosecutions, Courts and Prisons. The files might be copied for further examination, analysis and evaluation the individual process of executions, in case of necessity. If unusual things found, the Working Group prepares the evaluating report to Minister of Interior and/or Minister of National Defense and/or Minister of Justice for continuing to measure and in any case with serious or complicated status, the reports shall be submitted to the head of the Royal Government for examining and recommending. This committee consists of 26 members.

## Finance

**Sub-Decree No. 155 (RGC) dated September 15, 2009 on the Procedure to Provide Advance Money for the Current Budget and Public Investment Expenditures (L&R/Fnc/2009/Khm) (Ogs, Year 09, No. 70, September 23, 2009)**

The Sub-Decree aims to define principles and procedures of the execution of State expenditure operation via an allocation of advance money under the framework of Current Budget and Public Investment Expenditures. This Sub-Decree was made to reinforce and assure the transparency, accountancy and efficiency in the management of the advance money, to focus on the regularization of the advance money and to reduce the demands of advance money in the Current Budget expenditures.

The State expenditures covered by this Sub-Decree are in the fields of accommodation of foreign delegations, meetings, conferences and seminars, traditional, national and international ceremonies, competitions, merit promotion for students and athletes, sports competitions, inaugurations of different accomplishments, reparation and maintenance of infrastructures, roads, bridges and hydraulic system operated by the State, and execution of public investment project by the State.

**Sub-decree No. 144 (RGC) dated September 02, 2009 on Division of the State Budget Expenditure in accordance with chapters of the Law on the Amendment of the Law on Financial Management for 2009 (L&R/Fnc/2009/Khm) (Ogs, Year 09, No. 67, September 12, 2009)**

This Sub-Decree sets a rule for the division of credit expenditure of State budget defined by the Law on the Amendment of the Law on Financial Management for 2009.

## Forestry

**Sub-decree No. 143 (RGC) dated September 02, 2009 on the creation of the forest and “Seyma” biodiversity conservation zones in the provinces of Mondulkiri and Kratie (L&R/Frs/2009/Khm) (Ogs, Year 09, No. 67, September 12, 2009)**

This Sub-Decree aims to establish a Reserve Forest and “Seyma” Biodiversity Conservation Zone in the Provinces of Mondulkiri and Kratie within an area of 292 690 hectares. This Sub-Decree also defines the classification and the management of this area, and prohibits a set of exploiting activities conducted on the Reserve Forest Main Area. The organization and the management of the Reserve Forest Area and “Seyma” Biodiversity Conservation Zone are to be determined by a Prakas by the Ministry of Agriculture, Forestry and Fishery.

## Health

**Prakas No. 0413 Or Bor Sor/Aor Or Bor Sor, dated 06th August 2009 on the modification of Prakas No. 936 which was dated on 06 September 1996 on the formalities and conditions to request for opening or closing or address changing of pharmaceutical export and import establishment**

The Prakas is composed of 23 clauses having the purpose of modifying the old Prakas No. 936. Under this new Prakas, every change, closing, opening, including subject change, name change, stock addition... are all subject to approval (or permit) by the Ministry of Health.

For the provisions of the Prakas, will be found the list of qualifications of the applicant (clause 3), the list of filing documentation for opening (clause 4), for additional separate stock (clause 5), for address change of stock (clause 6) and the list for change of pharmacist (clause 7).

The Prakas also provides the obligation (clause 12 & 13) and rights (clause 14) of the pharmaceutical establishment and the type of activities which are allowed (clause 16) along with those restricted (clause 17).

Finally, it is to note that the approval letter (or permit) is valid for a period of 2 years, renewable 2 months before the expiry date (clause 11) and can be revoked before term (clause 20).

**Sub Decree No. 156 dated September 16 2009 on Dentist Ethic**

The Sub Decree comprises of 7 chapters and 111 articles having the purpose of determining the regulation of Dentist Ethic in the Kingdom Of Cambodia.

