

(National Coat-of-arms)
KINGDOM OF CAMBODIA
Nation Religion King

Royal Government of Cambodia
No. 20 S.E.

MINISTRY OF HEALTH	
IN	Dated (Illegible) (Illegible) 96 at (Illegible) (Illegible) 58

SUBDECREE
On Organization and Functioning of Ministries and State Secretariats

The Royal Government of Cambodia

Pursuant to:

- The Constitution of the Kingdom of Cambodia;
- Royal Decree, dated September 24, 1993, on the Appointment of the First and Second Prime Ministers;
- Royal Decree, dated November 1, 1993, on the Appointment of the Royal Government of Cambodia;
- Royal Decree No. NS-RD-1094/83, dated October 24, 1994, on the Modification to the Components of the Royal Government of Cambodia;
- Royal Decree No. CS-RD-1094/90, dated October 31, 1994, on the Modification to the Components of the Royal Government of Cambodia;
- Royal Decree No. 02 NS.94, dated July 20, 1994, on the Organization and Functioning of the Council of Ministers;
- Need for organization, management and functioning of the ministries and state secretariats;
- Approval from the Council of Ministers;

(Stamp)

Hereby order

CHAPTER 1
General Provisions

Article 1: The State's administrative units shall be under the management of the ministries or state secretariat. Each ministry or state secretariat shall be under the management of one minister or one secretary of state. The organization and functioning of various subordinates to units of the ministry or state secretariat determined by subdecree. The central unit cannot be put under the hierarchical management of two ministries or state secretariats or many others. On the contrary, apart from the unit subordinate to the Office of the Council of Ministers, no other administrative units shall be under the hierarchical order of any ministry or state secretariat except for autonomous units or authorities.

Article 2: This subdecree shall not cover the organization and functioning of the Office of the Council of Ministers, the Ministry of Interior and the Ministry of National Defense.

CHAPTER 2 Organization of Structure

Article 3: Each ministry or state secretariat includes:

- A central unit or many units subordinate to the ministry or state secretariat;
- Local unit (outside) subordinate to the ministry or state secretariat;
- Public establishment under the guardianship of the ministry or state secretariat;
- Cabinet of the minister or that of the secretary of state who is the head of institution;

Article 4: A central unit subordinate to each ministry or state secretariat may include:

- A general secretariat in a special case;
- One or more general department divided into departments;
- One general inspectorate or one inspectorate;
- General department or department of administrative and general affairs;
- A number of line departments;

Article 5: A local unit (outside) subordinate to the ministry or state secretariat includes:

A- Provincial/Municipal levels

- Line departments led by the department chief;
- Each line department divided into offices;
Apart from each line office/department, there may be a number of subordinate units.

B- District level

- An office divided into other sections;
The organization and functioning of these local units shall be determined in another subdecree.

CHAPTER 3 General Department

Article 6: The administrative system of each ministry or state secretariat shall prepare to have the general department divided into departments. Each department shall be divided into offices.

The administrative system of the ministry or state secretariat already mentioned shall be prepared in accordance with the model organizational chart attached as annex to this subdecree.

The establishment of the general department and departments shall be determined by subdecree that will determine the duties and organization of general departments and departments; whereas, the establishment of offices, ministries or state secretariat shall be determined by a *prakas* of the ministry concerned that will specify the duties of that office.

Article 7: The general department is under the management of one director-general. If necessary, there may be a deputy director-general as assistant.

The department shall be under the management of the department chief. In a particular case, the department chief may have the rank and prerogatives of a director-general. The department chief shall have one or more department vice chief(s) as assistant. The office shall be under the management of the office chief comprised of one office vice chief as assistant.

The director-general, department chief and office chief shall undertake responsibility for the operation of its unit, the implementation of duties assigned by the management, follow up on the implementation of regulations and instruction of the management within a legal framework.

Article 8: The director-general shall be appointed by Royal Decree at the request of the head of the Royal Government according to the request of the head of the institution concerned.

The Deputy Director-General with a rank equivalent to the rank of department chief shall be appointed by subdecree. From the position of department vice chief and similar until the office chief is appointed by a *prakas* of the head of institution. The above official shall be appointed from among the civil servants in the framework of the civil service and shall meet the qualifications in terms of knowledge, ability, skill, seniority as well as rank according to the separate statutes of each official.

Article 9: The General Department of Administration and General Affairs shall be in charge of common affairs such as administration, summary report documents, personnel, planning, finance and materials and equipment.

