

Ministry of Labour and Vocational Training
No. 021 MoLVT/PK

Phnom Penh, 15 February 2006

PRAKAS
ON
REGISTRATION OF PROFESSIONAL ORGANIZATION

Minister of Labour and Vocational Training

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen the Royal Decree NS/RKT/0704/124 dated 15 July 2004 on the Appointment of the Royal Government of the Kingdom of Cambodia;
- Having seen the Royal Kram 02/NS/94 dated 20 July 1994 promulgating the Law on Organization and Functioning of the Council of Ministers;
- Having seen the Royal Kram CS/RKM/0397/01 dated 13 March 1997 promulgating the Labour Law;
- Having seen the Royal Kram NS/RKM/0105/003 dated 17 January 2005 promulgating the Law on the Establishment of the Ministry of Labour and Vocational Training;
- Having seen the Sub-Decree 52/ANK/BK dated 1 April 2005 on the Organization and Functioning of the Ministry of Labour and Vocational Training;

DECIDES

Clause 1: In order for a professional organization to enjoy the rights and benefits provided for by the Labour Law, founders of the professional organization shall submit the statute and the name list of individuals who are responsible for the management and administrative work to the Ministry of Labour and Vocational Training for registration.

Clause 2: Application forms are as follow:

- 1- Registration Form with signatures and names of the founders of the professional organization.1 copy;
- 2- Original Statute of the professional organization.2 copies;
- 3- Name list of individuals responsible for the management and administrative work specifying gender, nationality, year of birth, education, profession, former profession or career and address. Individual who is responsible for the management and administrative work and who is Cambodian national shall attach his or her "Personal Clarification" with the date and signature or thumb-print claiming that he or she has never

committed any crime. The clarification shall not be valid after three-month starting from the date of its receipt. The Ministry of Labour and Vocational Training will issue a formal letter to the police to certify that the above individuals have never been convicted. In case the police formally certify that the individuals had been convicted, the professional organization shall nominate new replacements by repeating the above procedures.

Individual who is responsible for the management and administrative work and who is not a Cambodian national shall attach original or certified copy of his or her valid permanent resident in accordance to the Immigration Law of the Kingdom of Cambodia;

4- Minute of the establishment of the professional organization. 1 copy.

The above registration forms shall be sent to the Department of Labour Disputes of the Ministry of Labour and Vocational Training at No. 28, Samdech Preah Thoam Likhit Ouk "Street 184", Sangkat Chey Chumnas, Khan Daun Penh of Phnom Penh.

Clause 3: Professional organization shall submit its statute and name list of individuals who are responsible for the management and administrative work to the local Office of Labour and Vocational Training and copy and send it to the Council of Ministers, the Ministry of Justice and the Ministry of Interior.

Clause 4: Any amendment to the statute or change of the management of the professional organization as well as the termination of the professional organization shall be reported to the Ministry of Labour and Vocational Training and other institutions as stated in Article 3 within 30 days after the change or the termination of the professional organization was made.

Clause 5: To help ease with the inspection work, statute shall be stated as clearly as possible and should include the points as follows:

- 1- Name of professional organization;
- 2- Head office of professional organization;
- 3- Goals of professional organization;
- 4- Requirements for membership and dismissal;
- 5- Election and dismissal procedures for individual who is responsible for the management and administrative work and committee. Election term and term renewal of professional organization;

- 6- Clandestine voting procedures to decide to strike or lock out;
- 7- Periodicity of the convention and discussion procedures;
- 8- Rate of first contribution and how to pay the following contribution;
- 9- Accounting management procedures;
- 10- Statute amendment procedures;
- 11- Professional organization termination procedures and collective property-sharing procedures;

The above-mentioned eleven points are only intended to provide guides to the writer of the profession organization's statute. Professional organization is free to write its statute unless it contradicts to the Law or the public order.

Clause 6: All professional organization confederations shall also complete the registration form as stated in Clause 2 of this Prakas in the condition that those confederations shall provide the names and head offices of their union members.

Professional organization confederations shall also comply with the provisions of Clause 3 of this Prakas.

Clause 7: Prakas of the Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation No. 221 SALVY dated 18 July 2000 and No. 277 SALVY dated 11 October 2000 shall be deemed null and void.

Clause 8: This Prakas comes into effect on the date of its signature.

Minister

Ministry of Labour and Vocational Training
Signature and Stamp

Nhep Bunchen