

LAW ON THE CHAMBERS OF COMMERCE

This law is enacted by the National Assembly of the Kingdom of Cambodia on May 16, 1995 during the Fourth Session of the First Legislature.

CHAPTER I: ORGANIZATION AND FUNCTIONS OF THE CHAMBERS OF COMMERCE

ARTICLE 1:

The Chambers of Commerce are public institutions under the auspices of the Ministry of Commerce that carry out activities to serve the interests of commerce, industry, agriculture, crafts, and services within their constituency. There shall be one Chamber of Commerce per province. Nevertheless, the constituency of a Chamber of Commerce may extend to several provinces or municipalities when economic conditions justify such an extension.

ARTICLE 2:

Each Chamber of Commerce in a province or municipality shall be established by a sub-decree upon a proposal by the Ministry of Commerce. The limit of the jurisdiction of each Chamber of Commerce shall be determined by the sub-decree that establishes it.

ARTICLE 3:

Each Chamber of Commerce must be governed by an office led by a President and one or more Vice-Presidents.

The number of the office staff, the procedures for the selection of the President and the functions of this office shall be determined by the Internal Rules of the Chambers of Commerce. The internal rules, which shall take the same form for all Chambers of Commerce, shall be promulgated upon approval from the Council of Ministers following a request of the Ministry of Commerce.

ARTICLE 4:

The Chambers of Commerce shall be composed of members of Cambodian nationality who are selected through an election. The term of office, number of members, procedures, and the organization of the election shall be determined by a sub-decree.

ARTICLE 5:

In addition to the elected members, the Chambers of Commerce have a number of advisory members who participate in deliberation in an advisory capacity only.

The number of these advisory members may not exceed the number of elected members. The advisory members shall be designated at every election for new members of the Chamber.

The advisory members shall be designated from among the following:

1. Representatives of organizations or associations or owners of commercial, industrial, agricultural, crafts, and service enterprises.

2. Representatives of management (cadre) of commercial, industrial, agricultural, crafts, and service enterprises.
3. Representatives of employees of commercial, industrial, agricultural, crafts, and service enterprises.

Upon receiving a proposal from the Chamber of Commerce, the Ministry of Commerce shall determine through proclamation/notice the following:

- The number of advisory members.
- The number of each type of member as described above.
- The list of organizations or associations that have the right to appoint representatives as advisory members.

ARTICLE 6:

The provincial/municipal Governors, or their representatives, and the representatives of the Ministry of Commerce have the right to participate in the meetings of the Chambers of Commerce, but in an advisory capacity only.

ARTICLE 7:

The elected members and the advisory members of the Chambers of Commerce are to carry out their functions without receiving any salary or remuneration.

ARTICLE 8:

The Chambers of Commerce may cooperate through their Presidents, within the framework of their duties, on issues relating to their individual constituencies.

CHAPTER II: DUTIES OF THE CHAMBERS OF COMMERCE

ARTICLE 9:

The Chambers of Commerce shall have the following responsibilities to:

1. Establish relationships with economic sources inside and outside the country in order to gather information relating to the development of national enterprises.
2. Improve enterprise efficiency for the interests of the commercial, industrial, agricultural, crafts, and service sectors and the economy in general; i.e., prepare and disseminate commercial and economic statistics, conduct research on economic and commercial issues, and promote tourism.
3. Provide the Royal Government and provincial/municipal authorities with opinions and information on commercial, industrial, agricultural, crafts, and services issues.
4. Play a role as representative of the commercial, industrial, agricultural, crafts, and services communities to facilitate coordination with the state authority.
5. Ensure the responsibility of the management sector and ensure and implement necessary assignments in the interest of such responsibility
6. Play a role as arbiter in resolving business disputes.

ARTICLE 10:

The Chambers of Commerce shall provide opinions on:

1. Draft regulations in the areas of economics and commerce.
2. Fee/tax schedules for services of any enterprise to which a concession is granted by the state.

3. Usefulness of public work construction projects done in each constituency and fees collected from users for the construction of such projects.
4. Planned revisions of laws on customs, commerce, and economics.
5. Determination of customs tax rates.

Moreover, by its own initiative, the Chambers of Commerce may make proposals relating to commercial, industrial, agricultural, crafts, and services activities.

ARTICLE 11:

Upon request of private or state donors, and with the approval of the Council of Ministers upon the request of the Ministry of Commerce, the Chambers of Commerce may establish or manage commercial, industrial, agricultural, crafts, and services institutions whether the institution is privately owned or state owned; i.e., warehouses, public retail spaces, department stores, permanent exhibition galleries, commercial museums, professional business and industry training schools, public markets, and tourist complexes.

ARTICLE 12:

In the absence of any objection from the Council of Ministers, the Chambers of Commerce may, upon request by the Ministry of Commerce, acquire and construct buildings for their own use or rent such buildings to business interests.

ARTICLE 13:

Upon the decision of the Council of Ministers following a request of the Ministry of Commerce, the Chambers of Commerce may participate in public bids in order to gain concessions for public construction or be in charge of public services.

ARTICLE 14:

Every year, the Chambers of Commerce must submit a general report on their activities to the Ministry of Commerce, which has the duty to disseminate such report publicly.

CHAPTER III: FINANCING

ARTICLE 15:

Expenditures for the functions of the Chambers of Commerce shall be met through annual membership dues, receipts, and contributions from other sources.

ARTICLE 16:

If there is no objection from the Ministry of Commerce, the Chambers of Commerce may borrow money to fund expenditures in all areas relating to additional duties stipulated in Articles 11 and 12, except for expenditures for functions described in Article 13 of this Law.

ARTICLE 17:

Repayment of debts, including principal and interest, incurred by the Chambers of Commerce shall be funded by the revenues of their businesses.

ARTICLE 18:

If there is no objection by the Ministry of Commerce, several Chambers of Commerce may incur joint loans in order to establish and support the services institutions or structures which are in the common interest of those Chambers of Commerce.

Repayment of debts shall be secured by revenues of their businesses.

ARTICLE 19:

Borrowing funds as stipulated above in Articles 16, 17 and 18 may be done through banks that offer the best terms.

ARTICLE 20:

Aside from their ordinary budgets, the Chambers of Commerce shall prepare special budgets for the commercial, industrial, agricultural, and craft institutions that they govern.

During the first six months of each year, the Chambers of Commerce shall submit to the Ministry of Commerce for approval reports on the previous year's revenues and the projected budget for the following year, with the accounting documents attached.

Moreover, the Chambers of Commerce shall submit loan installment schedules to the Ministry of Commerce each year. The Chambers of Commerce may reserve all or part of their excess revenue from the management of normal services to establish special funds designed to meet unforeseen expenses. In any case, the amount of reserve funds may not exceed 20 percent of the annual budget.

CHAPTER IV: FINAL PROVISIONS

ARTICLE 21:

Any provision contrary to this Law shall be nullified.

ARTICLE 22:

This Law is declared urgent.

This law is enacted by the National Assembly of the Kingdom of Cambodia on May 16, 1995 during the Fourth Session of the First Legislature.

Phnom Penh, May 20, 1995
The Acting Chairman of the National Assembly

LOY SIM CHHEANG