CHAPTER 4 General Inspectorate or Inspectorate

Article 10: The general inspectorate or inspectorate shall have the duty to conduct inspections in order to ensure the proper functioning of the central administrative unit, the local unit (outside) subordinate to the ministry of the secretariat. In this case, the general inspectorate or inspectorate shall have the duty to inspect the functioning of the unit and these departments in compliance with the legal principles, objectives and regulations of the head of institution. The general inspectorate or inspectorate shall report its mission to the head of institution; however, it shall not be entitled to make any decision.

Article 11: A general inspectorate led by an inspector-general may have an assistant inspector-general as needed. An inspectorate led by an inspector may have one or two assistant inspectors as assistants.

Article 12: The inspector-general with a rank equivalent to the rank of director-general shall be appointed by Royal Decree at the request of the head of the Royal Government in accordance with the head of institution concerned among the ministry inspectors who are qualified and experienced in this task; whereas, an inspector with a rank equivalent to department chief shall be appointed by a subdecree at the request of the head of institution concerned from among the ministry civil servants who have served the service for at least five years, are highly responsible and have held important positions.

The assistant inspector-general and inspectors with a rank equivalent to department chief shall be appointed by subdecree. The assistant inspector with a rank equivalent to the department vice chief shall be appointed by a *prakas* of the head of the institution concerned.

Article 13: General departments, general secretariats, general inspectorates, departments, inspectorates and offices shall be the units to ensure the sustainability of the administrative systems of the ministry and the state secretariat.

CHAPTER 5

Financial Inspection

Article 14: Each ministry or state secretariat shall have a financial inspection unit. One or two financial inspection chiefs shall be chosen from among civil servants who have the skills and sufficient experience and are appointed by the Ministry of Economy and Finance and s/he shall be working with the ministry and state secretariat.

Article 15: Financial inspection shall be determined by a Subdecree on Financial Inspection of Expenditure of State Budget in the ministry, state secretariat and provinces/municipalities. In this case, the financial inspection chief shall promptly report various incidents it has examined to the Minister of Economy and Finance and to the minister or secretary of state who is the head of the institution concerned.

Chapter 2 Cabinet of the Head of Institution

Article 16: The cabinet of the ministry or state secretariat is a separate unit with a mission to assist the minister or secretary of state with his/her rank as politician based on the work in the Royal Government and the National Assembly as well as his/her rank as administrative leader in the ministry or state secretariat.

Article 17: Duties of the cabinet include:

- Responsibility for liaising with the cabinet of other ministers as well as in liaison with parliamentarians and other information dissemination systems.
- Provide comments to the minister or secretary of state regarding general tasks within the ministry and other cases assigned by the head of the institution for examination. The duty to provide comments shall not allow the cabinet to fulfill the work instead of the competent units within the ministry or state secretariat.
- Distribute and disseminate information about the objectives of the head of institution.
- Arrange the schedule of the minister and units subordinate to the ministry and then monitor the implementation of this work according to the schedule.
- Arrange the work meeting within the ministry as well as the inter-ministerial work meeting.
- Forward the regulations of the minister to other units in the ministry as per the work load assigned by the minister or the head of institution.
- Follow up and coordinate other activities of the ministry of the state secretariat in order to facilitate the work and follow up the implementation of the orders of the minister or secretary of state.

Article 18: Members of cabinet shall be directly chosen by the head of institution according to what the minister or secretary of state have seen and trusted; moreover, any member of that cabinet may be dismissed at any time without specifying any grounds. A

member of the cabinet shall leave his/her position when the minister or secretary of state who has appointed him/her is removed from the position only if the newly appointed minister or secretary of state has approved keeping any member of the former cabinet.

Article 19: The position of member of cabinet shall be a position that is held for a period of time. Therefore, any member of cabinet who previously was not a framework official cannot claim this qualification according to the appointment of him/her as the cabinet member. In contrast, when s/he leaves his/her previous position in order to work in the cabinet, cabinet members who have qualified as framework officials shall still have this qualification as well as his/her seniority in the original ministry or state secretariat.

Article 20: The cabinet shall be led by a cabinet director to be appointed by a *prakas*. The cabinet director shall have one cabinet chief to be appointed by *prakas* to work as an assistant whose duties are to undertake the work related to protocol and liaison with the public.

Article 21: Apart from the cabinet director and cabinet chief, cabinet can have members such as: technical advisor, assembly attaché, press attaché and personal secretary appointed by a *prakas*. The number of these officials shall not exceed three, for Senior Minister and two ministers; for a secretary of state who is the head of institution and one who is the secretary of state but s/he is not the head of institution. The above cabinet officials shall examine the case assigned by the cabinet director and help the cabinet director according to their respective ability. Allocation of duty of the cabinet members shall be determined by a *prakas* of the ministry or state secretariat.

