

**Kingdom of Cambodia
Nation Religion King**

**Royal Government of Cambodia
No. 38 ANKR.BK**

**Sub-Decree
on
the Organization and Functioning of
the Ministry of Commerce**

Royal Government

- Having seen the Constitution of the Kingdom of Cambodia,
- Having seen Royal Decree No. NS/RKT/0918/925 dated 6 September 2018 on the Appointment of the Royal Government of the Kingdom of Cambodia,
- Having seen Royal Kram No. NS/RKM/0618/012 dated 28 June 2018 promulgating the Law on the Organization and Functioning of the Council of Ministers,
- Having seen Royal Kram No. NS/RKM/0196/16 dated 24 January 1996 promulgating the Law on the Establishment of the Ministry of Commerce,
- Having seen Royal Kram No. JS/RKM/0696/03 dated 17 June 1996 promulgating the Law on the General Statute of Public Enterprises,
- Having seen Royal Kram No. NS/RKM/0695/04 dated 26 June 1995 promulgating the Law on Commercial Rules and Commercial Registration,
- Having seen Royal Kram No. NS/RKM/1199/12 dated 16 November 1999 promulgating the Law on the Amendment to the Law on Commercial Rules and Commercial Registration,
- Having seen Royal Kram No. NS/RKM/0605/019 dated 19 June 2005 promulgating the Law on Commercial Enterprises,
- Having seen Sub-Decree No. 81 ANKR.BK dated 16 November 1995 on the Establishment of the Financial Control on Public Expenditure in Ministries, Provinces, Cities, Autonomous Cities, Phnom Penh Capital and Administrative Public Organizations,
- Having seen Sub-Decree No. 20 ANKR.BK dated 30 April 1996 on the Organization and Functioning of Ministries and Secretariats,
- Having seen Sub-Decree No. 41 ANKR.BK dated 6 August 1997 on the Enforcement of the Royal Kram on the General Statute of Public Enterprises,
- Having seen Sub-Decree No. 72 ANKR.BK dated 23 November 1998 on the Establishment of Green Trade Company,
- Having seen Sub-Decree No. 40 ANKR.BK dated 15 February 2005 on the Organization and Functioning of the Internal Audit Department in Ministries, Institutions and Public Enterprises,
- Having seen Sub-Decree No. 148 ANKR.BK dated 29 December 2005 on the Establishment and Management of Special Economic Zones,
- Having seen Sub-Decree No. 71 ANKR.BK dated 22 April 2011 on the Supplement of the Sub-Decree No. 41 ANKR.BK dated 6 August 1997 on the Enforcement of the Royal Kram on the General Statute of Public Enterprises,
- Having seen Sub-Decree No. 114 ANKR.BK dated 7 September 2015 on the Determination of the Organizational Structure and Positions in the Organizational Structure of Ministries and National and Sub-National Institutions,
- Having seen Sub-Decree No. 11 ANKR.BK dated 31 January 2017 on the Organization and Functioning of the Cabinets of Prime Minister, Deputy Prime Ministers, Senior Ministers, Ministers and Secretaries as Chiefs of the Institutions,

- Having seen Sub-Decree No. 25 ANKR.BK dated 21 February 2017 on the Establishment of the Permanent Mission of the Kingdom of Cambodia to the World Trade Organization and International Organizations Relevant to Economic and Trade Sectors at Geneva, Switzerland,
- Having seen Sub-Decree No. 107 ANKR.BK dated 7 August 2018 on the Organization and Functioning of the Representatives of the Kingdom of Cambodia at Foreign Countries, and
- Rereferring to the request of the Minister of Commerce,

Hereby Decide

Chapter 1 General Provisions

Article 1-

This sub-decree aims to determine the organization and functioning of the Ministry of Commerce.

Article 2-

The objective of this sub-decree is to define the following missions, functions, duties and structure:

- Prepare the mission and structure of the Ministry of Commerce
- Organize the functions and duties of units of the Ministry of Commerce, and
- Ensure the quality and effectiveness of the performance results achieved in the commercial sector.

Article 3-

This sub-decree applies to all units of the Ministry of Commerce at the national level, sub-national level, overseas units and public enterprises, covering the commercial sector of the Kingdom of Cambodia.

Chapter 2 Missions, Functions, Duties and Structure

Article 4-

The Ministry of Commerce acts as a staff for the Royal Government on the mission of leading, managing and coordinating all activities in the commercial sector to ensure the quality and efficiency of work at the national level, sub-national level, foreign units, and public enterprises in improving the living standards of the people on free market economic policy, covering the commercial sector of the Kingdom of Cambodia.

This mission shall be carried out through the proper organization and implementation in accordance with the policies, legal framework and legal instruments related to the commercial sector of the Kingdom of Cambodia.

