

Preah Reach Kram (Royal Code)

NS/RKM/1021/011

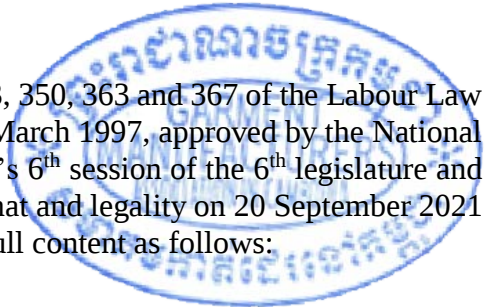
I

**Preah Karona Preah Bat Samdech Boramneat Norodom Sihamoni
Saman Phum Cheat Sasna Rakha Thayea Khemra Rathreas Puthitrie Mohakasat
Khreaneana Smou Hotas Kampu Ekreach Rathboranak Sante Sopheakmanglea Sereyvibola
Khemra Srey Pireas, Preah Chao Krang Kampuchea Thibpadey**

- Having seen the Constitution of the Kingdom of Cambodia
- Having seen Royal Decree No. NS/RKT/0918/925 dated 6 September 2018 on Appointment of the Royal Government of the Kingdom of Cambodia
- Having seen Royal Decree No. NS/RKT/0320/421 dated 30 March 2020 on Appointment and Adjustment to Composition of Royal Government of Cambodia
- Having seen Royal Code No. NS/RKM/0618/012 dated 28 June 2018 promulgating the Law on Organization and Functioning of the Council of Ministers
- Having seen Royal Code No. NS/RKM/0105/003 dated 17 January 2005 promulgating the Law on Establishment of Ministry of Labour and Vocational Training
- Having seen Royal Code Ch.N./RKM/0397/01 dated 13 March 1997 promulgating the Labour Law
- Having seen the submission of Samdech Akka Moha Sena Padei Techo Hun Sen, Prime Minister of the Kingdom of Cambodia

Promulgate

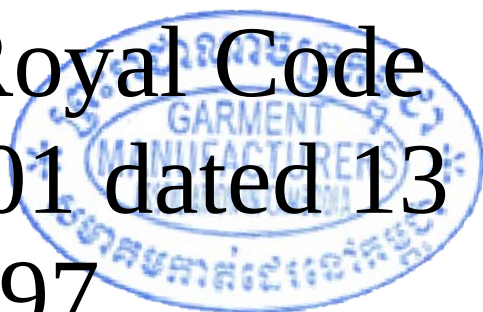
The Law on Amendment to Articles 123, 138, 162, 300, 343, 350, 363 and 367 of the Labour Law promulgated by Royal Code Ch.S/RKM/0397/01 dated 13 March 1997, approved by the National Assembly on 09 September 2021 in the National Assembly's 6th session of the 6th legislature and which the Senate has completely reviewed all the legal format and legality on 20 September 2021 during the 7th plenary session of the 4th legislature has the full content as follows:



Law

On

Amendment to Articles 123,
138, 162, 300, 343, 350, 363
and 367 of the Labour Law
promulgated by Royal Code
Ch.S/RKM/0397/01 dated 13
March 1997



Article One

Articles 123, 138, 162, 300, 343, 350, 363 and 367 of the Labour Law promulgated by Royal Code Ch.S/RKM/0397/01 dated 13 March 1997 shall be amended as follows:

New Article 123

Prioritized claims provided for in new Article 122 of the Labour Law are opposable to all other general and special priority, including the priority of the National Treasury. Amounts deducted by the National Treasury from the money order of the employer after the date when payment of debt was stopped, shall be returned to the debtor.

New Article 138

The work schedule is set by each enterprise for different jobs based on the nature of their activities and organization of work which can be more than 1 (one) shift per day. In case the enterprise operates in 3 (three) shifts, the shifts can be divided into morning shift, afternoon shift and night shift and the working hours of each shift shall not exceed the full working hours of workers/employees per day as stipulated in Article 137 of the Labour Law.

The enterprise can divide the working time of each shift into 2 (two) separate sessions.

New Article 162

Working on paid public holidays shall be under the inspection of the labour inspector. The formalities and procedures for working on paid public holidays shall be set a Prakas of the Minister in charge of labour.

Time off for holidays cannot be the reason for reducing monthly, bi-monthly, or weekly wages.

New Article 300

An individual dispute is one that arises between the employer and one or more workers or apprentices individually, and relates to the interpretation or enforcement of the terms of a labor contract or apprenticeship contract, or the provisions of a collective agreement as well as regulations or laws in effect.

For every individual dispute, either party can file a complaint to the competent labour inspector for conciliation first. In case the dispute cannot be conciliated, the parties can file a complaint to court or Arbitration Council in accordance with the Prakas of the Minister in charge of labour.

New Article 343

The tasks of the labour inspection are assumed by labour inspectors and by labour controllers.

Before their appointment, labor inspectors and controllers shall solemnly swear allegiance to fulfilling their duties and to not revealing, even after having left their post from the Ministry in charge of labour, any manufacturing or trade secrets or operating methods that they learned of during the course of their work.

Labour inspectors are eligible to be judicial police to inspect crimes as stipulated in this law in accordance with the provisions of Criminal Code. The formalities and procedures for eligibility to

be judicial police of labour inspectors shall be set by an Inter-ministerial Prakas of the Minister of Justice and Minister in charge of labour.

New Article 350

Within the framework of their mission, the provisions relating to the powers and obligations of labour inspectors provided for in new Article 343 - paragraph 2, 346 and 347 - points 1, 2, 3, 4 of the Labour Law, are also extended to the labour medical inspectors.

New Article 363

Those guilty of violating the provisions of Articles 21, 28, 44, 45, 49, 50, 57, 59, 106, new Article 139, new Article 144, new Article 162, Articles 163, 164, 166, 167, 168, 169, 170, 179, 180 - paragraphs 1 and 2, Article 182 - paragraphs 2 and 3, Articles 184, 194, 198, 200, 204, 205, 206, 210, 249, 296, and 306 of the Labour Law are liable to a fine of 31 (thirty-one) to 60 (sixty days) of the base daily wage.

New Article 367

Employers who employ staff under conditions contrary to the provisions of Articles 137, new Article 138 - paragraph 2, Articles 140 and 141 of the Labour Law are liable to a fine of 31 (thirty-one) to 60 (sixty days) of the base daily wage.

Article Two

This law shall be declared as a matter of urgency.

Royal Place, 05 October 2021
(signed)

Norodom Sihamoni

PRL. 2110.733

Submitted to His Majesty
for signature
Prime Minister
(signed)

Samdech Akka Moha Sena Padei Techo Hun Sen

Certified copy from the original
Standby Deputy Prime Minister
Minister in charge of Office of
the Council of Ministers
(signed and stamped)
Kittikosalbandit Bin Chhin

Submitted to
Samdech Akka Moha Sena Padei Techo Prime Minister
Minister of Labour and Vocational Training

(signed)

Ith Sam Heng