

Unofficial Translation

**KINGDOM OF CAMBODIA
NATION RELIGION KING**

**Royal Government of Cambodia
No. 14 ANK/BK**

**SUB-DECREE
ON**

**AMENDMENT OF ARTICLE 2, ARTICLE 3, ARTICLE 6, ARTICLE 7, ARTICLE 10,
ARTICLE 11, ARTICLE 13, ARTICLE 16, ARTICLE 19, ARTICLE 24, AND ARTICLE 26 OF
THE SUB-DECREE 160 ANK/BK DATED 29 JULY 2016 ON THE ORGANIZATION AND
FUNCTIONING OF THE CAMBODIA HALAL STEERING COMMITTEE**

Royal Government

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen the Royal Decree No. NS/RKT/0918/925 dated 6 September 2018 on the Appointment of the Royal Government of Cambodia;
- Having seen the Royal Decree No. NS/RKT/0320/421 dated 30 March 2020 on the Appointment and Reshuffling of Composition of the Royal Government of the Kingdom of Cambodia;
- Having seen the Royal Kram No. NS/RKM/0618/012 dated 28 June 2018 promulgating the Law on the Organization and the Functioning of the Council of Ministers
- Having seen the Royal Kram No. NS/RKM/0196/16 dated 24 January 1996 promulgating the Law on the Establishment of the Ministry of Commerce
- Having seen the Sub-Decree No. 38 ANK.BK dated 16 March 2020 on the Organization and Functioning of the Ministry of Commerce
- Having seen the Sub-Decree No. 160 ANK/BK dated 29 July 2016 on the Organization and Functioning of the Cambodia Halal Steering Committee
- According to the request of the Minister of Commerce

DECIDES

CHAPTER I

GENERAL PROVISIONS

Article One._

Article 2, Article 3, Article 6, Article 7, Article 10, Article 11, Article 13, Article 16, Article 19, Article 24, and Article 26 of the Sub-Decree 160 ANK/BK dated 29 July 2016 on the Organization and Functioning of the Cambodia Halal Steering Committee are amended as follows:

Article 2. _New

The following key terms used under this sub-degree shall have the meaning as defined hereunder:

- “**ហាឡាល**” or “**HALAL**” “**حلال**” (an Arabic Word) refers to any object or service which is permissible to use or engage in accordance with Islamic law. These terms are commonly used in relation to food products, meat products, cosmetics, personal care products, pharmaceuticals, food supplements, food ingredients, and other consumables.
- **Product** refers to the general category of goods such as groceries, foods, or services that serve customer's needs or wants.
- **Halal Products** refers to raw materials and products which occur naturally or are produced according to Halal Product Technical Standard that do not contradict to the provisions of Islamic Law.
- **Cambodian Halal Products** refers to services, production, and packaging of the Halal Products in Cambodia.
- **Service** refers to the acceptance of works, authorization, permission to use or for any profit or deed by asking for dividends or other benefits, but do not include recruitment under labor law.
- **Production** refers to processing, blending, mixing, assembling, creating, or transforming images including formatting, resizing, distribution, packaging, or storage.
- **Packaging** refers to packaging the finished halal products according to the Cambodia Halal Product Technical Standard.
- **President of the Highest Council for Islamic Religious Affairs of Cambodia** refers to the President of the Highest Council for Islamic Religious Affairs in Cambodia that are appointed by His Majesty the King of the Kingdom of Cambodia.

**CHAPTER II
COMPOSITION OF THE CHSC**

Article 3. _New

The CHSC composes of the following members:

- | | | |
|--|----------|---------------|
| - Minister of Commerce | | Chairman |
| - Senior of Muslim Leader | 1 person | Vice Chairman |
| - Secretary of State of the Ministry of Commerce | 1 person | Vice Chairman |
| - Representative of the Office of the Council of Ministers | 1 person | Member |
| - The President of the Cambodian Highest Council for Islamic Religious Affairs | 1 person | Member |

- Representative of the Ministry of Interior	1 person	Member
- Representative of the Ministry of Economic and Finance	1 person	Member
- Representative of the Ministry of Foreign Affairs and International Cooperation	1 person	Member
- Representative of the Ministry of Industry, Science, Technology and Innovation	1 person	Member
- Representative of the Ministry of Justice	1 person	Member
- Representative of the Ministry of Labor and Vocational Training	1 person	Member
- Representative of the Ministry of Agriculture, Forestry and Fisheries	1 person	Member
- Representative of the Ministry of Education, Youth and Sport	1 person	Member
- Representative of the Ministry of Cult and Religion	1 person	Member
- Representative of the Ministry of Health	1 person	Member
- Representative of the Ministry of Tourism	1 person	Member
- Representative of the Ministry of Information	1 person	Member
- Representative of the Ministry of Women’s Affairs	1 person	Member
- Director General of the Consumer Protection, Competition and Fraud Repression Directorate-General		Member

The actual composition of the CHSC shall be appointed by the decision of the Royal Government of Cambodia.

