

**Kingdom of Cambodia
Nation Religion King**

Royal Government of Cambodia
No. 87/ANK/BK
October 04, 1999

ANUKRET

on the Organization and Functioning of the Ministry of Social Affairs, Labour, Vocational Training, and Youth Rehabilitation.

- Referring to the 1993 Constitution of the Kingdom of Cambodia;
- Referring to Reach Kret No. NS/RKT/1198/72 of November 30, 1998 on the formation of the Royal Government of Cambodia;
- Referring to Reach Kram No. 02/NS/94 of July 20, 1994 promulgating the Law on the Organization and Functioning of the Council of Ministers;
- Referring to Reach Kram No. NS/RKM/0699/06 of June 22, 1999 promulgating the Law on the Establishment of the Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation;
- Referring to Anukret No. 20/ANK/BK of April 13, 1996 on the Organization and Functioning of Ministries and State Secretariats;
- Pursuant to the approval by the Council of Ministers at the plenary session on August 6, 1999.

IT IS HEREBY DECIDED

**CHAPTER I
General Provisions**

Article 1:

This Anukret shall determine the organization of various entities under the Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation and define the ministerial missions and functions of different general departments and departments.

**CHAPTER II
Missions and Organizational Structure**

Article 2:

The Ministry of Social Affairs, Labour, Vocational Training, and Youth Rehabilitation is mandated by the Royal Government to lead and govern the field of social affairs, labour, vocational training, and youth rehabilitation in the Kingdom of Cambodia.

Article 3:

The Ministry of Social Affairs, Labour, Vocational Training, and Youth Rehabilitation shall have the following functions and responsibilities:

(a) Social Affairs:

- To lead and govern the social services of the state and the civil society to prepare citizens against disasters and organize social solidarity activities to help vulnerable groups, such as helpless elderly, handicapped, orphans, homeless, street children, drug addicted children, prostitutes, persons with dangerous transmittable diseases, etc;
- To assist the most socially disadvantageous groups, vagabonds;
- To take legal measures in cooperation with the relevant institutions to monitor and prevent prostitution and human trafficking;
- To assist victims of disasters, including natural disasters, war, and other emergencies;
- To administer a pension regime for the civil service as stipulated under the Law on the General Statutes of Civil Servants of the Kingdom of Cambodia;
- To administer social insurance scheme for orphans of deceased civil servants;

- To prepare laws and regulations relating to overseas adoption;
- To take care of, protect, and educate orphans;
- To protect children from sexual abuses and other types of children trafficking;
- To prepare support policy and to implement physical and vocational rehabilitation programs for the handicapped.

(b) Labour Affairs:

- To enforce the Labor Law to ensure the improvement of the occupational safety, health, security, and working conditions in factories/enterprises;
- To inspect factories/enterprises as required by the provisions of the labour administration;
- To monitor labour law enforcement and provisions related to working formalities, working conditions, occupational safety, and protection of workers/employees welfare;
- To protect and facilitate the relations between various worker/employee organizations and employer associations at the factories/enterprises;
- To conduct dispute resolution proceedings for collective and individual labor disputes based on legal principles and as a mediator;
- To study and prepare national employment policies in order to assess the needs of labour market, rate of unemployment and under-employment within the country;
- To regulate the use of Cambodian labour force both domestically and abroad and to regulate foreign manpower working in Cambodia;
- To prepare and implement social security legislation for workers, employees, and operate a national social security fund.

(c) Vocational Training Affairs:

- To develop a national employment policy based on the vocational training policy and assist in skills improvement for workers, employees, and citizens, in particular those in the disadvantaged groups to have jobs, skills, and assist enterprises to get qualified manual workers;
- To assist the national training committee with the preparation of national policy on vocational training;
- To organize and manage training centers associated with the labor market;
- To cooperate with the Ministry of Education, Youth and Sports in designing a government policy, criteria, and allocation of responsibilities between the two ministries for the management of training centers which shall be determined under a separate Anukret;
- To cooperate and coordinate with non-governmental organizations to promote vocational training;
- To cooperate with companies, factories, and enterprises to improve and emphasize vocational training;
- To cooperate with the Ministry of Interior to organize skills training for inmates;
- To organize and control testing for various occupation, and grant or withhold occupational certificates based on the test results;
- To prepare standard model occupations in cooperation with the Ministry of Education, Youth and Sports to meet the requirements of the local, regional, and worldwide labour market;
- To administer apprenticeship training programs and apprenticeship fund as provided for under the Labor Law.

