

KINGDOM OF CAMBODIA
NATION RELIGION KING

Royal Government of Cambodia
No: 291 ANKr. BK

Sub-decree
on
Identification of Poor Households

The Royal Government

- Having seen the Constitution of the Kingdom of Cambodia
- Having seen the Royal Decree No. NS/RKT/0908/1055 on the appointment of the Royal Government of Cambodia, dated 25 September 2008
- Having seen the Royal Code No. 02/NS/94/ dated 20 July 1994 promulgating the law on the preparation and functioning of the Council of Ministers
- Having seen the Royal Code No. NS/RKM/0196/11 promulgating the Law on the Establishment of the Ministry of Planning , dated 24 January 1996
- Having seen the Royal Code No. NS/RKM/0505/015 promulgating the Law on Statistics, dated 09 May 2005
- Having seen the Sub-decree No. 55 ANKr. BK on the preparation and functioning of the Ministry of Planning, dated 23 September 1997
- Agreed by the Council of Ministers during the plenary meeting on 9 December 2011

Hereby Decides

Chapter 1
General Provisions

Article 1:

This sub-decree is for the purpose of managing implementation of identification of poor households and the utilisation of poor household data in the Kingdom of Cambodia.

Article 2:

This sub-decree aims to regulate identification of poor households, in order to provide data to be utilised in poverty reduction activities.

Article 3:

This sub-decree is applicable in the Kingdom of Cambodia.

Article 4:

The key terms used in this sub-decree are defined below :

- **Identification of Poor Households** refers to the determination of poor households, their level of poverty, and area poverty rates.
- **The Procedures for Identification of Poor Households** refer to the official procedures of the Ministry of Planning to search for and identify poor households.
- **Poverty Classification** refers to the classification of poverty as Poverty Level 1 and Poverty Level 2.
- **List of Poor Households** refers to the list of Level 1 and Level 2 poor households in a village, endorsed by the commune/sangkat chief, following a decision by the commune/sangkat council, based on the results of implementation of the procedures for identification of poor households.
- **Database of Poor Households** refers to the computer software program for managing poor household data, including entry, compilation, maintenance, generation and storage of data collected through the procedures for identification of poor households.
- **Poor Household Information** refers to reports generated from the Database of Poor Households.
- **Rural Village** refers to any village where the percentage of households whose occupation is based on agriculture is 50% or more.
- **Urban Village** refers to any village that is not rural.

Chapter 2

Managing Institution

Article 5:

The Ministry of Planning is the competent ministry entrusted with managing the process of implementation of the Procedures for Identification of Poor Households in the Kingdom of Cambodia, and updating poor household data and information every three years.

Article 6:

Relevant ministries and institutions at national and sub-national levels must cooperate with the Ministry of Planning to facilitate and implement identification of poor households.

Article 7:

The Ministry of Planning is tasked with coordinating and monitoring implementation of identification of poor households, and providing technical guidance to relevant government institutions, non-governmental organisations and local communities taking part in identification of poor households.

Article 8:

The Ministry of Planning must disseminate information to relevant government ministries/institutions, non-governmental organisations and local communities about the areas where identification of poor households has been implemented, and the planned areas for such implementation.

Article 9:

In the event that a request is made to implement the identification of poor households in any area by relevant government ministries/institutions, non-governmental organisations and local communities, the Ministry of Planning may allow the implementation of identification of poor households in that area following the Procedures for Identification of Poor Households. The Ministry of Planning must make a decision within no longer than 4 weeks of receiving the letter of request. Data collected by any relevant government ministry/institutions, non-governmental organisations and local communities must be provided to the Ministry of Planning for it to manage.

Relevant government ministries/institutions, non-governmental organisations and local communities may not identify poor households in areas where valid official data on poor households is available, or in areas where the Procedures for Identification of Poor Households are currently being implemented or are planned to be implemented.

Article 10:

In the event that any relevant government ministries/institutions, non-governmental organisations and local communities need to collect other additional data on poor households for poverty reduction activities, and such data is not in the identification of poor households questionnaire of the Ministry of Planning, those government ministries/institutions, non-governmental organisations and local communities must request written permission from the Ministry of Planning. The Ministry of Planning must make a decision within no longer than 4 weeks of receiving the letter of request.

Chapter 3 Procedures and Criteria

Article 11:

Identification of poor households in the Kingdom of Cambodia must follow the Procedures for Identification of Poor Households of the Ministry of Planning. For rural and urban villages, different procedures for identification of poor households must be used according to the guidelines of the Ministry of Planning.

The Procedures for Identification of Poor Households shall be determined by a Prakas of the Ministry of Planning.

Article 12:

To ensure transparency in the implementation of the identification of poor households and accuracy of poor household data, the Procedures for Identification of Poor Households must comply with the key principles below:

- A. Must be implemented by the Ministry of Planning, with the involvement of relevant ministries and institutions, sub-national administrations and Village Representative Groups.

