



NS/RKM/1215/017

Royal Kram

We

**Preahkaruna Preah Bath Samdech Preah Boromneath Norodom Sihamoni Samanphoum
Cheatsasna Rakhatkhatya Khemrarotheas Puthinthrea Thoreamohaksat Khemreachnea
Samohorpheas Kampuch Ekreachroathboranaksanteh Sopheakmongkulea Sereyvibolar
Khemarasreypireas Preah Chao Krong Kampuchea Thipadey**

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen Royal Decree No. NS/RKT/0913 dated 24 September 2013 on the Appointment of the Royal Government of Cambodia;
- Having seen Royal Kram No. 02/NS/94 dated 20 July 1994 Promulgated the Law on Organization and Functions of the Council of ministers;
- Having seen Royal Kram No. NS/RKM/0196/20 dated 24 January 1996 Promulgated the Law on the Establishment of the Ministry of Posts and Telecommunications;
- Having seen the Proposal of Samdech Akka Moha Sena Padei Techo Hun Sen, the Prime Minister of the Kingdom of Cambodia

PROMULGATE

The law on telecommunications approved by the National Assembly on 30 November 2015 in the fifth session the National Assembly of the fifth legislature and totally checked on modalities and legal document by the Senate on 07 December 2015 in extraordinary session of the third legislature with the whole content as below:

Law
On
Telecommunications

CHAPTER ONE

GENERAL PROVISIONS

Article 1

The purposes of this Law are:

- To ensure the utilization and provision of effective, safe, quality, reliable, and affordable telecommunication infrastructure, networks and services in response to the needs of social and economic development; and
- To ensure the development and governance of the telecommunications sector, the regulation of telecommunication operators and persons involved with the telecommunications sector and the lawful and fair competition in order to enhance the mobilization of national revenue and to protect subscribers.
- To ensure the protection of users and mobile revenues for National Budget.

Article 2

The objectives of this Law are to determine:

- The authority of the Ministry of Posts and Telecommunications;
- The establishment, functions and duties of the Telecommunication Regulator of Cambodia;
- The classification and types of permits, certificates and licenses;
- The control and utilization of infrastructure and networks;
- The national telecommunication numbering plan and electronic address;
- The standard, quality of services and telecommunication equipment, telecommunication service tariffs and lawful and fair competition;
- The universal services obligation, capacity building, research and development;
- The rights of telecommunications operators, persons involved with the telecommunications industry and subscribers and

- The regulatory fines and criminal offenses in telecommunications sector
- Rights of telecommunication operators and legal and fair competitions
- Rights of users.

Article 3

This Law shall have the scope of applicability to all telecommunication operations in the Kingdom of Cambodia.

Article 4

The terminological terms contained in this Law shall be defined in the glossary annexed herewith.

CHAPTER TWO

AUTHORITY OF THE MINISTRY OF POSTS AND TELECOMMUNICATIONS

Article 5

The Ministry of Posts and Telecommunications is hereinafter referred to as “MPTC.”

MPTC has the following authority:

- a- Formulate policies, development strategic plans and legal frameworks for regulation of telecommunication operations as well as infrastructure and networks in the Kingdom of Cambodia;
- b- Be a signatory and representative of the Royal Government of Cambodia in the international cooperation in the telecommunications sector;
- c- Promote the development, utilization of the universal service obligation program and capacity building, research and development plan;
- d- Provide instruction and coordination on the issues relative to the telecommunications sector to telecommunications operators and persons involved with the telecommunications sector;

- e- Promote and encourage compliance with the requirements of this Law;
- f- Issue Prakas in relation to the following matters on the request of the Telecommunication Regulator of Cambodia to be formed under Article 8, Part 1 of Chapter 3:
 1. Requirements of granting, altering, suspending, transferring and withdrawing permits, certificates or licenses;
 2. Network interconnection among telecommunications operators;
 3. Setting standard for the utilization of infrastructures and networks and providing telecommunication services as well as standard of telecommunications equipment;
 4. National telecommunication numbering plan and electronic address;
 5. National frequency plan including terms of providing, allocating, altering, suspending, transferring and withdrawing frequency license;
 6. Lawful and fair competition activities of telecommunications operators and persons involved with telecommunications sector;
 7. Control of the systems and internet services;
- g- Perform other duties as provided in this Law or other regulations.

Article 6

MPTC shall have competence to control telecommunications, information and communication technology service data and newly established services in accordance with the technological development in this sector. All telecommunications operators and persons involved with the telecommunications sector shall provide to MPTC the telecommunications, information and communication technology service data.

The function in the management of the telecommunications, information and communication technology service data shall be determined by Prakas of MPTC.

Article 7

In the event of force majeure, MPTC or competent ministries or institutions may order relevant telecommunications operators to take necessary measures by relying on the Decision of the Royal Government.

CHAPTER THREE
TELECOMMUNICATION REGULATOR OF CAMBODIA
PART ONE

ESTABLISHMENT OF TELECOMMUNICATION REGULATOR OF CAMBODIA

Article 8

The Telecommunication Regulator of Cambodia shall be established under this Law.

The Telecommunication Regulator of Cambodia is hereby referred to as “TRC.”

Article 9

TRC is headed by 1 (one) Chairperson having equal status as Secretary of State and a number of members having equal status as Undersecretary of State as required.

The mandate of chairperson and members of TRC is 3 (three) years.

The candidacy of Chairperson shall be selected and proposed by the Minister of MPTC to the head of the Royal Government of Cambodia. Chairperson of TRC shall hold a university degree, be competent and possess appropriate qualifications to carry out their duties, as well as have at least 10 (ten) years experiences in one or more fields related to telecommunications, information technology, law, public administration, economics, commerce and other fields as per actual requirement.

PART TWO

FUNCTIONS AND DUTIES OF TELECOMMUNICATION REGULATOR OF CAMBODIA

Article 10

TRC has autonomy to perform its administrative, regulatory and financial duties and functions and is independently from telecommunications operators and persons involved with the telecommunication sector.

TRC has self-budget by considering as annex of MPTC’s budget.

Article 11

Organization and functioning of TRC's budget shall be determined by Sub-decree based on the proposal of MPTC and Ministry of Economy and Finance in line with the Law on Public Financial System and relevant applicable regulations.