(d) Youth Rehabilitation Affairs:

- To administer delinquent minors between 7 to below 18 years of age who have committed offenses in the country and rehabilitate, develop, and educate them to be good citizens in the future;
- To establish, when necessary, rehabilitation centers for delinquent children and minors and provide care, counseling, and training;
- To cooperate with the relevant ministries/institutions, international organizations, non-governmental organizations to develop counseling programs for minors to be moral and law abiding citizens; and
- To prepare laws and regulations related to the administration of youth rehabilitation.

Article 4:

The Ministry of Social Affairs, Labour, Vocational Training, and Youth Rehabilitation shall have the following organizational structure:

- The Cabinet of the Minister;
- The Department of General Inspection;
- The General Department of Administration and Finance;
- The General Department of Social Affairs and Youth Rehabilitation;
- The General Department of Labour and Vocational Training;

- The local administration; and
- The subordinate public institution called "national social security fund".

The organizational chart of the Ministry of Social Affairs, Labour, Vocational Training, and Youth Rehabilitation is attached as an annex to this Anukret.

CHAPTER III

The Cabinet of the Minister

Article 5:

The cabinet of Minister shall be in charge of implementing the tasks as stipulated under the provisions of Anukret No. 20 ANK/BK of April 30, 1996 on the Organization and Functioning of Ministries and State Secretariats as referred to the above preamble.

CHAPTER IV

The Department of General Inspection

Article 6:

The Department of General Inspection of the Ministry of Social Affairs, Labour, Vocational Training, Youth Rehabilitation shall have the following functions:

- To regularly inspect all subordinated entities of the ministry;
- To review, arrange and settle administrative disputes related to the competence and activities of the officials and agents of the ministry;
- To report to the Minister on the functioning of the inspected entities and suggest measures to improve the functioning of these entities; and
- To perform other functions assigned by the ministry.

The Department of General Inspection shall be administered by one general director and a number of deputy directors when necessary.

CHAPTER V

The General Department of Administration and Finance

Article 7:

The General Department of Administration and Finance shall have the following functions:

- To coordinate at the central and local levels activities of the ministry in matters related to the budget, finance, accounting, administration and personnel;
- To prepare financial planning of the ministry;
- To evaluate, facilitate, promote or encourage entities or individuals under the supervision of the ministry;
- To administer the general discipline of personnel and entities under the supervision of the ministry;
- To manage human resource development policy of the ministry;
- To conduct public relations and disseminate ministerial information both domestically and externally;

The General Department of Administration and Finance shall be administered by one general director and a number of deputy directors when necessary.

The General Department of Administration and Finance shall have the following departments:

1. The Department of Administration and Personnel;
2. The Department of Finance and Logistics;
3. The Department of Planning, Statistics, and Assessment;
4. The Department of International Cooperation and Aid.

Article 8:

The Department of Administration and Personnel shall have the following functions:

(a) Administration function:

- To coordinate all ministerial activities at the central level and intra-central level and local entities in collaboration with other general departments of the ministry;
- To administer and circulate administrative documents of the ministry;

- To ensure efficiency and administrative safety and administer social affairs of the ministry; and
- To prepare reports and minutes of activities of senior ministerial officials.

(b) Personnel function:

- To administer administrative works of officials and agents of the ministry in cooperation with the State Secretariat of Civil Services;
- To prepare administrative letters related to career management of personnel in the ministry;
- To formulate a program of expert posting and human resources of the ministry;
- To conduct need assessment of personnel training;
- To develop and implement initial and continuing staff development policy in cooperation with the State Secretariat of Civil Services;
- To prepare personnel management statistics and operational data;
- To evaluate, facilitate, promote, or encourage entities or individuals under the supervision of the Ministry;
- To prepare remunerations, incentives, and social welfare allowances; and
- To perform other functions as assigned by the ministry.

