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EDUCATION YOUTH AND SPORT

Sub Decree No. 148 (RGC) dated 22 October 2015 on Organization and Functioning of Vocational School of Tourism

The royal government of Cambodia has issued a sub-decree on organization and functioning of vocational school of Tourism (“V.S.T”). V.S.T is legal entity which has autonomy properly to educate the vocational of tourism and able to establish a new branch as needed. It is under the guardant of Ministry of Tourism and Ministry of Economy and Finance. Its office is situated at Camkocity area Bayab village Sangkat Phnom Penh Thmey Khan Sen Sok Phnom Penh capital.

V.S.T has 9 members of board which are representation by the ministry as below:

- Ministry of Tourism;
- The Office of Council of Ministers;
- Ministry of Economy and Finance;
- Ministry of Labor and Vocation Training;
- Ministry of Education, Youth and Sport;
- Committee of Tourist Specialist;
- Co-director of tourism working group;
- Representatives of S.V.T ; and
- Representatives of Union Youth Federations of Cambodia (UYFC).

The role principals of S.V.T are

- To educate and train to vocational specialist at tourism, hotel and hotel management;
- To organize study program and technical in Khmer and Foreigner language;
- To provide the certificate and letter certification;
- To communicate with relevant ministry and institution in private sector national and international to support financial purpose etc.

Prakas No. 2429 (MOEYS) dated 30 July 2015 on Creation and Management of Community Learning Center

The Prakas aims to determine required conditions and procedure for the purpose of creating and managing a Community Learning Center under an instruction of the Ministry of Education Youth and Sports.

1. Required Conditions

- a. Physical Infrastructure: an appropriate area in order to the fact that the learners are well acquired knowledge (educational service) for their whole life.
- b. Certain Managing Structure: there are no more than 5 people; they shall ensure a quality, effectiveness and transparency of the education.
- c. Certain Curriculum: it is a non-formal education; courses need to have the main purpose (relevant to skill) and limit time.

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ABOUT US

BNG Legal is a leading law firm with offices in Phnom Penh and Yangon providing comprehensive legal services to foreign and local clients.

We differentiate ourselves by coupling a deep understanding of the local business environment with international professionalism and integrity.

We facilitate business, investment and trade between Cambodia, Myanmar and the rest of the world through innovative and cost-effective legal services.

Superior knowledge of local protocol, local procedure, and local people is necessary for any business to succeed in Cambodia, Myanmar and throughout Southeast Asia.

Conducting daily business in Cambodia and Myanmar, BNG Legal is up-to-date with the latest procedures and requirements, helping clients efficiently and successfully complete any project.

CAMBODIAN LAW BLOG

cambodianlaw.wordpress.com

BNG Legal believes expanding access to legal information is crucial to rule of law. To that end, several of our legal professionals write a blog discussing recent developments in the legal landscape.

LEGAL DATABASE

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.

- d. Target Learner: it is necessary to precisely determine the available learner such as an illiterate or literate person, Infants, Adult, disable person, indigenous people in particular children and women.
 - e. Career: the prospective center shall have as least 3 distinguished skills for instructing the learners.
 - f. Skillful Instructors: they shall have finished a junior high school (grade 9) or have an equivalent credential.
 - g. Materials: it is relevant to syllabus, library, furniture, administrative staff, internal rule.
 - h. Certain Supporting Structure: there are 10 people;
 - i. chief (01 person)
 - ii. deputy chief (01 person)
 - iii. permanent secretary (01 person)
 - iv. member (07 person)
2. Procedure
- a. Prepare requested document (5 copies) through
 - i. Bureau of EYS (district)
 - ii. Governor (district)
 - iii. Department of EYS
 - iv. Governor (Province) in order to the fact that He/She send the related documents to the MEYS for approval
 - b. Related documents
 - i. Request letters
 - ii. Structure
 - iii. Curriculum Vitae
 - iv. Curriculum
 - v. Report (location, material...)
 - vi. Activity Plan
 - vii. Condition of Recruitment of Skillful Instructor

