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## Health

Prakas No. 0053 dated on February 06, 2013 on Advertisement Requirements for Pharmaceutical Products. (L&R/Hth/2013/Khm).

The content of the Prakas No. 83 of the Ministry of Health has been amended as follows. An approval from the Ministry of Health is required for all types of advertisement through television, radio, press, magazines, medical-pharmaceutical-dental bulletins, brochures, workshops, medical-pharmaceutical-dental expositions or through other means for drugs, traditional medicines, health supplements, all kinds of traditional medicinal wines, medical-dental equipment, medical-pharmaceutical-dental reagents, cosmetics and products having preventive and/or healing qualities. Only products that have been duly registered with the Ministry of Health can be applied for advertisement licensing.

The Prakas lists different categories of the products that can be advertised. The first category covers Over-The-Counter (OTC) Medicines and other pharmaceutical products including health supplements, medical devices, and cosmetics. They can be advertised in different means such as television, radio, press, magazines, posters in A4 size distribution to medical technicians and keeping in pharmacies for customer awareness, calendars, other items like glasses, watches etc. and office supplies. If these products do not harm consumers, they can be put on advertisement with large Panneau (4m X 8m). However, other pharmaceutical products selling with prescriptions cannot be advertised through television, radio, press, magazines, or calendar. Advertisement of such is only possible with the name of the drug through workshops, medical-pharmaceutical-dental expositions or medical-pharmaceutical-dental bulletins or brochures in A4 size, or equipment and office supplies distribution to medical technicians.

All the contents, scripts and pictures used for the advertisement shall be examined by the Ministry of Health. It shall not be approved unless it is accurate in accordance with medical-pharmaceutical-dental documentation.

There are several conditions where the advertisement for these products are prohibited as provided in Article 10.

The required documents for advertisement application are divided into three categories:

- Advertisement on Television or Radio;
- Advertisement via Press or Magazine or Calendar or Publication Books or Brochure;
- Advertisement through workshop or round table discussion

The validity of the Advertisement License through Radio, Television, Press, and Magazines is six (6) months whereas the validity for calendar is one (1) year. The Ministry of Health can withdraw this license if the content of the advertisement is different from the approved content or if the relevant authorities report a risk associated with such products.

Prakas No. 0770 dated on September 12, 2013 on the Formalities and Conditions for Cosmetic Product Advertising. (L&R/Hth/2013/Khm)

On 12 September 2011, Ministry of Health issued a Prakas on the Rectification of Prakas No. 0314 dated 21 April 2010 regarding the formalities and conditions for cosmetics advertising.

According to Article 2 of this Prakas, the advertisement of all kinds of cosmetics products via TV, Radio, press, magazine, medical, pharmaceutical and dental bulletin, poster, workshop, medical, pharmaceutical and dental day or other forms of advertising can only be done upon the authorization from the Ministry of Health. All kinds of cosmetics products can be advertised only if they have a notification number issued by the Ministry of Health. Text and pictures related to the cosmetics advertising shall be reviewed and authorized by the Ministry of Health. Additionally, this Prakas

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also enumerates the required documents for the application, the validity of the authorization and advertising restrictions.

Ministry of Health has the right to withdraw the advertising authorization if it finds that the contents or pictures or advertising means is different from the Ministry's authorization; or following information from the relevant ministry proves that those products harm the people's health. Any breach of this Prakas shall be punished in accordance with provisions stated in the Law on Drug Management.

## Judiciary

Royal Decree NS/RKT/0813/892 dated August 07, 2013 on the Particular Status of Prison Status's Cadre of Ministry of Interior. (L&R/Jdc/Khm/2013) (Royal Gazette, Year 13, No.64, dated August 31, 2013).

Public civil servants are governed by 1994 Law on Common Statute for the Civil Servant of the Kingdom of Cambodia as a basic rule. Further, each ministry normally creates their own particular status for internally organization and functioning. This Promulgated Royal Decree aims to create a specific status of prison status's cadre of Ministry of Interior to ensure the rights and obligations and legal interest of prison guards.

This particular status is applied to all eligible prison guards who are working for the General Department of Prison under the Ministry of Interior. This Royal Decree determines on implementation the right and obligation of prison guards, criteria and qualifications for s recruitment, the arrangement of ranks and grades, positions, disciplinary sanctions and accusations against prison guards relating to court proceedings.