The Department of Administration and Personnel shall be administered by one general director and a number of deputy directors when necessary.

Article 9:

The Department of Planning, Statistics, and Assessment shall have the following functions:

(a) Planning and statistics functions:

- To prepare statistics of targeted tasks under the responsibility of the ministry;
- To study, collect data, formulate plans of action, and design workplans of the ministry;
- To evaluate the number and quality of the administration of social affairs, labour, vocational training, and youth rehabilitation;
- To study past statistics and future trends regarding social affairs, labour, vocational training, and youth rehabilitation.

(b) Assessment function:

- To prepare an assessment report on activities and achievements on a weekly, monthly, quarterly, semiannual and annual basis;
- To cooperate with other departments to prepare instructions, circulars, and other regulations of the Ministry;
- To advise and administer reporting procedures of the subordinated entities and provincial/municipal entities;
- To conduct field visits to provinces/municipalities to assess and collect information related to the targeted tasks; and
- To perform other functions as assigned by the ministry.

The department of planning, statistics, and assessment shall be administered by one general director and a number of deputy directors when necessary.

Article 10:

The Department of Finance and Procurement shall have the following functions:

(a) Accounting and finance functions:

- To prepare budget of the ministry and monitor its operations;
- To properly collect revenues and transfer to the state budget in accordance with the financial law;
- To consolidate and adjust budget chapters;
- To monitor the special account management;
- To consolidate and administer expenditures of the ministry;
- To manage the account payable for public procurement;
- To cooperate with the financial inspection unit in the inspection of the revenues and expenditures of the ministry.

(b) Procurement function:

- To assess the needs and prepare expenditure schedules, and administer the materials and equipment maintenance for the ministry;
- To administer movable and immovable properties, stocks, and prepare an inventory list of assets ;
- To administer garages and state vehicles of the ministry and prepare expenditure schedules, fuel allocations and spare parts;
- To receive and distribute equipment to the provincial/municipal entities;
- To keep invoice books and accounting figures;
- To computerize financial activities and account payables;
- To control public procurement transactions; and
- To perform other functions as assigned by the ministry.

The Department of Finance and Procurement shall be administered by one general director and a number of deputy directors when necessary.

Article 11:

The Department of International Cooperation and Aid shall have the following functions:

- To establish relations with local and international non-governmental organizations in order to engage them in the activities of the ministry;
- To prepare cooperation programs, memorandum of agreements with organizations and arrange meetings between the senior ministerial officials and foreign visitors;
- To monitor and assess activities of non-governmental organizations and international organizations which have signed of the protocols of cooperation with the ministry and report on their activities and request for an approval to modify or terminate any agreement which is not properly performed;
- To prepare documentation and correspondence in order to facilitate the cooperation and collaboration between the ministry and organizations which will sign on the protocols or agreements with the ministry;
- To administer and monitor the utilization of aid from various organizations;
- To administer all matters related to the functions of the ministry with ASEAN countries;
- To facilitate the processing of documentation such as passports and visas for officials of the ministry assigned on official missions abroad;
- To keep up to date the evolution of the ministry, relevant institutions, countries in the region, and the world and disseminate this information to the entities concerned; and
- To perform other functions as assigned by the ministry.

The Department of International Cooperation and Aid shall be administered by one general director and a number of deputy directors when necessary.

CHAPTER VI

The General Department of Social Affairs and Youth Rehabilitation

Article 12:

The General Department of Social Affairs and Youth Rehabilitation shall act as the focal point of the ministry on matters related to the coordination, facilitation, and administration of social welfare, children welfare, manpower regeneration and youth rehabilitation.

The Department of Social Affairs and Youth Rehabilitation consists of five departments:

- 1) The Department of Social Welfare;
- 2) The Department of Children Welfare;
- 3) The Department of Manpower Regeneration;
- 4) The Department of Youth Rehabilitation Development; and
- 5) The Department of Youth Rehabilitation Management.