Article 12

TRC shall have functions and duties as follows:

- a- Perform regulatory function pursuant to the policy and legal framework of telecommunications sector and other applicable legal regulations of the Kingdom of Cambodia;
- b- Monitor and oversee the provision of telecommunications services in accordance with applicable regulations;
- c- Propose, provide advice on amending Prakas or legal instruments related to telecommunications sector;
- d- Issue additional decision in certain cases as provided in Article 5, Item (f) of this Law;
- e- Report and recommend to the Minister of MPTC on all matters in relation to the regulation, development and monitoring of the telecommunications sector in the Kingdom of Cambodia;
- f- Grant, alter, suspend, transfer and withdraw permits, certificates or licenses in accordance with the provisions of this Law and other regulations;
- g- Examine the application for permits, certificates or licenses and approve them based on the requirements set in this Law and other regulations;
- h- Examine documents required to be submitted to TRC in relation to an application for permits, certificates or licenses to ensure the compliance with the requirements prescribed in this Law and other regulations; and register the documents that duly meet the requirements;
- i- Examine the documents providing information on cost base management, financial report audited by an independent auditor recognized by Ministry of Economy and Finance, as well as the non-financial information submitted by operators and persons involved with the telecommunications sector each fiscal year in order to ensure the compliance with competition conditions as provided in this Law and other regulations;
- j- Act as a regulatory body and resolve disputes relating to the telecommunications operation as provided under this Law and other regulations;

- k- Pursue appropriate action as provided under this Law, in order to investigate and take measures against all businesses that are illegal and go against the code of conduct, technical requirements, and requirement of standard of quality of services and telecommunications equipment stipulated in this Law and other regulations;
- l- Take lead role in the development of the code of conduct in the telecommunications sector.

Article 13

The organization and functioning of TRC shall be determined by a Sub-decree.

CHAPTER FOUR

PERMIT, CERTIFICATE AND LICENSE

Article 14

No person may conduct telecommunications operation or declare him/herself as operator or persons involved with the telecommunications sector unless that person has obtained the permit, certificate or license from TRC in accordance with the requirements set out in this Law and other regulations.

PART ONE

REQUIREMENTS FOR THE PERMIT, CERTIFICATE OR LICENSE

Article 15

Any person may apply for a permit from TRC to operate the following operations:

- a- Importation, exportation, supply and distribution of telecommunication equipment;
- b- Internet service business;
- c- Sell and/or repair telecommunications equipment;
- d- Publicize telecommunication book, and
- e- Other operations to be defined by Prakas of MPTC based on the proposal of TRC.

Article 16

Any person may apply for a certificate from TRC in order to carry out the following operations:

- a- Acting as a certified qualified agent for import of telecommunications equipment,
- b- Certified specific types of telecommunications equipment,
- c- Other operations as defined by Prakas of MPTC based on the proposal of TRC.

Article 17

Any person may apply for a license from TRC in order to carry out the following operations:

- a- Construction and/or providing services for utilization of infrastructures and networks and supporting telecommunications infrastructure,
- b- Providing telecommunications services,
- c- Other operation as defined by Prakas of MPTC based on the proposal of TRC.

Article 18

Any telecommunications operator receiving instruction from TRC as provided under Article 78 Paragraph 1 of this Law, to conform to the requirements or additional requirements of the license, shall carry out the instruction within a specific period as determined by MPTC or additional decision of TRC.

PART TWO

PROCEDURE OF APPLICATION AND ISSUANCE OF PERMIT, CERTIFICATE OR LICENSE

Article 19

The application for permit, certificate or license shall be in the process as follows:

- a- A person may file an application for a permit, certificate or license to carry out the activities as prescribed under Articles 15, 16 and 17 of this Law in accordance with the formalities and requirements as set out by this Law and other regulations;
- b- TRC, where deemed necessary, may require an applicant to supply further information and may refuse to proceed with the application until such information is provided adequately.

Article 20

A decision on the granting of a permit, certificate or license shall be under the following process:

- a- TRC may grant a permit, certificate or license to an applicant to carry out activities as prescribed under Articles 15, 16 and 17 of this Law if it is satisfied that the applicant meets the requirements set out in this Law and other regulations;
- b- During the validity of the permit, certificate or license, if any requirements as prescribed in this Law and other regulations are varied, the granted permit, certificate or license shall be complied with the new requirements. TRC shall inform telecommunications operators and persons involved with the telecommunications sector within 1 (one) year period before such variation is made to the requirements of permit, certificate or license;
- c- TRC shall not refuse to grant an applicant a permit, certificate or license without giving a prior written notice stating the reason thereof and the opportunity for applicant to provide justification.

Article 21

TRC shall produce and maintain the registration list of all granted permits, certificates or licenses in compliance with appropriate formalities by specifying any necessary information. Such formalities shall be defined in Sub-decree on the organization and functioning of TRC.

TRC shall keep confidentiality of profession pertaining with telecommunication operation.

PART THREE

TRANSFER, SUCCESSION OR MERGER THROUGH SECURITY AND BANKRUPTCY

Article 22

Transfer through contract, succession, merger or security of rights defined under the permit, certificate or license as stipulated under Chapter 4 of this Law shall be in accordance with legal procedures and applicable laws.

Transfer through contract, succession, merger or security of rights as defined under the permit, certificate or license as provided under Chapter 4 of this Law shall follow the same procedure of granting permit, certificate or license.

In case any telecommunications operators or persons involved with the telecommunications sectors wish to cease their operations, such operators or persons involved with the telecommunications sectors shall provide a written notice to TRC at least 30 (thirty) before the date of terminating operation

by stating the reasons for such termination of the operation and to be signed by relevant telecommunications operators, persons involved with the telecommunications sector or their representative lawyers.

Article 23

In case of finding that telecommunication operators or persons involved with telecommunication sector may be insolvent or financial issues in accordance with the assessment of independent auditors, TRC has the rights to propose to the court after obtaining approval from MPTC to investigate bankruptcy and appoint provisional governor in line with regulation on bankruptcy or relevant regulations. The provisional governor who was appointed shall perform extra conditions in accordance with joint Prakas of MPTC and the Ministry of Justice.

CHAPTER FIVE

INFRASTRUCTURES AND NETWORKS

Article 24

Telecommunication infrastructures and networks and supporting telecommunication infrastructures shall fall under the competence of MPTC in accordance with applicable regulations.

Article 25

Telecommunication infrastructures and networks shall be for priority use on air, on the ground, under the ground-, riverbed and seabed.

The planning for the development of the communication network, city center, residential centre, industrial zone, special economic zone and the telecommunications and technology areas shall be also integrated in the telecommunications infrastructure and network development plan.

Article 26

Pursuant to this Law and other regulations, train station, public bus station, port, airport, border checkpoint, hospital and other public places may be determined as prioritized areas for accessing to public telecommunications services.

PART ONE

LAND USED TO PROVIDE TELECOMMUNICATIONS SERVICES

Article 27

The classification of land, constructions or buildings to be installed, constructed, or used for infrastructures and networks, or telecommunications equipment shall be done in accordance with the provisions of the Civil Code and other regulations.

