

KINGDOM OF CAMBODIA
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Ministry of Social Affairs,
Labour and Veteran Affairs
N° 658/PRK/MOSALVA

Phnom Penh, October 1, 1998

PRAKAS
ON
REGISTRATION OF PROFESSIONAL ORGANISATIONS

The Secretary of State for Social Affairs, Labour and Veteran Affairs

- Referring to the 1993 Constitution of the Kingdom of Cambodia;
- Referring to Reach Kram No. CS/RKM/0397/01 of March 13, 1997 promulgating the Labour Law;
- Referring to Reach Kret of November 1, 1993 on the formation of the Royal Government of Cambodia;
- Referring to Reach Kret No. NS/RKT/1094/83 of October 24, 1994 on the Reorganization of the Composition of the Royal Government of Cambodia;
- Referring to Reach Kram 02/NS/94 of July 20, 1994 promulgating the Law on the Organization and Functioning of the Council of Ministers.

IT IS HEREBY DECIDED

Article 1:

In order for professionals organisation to enjoy the rights and benefits as recognised by the Labour Law, the founders of those professional organisations shall be required to file their charters and list of names of those responsible for the management and administration with the Ministry of Social Affairs, Labour and Veteran Affairs for registration.

Article 2:

The registration application shall comprise of the following:

1. Application letter for registration: one (1) copy
2. Charter of the professional organisation (original): two (2) copies
3. List of names of those responsible for the management and administration specifying their sex, nationality, date of birth, level of education, function, seniority of profession or job and precise addresses.

For Cambodians responsible for management and administration, the application letter shall be attached with a certificate issued by competent institution stating that they have not been convicted of any crime. This certificate shall be valid for a period not more than Three (3) months up to the date of reception of the application.

For foreigners responsible for management and administration, the application letter for registration shall be attached with a certificate issued by competent institution in original or certified copy, stating that they have the right to permanent residence in accordance with the Immigration Law of the Kingdom of Cambodia.

4. Minutes of the meeting of the establishment of the professional organisation (original): one (1) copy.

The above registration application shall be submit to the Department of Labour Inspection located at No. 28, Vithei Samdach Preah Thamalikhet Uk (Street 184), Sangkat Chey Chumneas, Khan Daun Penh, Phnom Penh.

Article 3:

All professional organisations shall copy the charters and the list of names of those responsible for management and administration to the Inspectorate of Social Affairs, Labour and Veteran Affairs where the organisations were established, and to the Council of Ministers, the Ministry of Justice and the Ministry of Interior.

Article 4:

Any changes to the charters or the composition of those responsible for management and administration and the dissolution of the professional organisations shall be reported to the Ministry of Social Affairs, Labour and

Veteran Affairs and other institutions as stated in Article 3 within Thirty (30) days at the latest after the changes are made or the dissolution.

Article 5:

To facilitate the review of the registration application, charters of professional organisation should specify, as clearly as possible, the following points, notably:

1. Name of professional organisation;
2. Address of the headquarter of professional organisation;
3. Purpose of the professional organisation;
4. Requirement for member admission or dismissal from the professional organisation;
5. Procedures of election or dismissal of those responsible for management and administration. Procedures for determining or renewing the mandate of the professional organisation;
6. Procedures of election, by secret ballot, to decide on staging a strike or lockout;
7. Periodicity of the general assembly and the procedures for debates;
8. Initiation dues, mode of payment for membership due and regular payments;
9. Accounting procedures;
10. Procedures for charter amendments;
11. Procedures for dissolution of the professional organisation and the distribution of assets.

The above eleven points shall constitute only as guidelines for drawing up the professional organisation charter. Professional organisation shall have the right to draw up freely their charters provided they are not in contradiction with the law in effect or public order.

Article 6:

Unions of professional organisations shall be required to submit also a registration application as stated in Article 2 of this Prakas on condition that the unions acknowledge the name and the headquarters of their constituent professional organisations.

Unions of professional organisations shall also abide by the provisions of Article 3 of this Prakas.

Article 7:

The Prakas No. 101 MOSALVA of April 4, 1997 of the Ministry of Social Affairs, Labour and Veteran Affairs shall be declared null and void.

Article 8:

This Prakas shall take effect as of the date of its signature.

Secretary of State for Social Affairs,
Labour and Veteran Affairs

Signature and Seal

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