Article 13:

The Department of Social Welfare shall have the following functions:

- To assist the most disadvantageous group in the society, vagabonds, helpless elderly, handicapped, and homeless;
- To take legal measures in cooperation with the relevant institutions to monitor and prevent prostitution and human trafficking;
- To assist victims of disasters, including natural disasters, war, and other emergencies;

- To administer a pension regime for the civil service as stipulated under the Law on the General Statutes of Civil Servants of the Kingdom of Cambodia;
- To administer social insurance scheme for orphans of deceased civil servants;
- To perform other functions as assigned by the ministry.

The Department of Social Affairs shall be administered by one director and a number of deputy directors when necessary.

Article 14:

The Department of Children Welfare shall have the following functions:

- To take care of, protect, and educate orphans to be good citizens in the society;
- To organize and administer orphanages and baby rescue centers for abandoned babies;
- To rescue children from physical abuses, trafficking, and sexual abuses;
- To administer domestic and oversea adoption in cooperation with other relevant ministries;
- To execute the government policy regarding children under international conventions and treaties in which the Kingdom of Cambodia is a signatory; and
- To perform other functions as assigned by the ministry.

The Department of Children Welfare shall be administered by one director and a number of deputy directors when necessary.

Article 15:

The Department of Manpower Regeneration shall have the following functions:

- To administer works related to manpower regeneration and re-integration of handicapped into the society;
- To provide physical therapy treatment to all handicapped;
- To manage the production and provision of artificial limbs to handicapped;
- To provide counseling and training to handicapped;
- To create employment and develop living sustainance for handicapped at the community level;
- To prepare, draft, and enforce the public policy and laws regarding the handicapped;
- To organize cultural, artistic, and sports activities of Cambodian handicapped;
- To perform other functions as assigned by the ministry.

The Department of Manpower Regeneration shall be administered by one director and a number of deputy directors when necessary.

Article 16:

The Department of Youth Rehabilitation Development shall have the following functions:

- To develop education programs and trainings, prepare newsletters and libraries for vulnerable children and juvenile counseling center;
- To analyse and assess the socio-psychological behavior of children and juveniles under custody at the center;
- To improve human resources specialization in vulnerable children and juvenile;
- To prepare laws and regulations pertaining to the administration of youth rehabilitation;
- To cooperate with relevant institutions in order to seek preventive measures of children offenses;
- To monitor, administer, and seek measures to assist children released from the correction center from committing new offenses; and
- To perform other functions as assigned by the ministry.

The Department of Youth Rehabilitation Development shall be administered by one director and a number of deputy directors when necessary.

Article 17:

The Department of Youth Rehabilitation Management shall have the following functions:

- To establish counseling center for vulnerable children and juvenile in the region, province and municipality in proportion with the rate of increase of offenses;
- To assemble children and juvenile under 18 years of age who have committed offenses and crimes, who are addicted to drug, and provide them care and counseling, and trace for their family or guardians;
- To formulate principles, regulations and bylaws for each center;
- To form a disciplinary council, at each center, in order to assess the evolution of the children and juvenile;

- To analyse, document, study the cause of the juvenile's offenses, to build a file and propose solutions;
- To attend in judicial hearings related to the juvenile offender;
- To conduct psychological activities, organize field trips, shows, and various fund raising activities for youth rehabilitation services;
- To perform other functions as assigned by the ministry.

The Department of Youth Rehabilitation Management shall be administered by one director and a number of deputy directors when necessary.

CHAPTER VII

The General Department of Labor and Vocational Training

Article 18:

The General Department of Labor and Vocational Training shall act as the focal point of the ministry on matters related to the coordination, facilitation, and administration labor inspection, employment and manpower, occupational health safety, social welfare, and vocational training.

The General Department of Labor and Vocational Training shall be headed by one general director and a number of deputy directors if necessary.

The General Department of Labor and Vocational Training consists of six departments:

- 1) The Department of Labour Inspection;
- 2) The Department of Employment and Manpower;
- 3) The Department of Occupational Health Safety;
- 4) The Department of Social Welfare;
- 5) The Department of Vocational Training; and
- 6) The Department of Vocational Skills and Labour Markets.