ENVIRONMENT

Sub-Decree No. 139 (RGC) dated 02 October 2015 on Setting the Core Area Prek Toal of the Tonle Sap Biosphere Reserve to be Prek Toal Ramsar Area

Basing on the 1971 Ramsar Convention (formally, the Convention on Wetlands of International Importance, especially as Waterfowl Habitat) ratified by Cambodia in 1996 and in accordance with relevant laws and regulations in force in Cambodia, the Royal Government of Cambodia has adopted a Sub-Decree No 139 which decided to put the Core Area Prek Toal of the Tonle Sap Biosphere Reserve to be Prek Toal Ramsar Area.

Cambodia's Tonle Sap Biosphere Reserve was established by Royal Decree dated 10 April 2001. The Reserve has three Core Areas: Prek Toal (21,342 ha) in Battambang Province and Boeung Chhmar (14,560 ha) and Stung Sen (6,355 ha) in Kampong Thom Province. The Royal Decree specifies that the Core Areas have the status of national park or wildlife sanctuary.

With popularity of existence of rare bird species, the Core Area Prek Toal becomes now the Prek Toal Ramsar Area with the total area 21,342 ha upon this Sub-Decree No. 139. This Sub-Decree also assigns The General Department of Administration for Nature Conservation and Protection (GDANCP) of the Ministry of Environment to be Etat-major in managing, protecting, maintaining this Prek Toal Ramsar Area.

HEALTH AND MEDICINES

Decision No.79 (RGC) dated 01 October 2015 on Modification of Composition of Committee Against Counterfeit Products which Endanger Health and Social Security

This decision lists the names and positions of the committee against counterfeit products which endanger health and social security.

Roles and duties of composition of committee against counterfeit products which endanger health and social security are stated in article 1 of this decision and follow decision No.150 dated 30 October 2014 on the establishment of committee against counterfeit products which endanger health and social security.

PUBLIC LAW

Prakas No. 1058 (MEF) dated 03 September 2015 on the Organization and Functioning of Departments and Entities under the Economic and Financial Institute of the Ministry of Economy and Finance

After upgrading the level of the Economic and Financial Institute (EFI) from department level to a general department level, the Ministry of Economy and Finance has issued Prakas No. 1058 dated 03 September 2015 prescribing the organization and functioning of the department and entities under the EFI.

Upon this Prakas, there are three departments under the EFI:

1. Department of Personnel, Administration and Finance, in charge of three divisions: Division of Budget Planning, Division of Personnel and Administration, Division of Accounting;
2. Department of Training and College, in charge of three divisions: Division of Public Relations, Division of Training and College, Division of Monitoring and Evaluation;
3. Department of Research and Development, in charge of three divisions: Division of Research, Division of Program Development, Division of Information Technology.

Prakas No. 1148 (MEF) dated 15 August 2015 on the Public Service Provided by the General Department of Public Procurement, Ministry of Economy and Finance

This Prakas determines the public service fee, timeframe for private person who wishes to register in the public procurement. Hereunder is a sample of first time registration fees:

First Time Registration	Fee	Time Frame	Validity
Small Size	100,000 RIEL (250USD)	21 WORKING DAY	2 Years
Medium Size	200,000 RIEL (500USD)	21 WORKING DAY	2 Years
Big Size	300,000 RIEL (750USD)	21 WORKING DAY	2 Years

Within the Prakas, there are also service fees for the renewal, change project size etc.

The General Department of Public Procurement will be in charge of publishing this information, and receive any motion of complaint against problems occur during the process of providing the public service.

Decision No. 87 (RGC) dated 04 November 2015 on Concerning the Organization and Functioning on the Senior Teammate for the Economic and the Growth Conversation between Cambodia and United States

This team is created for effective communication concerning the economic competition and the economic growth for the purpose of facilitation, negotiation and the effectiveness of these two states.