Article 28

Telecommunications operators shall negotiate and obtain permission from the authorities before installing cables and equipment on both private and public properties.

Telecommunications operators shall negotiate and enter into a contract with property owner in compliance with this Law and other regulations before installing cables and related equipment on private property.

Article 29

Telecommunications operators may designate and enter the location for construction, installing and/or maintaining infrastructures and networks or telecommunications equipment in order to study technical specification after receiving approval from the owner.

Article 30

Land owner or constructor shall inform competent authorities and telecommunications operators at least 15 days before digging private or public land to avoid any damages to telecommunication infrastructure and network.

PART TWO

INTERCONNECTION AND USING OF SHARED NETWORKS AND INFRASTRUCTURES

Article 31

To ensure the efficiency of interconnection and administration of network and the competition in the telecommunications sector, the telecommunications operators as referred to in Article 17 of this Law shall:

- a- Connect its telecommunication networks with other telecommunication networks;

- b- As per the request, allow other telecommunications operators to utilize its telecommunication services as described in item (a) of this Article on the request including the appropriate content and conditions without any discrimination, and in accordance with the requirements of technical and service quality standard, the principle of transparency and at affordable price;
- c- Ensure smooth interconnection with other telecommunications operators by avoiding any blockage, barriers, or using any other means in the characteristics as stated in item (b) of this Article;
- d- Make the interconnection agreement with reference to the interconnection regulations between telecommunications operators;
- e- Submit the proposal on the telecommunications utilization as provided under item (a) of this Article to TRC, in case both telecommunications operators cannot come into the agreement. TRC shall have the final decision over the disputed content and conditions based on regulation of content and conditions of such agreement as set out under this Law and other regulations.
- f- Inform TRC in writing on the approval or agreement within 15 days after having reached the agreement between the relevant telecommunications operators;
- g- Inform TRC in writing relating to item (a) of this Article upon request by TRC as well as other information which TRC considers as necessary.

Article 32

To ensure the efficiency of interconnection and administration of networks, physical infrastructures and the competition in the telecommunications sector, the telecommunications operators as provided under item (a) under Article 17 of this Law shall:

- a- Provide infrastructures service and networks and supporting telecommunication infrastructures to the telecommunications operators as provided under Article 17 of this Law;
- b- Provide the utilization of shared infrastructures and networks or equipment with the telecommunications operators as provided under Article 17 of this Law, and
- c- Comply with provisions as stipulated in Article 31 of this Law.

Article 33

TRC shall produce and maintain the registration list of interconnection agreement and fundamental agreement which the telecommunications operators have made in proper form as provided by this Law and other regulations.

Article 34

MPTC shall lead and co-ordinate with the competent authorities on the formulation of plan of physical infrastructures and shared networks in the telecommunications sector to ensure its consistency the plan of telecommunication infrastructures, energy supply, public lighting, clean water supply, disposal of liquid wastes, solid wastes and other infrastructures plans.

MPTC shall publish the regulations related to the utilization of physical infrastructures and shared networks to telecommunications operators and persons involved with the telecommunications sector.

Article 35

The utilization of the shared infrastructures and networks in relation to the communications and telecommunications, energy supply, public lighting, clean water supply, disposal of liquid wastes and solid wastes and other infrastructures shall be carried out in an effective manner to protect the landscape, environment and public welfare, and complied with the urbanization plan.

The utilization of the shared infrastructures and networks in relation to the communications and telecommunications, energy supply, public lighting, clean water supply, disposal of liquid wastes and solid wastes and other infrastructures shall be defined by Sub-decree.

Article 36

TRC shall draw up additional requirements on the interconnection and utilization of the national and international shared infrastructures in accordance with this Law and other regulations.

PART THREE

STANDARD, QUALITY OF SERVICES AND TELECOMMUNICATIONS EQUIPMENT

Article 37

MPTC shall prepare the regulations on the national telecommunications standards and the unification between national and international standards regarding the signal transmission and networks which are able to complement each other's operations, quality of services and the telecommunications equipment. Types of telecommunications equipment which are under the national telecommunications standards include infrastructures and networks equipment, radio communication equipment and telecommunications equipment for users shall be determined by specific regulation.

TRC shall publish the standards of all telecommunications equipment.

Article 38

MPTC shall set criteria of standard of providing quality telecommunication services.

CHAPTER SIX

UNIVERSAL SERVICE OBLIGATION

Article 39

The universal service obligation program has purposes as follows:

- a- Encourage the construction and development of telecommunications networks in the Kingdom of Cambodia;
- b- Promote the provision of basic telecommunications services, value added services and emergency services more broadly into rural and remote areas, and
- c- Reduce the digital divide for the social and economic development.

Article 40

The Royal Government shall by Sub-decree establish mechanism for implementing the universal service obligation program based on non-discrimination, impartiality and transparency principles. The mechanism shall determine the universal service obligation program as follows:

- a- Establishment and administration of the universal service obligation fund;
- b- Obligation or requirements provided under the license for telecommunications operators as provided under the Article 17 of this Law;
- c- Requirements for telecommunications operators or other person accessing to the universal service obligation fund;
- d- Procedure of accessing to the universal services obligation fund, and
- e- Oversee, monitor, review and evaluate the implementation of the universal service obligation program.

Article 41

MPTC acts as an assistant of the Royal Government in creating, overseeing, reviewing and evaluating the access to the universal service obligation fund in accordance with this Law and other regulations.

Article 42

Universal service obligation fund may be originated from domestic or overseas sources.

Telecommunications operators and persons involved with the telecommunications sector shall participate to uphold the universal service obligation program by annually contributing fund of 2% of the gross revenue into the universal service obligation fund.

CHAPTER SEVEN

CAPACITY BUILDING, RESEARCH AND DEVELOPMENT

Article 43

Mechanism for managing the capacity building, research and development plans as follows:

- a- Establishment and administration of the capacity building, research and development fund;
- b- Obligations or requirements provided under the license for telecommunications operators as provided under the Article 17 of this Law;
- c- Requirements for telecommunications operators or other person using the capacity building, research and development fund;
- d- Procedure of using the capacity building, research and development fund, and
- e- Oversee, monitor, review and evaluate the implementation of the capacity building, research and development plan.

Mechanism for managing the capacity building, research and development plans shall be defined by Sub-decree.

Article 44

MPTC acts as an assistant of the Royal Government in creating, overseeing, reviewing and evaluating of using the capacity building, research and development fund in accordance with this Law and other regulations.

Article 45

Telecommunications operators and persons involved with the telecommunications sector shall have its own plan for the capacity building, research and development in consistency with the development of the technology at national and global levels.