This Royal Decree consists of eleven chapters with fifty six articles and shall be effective from the signatory date.

## Public Service Fee

Sub Decree No. 455 dated June 25, 2013 on Organization and Functioning of National Committee of Public Service Evaluation. (L&R/PSF/Khm/2013) (Royal Gazette, Year 13, No.63, dated August 27, 2013).

This sub decree is aimed to define the organization and functioning of the Committee of Public Service Evaluation. The Committee evaluates and improves the quality standard of the application of the public service fee of the Ministries, competent institutions and assigned institutions. It contains 6 chapters and 15 articles, which stipulate the composition, functions and duties, and financial resources of the Committee of Public Service Evaluation. This sub decree came into force from the date of signature.

The Committee of Public Service Evaluation is attached to the Royal Government of Cambodia and has the duties such as:

- The determination of methods and principles to evaluate and apply Public Services;
- The encouragement to Ministries and Institutions to prepare annual activity plans to improve Public Service;
- The encouragement to Ministries and Institutions to publish Directives on standards of Public Service;
- The determination of criteria and procedure of scoring of the Public Service in order to issue Certificates and Awards;
- The evaluation of the application of the Indicators of the Ministries and Institutions based on the Directives on Public Service.

The Committee of Public Service Evaluation has a Secretariat attached to the General Secretariat of the Counsel of Administrative Reform. The Secretariat coordinates and cooperates with the Ministries and relevant Institutions in the application of the standard Public Service. It reports, follows up and inspects the execution of the activity plans of the Ministries and relevant Institutions by comparing to their Indicators.

**Joint-Prakas No. 706 dated on July 23, 2013 on The Public Service of Ministry of Post and Telecommunication. (L&R/PSF/Khm/2013) (Royal Gazette, Year 13, No.60, dated August 15, 2013).**

On July 23, 2013 the Ministry of Economy and Finance and the Ministry of Post and Telecommunication issued a Joint Prakas on Public Service Fees of Post-office license. The Ministry of Post and Telecommunication shall issue the receipt of payment according to the fees fixed by this Joint Prakas and the standard receipt provided by the Ministry of Economy and Finance.

The public service fee for Post-office license is set at 4,200,000 Riel and the license shall be issued within 14 (fourteen) working days with an 1 (one) year validity. This Joint Prakas is effective from 23 July 2013 onwards.

## **Taxation**

**Prakas No. 735 dated on August 08, 2013 on Collection of Stamp Duty. (L&R/Tax/Khm/2013) (Royal Gazette, Year 13, No.64, dated August 31, 2013).**

On August 08, 2013 the Ministry of Economy and Finance issued a Prakas on Collection of Stamp Duty. The purpose of this Prakas is to formalize the procedure to collect stamp duty in accordance with the Law on Financial Management (1995) and the Law on Financial Management (2013).

The collection of stamp duty applies to the following activities:

- The transfer of ownership/the rights to possession in movable properties, registration of shares as immovable properties of company, the transfer of ownership/the rights to possession of any means of transportation or any types of vehicles at the rate of 4%
- The partltial or 100% transfer of shares at the rate of 0.1% of share value
- Supply contract of goods or services supported by state finance at the rate of 0.1% of the share value
- Legal documents relating to the establishment, merger or dissolution of a company

Stamp Duty is exempted/reduced for the following immovable properties:

- The receipt of an ownership or possession on a land concession from the Royal Government of Cambodia is fully exempted and
- The transfer of ownership/the right of possession of immovable properties or any means of transportation or vehicles is fully exempted in the following circumstances:
  - + Recorded in the Inventory of any Public Institution in Cambodia; or
  - + Diplomatic mission, Consul, International Organization or Technical Cooperation Agent of the Government;
  - + Purchase of any means of transportation or vehicles for re-sale by a company registered in Administrative Inventory and having paid monthly and annual tax;
  - + The receipt of ownership on shares through a Security Exchange Transaction.
- The receipt of ownership or possession of an immovable property from a relative is allowed for deduction from the base for calculation of Stamp Duty:
  - + At KHR 200,000,000 if the property is received pursuant to the rights of succession; and
  - + At KHR 100,000,000 if the property is received pursuant to the rights of donation.

This Prakas is effective from 08 August 2013.