The purpose of this Sub Decree is to promote the Dentist ethic, Dentist dignity and good deed in the dentistry professional performance, the quality and effectiveness of dentist's curing. For the provisions of the Sub Decree, will be found the dentist general duties (Chapter 2), the dentist duties to the patients (Chapter 3), relation between dentist and dentist and between dentist with other health professionals (chapter 4) and the professional performance (Chapter 5).

## Investment

**Prakas No. 265 (MoP), dated August 19, 2009 on the Establishment of the Working Group for the Improvement of Efficiency and Sustainability of the Public Investment Program (PIP) of the Department of Investment Planning of the Ministry of Planning (L&R/Ivm/2009/Khm) (Ogs, Year 09, No. 64, August 31, 2009)**

This Prakas aims to establish the working group to enhance the PIP efficiency and sustainability in MoP, and its responsibility is to direct, prepare, facilitate the implementation and to monitor PIP implementation with ministries/institutions concerned, which is implementing the integration of planning, budget and cooperation financing management. The working group consists of 11 members.

**Prakas No. 266 (MoP) dated August 19, 2009 on the Establishment of the Committee for Monitoring and Evaluating Procurements for the Project on Improvement of Efficiency and Sustainability of the Public Investment Program of the Department of Investment Planning of the Ministry of Planning, within the framework of the Pooled fund of the Royal Government (L&R/Ivm/2009/Khm) (Ogs, Year 09, No. 64, August 31, 2009)**

This Prakas aims to establish the committee for monitoring and evaluation on the procurement the project on the improvement PIP efficiency and sustainability in the Ministry of Planning. The committee is to prepare, monitor and evaluate all documents concerning with procurement of the projects as well as prepare the report to Minister for verifying and approval. This committee consists of 5 members.

## Legal Profession

### **Sub Decree No. 160 dated September 23 2009 on Work Effectiveness Promoting of Supreme Council of Magistracy's Disciplinary Council**

The Sub Decree No. 160 dated September 23 2009 on Work Effectiveness Promoting of Supreme Council of Magistracy's Disciplinary Council includes 5 chapters and 10 articles.

The purpose of the above Sub Decree is to determine the mechanism to promote the work effectiveness of Supreme Council of magistracy's disciplinary council, to determine the role, duty and composition including mechanism demarche in the aim of assisting the Supreme Council of magistracy's disciplinary council, only institute having competence to take the measure following the procedure of investigating, research and to discipline or to not discipline the judges and prosecutors in compliance with law on Organization and Functioning of Supreme Council of Magistracy.

## Land & Property

### **Sub-Decree No. 132 (RGC) dated 19 August 2009 on the Conversion of Permanently Reserved Forest Land of State for the Social Land Concession situated at Rumdaoh Srae commune, Choam Khsant district, Preah Vihear province**

The Sub decree is to convert the land of 534 hectares situated in Rumdaoh Srae commune, Choam Khsant district, Preah Vihear province, from state public property to state private property.

The purpose of this conversion is to provide the rights of occupations to the Ministry of Agriculture, Forestry and Fishery for the purpose of Social Land Concession giving to Military families of the Battalion 2 of Preah Vihear Military Sub-Division Operation and Chaom Khsant Military Sub-Division in accordance with the Royal Government's Principles.

### **Sub-Decree No. 147 (RGC) dated September 02, 2009 on the Establishment of Sihanouk Ville Special Economic Zone (SIHANOUKVILLE PORT SEZ)**

The sub-decree establishes Sihanouk Ville Port Special Economic Zone situated in Phum 3 of Sangkat No. 3, and Phum 3 of Sangkat No. 1, Preah Sihanouk Municipality, Preah Sihanouk province.

This SEZ is of 674,937 meters size, and the land's status is private state property under the management of Sihanouk Ville Autonomous Port.