Article 46

Telecommunications operators and persons involved with the telecommunications sector shall participate to uphold the capacity building, research and development by annually contributing fund of 1% of the gross revenue into the capacity building, research and development fund.

CHAPTER EIGH

RADIO FREQUENCY RESOURCE MANAGEMENT

Article 47

Radio frequency spectrum is a national resource which is not subjected for sale but is subjected for leasing or authorized to use through the licensing in accordance with this Law and other regulations.

Radio frequency spectrum shall be under the management competence of MPTC. The organization, management and allocation of radio frequencies spectrum shall be determined by Sub-decree.

Article 48

MPTC shall plan national radio frequency spectrum. The National Radio Frequency Spectrum Plan shall include the following contents:

- a- Preparing table of allocating radio frequencies;
- b- Access to radio frequency bandwidth and rules regarding the signal interference;
- c- Monitor and evaluate on using radio frequency bandwidth.

TRC shall issue relevant regulations of settlement from license holder for using this radio frequency in line with the Prakas of MPTC.

All individuals shall comply with the national radio frequency spectrum plan.

CHAPTER NINE

DESIGNATION OF NATIONAL NUMBERING PLAN AND ELECTRONIC ADDRESS

Article 49

MPTC shall have competence to oversee the national numbering plan and electronic address in the Kingdom of Cambodia. Administering and designating of the national numbering plan, distributing the telecommunications access code and allocating telecommunications numbers as well as the emergency numbers and the electronic address shall be in accordance with this Law and other regulations.

Article 50

TRC shall instruct and publish the national numbering plan and the electronic address related to the following issues to the telecommunications operators or persons involved with the telecommunications sector:

- a- Distribution of telecommunications access code, allocation of telecommunications numbers and electronic address;
- b- Transfer, return or revocation of the telecommunications access code and telecommunications number as well as the electronic address;
- c- Fee of using the telecommunications access code, telecommunications number and electronic address, and
- d- Other additional issues to be determined by MPTC in accordance with the proposal of TRC.

Article 51

TRC shall instruct and publish to users the telecommunications numbers and electronic address relating to the following issues:

- a- Utilization, storing, changing or transferring telecommunication numbers;
- b- Utilization, storing, changing or transferring telecommunication electronic and
- c- Other additional issues to be determined by MPTC.

Article 52

MPTC shall provide for the distribution and approve on the transfer of the telecommunications access code and telecommunications numbers as well as the electronic address between the telecommunications operators in accordance with the proposal of TRC as mentioned under Article 18 of this Law. The distribution and approval shall comply with the principles of transparency and non-discrimination.

Article 53

MPTC shall establish and possess the national numbering plan and telecommunications access code as well as the electronic address together with the list of telecommunications operators as specified under Article 17 of this Law. The formalities shall be defined by Prakas of MPTC.

TRC shall publicize the national telecommunication numbering plan and the list as provided under first paragraph of this Article.

CHAPTER TEN

TELECOMMUNICATIONS SERVICE TARIFFS AND COMPETITION

Article 54

MPTC has competence to regulate telecommunications service tariffs to ensure lawful and fair competition.

Article 55

MPTC shall by Prakas regulate telecommunications service tariffs based on the request of TRC in the followings:

- a- Competition policy and regulations as well as other regulations;
- b- Cost base, financial report drawn up by an independent auditor as well as non-financial information provided by telecommunications operators, and persons involved with the telecommunications sector; and,
- c- Other issues as determined by this Law and others applicable regulations.

Article 56

TRC has authority to monitor and regulate telecommunications service tariffs. TRC shall publish legal instruments related to telecommunications service tariffs in the following aspects:

- a- Telecommunications service rates between licensees;
- b- Telecommunications service rates between licensees and subscribers;
- c- Formula of calculating telecommunications service cost base and formality of providing cost base of this service; and,
- d- Formality of bonus promotions for the telecommunications services shall base on the principles of transparency, equality and appropriateness.

Article 57

MPTC has the rights to review the legal regulation on telecommunication service tariffs.

Article 58

Telecommunications operators shall not set telecommunications service tariffs lower than the cost base as provided under item (c) of Article 56 of this Law.

Telecommunications operators shall provide the emergency services for free of charge.

TRC shall also take additional measures as prescribed in this Law and other regulations to ensure lawful and fair competition.

Article 59

Telecommunications operators shall:

- a- Publish the telecommunications service tariffs in accordance with item (a) of Article 56 of this Law; and,
- b- Publish telecommunications service tariffs including the amended or varied tariffs in accordance with item (b) of Article 56 of this Law.

Article 60

TRC has authority to monitor, oversee and evaluate lawful and fair competition in the telecommunications market and report to MPTC for additional provisions. To guarantee lawful and fair competition, TRC shall ensure the following conditions are satisfied:

- a- Support the access of users to reasonable price, good quality of service and multiple options;
- b- Promote the communication between holders of permits, certificates or licenses equally and transparently;
- c- Protect the permit, certificate or license holders from any harm as a result of illegal and unfair competition; and,
- d- Other competition conditions as set out by law and applicable regulation.

Article 61

All telecommunication operations shall be made to abide by the principles of fair, free, equal, and effective competition.

All activities against the principles of fair, free, equal, and effective competition shall be prohibited:

- a- All gathering, agreement, consensus tacitly or in writing on performing operations, hindering, restricting, and defaming market competition if those tasks were made for:
 - 1) Hindering or limiting rights on telecommunication market competition of telecommunication operators or persons involved with telecommunication sector
 - 2) Constraining free tariffs which may lead to rise or decrease the fee arbitrarily
 - 3) Limiting partial or whole rights on managing telecommunication operations, investment, or technical development or
 - 4) Dividing telecommunication market or supply sources.

- b. Any abuse of market primacy that has characteristics as prescribed in (a) which affects a part or whole market by an operator or a group of operators or persons involved with telecommunication sector which may affect operations or competitive system. This abuse may be sales deny, conditional sales, discrimination sales, or contract cancellation because the other party does agree with the unreasonable trade terms
- c. Any abuse dependence of any operator or person involved with telecommunication sector which has characteristics as prescribed in (a) that affects operations and competitive system. This abuse may be sales deny, conditional sales or discrimination sales
- d. Merger between telecommunication operators and persons involved with telecommunication sectors whose characteristics as prescribed in (a).

