

Primary Law Update

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A No 64, St 111 PO Box 172 Phnom Penh Cambodia

- +855 23 217 510 +855 23 212 740
- F +855 23 212 840
- **I** info@bnglegal.com
- www.bnglegal.com

Agriculture

Sub-decree No.145 (RGC) dated September 12, 2012 on Creation of Cambodia Food Reserve System. (L&R/Agr/Khm/2012) (Royal Gazette, Year 12, No. 70, dated September 23, 2012).

The Cambodian government recently establishes the committee for management of Cambodia food reserve system in which play a key rule for an urgent supporting and resolution to Cambodian citizens whom were suffered by the natural disasters. This committee is directly led by the Prime Minister Hun Sen, and the membership comprises from the high level ministers in relevant ministries.

This sub-decree mentions also about the guideline for arrangement, distribution and management of first reserve food stock and reserve seed, and also this regulation provides the rights to the private companies to manage and operate with the committee as in mentioned chapter 3.

The funds of committee have the resource from the national budget, development partners (including the United Nations and International Organizations), social community and private domain.

Criminal and Procedures

Decision No. 37 (RGC) dated September 11, 2012 on Establishment of the Committee for the Conduct of Reexamination of Implementation of the United Nations Convention Anti-Corruption (UNCAC) in Cambodia. (L&R/Cri&Pro/Khm/2012) (Royal Gazette, Year 12, No. 69, dated September 19, 2012).

The main objective of decision is to create the national regulatory group under Anti-Corruption Unit for inspection, evaluation on implementation of the United State Convention on Anti-Corruption in Cambodia, and it could the decision-making on the inspection and evaluation result reports of implementation of United Nations Convention in order to submit to the Prime Minister of Cambodia and United Nations Agent in Cambodia. The membership comprises the high level officials from the government and the top legal consultants from state institutions and private institutions.

This committee consists of the International of Anti-Corruption Unit Department, Complaint Department and Legal Department, which are the secretariat in an execution of its duties.

International Agreement

Royal Kram No. NS/RKM/0912/008 on Promulgation of the Law on Adoption of the Agreement between the Government of the State of QATAR and the Government of the Kingdom of Cambodia Concerning the Regulation of Manpower Employment in the State of QATAR. (L&R/IntAgr/Khm/Eng/2012) (Royal Gazette, Year 12, No. 72, dated September 30, 2012).

This Agreement on Manpower Employment (the "Agreement") was entered into on the 9th of May 2011, by the Government of the State of Qatar and the Royal Government of Cambodia. The subject matter of the Agreement is for the Ministry of Labour and Vocational Training in Cambodia and the Ministry of Labour in Qatar to lay down the necessary rules and regulation on recruitment of manpower from Cambodia and its entry and employment in Qatar.

The Agreement also stipulates rights and obligations of both parties and of prospective employers regarding applications measures to be taken and travel expenses. It also provides for a Model Contract containing the basic conditions of work which are to be consistent with its provision and with the Qatari Labor Law.

According to Article 12 of this Agreement, all employment contracts shall be ratified by the Royal Embassy of Cambodia in Doha or by the Ministry of Labor and Vocational Training in Cambodia.

Labor and Social Affairs

Sub-decree No. 136 (RGC) dated September 04, 2012 on Adjustment within the Commission for Handling Riots and Strikes Issues at all Target Areas. (L&R/La&So/Khm/2012) (Royal Gazette, Year 12, No. 66, dated September 08, 2012).

The Commission has a General Secretariat which functions as its operating unit, being located at the Ministry of Social Affairs, Veterans and Youth Rehabilitation. The Sub-decree provides for a broad list of duties for the Commission and also a broad list of duties for its General Secretariat. The Commission is led by its President - the Minister of Social Affairs, Veterans and Youth Rehabilitation and its General Secretariat will be led by one Secretary-General, to be appointed by a Royal Decree or a Sub-decree. The Sub-decree also establishes five specialized divisions for its General Secretariat and the head of each division is equal in rank to the head of a department.

The Commission works on data collection to prevent riots and strikes. It also works on solutions to real cases on-site and solutions to the business failure of factories. It shall conduct at least two meetings per year for work evaluation and review. When necessary, the President can call for extraordinary meeting(s).

The Commission can use the stamp of the Ministry of Social Affairs, Veterans and Youth Rehabilitation to perform its work.

This Sub-decree abrogates the Decision No.32 dated December 08, 2008.

Telecom and Post-IT

Sub-decree No. 140 (RGC) dated September 06, 2012 on Organization and Functioning of the Secretariat of the Cambodia Telecom Regulator. (L&R/TePoIT/ Khm/2012) (Royal Gazette, Year 12, No. 67, dated September 12, 2012).

On September 06, 2012, the Cambodian Government issued a Sub-decree on Organization and Functioning of Secretariat of the Cambodia Telecom Regulator. The main objective of this sub-decree aims to transfer of regulatory rule of Ministry of Post and Telecom to Cambodia Telecom Regulator (CTR). The regulators have authority to deal with a range of disputes including technical, operations and network usage issues.

The Secretariat of Telecom Cambodia Regulator (CTR) is led by one Head of Secretariat and Deputy Head of Secretariat is equal to General Director and Deputy General Director. This Secretariat establishes three divisions, and also has its representative office at all provinces under Administration and Finance Divisions.