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Administration

Royal-Decree No.NS/RKM/1213/016 dated 09 December 2013 on the Establishment of Ministry of Public Function. (L&R/Adm/2013/Khm) (Royal Gazette, Year 13, No.93 dated 19 December 2013)

In order to ensure the proper management of the public function sector as well as to enhance the well-being and to provide appropriate incentives and promotion to the civil servants in Cambodia, the Royal Government of Cambodia proposed a draft of law to create the Ministry of Public Functions. This bill has been adopted by parliaments and promulgated by a Royal Decree on 06 December 2013. The Ministry of Public Functions is competent to direct and manage all the public functions of the Kingdom of Cambodia. The organization and functioning of the Ministry of Public Functions shall be determined by Sub-Decree.

Royal-Decree No.NS/RKM/1213/017 dated 09 December 2013 on the Establishment of Ministry of Mine and Energy. (L&R/Adm/2013/Khm) (Royal Gazette, Year 13, No.94 dated 23 December 2013)

The industry, mine and energy sector was under the supervision of Ministry of Industry, Mine and Energy. In this 5th mandate, the Royal Government of Cambodia proposed the draft of law on Creation of the Ministry of Mines and Energy, apart from the above mentioned ministry. The bill has been adopted by the Parliaments and promulgated by the Royal Decree date 06 December 2013. The Ministry of Mines and Energy is competent to direct and manage the mines and energy sectors, including petroleum, gas and electricity sectors of the Kingdom of Cambodia. The organization and functioning of the Ministry of Mine and Energy shall be determined by Sub-Decree.

Royal-Decree No.NS/RKM/1213/018 dated 09 December 2013 on the Establishment of Ministry of Industry and Handicraft. (L&R/Adm/2013/Khm) (Royal Gazette, Year 13, No.94 dated 23 December 2013)

The industrial and small and medium enterprises development is targeted as a priority of the Royal Government of Cambodia for this 5th mandate. In this regard, the Royal Government of Cambodia sees the needs of splitting the Ministry of Industry, Mine and Energy into two separate ministries. One of which is the Ministry of Industry and Handicrafts created by the Royal Decree dated 06 December 2013, The Ministry of Industry and Handicrafts is competent to direct and manage the industry and handicraft sectors of the Kingdom of Cambodia. The organization and functioning of the Ministry of Industry and Handicrafts shall be determined by Sub-Decree.

Sub-Decree No. 570 dated 23 December 2013 on the Organization and Functioning of Cambodian Human Rights Committee. (L&R/Adm/2013/Khm) (Royal Gazette, Year 13, No.96 dated 31 December 2013)

On December 23, 2013, the Royal Government of Cambodia ("RGC") issued a sub-decree regarding the organization and the functioning of Cambodian Human Rights Committee ("CHRC"). The roles of the CHRC are defined in Article 3 of the Sub-decree which shall be conducted in collaboration with the Ministry of Foreign Affairs and International Cooperation ("MOFAIC"). CHRC has main duties review the human rights respects and violations in Cambodia, as well as to provide relevant assistance to the RGC in this matter. This Committee will also provide lecturing in the human rights sectors and the legal aid (lawyer) to the poor people.

The Committee creates two departments which are department of administration and complaint, and department of investigation and human rights education (Article 6). Volunteering human rights watch officer has, at each municipality, province, district and commune, the role to facilitate and inspect the human rights enforcement at their locality following the instruction from the Committee (Article 15). The Committee has its own logo and seal indicating "Cambodian Human Rights Committee". Any provision which is in contrary with this Sub-decree shall be considered null and void.

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The laws and regulations in our database are based upon the Official Gazettes, law compendiums and other collections from the ministries and institutions of the Royal Government of Cambodia. These are available to the public through our partner site, www.bnglaw.net.

Custom

Sub-Decree No. 562 dated 11 December 2013 on Modifying the Special Customs Tariff Rate on Some Goods. (L&R/Tax/2013/Khm) (Royal Gazette, Year 13, No.96 dated 31 December 2013)

Under this Sub-Decree, the special customs tariff rate has been increased for some goods as follows:

- Increase from 20% to 30% on 133 kinds of goods as below:-
 - Road Tractors for semi trailer
 - Tractors
 - Motor vehicles for the transport of ten or more, including the driver
 - Motor vehicles for transport of goods
 - Special purpose motor vehicles, other than those principally designed for the transport of persons or goods (Crane lorries, Mobile drilling derricks, Concrete-mixer lorries and other)
- Increase from 45% to 50% on 80 kinds of goods as below:
 - Motor cars and other motor vehicles principally designed for the transport of persons, including station wagons and racing cars. (Cylinder exceed 1000cc)
- Increase from 15% to 25% on 10 kinds of goods as below:
 - Go-karts and other (Cylinder not exceeding 1000cc)
- Increase from 0% to 10% on 03 kinds of goods as below:
 - Line telephone sets with cordless handsets
 - Line telephone cellular networks or for other wireless
 - Other (Hand set)