Article 6. _New

The CHSC has the Consumer Protection, Competition and Fraud Repression Directorate-General of the Ministry of Commerce as the Implementing Body and has the Halal Department of the Consumer Protection, Competition and Fraud Repression Directorate-General as secretariat.

The Organization and Functioning of the CHSC Secretariat shall be determined by Prakas of the Minister of Commerce.

Article 7. _New

To establish Cambodia Halal Technical Working Group under the CHSC which is responsible for providing advice related to Halal Products to the CHSC in order to review technical standards, monitor the provision of services, production or packaging of Cambodian Halal Products, and issue the Certificate of Cambodia Halal Product Technical Standard, which will then be approved by the Minister of Commerce, who is acting as Chairman of the CHSC.

Article 10. _New

A natural person or legal entity, who intends to provide services, production, and packaging of products marked or labeled “ហាឡាល” or “HALAL” “حلال” in the Kingdom of Cambodia, at first, shall prepare and submit the Application Form for the Certificate of Cambodia Halal Product Technical Standard at the Halal Department of the Consumer Protection, Competition and Fraud Repression Directorate - General of the Ministry of Commerce.

Without the Certificate of Cambodia Halal Product Technical Standard, provision of services, production, or packaging of products marked or labeled “ហាឡាល” or “HALAL” “حلال” or distribution in the Kingdom of Cambodia shall be prohibited, although with or without the intention of doing business.

Article 11. _New

A natural person or legal entity who provided services, production, and packaging of the Halal Products which holding certified halal certificate from other Halal Certification Body of any foreign country other than the Kingdom of Cambodia, at first, shall prepare and submit the Application Form for the Certificate of Cambodia Halal Product Technical Standard at the Halal Department of the Consumer Protection, Competition and Fraud Repression Directorate -General of the Ministry of Commerce.

Without the Certificate of Cambodia Halal Product Technical Standard, any provision of services, production or packaging of products which marked or labeled “ហាឡាល” or “HALAL” “حلال” in the kingdom of Cambodia, shall be prohibited, although having Halal Certificate issued by other Halal Certification Body of foreign countries other than the Kingdom of Cambodia.

Article 13. _New

Once the provision of service, production, packaging of product satisfied the quality assessment requirements of halal product technical standard, the CHSC and the Cambodia Halal Technical Working Group will issue the Certificate of Cambodia Halal Product Technical Standard to applicant which shall not exceed 3 months.

The Certificate of Cambodia Halal Product Technical Standard shall be issued by the President of the Cambodia Halal Technical Working Group with approval from the Minister of Commerce who is acting as chairman of the CHSC.

Article 16. _New

The Consumer Protection, Competition and Fraud Repression Directorate-General shall assign competent official to inspect the use of Halal Logo and Certificate of Cambodia Halal Product Technical Standard on products, storage warehouses, or markets or sites of service provision and imported Halal products.

Article 19.-New

The payment of provisional fine shall lead to termination of criminal actions.

In case the offender refuses to pay the provisional fine, the competent officials of the Consumer Protection, Competition, and Fraud Repression Directorate-General may bring the case of offense to the court following the legal procedure.

The competent officials of the Consumer Protection, Competition, and Fraud Repression Directorate-General shall request to the competent prosecutor to seize the evidence of the offense. Relevant stakeholders who object to any decisions may appeal to the competent court.

Articles 24.-New

Legal entity shall be declared criminally liable under conditions as stated in Article 42 (Criminal Liability of Legal Entities) of the criminal law for offenses as stated in Article 21 to Article 23 of Sub-Decree No.160ANK/BK dated July 29, 2016 on the Organization and Functioning of the Cambodia Halal Steering Committee.

Legal entity shall be punished by the provisional fine not exceeding 10,000,000 (ten million) Riels.

Punishment shall be doubled if it is violated again within a 2-years period.

Article 26. _New

Legal entity shall be declared criminally liable under conditions as stated in Article 42 (Criminal Liability of Legal Entities) of the criminal law for offenses as stated in Article 25 of Sub-Decree No.160ANK/BK dated July 29, 2016 on the Organization and Functioning of the Cambodia Halal Steering Committee.

Legal entity shall be punished by the provisional fine not exceeding 5,000,000 (five million) Riels.

Punishment shall be doubled if it is violated again within a 2-years period.

Article Two. _

Any provision contrary to this Sub-Decree shall be abrogated.

Article Three. _

The Minister in-charge of Council of Ministers, the Minister of Economic and Finance, the Minister of Commerce, all Ministers from relevant ministries and the President of the Highest Council for Islamic Religious Affairs of Cambodia are responsible for enforcing this Sub-Decree from the date of its signing.

PRIME MINISTER Signed and Sealed