Article 19:

The Department of Labour Inspection shall have the following functions:

- To prepare and implement legal provisions and regulations related to working conditions and protection of workers and employees in their workplace;
- To effectively strengthen the implementation of the labour law and international conventions regarding labour and union rights in order to ensure the rights and interests of workers, employees, and employers;
- To appoint and supervise agents conducting field labour inspection at the enterprises and administer labour inspection activities for the purpose of enforcing labor laws and regulations in these enterprises through the issuance of notifications, guidances, or when needed through interventions to prevent violations which have been observed;
- To protect unions representing the workers and employees at the enterprises;
- To put in place procedures for resolving the labour disputes;
- To monitor and encourage collective bargaining agreements and social harmony and inspect and register the conventions;
- To assume the secretarial tasks of the Labour Advisory Committee and organize their works; and
- To perform other functions as assigned by the ministry.

The Department of Labour Inspection shall be administered by one director and a number of deputy directors when necessary.

Article 20:

The Department of Employment and Manpower shall have the following functions:

- To study and propose measures for labour development and protection; to prepare legal procedures, implement and monitor these measures;
- To establish employment office, survey the needs, and review employment applications;
- To prepare labour statistics in cooperation with the Department of Planning and Statistics;
- To prepare rules and regulations related to working conditions of foreign workers in consultation with various departments within the ministry or other relevant ministries/institutions, and to issue and revoke foreigners work permits;
- To organize and administer the dispatch of Cambodian workers abroad; and
- To perform other functions as assigned by the ministry.

The Department of Employment and Manpower shall be administered by one director and a number of deputy directors when necessary.

Article 21:

The Department of Occupational Health Safety shall have the following functions:

- To prepare labour rules and regulations regarding the protection of workers against occupational risks including workers and employees' occupational safety in cooperation with the Department of Labour Inspection;
- To establish close collaboration with the Department of Labour Inspection to implement the laws and regulations related to occupational hygiene and workers and employees' occupational safety;
- To conduct regular evaluation of occupational health clinics and labor doctors at the enterprises;
- To encourage, coordinate and monitor the activities of the labour clinic inspector who oversee the permanent protection of workers/employees occupational health at the workplace;
- To promote and provide financial support for medical study related to occupational health; and
- To perform other functions as assigned by the ministry.

The Department of Occupational Health Safety shall be administered by one director and a number of deputy directors when necessary.

Article 22:

The Department of Social Welfare shall have the following functions:

- To prepare and implement regulations aimed at protecting the workers/employees and their families against social risks which may lead to a loss or reduction of their work ability and assist workers/employees to support their families;
- To prepare guidelines regarding workers/employees insurance, maternity, mortality, disability, and old age as well as prepare regulations on on-the-job injuries and occupational sicknesses, and family benefits;
- To be in charge of monitoring the implementation of legal provisions and regulations and to act as patron for existing organizations to ensure the implementation of such measures; and
- To perform other functions as assigned by the ministry.

The Department of Social Welfare shall be administered by one director and a number of deputy directors when necessary.

Article 23:

The Department of Vocational Training shall have the following functions:

- To prepare training curricula for vocational training center and school;
- To collect data on the labour market needs in order to adjust the training with the labour markets;
- To organize final training examinations and issue completion certificates;
- To coordinate and review training programs of vocational training centers and schools;
- To organize training and enhance trainers capability inside and outside Cambodia;
- To train Cambodian workers who will be working in a foreign country to meet with the needs of international labour markets;
- To administer the vocational training centers and schools of the ministry; and
- To perform other functions as assigned by the ministry.

The Department of Vocational Training shall be administered by one director and a number of deputy directors when necessary.