Immigration& Naturalization

Sub-Decree No. 569 dated 23 December 2013 on Amendment to Article 8 and 10 of Sub-Decree No. 68 dated October 25, 1994 on Passport of Cambodia. (L&R/Imt/2013/Khm) (Royal Gazette, Year 13, No.96 dated 31 December 2013)

The Sub-Decree No. 569 dated 23 December 2013 is to modify article 8 and 10 of the Sub-Decree No. 68 dated 25 October 1994. In the new article 8, the passport is provided to Cambodian citizens of both sexes. However, for those who are under 15 years old, it is required to have a request or written authorization from their parents or guardian, attaching the birth certificate and the family book. Under these amending rules, the validity period of the passport is longer. In accordance with the new article 10, the passport is valid for 5 years for children from 0 to 5 years old and 10 years for any person whose age is from 6 years old.

Due to a noticeable modification, it is a wise idea to make a comparison between the new and old law as following:

Requirements	Sub-Decree No. 68	Sub-Decree No. 569
AGE	Ordinary passport is provided to Cambodian citizens from 18 years old. For those who are under this age, they need to have written authorization from their parents or guardian attached with birth certificate and documents identifying family, along with their application form.	Cambodian citizens who are under 15 years old are required to fulfill such documents to obtain an ordinary passport or simply their parents or guardians request for them. It means that for those who are from 15, there are no such conditions.
DURATION OF VALIDITY	Ordinary passport is valid for 3 years and can be renewed for 2 times. Each time is valid for 2 years.	Ordinary passport is valid for 5 years for children from 0-5 years old and for 10 years for those whose ages are from 6 years old.

Sub-Decree No. 568 dated 23 December 2013 on Providing Normal Passport to Khmer Workers and Students. (L&R/Imt/2013/Khm) (Royal Gazette, Year 13, No.96 dated 31 December 2013)

Under this Sub-Decree, Cambodian workers who go to work abroad legally shall pay the ordinary passport fees like other Cambodian citizens. This ordinary passport fee is waived for Cambodian students receiving scholarship to study abroad—the fee is the charge of the State. However, the Sub-Decree emphasizes that the application for ordinary passports for students receiving scholarship to study abroad shall attach a certification from the Ministry of Education, Youth and Sport. (Passport fee shall be set by a joint-Prakas of the Minister of Interior and the Minister of Economy and Finance)

In addition, the ordinary passports shall be provided to Cambodian workers and students no longer than 20 working days from the date of receiving the application.

Labor & Social Affairs

Prakas No. 317 dated December 31, 2013 on Determination of Minimum Wage for Worker/Employees in the Textile, Garment and Footwear Industries.

By this Prakas, minimum wage will be increased from US\$ 80 to US\$ 100 per month for employees in garment, textile and footwear industries starting from 01 February 2014. This Prakas also creates a Working Group to further study the subject of minimum wage increase in the future. Member composition of this Working Group will be determined at a later date by a Decision.

Instruction No. 001/14 dated 02 January 2014 on the Implementation of Prakas No. 317 dated December 31, 2013 on Determination of Minimum Wage for Worker/Employees in the Textile, Garment and Footwear Industries.

This Instruction clarifies how to implement the Prakas No.317 KB/BRK which touches 6 important areas:

1. During probation period (1 month to 3 months), employees shall receive US\$ 95. After probation, employees shall receive US\$ 100.
2. For piecework employees, wage is based on actual volume/amount of production pieces when/if it is more than US\$ 95 (for probation employees) or US\$ 100 (full-fledged employees); in case it is less than those minimum wage amounts, employers shall increase it to those amounts (US\$ 95 / US\$ 100).
3. Travel and accommodation allowance of US\$ 7 will no longer be provided in case the employer provides transportation means or accommodation facility. As an exception, if a better allowance has been provided, such allowance still applies.
4. Any employee who reports to work regularly, with no absence in each month, shall receive at least US\$ 10 as a reward per month. Any better amount of reward which used to be provided by employer shall continue to apply.
5. For overtime works which are upon request of the employer, employees shall receive KHR 2,000 or one free-of-charge meal.
6. Any employee with more than one-year seniority (more than one-year length of employment) shall receive seniority reward in the amount(s) listed in this Instruction's table.