Article 62

Any characteristics as stated in Article 61, Paragraph 2 (a) of this law shall be considered as abusing the principles of fair, free, equal, and effective competition as in the following activities:

- a- An agreement to grant monopolistic rights to one or more telecommunications operators or on any operation to secure the monopolistic rights;
- b- Provision of subsidies in any form and by all means, except permitted by regulations based on the assessment and evaluation of TRC;
- c- Using of trade secrets, technical, financial or non-financial confidential information of telecommunications operators by another telecommunications operator or by interested persons;
- d- Failing to provide technical information concerning necessary equipment, and commercial information by telecommunications operators to other telecommunications operators or other interested persons;
- e- Showing discrimination or refusal to provide services by telecommunications operator to one or more telecommunications operators or persons involved in the telecommunications sector, or other business partners, or users without taking into account the scope of service, network capacity, facilities and duration for provision of services, and other elements as determined by TRC;

- f- Providing any service packages and/or productions, or sale with conditions underlying the characteristic of illegal competition as defined by law and applicable provision ; and,
- g- Others activities as defined under the Law on Competition and other regulations.

Article 63

TRC shall grant prior approval on the merger and acquisition or shares of the telecommunications operators or collateral after receiving the request from the telecommunications operators and subject to other conditions determined by MPTC based on this Law and other regulations.

Merger, buying the other company or share or security is invalid if they haven't obtained approval from **TRC**.

In the case of financial constraints encountered by one or more telecommunications operators, MPTC shall have rights to study on the possibility of merger and acquisition of shares of the telecommunications operators on the request of TRC.

CHAPTER ELEVEN

RIGHTS OF TELECOMMUNICATIONS OPERATORS AND SUBSCRIBERS

Article 64

Telecommunications operators shall have basic rights as follows:

- a- Rights to legal and fair competition based on provisions of this Law and other regulations;
- b- Rights to participate in consultation on the policy and regulations preparation concerning the development of telecommunications sector;
- c- Rights to set telecommunications service tariffs and billing to subscribers based on the provisions of this Law and other regulations;
- d- Rights related to rule of disconnection and/or suspension services in case there is no billing settlement or breach of contract based on provisions of this Law and other regulations;

- e- Rights to compensation for damages caused by subscribers in case of breach of contract;
- f- Rights to establish association and jointly develop the code of conduct based on the Constitution and other regulations; and,
- g- Other rights as prescribed by this Law and other regulations.

Article 65

Subscribers shall have basic rights as follows:

- a- Rights to receive good quality of telecommunications services and related to information of the service;
- b- Rights to privacy, security and safety of using the telecommunications service, excepted otherwise determined by other specific law;
- c- Rights to participate in consultation related to the formulation of policies and regulations concerning the development of telecommunications sector;
- d- Rights to enquire to TRC concerning telecommunications sector;
- e- Rights to access depute settlement mechanism between subscribers and telecommunications operators, holders of permit or certificate as designated under this Law and other regulations;
- f- Right to indemnity for damages caused by telecommunications operators and related person in case of the breach of contract;
- g- Rights to association based on the Constitution and other regulations; and,
- h- Other rights prescribed by other regulations.

Article 66

Establishment, installation, utilization, and modification of telecommunication infrastructure and network or establishment, installation, and utilization of equipment in telecommunication sector which may affect public order and lead to national insecurity are prohibited.

CHAPTER TWELVE
DEPUTE SETTLEMENT

Article 67

In the event of any disputes relative to telecommunications sector between telecommunications operators and telecommunications operators and between telecommunications operators and subscribers, the parties shall refer it to TRC for mediation before its submission to the court, except in the case of criminal offense.

Procedures of reconciliation shall be determined by MPTC. Service cost of dispute settlement shall be determined by joint Prakas between MPTC and the Ministry of Economy and Finance.

Article 68

The outcome of mediation effort shall be recorded by TRC, mentioning the agreement or disagreement to compromise of both parties. The record shall be signed by TRC and the parties and copied to all relevant parties.

The agreement made before TRC shall be valid to implement within 30 (thirty) days after the date of receiving reconciliation record.

In case they do not agree to implement the agreement as in reconciliation record or in case of there is no agreement, the dispute parties may refer to arbitration or file a complaint to the court in accordance with applicable provisions.

In order to obtain the qualification as an arbitrator in telecommunication sector, the arbitrator in term of provision on trade arbitration shall get additional training from MPTC. The terms of this training shall be determined by Prakas of MPTC.

This Article shall not be applied to item (e) of Article 31 of this Law.

Article 69

In addition to the measures regulated by MPTC under the provision of this Law, in case telecommunications operator or persons involved with the telecommunications sector violated the provisions of this Law or other regulations, TRC may take any of the following actions:

- a. Issue a warning letter;

- b. Issue the directive to the person to compensate damages based on the provisions of this Law and other regulations;
- c. Request the competent court to order the person causing such damages to comply with applicable provisions and to repair or compensate the damages;
- d. Carry out administrative sanction. The administrative sanction and procedures shall be additionally provided by MPTC;

CHAPTER THIRTEEN

TELECOMMUNICATION INSPECTION

Article 70

The minister of MPTC shall appoint telecommunication inspection officials to monitor, study, check, and strengthen the enforcement of this law.

Telecommunication officials have duties and rights as below:

- a- Technical inspection on telecommunication equipment, infrastructure and network and telecommunication services
- b- Study, observe, monitor, prevent, and crack down on telecommunication offenses
- c- Take out data sample and telecommunication equipment which are the subject of standard inspection and functions of telecommunication equipment and analyze and verify the quantity of telecommunication services.
- d- Confiscate the evidence and label and stamp evidence and
- e- Perform other tasks assigned by the minister MPTC.

Article 71

Telecommunication inspection officials are appointed as judicial police officers to monitor offenses as stated in this law by implement in accordance with Code of Criminal Procedures.

Modalities and procedures of appointment to telecommunication inspection officials shall be defined by joint Prakas of the minister of economy and finance and the minister of MPTC.

Article 72

In the framework of operations related to checking and investigation on offenses as stated in this law, the telecommunication inspection officials have the authority to check, confiscate evidence, call on involved persons and perform other procedures in accordance with regulations of Code of Criminal Procedures. In event that it is necessary to detain the suspects, the telecommunication inspection officials shall have approval and be under direct leadership and coordination of prosecutor.

Telecommunication inspection officials may request support from Sub-national administration and armed force unit or other concerned competent authorities to join in cracking down offenses stated in this law.

Article 73

Telecommunication inspection officials shall have uniform, symbols, and ranking signs. During law implementation, telecommunication inspection officials shall mission order.

Uniform, symbols, and ranking signs of telecommunication inspection officials shall be determined by Sub-decree.

Article 74

In the procession of telecommunication sector inspection, in case there are concrete evidence or outcome of verification analysis show that telecommunication services and equipment have technical conditions contradict to the standard determined by this law and other regulations when requesting the list or any operation having characteristics opposing the principles of legal competition as determined in this law and other regulations, the competent telecommunication inspection officials take action to temporarily suspend the services, supplies, distribution of telecommunication equipment and other operations related to offenses in order to settle according to procedures.