Article 24:

The Department of Vocational Skills and Labour Markets shall have the following functions:

- To prepare and propose strategic plan, long-term and annual vocational training programs, and career orientation program;
- To coordinate vocational training programs to meet the demands of the labour markets and initiate new employment opportunities;
- To research on employment standards and coordinate Cambodian training programs with those of other countries;
- To monitor and provide guidance to private vocational training centers and schools, international and non-governmental organizations under the jurisdiction of the ministry;

- To assess the employment needs and disseminate labour market information, to study the unmet demands of the labour market which require additional vocational training;
- To research on the number of vocational occupations, and to formulate technical career specifications for skills development;
- To organize information network, provide consultations to vocational graduates for career placement or return to work at their communities;
- To prepare legal procedures regarding the obligation for apprenticeship training, monitoring of apprenticeship training, and funds for apprenticeship training under the labor law; and
- To perform other functions as assigned by the ministry.

The Department of Vocational Skills and Labour Markets shall be administered by one director and a number of deputy directors when necessary.

CHAPTER VIII

Local Entity

Article 25:

There shall be a provincial/municipal office of social affairs, labour, vocational training, and youth rehabilitation in each province and municipality which shall be responsible for the discharge and coordination of activities of the ministry.

There shall be a district/khan office of social affairs, labour, vocational training, and youth rehabilitation at each district and khan which shall be responsible for the discharge and coordination of provincial activities.

CHAPTER IX

Subordinated Public Institutions

Article 26:

The National Social Security Fund shall be a public institution which has its own legal personality and financial autonomy. It is in charge of the administration and provision of social protection for workers/employees are provided for under the Labour Law.

The organization and functioning of this public institution shall be determined by a separate Anukret.

CHAPTER X

Financial Inspection Unit

Article 27:

The Financial Inspection Unit was established by the Ministry of Economy and Finance under the requirements of Anukret No. 81 of November 16, 1995 on the Establishment of a Financial Inspection Unit on Ministry Budget Expenditures.

CHAPTER XI

Final Provisions

Article 28:

The organization and functioning of the ministry at the central administration from the level below the department and at the provincial, city, khan, and district levels shall be determined by Prakas of the Ministry of Social Affairs, Labour, Vocational Training, and Youth Rehabilitation.

Article 29:

For all responsibilities relevant to the competence of other institutions, the Minister of Social Affairs, Labour, Vocational Training, and Youth Rehabilitation and the head of those institutions shall cooperate to allocate and perform their responsibilities through a joint Prakas.

Article 30:

The Anukret No. 56 ANK/BK of September 23, 1997 on the Organization and Functioning of the Ministry of Social Affairs, Labour, and Veteran Affairs and any provisions which are contrary to this Anukret shall be abrogated.

Article 31:

The Minister in charge of the Council of Ministers, the Minister of Social Affairs, Labour, Vocational Training, and Youth Rehabilitation, ministers and state secretaries of relevant ministries/institutions shall be responsible for the enforcement of this Anukret in accordance with their respective responsibility from the date of its signature.

Phnom Penh, October 4, 1999
Prime Minister

Signature and Seal
Hun Sen

Have submitted to
Samdech Prime Minister

Minister of Social Affairs, Labour, Vocational Training,
and Youth Rehabilitation

Signature
Ith Sam Heng

Annex to this Anukret No. 87/ANK/BK of October 04, 1999

Organizational Chart of the Ministry of Social Affairs, Labour, Vocational Training, and Youth Rehabilitation

Minister

Secretaries of State

Cabinet

Under Secretaries of State

General Department of Administration and Finance	General Department of Social Affairs and Youth Rehabilitation	General Department of Labour and Vocational Training	Department of General Inspection
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Department of Administration and Personnel	Department of Social Welfare	Department of Labour Inspection	Financial Inspection Unit
Department of Finance and Logistics	Department of Children Welfare	Department of Employment and Manpower	
Department of Planning, Statistics, and Assessment	Department of Manpower Regeneration	Department of Occupational Health Safety	
Department of International Cooperation and Aid.	Department of Youth Rehabilitation Development	Department of Social Welfare	
	Department of Youth Rehabilitation Management	Department of Vocational Training	
		Department of Vocational Skills and Labour Markets.	

provincial/municipal office of social affairs, labour, vocational training, and youth rehabilitation

district/khan office of social affairs, labour, vocational training, and youth rehabilitation