- B. Village Representative Groups, responsible for implementing identification of poor households, must be selected by villagers in accordance with democratic principles.
- C. Households must be interviewed using a questionnaire that has the same criteria as stipulated in the Procedures for Identification of Poor Households, in order to identify poor households in an equitable manner and obtain data that is comparable among different households and regions.
- D. Classification of household poverty must be done by means of totalling scores based on responses obtained from interviews, and through discussion of the actual situation of each household.
- E. People in each village must be given sufficient opportunity to take part in making comments and suggestions on the Draft List of Poor Households, based on their understanding of the actual situations of households living in the village.
- F. Only Village Representative Groups are entitled to decide on the composition of the Final Draft List of Poor Households.
- G. The Final List of Poor Households must be officially endorsed by the commune/sangkat chief, following a decision by the commune/sangkat council.

Article 13:

Identification of poor households must be based on interviewing households using the questionnaire prepared by the Ministry of Planning. The questionnaire must include a number of poverty indicators, as follows:

- Housing condition, which includes roof, wall, area, house quality (and specification of whether it is the household's property or is rented).
- Size of legally owned residential land and productive agricultural land.
- Main source of income from growing crops or fishing, or other activities.
- Animal raising (such as raising fish for sale).
- Ability to meet food requirements.
- Number of household members unable to earn an income, relative to the total number of household members.
- Material goods and equipment.
- Means of transportation.
- Unexpected problems or serious crises which cause the households to lose income, experience food shortages, sell property, or go into debt.
- Number of children aged 6 to 11 years who missed school, and the reasons.
- Situations which cause deterioration of the household's living conditions, such as the head of household (husband or wife) suffering from serious disability or chronic disease, households consisting exclusively of elderly members, households with orphans living with them, female-headed households with many young children, or households with no members with the capacity to work.
- Situations which improve the household's living conditions, such as assistance from relatives or other income sources.

Revision and re-dissemination of the questionnaire must be determined by Prakas issued by the Minister of Planning.

Chapter 4

Management and Use of Poor household data

Article 14:

The Ministry of Planning is the competent ministry entrusted with managing poor household data obtained as a result of the implementation of the Procedures for Identification of Poor Households, and the national Database of Poor Households.

Article 15:

The Ministry of Planning is tasked to manage the entry, consolidation, processing, analysing, compilation, publication and dissemination of all poor household data collected via the Procedures for Identification of Poor Households.

The Ministry of Planning is the only institution entitled to disseminate and distribute data in the first instance from the Database of Poor Households.

Article 16:

Relevant government ministries/institutions, non-governmental organisations and local communities are eligible to access and utilise data from the Ministry of Planning's national Database of Poor Households. All use and further distribution of poor household data, whether in part or in its entirety, must be carried out free of charge, and only be for the purpose of reducing poverty and in the public interest.

Article 17:

Relevant government ministries/institutions, non-governmental organisations and local communities which intend to provide services or assistance to poor households or individuals, including any appropriate emergency interventions, must primarily use valid national poor household data.

Article 18:

Poor household data of a given village shall remain valid until the Ministry of Planning disseminates new updated data. In the event that the data of a given village has not been updated, the data shall be valid for a period of 4 years after endorsement of the List of Poor Households by the commune/sangkat chief, following a decision by the commune/sangkat council.

Chapter 5

Funding

Article 19:

Funding for the process of identifying poor households is obtained from the portion of the national budget allocated to the Ministry of Planning, and from development partners and other sources.

Chapter 6

Administrative Measures

Article 20:

In the event that any relevant government ministries/institutions, non-governmental organisations and local communities conduct activities in violation of any provision of this sub-decree, the Ministry of Planning is entitled to order the cessation of these activities immediately, and if necessary, the Ministry may refuse to recognise the information and data obtained from the implementation of those activities.

Article 21:

Any person who falsifies data obtained through implementation of identification of poor households will be held legally responsible in respect of the laws in force.

Chapter 7

Final Provisions

Article 22:

Any provision contradicting this sub-decree will be abrogated.

Article 23:

The Minister in charge of the Council of Ministers, the Minister of Economy and Finance, the Minister of Planning, the Minister of Interior, Ministers, Secretary of State of all relevant ministries/institutions must accept the responsibility for implementing this sub-decree from the date of its signature.

Phnom Penh, Date: 27 December 2011

Prime Minister

Samdech Akka Moha Sena Padei Techo **Hun Sen**

Recipients:

- Ministry of the Royal Palace
- Secretariat-General of the Constitutional Council
- Secretariat-General of the Senate
- Secretariat-General of the National Assembly
- Secretary-General of the Royal Government
- Cabinet of Samdech Prime Minister
- Cabinet of Excellency Deputy Prime Ministers
- As indicated in Article 23
- Royal Affairs
- File archive