Article 75

Any person who is not satisfied with any measure of telecommunication inspection officials may file a complaint within 30 (thirty) days to MPTC starting from the date of receiving decision.

The minister of MPTC shall decide on the complaint within 45 (forty five) days the longest starting from the date of receiving the complaint.

In case the person is not satisfied with the decision of the minister of MPTC, the person has the rights to file a lawsuit to other institutions of the royal government or the court according the procedures.

Article 76

During implementing this law, in case the evidence of this offense is prohibited products or dangerous, telecommunication inspection officials have the rights to request the prosecutor's ruling to destroy in line with applicable procedures.

The expenses on delivery, transport, protection, and destruction the evidence in the process of implementing this law are the responsibilities of owner of the offense evidence. In case the owner of offense evidence is not identified, all expenses are the responsibilities of state.

Article 77

Modalities and procedures of telecommunication inspection shall be determined by Prakas of the minister of MPTC.

CHAPTER FOURTEEN

PENALTY PROVISIONS

Article 78

After getting license under this law, if having seen that telecommunication operators do not comply with any condition of this license or any condition as defined by this law or other regulations, TRC may take action as below:

- a- Direct the telecommunication operators to comply with conditions or additional conditions
- b- Restrict on license
- c- Suspend the license until that particular telecommunication operator fully complies with conditions or additional conditions.

In case telecommunication operators offended against the regulations of this law or other regulations, TRC may take actions as below:

- a- Temporary suspend or terminate job of general manager, CEO, members of management team or senior staff or telecommunication of operators
- b- Recruit and authorize to capable persons to check business activities or related activities of telecommunication operators. Those persons shall report to TRC in accordance with conditions as stated in contract with TRC or
- c- Restrict or stop specific or general activities of telecommunication operators even though those activities are in line with or oppose to conditions of license.

TRC may take actions as stated in Paragraph 1 and Paragraph 2 unless telecommunication operators have received written notice in advance to state the reasons of taking this measure and provide chance to telecommunication operators to explain.

Article 79

Offenses in telecommunication sector which shall be punished the transactional fines shall be defined by Sub-decree.

Transactional fine is the authority of MPTC.

Conditions, modalities, and procedures of transactional fines shall be defined by Prakas of MPTC.

Article 80

Establishment, installation, or modification of telecommunication infrastructure and network or establishment, installation and utilization of equipment in telecommunication sector, if these acts lead to national insecurity, shall be sentenced in prison from 7 (seven) years to 15 (fifteen) years.

Article 81

Any legal person who commits offenses as stated in Article 80 shall be fined from 140,000,000 (one hundred and forty million) Riels to 300,000,000 (three hundred million) Riels as well as one or more additional penalties as stated in Article 168 (additional penalties for legal person) of Criminal Code.

Article 82

Intentional destruction or damage on telecommunication infrastructure and network shall be sentenced in prison from 1 (one) year to 5 (five) years and fined from 2,000,000 (two million) Riels to 10,000,000 (ten million) Riels.

Offenses as stated in Paragraph 1 shall be sentenced in prison:

- From 5 (five) years to 10 (ten) years if the act causes others injury
- From 7 (seven) years to 15 (fifteen) years if the act leads to cutting limbs or permanent disability
- From 7 (seven) years to 15 (fifteen) years if the act is committed in group with appointment
- From 10 (ten) years to 20 (twenty) years if this act leads to one's death intentionally.

Article 83

Any legal person who commits offenses as stated in Article 82 shall be fined from 20,000,000 (twenty million) Riels to 400,000,000 (four hundred million) Riels as well as one or more additional penalties as stated in Article 168 (additional penalties for legal person) of Criminal Code.

Article 84

Establishment, installation, or modification of telecommunication infrastructure and network or telecommunication equipment to cut off, disturb, or interfere telecommunication infrastructure and network or affect public order shall be sentenced in prison from 1 (one) year to 5 (five) years and fined 2,000,000 (two million) Riels to 10,000,000 (ten million) Riels.

Article 85

Establishment of technical communication and information systems which are operated with telecommunication network to use in the purpose of evading cash settlement or taking advantage on the quantity of telecommunication services shall be sentenced in prison from 1 (one) year to 5 (five) years and fined from 2,000,000 (two million) Riels to 10,000,000 (ten million) Riels.

Article 86

Any legal person who commits offenses as stated in Article 84 and Article 85 shall be fined from 20,000,000 (twenty million) Riels to 100,000,000 (one hundred million) Riels as well as one or more additional penalties as stated in Article 168 (additional penalties for legal person) of Criminal Code.

Article 87

Using or letting someone else to use telecommunication services without proper authorization in the purpose of evading cash settlement or taking advantage on the quantity of telecommunication services shall be sentenced in prison from 6 (six) months to 3 (three) years and fined 1,000,000 (one million) Riels to 6,000,000 (six million) Riels.

Article 88

Any legal person who commits offenses as stated in Article 87 shall be fined from 10,000,000 (ten million) Riels to 60,000,000 (sixty million) Riels as well as one or more additional penalties as stated in Article 168 (additional penalties for legal person) of Criminal Code.

Article 89

Shall be sentenced in prison from 6 (six) days to 1 (one) month and fined from 1,000,000 (one million) Riels to 5,000,000 (five million) if:

- a- Any act of operation as stated in Article 15 of this law without authorization from TRC
- b- Any act of operation as stated in Article 16 of this law without authorization from TRC

Article 90

Any legal person who commits offenses as stated in Article 89 shall be fined from 10,000,000 (ten million) Riels to 50,000,000 (fifty million) Riels as well as one or more additional penalties as stated in Article 168 (additional penalties for legal person) of Criminal Code.

Article 91

Any act of operation as stated in Article 17 of this law without having license from TRC shall be sentenced in prison from 6 (six) months to 3 (three) years and fined from 5,000,000 (five million) Riels to 10,000,000 (ten million) Riels.

Article 92

Any legal person who commits offenses as stated in Article 91 shall be fined from 500,000,000 (five hundred million) Riels to 1,000,000,000 (one thousand million) Riels as well as one or more additional penalties as stated in Article 168 (additional penalties for legal person) of Criminal Code.

Article 93

Any act of threatening to commit a crime or felony against other persons and if this threat is committed again and again through telecommunication means with or without showing identity shall be sentenced in prison from 1 (one) month to 6 (six) months and fined from 100,000 (one hundred thousand) to 1,000,000 (one million)

Offenses as stated in Paragraph 1 shall be sentenced in prison:

- From 6 (six) month to 2 (two) years and fined 1,000,000 (one million) Riels to 4,000,000 (four million) if this act is ordered to fulfill any condition
- From 6 (six) month to 2 (two) years and fined 1,000,000 (one million) Riels to 4,000,000 (four million) if this act is the threat of murder
- From 1 (one) year to 3 (three) years and fined from 2,000,000 (two million) Riels to 6,000,000 (six million) Riels if this act is the threat of murder with the order of fulfilling any condition.