Article 22: In addition to the civil servants specified in Article 21 above, the head of each institution may have an envoy, advisor and assistant to undertake his/her mission in the framework of cabinet totaling not more than three people and shall be appointed by subdecree.

Article 23: The Personnel Unit shall give the framework officials of the ministry or state secretariat to the cabinet to undertake the task of supply such as driver or secretary, office, etc. The positions of these agents are normal administrative positions which will automatically change when the minister is changed.

CHAPTER 7 Final Provisions

Article 24: All ministries and state secretariats shall reorganize the structure in compliance with the provisions of this subdecree.

Article 25: Any provisions with a hierarchy equal to or lower than this subdecree shall be abrogated.

Article 26: The Co-ministers in charge of the Office of the Council of Ministers, ministers and all secretaries of state shall respectively implement this subdecree which has come into effect from the date of royal signature and signature onwards.

Phnom Penh, April 30, 1996

**First Prime
Minister**
*(Signature and
stamp)*

**Second Prime
Minister**
*(Signature and
stamp)*

**NORODOM
RANARIDDH**

HUN SEN

To have informed
First and Second Prime Ministers
(Signatures and stamp)

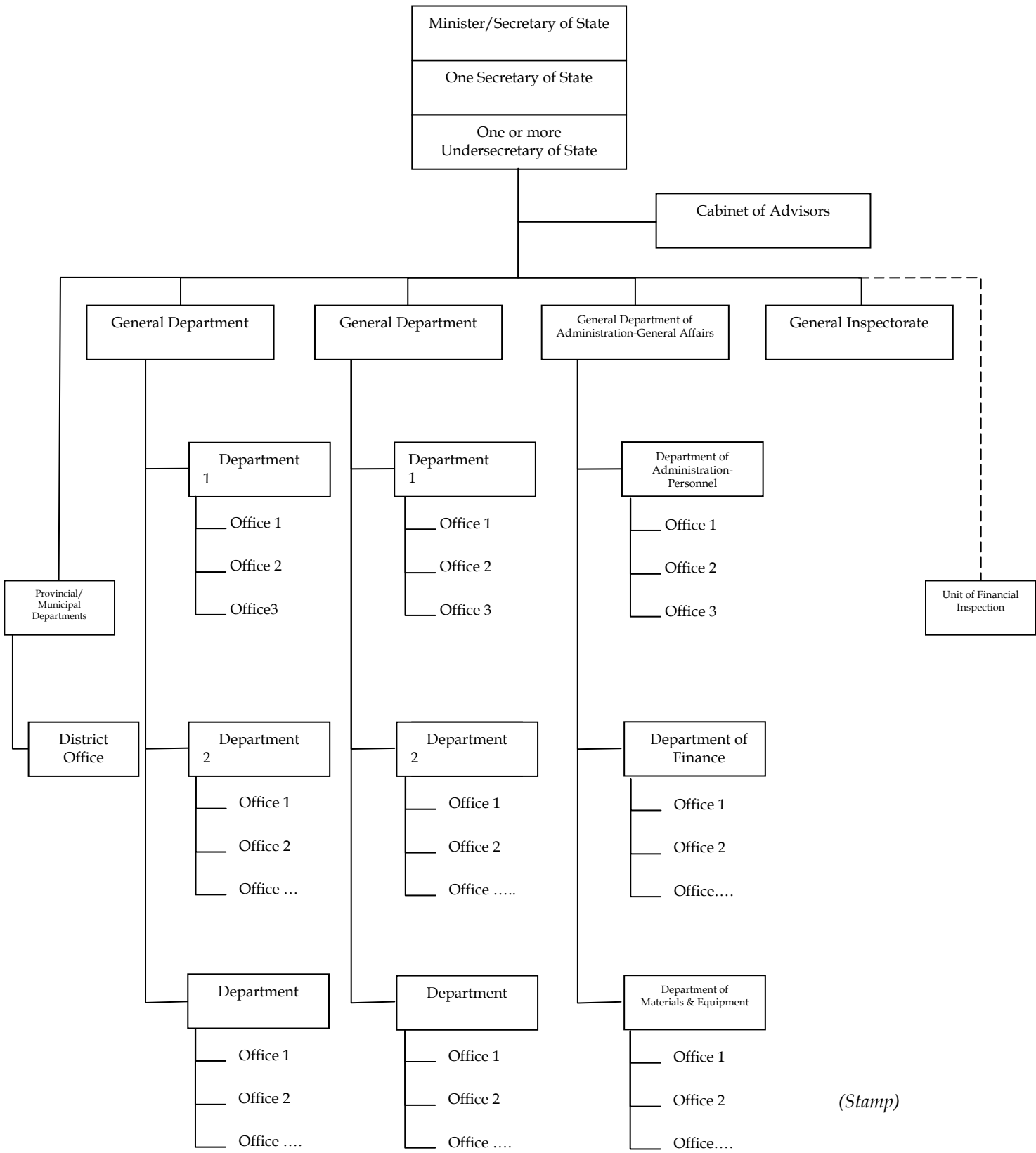
SOK AN VENG SEREYVUDH

CC:

- Royal Cabinet of the King
- General Secretariat of the National Assembly
- Cabinet of *Samdech Krom Preah* the First Prime Minister
- Cabinet of *Samdech the Second Prime Minister*
- As stipulated in Article 23
- Records – Archives

Annex

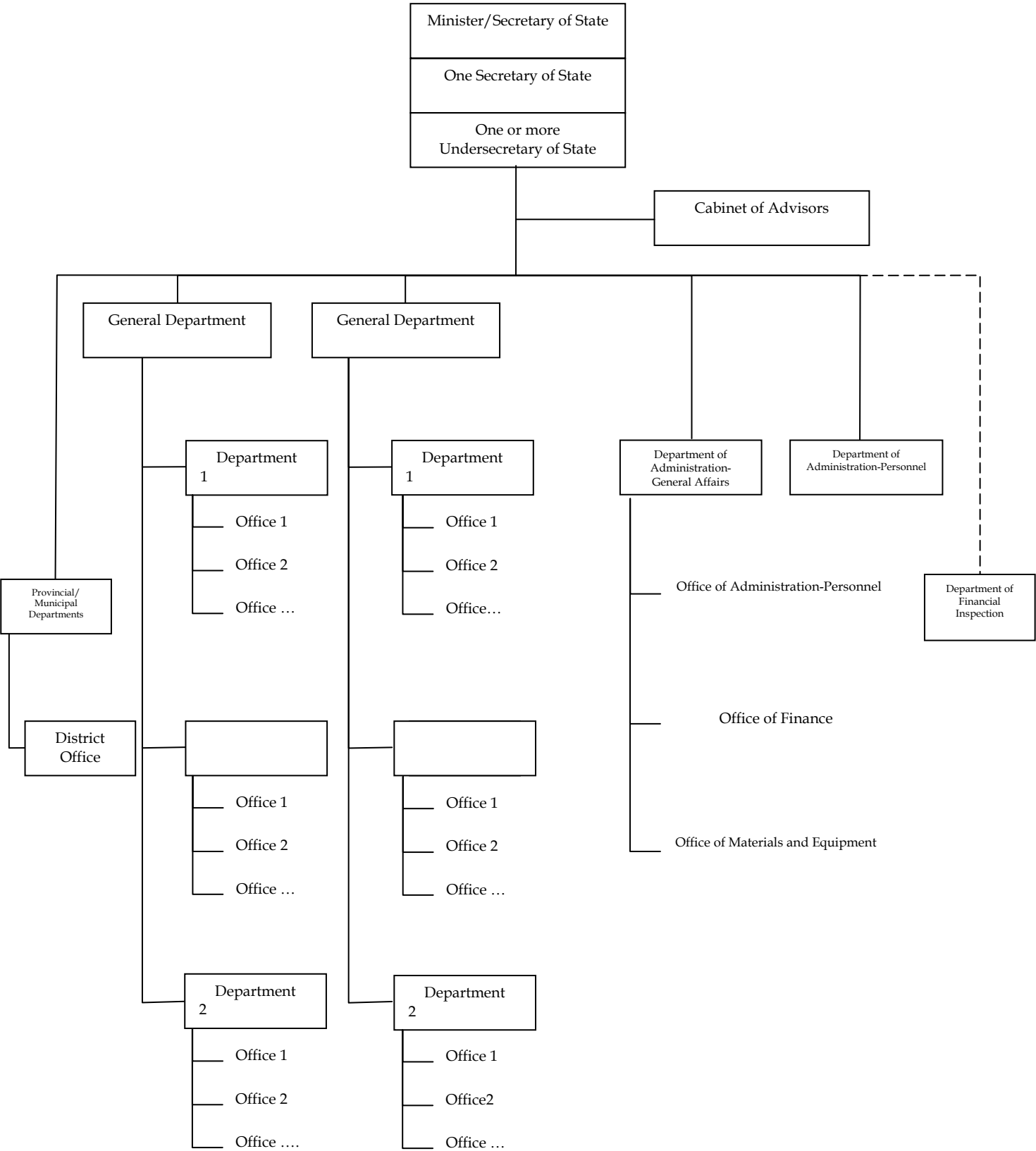
Sample 1
Organization Chart of Ministry of



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Annex

Sample 2
Organizational Chart of Ministry of



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