The organization and functioning of this SEZ is under the scope of laws and regulations of the Kingdom of Cambodia.

### **Sub-Decree No. 58 (RGC) dated September 14, 2009 on the Creation of inter-ministerial commission for compromising and resolving the dispute in the investment zone companies in Kiri Sakor Koh Kong special economic zone in Prek Ksaj, Pchi Meas, and Chroy Proh commune, Koh Kong district, Koh Kong province.**

The purpose of this Sub Decree is to create the inter-ministerial commission for examining, compromising, advising, and resolving the dispute arising in the investment zone companies in Kiri Sakor Koh Kong special economic zone. This inter-ministerial commission is composed of Ministers, Secretaries of State and other officials from different ministries, including Ministry of Environment, Council for the development of Cambodia, Ministry of Land Management, Urban Planning & Construction, Ministry of National Defense, National Authority for Resolving Land Dispute, Ministry of Public Works and Transport, Ministry of Interior, Office of Council of Ministers, Ministry of Agriculture Forestry and Fisheries, Ministry of Economy and Finance, and Koh Kong Provincial Governor.

This inter-ministerial commission has the right to use the stamp of the ministry of environment and has a secretariat located in that ministry.

**Sub-Decree No 134(RGC) dated August 21,2009 on Transfer of the Land in Koh Posh and Koh Posh (Havay Beach) located in Preah Sihanouk Municipality, Preah Sihanouk Province**

The Sub-decree is to convert the land of 116 hectares in Koh Puos and 22.780 m2 of Koh Puos beach (Havay Beach) situated in Phum 1 of Sangkat No. 3, Preah Sihanouk Municipality, Preah Sihanouk province from public state properties to private state properties for the development purpose in the condition of investment lease.

The transfer procedure of the said land above shall be continued at CDC, MoEF, MLUPC, MoI and Preah Sihanouk Provincial Hall in accordance with the Royal Government's Principles.

**Decision No 56 (RGC) dated September 04, 2009 on the Establishment of an Inter-ministerial Commission for conciliation and resolution of the land dispute relating to the investment zone of YEEJIA TOURISM DEVELOPMENT COMPANY LTD, in Preah Sihanouk's Ream National Park**

This Decision establishes an inter-ministerial commission which is to be composed of 12 members from relevant institutions. The commission is led by H.E Mok Mareth, Senior Minister, Minister of Ministry of Environment.

The role and duty of this commission is to coordinate and solve the conflicts arising in investment zone of YEEJIA TOURISM DEVELOPMENT COMPANY LTD. The commission provides advises on conservation and solves immediately the anarchic action. And it has to report its results to the Royal Government.

The commission has the right to use the seal of Ministry of Environment and also has its secretariat in this ministry.

## **Military**

**Sub decree No 136 Or Nor Kror Bor Kor dated August 25, 2009 on the establishment of Commissariats subordinated to the Royal Army Command Headquarter.**

This sub decree decides to create five Royal Army Commissariats as following:

- Commissariat of information and security
- Commissariat of project execution
- Commissariat of research and justice
- Commissariat of force source
- Commissariat of supply and technology

The above commissariats are ranked as General Departments. And the Ministry of National Defense will help determine the role, duty and structure of the commissariats.

## **Transportation**

**Sub Decree No. 141 (RGC) dated August 31, 2009 on the Creation of the Committee for conducting the control over the Overweight-Limit of Transportation Vehicles (L&R/Trs/2009/Khm) (Ogs, Year 09, No. 66, September 08, 2009)**

There are 6 chapters and 17 articles in this sub decree. This sub decree stipulates the purpose of the creation of the committee, its structure and its composition, rules and obligations, overweight station for measuring the overweight-limit for transportation vehicles and the budget.

The structure and the composition of this committee are led by the Minister of Public Work and Transportation, Secretary of State of Interior, Secretary of State of Economy and Finance and other relevant officials.