Article 94

Any legal person who commits offenses as stated in Article 93 shall be fined from 1,000,000 (one million) Riels to 60,000,000 (sixty million) Riels as well as one or more additional penalties as stated in Article 168 (additional penalties for legal person) of Criminal Code.

Article 95

Any act of threatening to destroy, dilapidate or damage others' property and if this threat is committed again and again through telecommunication means with or without showing identity shall be sentenced in prison from 1 (one) month to 6 (six) months and fined from 100,000 (one hundred thousand) to 1,000,000 (one million).

Any offenses as stated in Paragraph 1 shall be sentenced in prison from 1 (one) year to 2 (two) year and fined from 2,000,000 (two million) Riels to 4,000,000 (four million) Riels if this threat is with the order to fulfill or not to fulfill any task.

Article 96

Any legal person who commits offenses as stated in Article 95 shall be fined from 1,000,000 (one million) Riels to 40,000,000 (forty million) Riels as well as one or more additional penalties as stated in Article 168 (additional penalties for legal person) of Criminal Code.

Article 97

Secretly listen to or record the dialogue by using personal telecommunication system which is not the dialogue partner shall be sentenced in prison from 1 (one) month to 1 (one) year and fined from 100,000 (one hundred thousand) Riels to 2,000,000 (two million) Riels.

Regulation of the above Paragraph 1 shall not be implemented in case of listening or recording that dialogue is made with approval from persons involved or with approval from legitimate authority.

It shall have the same sentence for publicize the content of the dialogue without obtaining legal rights from party of dialogue or legitimate authority or applicable legal regulations.

Article 98

Any legal person who commits offenses as stated in Article 97 shall be fined from 1,000,000 (one million) Riels to 20,000,000 (twenty million) Riels as well as one or more additional penalties as stated in Article 168 (additional penalties for legal person) of Criminal Code.

Article 99

Any act of producing, installing, or distributing software or hidden audio recorders or record the dialogue by using telecommunication system shall be sentenced in prison from 6 (six) months to 2 (two) years and fined from 1,000,000 (one million) Riels to 4,000,000 (four million) Riels.

Article 100

Any legal person who commits offenses as stated in Article 99 shall be fined from 10,000,000 (ten million) Riels to 40,000,000 (forty million) Riels as well as one or more additional penalties as stated in Article 168 (additional penalties for legal person) of Criminal Code.

Article 101

Taking the third party's identity to use telecommunication system in the event that leads to or may lead to accusation of felony to the third party shall be sentenced in prison from 1 (one) year to 3 (three) years and fined from 2,000,000 (two million) Riels to 6,000,000 (six million) Riels.

Article 102

Shall be given a written warning with correctional conditions attached for set time by TRC to telecommunication operators or persons involved with telecommunication sector which competes illegally against Paragraph 1 of Article 58, Article 61 or Article 62 of this law.

In the event that they do not respect the above warning shall be sentenced in prison from 6 (six) months to 3 (three) years and fined from 50,000,000 (fifty million) Riels to 100,000,000 (one hundred million) Riels.

Article 103

Any legal person who commits offenses as stated in Article 102 shall be fined from 500,000,000 (five hundred million) Riels to 1,000,000,000 (one billion) Riels as well as one or more additional penalties as stated in Article 168 (additional penalties for legal person) of Criminal Code.

Article 104

Submission of false cost, financial report, or non-financial information of TRC, the person shall be sentenced in prison from 1 (one) year to 3 (three) years and fined from 50,000,000 (fifty million) Riels to 100,000,000 (one hundred million) Riels.

Article 105

Any legal person who commits offenses as stated in Article 104 shall be fined from 500,000,000 (five hundred million) Riels to 1,000,000,000 (one billion) Riels as well as one or more additional penalties as stated in Article 168 (additional penalties for legal person) of Criminal Code.

Article 106

As for offense committed by individuals, one or more additional penalties as stated in the following criminal codes shall be declared:

- 1- Partially forfeit the rights of citizen;
- 2- Prohibition for any practicing profession in which that offense is committed during doing it;
- 3- Prohibition of residency;
- 4- Prohibition of a convicted alien from entering and remaining in the territory of the Kingdom of Cambodia;
- 5- Confiscation of any instruments, materials or items which were used or intended to be used to commit the offenses;
- 6- Confiscation of the objects or funds which is the subject of the offenses;
- 7- Confiscation of the income or property arising out of the offenses;
- 8- Confiscation of the utensils, materials and furnishing in the premises in which the offense was committed;
- 9- Confiscation of vehicles belonging to the convicted person;

10- Prohibition of holding or taking with all kinds of weapons, explosive devices, and ammunitions;

11- Disqualification from public procurement;

12- Closure of institution for preparing or committing offenses;

13- Prohibition of operating business in institution which is open in public or used by the public;

14- Display sentencing decision;

15- Publication of sentencing decision in media;

16- Publication of sentencing decision by all means of audio-visual telecommunication.

Article 107

Any offense committed by legal person is the offense committed by an organization or its representative for the sake of that legal person.

The organization or the representative of that legal person refers to an organization or person who has the rights to decide in the name of legal person in line with statutes of that legal person.

Criminal responsibilities of legal person do not cover responsibilities of that individual.

Article 108

Any officials of MPTC and TRC abuse their authority or use their power to prevent from implementing this law shall receive administrative sanction according to applicable laws by not covering other criminal offenses.

Article 109

The attempt to commit a misdemeanor covered under this Law shall be subject to the same penalty as that applied to the above mentioned misdemeanor.

CHAPTER FIFTEEN
TRANSITIONAL PROVISIONS

Article 110

Within one year from the date of this Law entered into force, telecommunications operators or persons involved with the telecommunications sector shall reapply for permit, certificate or license at TRC in order to unify those documents in accordance with this Law and other regulations.

Article 111

Telecommunication Regulator of Cambodia is the Telecommunication Regulator of Cambodia after this Law entered into force. Telecommunications Regulation of Cambodia shall continue to carry out its functions and duties until sub-decree on the organization and functioning of Telecommunication Regulator of Cambodia came into force.

Article 112

The conditions covered under chapter 6 and 7 of this Law shall be applied within 1 (one) year after this Law came into force.

CHAPTER FIFTEEN

FINAL PROVISIONS

Article 113

All provisions contrary to this Law shall be abrogated.