The working team has the rules and obligations as follows:

- Participating in mutual negotiation and discussion of the work, technical information and telecommunication, infrastructure,
- Report on the working result to the government
- Perform the work as per government instruction.

The senior working team can invite the representative of the ministry, institutes and the private individual, and the national and international expert or third party to discuss or participate in any mutual cooperation.

TAXATION AND CUSTOMS

Order Letter No.01 (RGC) dated 09 October 2015 for Strengthen the Effectiveness of Prevention and Repression of the Tax Avoidance Activities

This instruction letter is part of the reform of public financial management of government. So far it issued number of Prakas, circulation, notification and instruction. It aims to increase the national income and making fair competitive in the market among the trade businesses.

Here below is the Command/instruction:

1. All law enforcement and national police shall cooperation, communicate and avoid intervention according to below type of the scale of tax avoidance
 - a. Type 1 Large scale: This type 1 tax avoidance shall deal with the inter-ministry committee consist of minister of MEF as chairman and General Director of GDT as deputy. The committee has the right to use the law enforcement force such as military police, national police. It has duty to set up strategy, meeting, reporting to government.
 - b. Type 2 medium scale: This type 2 tax avoidance shall deal with inter-provincial committee consist of provincial governor as chairman and director of provincial tax as deputy. The committee has the right to use the arm force as above and has duty to set up lower level strategy, meeting and report to committee in Type 1.
 - c. Type 3 small/urgent: This type 3 tax avoidance shall deal with site customer officer. It has the right to use the arm force as above with the permission from GDT.

MEF is responsible for budgeting these activities and also allow to propose the incentive at below KHR 100 million, otherwise it has to obtain the approval from government.

TOBACCO AND DRUG CONTROL

Prakas No. 620 (MEF) dated 27 May 2015 on the Creation of Working Group on Taxation on Tobacco Products and Supervision on Illegal Tobacco Products Business

The objective of the creation of this working group is to increase taxes on tobacco products in order to reduce the tobacco consumption and the means to suppress illegal business on tobacco products.

This Prakas mentions the composition of the working group on taxation on tobacco products and supervision on illegal tobacco products business.

The duties of the working group are as follows:

- To study and organize works related to increasing the state budget through tax increase on tobacco products and to reduce the tobacco consumption that affects the health of the population;
- To study and organize works related to protocol on suppression of illegal business on tobacco products;
- To coordinate with international organizations in order to share good practices and to provide technical supports;
- To fix the prioritized topic to discuss and organize the meeting every two months through the request of the leader of the working group;

OUR LIBRARY

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For the benefit of our clients and the general public, we regularly publish timely and succinct guides to major topics in Cambodian law.

- To provide recommendations to Ministry of Economy and Finance related to tax increase and the protocol on suppression of illegal business on tobacco products;

Sub Decree No. 149 (RGC) dated 22 October 2015 on Printing Health Warning Messages in Pictures and in Khmer language on Cigarette Packs

The Sub-Decree intends to protect public health and reduce the tobacco impacts on health, socio-economy and environment. The Sub-Decree will apply to all warning message in Khmer and image on all types of tobacco packs to be distributed, sold or used in Cambodia. The sub-decree requires that the health warning message in image must have size of 50% and in Khmer 5% of the size of the important front and back of the pack or all part of the pack if there is more important part. Furthermore, the warning message in Khmer must be in clearly visible. MoH will issue sample of these warning messages by the Prakas.

The sub-decree also details that any infringement to the provision of the sub-decree will be subject to transactional fines:

- 4 million KHR (approximately 1000USD) for any domestic tobacco producer and any tobacco importers
- 2 million KHR (approximately 500USD) for any distributor and wholesaler
- 10000 KHR (approximately 2.5USD) for any retailer.

After this Sub-Decree came into effect on period of 9 (nine) months, local producer and importer for distribution and selling the tobacco products in the Kingdom of Cambodia shall comply with the Sub-Decree.