Article 114

This law shall be urgently promulgated.

Royal Palace, 17 December 2015

PRL.1512.1149

Signature and Stamp

NORODOM SIHAMONI

Having seen His Majesty's signature

Prime Minister

Signature

Samdech Akka Moha Sena Padei Techo Hun Sen

Having seen and submitted to
Samdech Akka Moha Sena Padei Techo Hun Sen

Minister of Post and Telecommunication

Signature

PRAK Sokhon

No.: 1154 S.N

This copy can be distributed

Phnom Penh, 21 December 2015

Secretary General of Royal Government

[Signed and stamped]

SOY Sokha

Annex of Law on Telecommunications

Glossary for Using in This Law

- **Universal Service Obligation** refers to the obligation of telecommunication operators and information and communication technology in providing basic telecommunication service and value-added service to the citizens with suitable price and good service quality, and be available everywhere throughout the Kingdom of Cambodia.
- **Universal Service Obligation Program** refers to policy or strategic plan of the Royal Government in administering, organizing and implementing the universal service obligation.
- **Software Program** refers to computer program which is designed in order to facilitate the users to do something on or via desktops, laptops, smart phones, and all the electronic devices which need program installation above.
- **Capacity Building and Research and Development** refer to the mechanism of building, training, and strengthening the professional capability, research, and development in telecommunication sector and information and communication technology.
- **Infrastructure and Network Interconnection** refers to the interconnection between infrastructure and network of a telecommunication operator with infrastructure and network of another, which allows the users or customers of different networks to be able to connect communication or conversation with one another smoothly.
- **Telecommunication Numbering Book Publication** refers to any publication activity of books, texts or telecommunication numbering documents in form of paper or soft copy for the purpose of doing the business or trading.
- **Basic Agreement** refers to the legal documents or regulations which determined the contents and conditions related to interconnection and possibility of using the infrastructure and telecommunication network.
- **Interconnection Agreement** refers to the agreement on interconnection of infrastructure and network.
- **Telecommunication Code Number** refers to number, code number, and special signs of telecommunication which are distributed to the telecommunication operators for using in providing telecommunication services in the Kingdom of Cambodia.
- **Digital Gap** refers to the gap of receiving the service and using information and communication technology in the cities, towns and countryside.
- **Telecommunication Equipment** refers to equipment, devices, accessories or reserved objects which are made and/or exported or imported for using in telecommunication system and information and communication technology.

- **Telecommunication Service Cost Base** refers to cost base of telecommunication services which the telecommunication operator shall provide Telecommunication Regulatory of Cambodia (TRC) in a certain time as basis in order to examine and monitor the legality and loyalty of competition. The formula of cost base shall be determined by MPTC with the request of TRC.
- **Telecommunication Service Price** refers to any telecommunication service price which is determined by the telecommunication operators to the users.
- **Telecommunication Service and Information Technology Data** refers to the any data related to telecommunication operation which is provided through direct network connection or other appropriate technical ways with the operators or individuals related to telecommunication sector.
- **Telecommunication Market** refers to the place for trading the telecommunication sector.
- **All Forms** refers to any form which is determined in the provision on competition.
- **Telecommunications** refer to the science and technology in sending and receiving the signals, data, sound, pictures or types of other information by using the energy in the form of electro-magnetic, electricity, radio, light, or other forms.
- **Radio Frequency Spectrum** refers to the spectrum of the whole electromagnetic which is broadcasted and determined in frequency or radio wave.
- **Radio Frequency** refers to oscillation rate of radio wave in determined duration.
- **Telecommunication Regulatory of Cambodia** refers to the telecommunication regulatory which is established by law.
- **Person** refers to physical person or legal person.
- **Person concerning Telecommunication Sector** refers to physical person or legal person who is trading in telecommunication sector excluding the telecommunication operators.
- **Common Network** refers to any network which is used by two or more telecommunication operators.
- **Telecommunication Operator** refers to the legal person who receives the telecommunication operation license in the Kingdom of Cambodia.
- **Telecommunication Operation** refers to any activity related to science and technology in sending and receiving signals, data, sound, pictures, or other types of information by using the energy in the form of electromagnetic, electricity, radio, light, or other forms.
- **National Telecommunication Numbering Plan** refers to the plan which is designed in order to administer and determine the number, code number, and special signs of telecommunication in the Kingdom of Cambodia.
- **National Radio Frequency Spectrum Plan** refers to the plan which identities, distributes, and uses national radio spectrum effectively to comply with standard nationally and internationally.

- **Competent Arbitration** refers to any reconciliation of conflict by using arbitration forum in which the arbitrator receives the training in telecommunication sector and information and communication technology and obtains the qualification from MPTC.
- **Universal Service Obligation Fund** refers to any budget package which is used in order to support and implement universal service obligation program.
- **Telecommunication Numbering** refers to number, code number, and special signs of telecommunication.
- **National Security and Defense Sector** refer to telecommunication operation which is used for National Security and Defense Sector in term of Article 3 of this law.
- **Emergency Service** refers to the telecommunication service which is used in emergency by the public and provided the national police entity, fire station, and ambulance service entity.
- **Telecommunication Service** refers to any activity which is provided for sending and receiving the sound, data, signals, pictures, or other types of information through using the energy in the form of electromagnetic, electricity, radio, light or other forms. In term of this law, telecommunication service includes basic telecommunication service and value-add telecommunication services.
- **Basic Telecommunication Service** refers to any telecommunication service which allows the users to communicate each other directly in certain time in accordance with determination of World Trade Organization.
- **Value-add Telecommunication Service** refers to any service which the telecommunication operator provides value add on basic telecommunication service by improving form or content of information or provide for saving and downloading the information.
- **Public Telecommunication Service** refers to telecommunication service for serving the public.
- **Telecommunication Infrastructure and Network** refer to the assembling of telecommunication equipment such as signals sending network telecommunication and relevant telecommunication building.
- **Supported Telecommunication Infrastructure** refers to any infrastructure which is used for telecommunication infrastructure support and protection.
- **Physical Infrastructure** refers to series of infrastructure which includes infrastructure for serving the communication sector, energy, clean water, solid and liquid waste, telecommunication sector, and other infrastructures.
- **Dependence** refers to the situation of depending others.
- **Electronic Address** refers to the numbers or electronic letters for determining address or identification of information and communication technology network.
- **Annex of Budget** refers to the budget which is organized in separate table from the budget of ministries, institution of technical controls by respecting the pattern which is

determined by Ministry of Economy and Finance and complying with the calendar of annual budget preparation as stipulated in Law on Public Financial System. This budget is accompanied with the budget of ministries, institution of technical controls and serves the purpose of them.