Article 5-

The Ministry of Commerce has the following functions and duties:

- Lead, manage, coordinate and control domestic and foreign trade policies
- Research, prepare and develop policies and strategic plans on the commercial sector
- Define inventory of strategic goods and some essential goods
- Stabilize commodity prices and intervene in markets in particular in strategic goods
- Strengthen the development of the private sector, ensuring free and equitable commerce and act as a technical guardian of the Cambodia Chamber of Commerce
- Draft laws and legal instruments related to trade, trade regulations and manage the Center for Documentation and Trade Information
- Manage the filing of notices of guaranteed transactions
- Research and develop domestic and foreign markets

- Diversify markets and exports, accelerate integration into key regional and global free trade frameworks, and promote trade balance
- Organize and participate in the World Expo and International Trade Fair
- Coordinate the work of the International Exhibition Office and act as the Secretariat of the Ministry Committee to organize the World Expo and the International Trade Fair
- Promote and develop e-commerce
- Manage and issue business permits for natural persons or issue permits to provide trade services for legal entities
- Manage commercial registration and monitor commercial activities
- Manage, direct, control foreign trade and implement the provisions of various trade preferential systems and preferences under the Bilateral and Free Trade Area, issue licenses and certificates of origin
- Manage and protect marks, trade names and acts of unfair competition, geographical indications, collective marks, certification marks, and trade secrets
- Cooperate and integrate trade economy with the Association of Southeast Asian Nations and with countries and international organizations
- Act as a center to coordinate, receive and provide information related to trade, services and review the trade policies of the Kingdom of Cambodia
- Check the quality, safety, compliance and suppression of fraud on products, goods and services within its jurisdiction and cooperation with relevant institutions
- Pre-screen products that affect the health and safety of consumers, register products and certify other products as necessary within its jurisdiction
- Examine and resolve complaints from individuals involved in the competition and consumer protection in relation to quality, safety and compliance of products within its jurisdiction
- Participate and implement cooperation in both national and international frameworks in the field of consumer protection, competition and work related to quality, safety and product compliance within its jurisdiction
- Implement outreach programs to provide educational information and raise awareness to users and stakeholders
- Manage the laboratory of the Ministry of Commerce
- Act as a focal point and secretariat within the national, regional and international frameworks, Codex affairs, Halal products, consumer protection, competition and national communication for receiving and providing information on food safety, and
- Perform other duties assigned by the Prime Minister.

Article 6-

The Ministry of Commerce has the following structure:

A. National units

1. Cabinet of the Minister
2. Directorate-General of Administration and Finance
3. Directorate-General of International Trade
4. Directorate-General of Domestic Trade
5. Trade Support Services Directorate-General
6. Directorate-General of Trade Promotion
7. Directorate-General of Consumer Protection, Competition and Anti-Fraud
8. General Inspectorate
9. Internal Audit Department
10. Consumer Protection, Competition and Fraud Repression Branches
11. Trade Representative of Special Economic Zone Administration

B. Overseas units

Permanent Mission of the Kingdom of Cambodia to the World Trade Organization and international trade and economic organizations in Geneva, Switzerland.

C. Public enterprise

- Green Trade Co., Ltd.

D. Sub-National Units

- Municipal and Provincial Departments of Commerce

Article 7-

The Directorate-General shall be headed by a Director General and accompanied by Deputy Directors General as assistants in the number in accordance with applicable regulations.

The General Inspectorate shall be headed by an Inspector General, accompanied by Deputy Inspectors General as assistants in the number in accordance with applicable regulations.

The Permanent Mission of the Kingdom of Cambodia to the World Trade Organization and international trade and economic organizations in Geneva, Switzerland, is headed by a Chief of Mission and accompanied by a number of diplomats and technical officers as necessary.

The Department is headed by a director and accompanied by Deputy Directors as assistants in the number in accordance with applicable regulations.

The Business Training and Research Institute is headed by a director, appointed by a sub-decree and accompanied by Deputy Directors as assistants appointed by a Prakas of the Minister of Commerce and in the number in accordance with applicable regulations.

The Municipal and Provincial Departments of Commerce shall be headed by a director and accompanied by deputy directors as assistants appointed by a legal instrument in the number in accordance with applicable regulations.

The Consumer Protection, Competitiveness and Fraud Repression Branch is headed by a Branch Manager and accompanied by Deputy Managers as assistants appointed by a Prakas of the Minister of Commerce in the number in accordance with applicable regulations.

The Trade Representative of the Special Economic Zone Administration is headed by a director appointed by a Prakas and accompanied by professional officers as assistants.

The management structure of the Ministry of Commerce is an appendix to this sub-decree.

Article 8-

The organization and functioning of each subordinate office and other units of the departments, the Business Training and Research Institute, the municipal and provincial departments of commerce, the consumer protection, competition and fraud repression branches, the foreign units and the local units under the Ministry of Commerce shall be determined by a Prakas of the Minister of Commerce.

Chapter 3 Cabinet of Ministers

Article 9-

The Cabinet of Ministers oversees all missions as defined in Sub-Decree No. 11 ANKR.BK dated 31 January 2017 on the Organization and Functioning of the Cabinets of the Prime Minister, Deputy Prime Ministers, Senior Ministers, Ministers and Secretaries of State as Heads of Institutions and Sub-Decree No. 20 ANKR.BK dated 30 April 1996 on the Organization and Functioning of the Ministries and the State Secretariats.

Chapter 4 Directorate-General of Administration and Finance

Article 10-

The Directorate-General of Administration and Finance is responsible for directing, managing and coordinating the administration, human resources, finance, state property, hospitality, internal security, and coordinating general work with the ministries and institutions of the Royal Government.

The Directorate-General of Administration and Finance consists of 3 (three) departments and 1 (one) institute which have the duties as stated in this chapter and perform other duties assigned by the Minister.

Article 11-

The Department of Administration has the following duties:

- In charge of general administration and coordinate tasks with relevant institutions
- Manage and circulate all administrative documents of the Ministry through the single window
- Ensure administrative efficiency and safety
- Research, compile and disseminate a series of documents related to administrative work
- Facilitate meetings and hospitality
- Manage security and general order in the campus of the Ministry
- Summarize monthly, quarterly, semi-annual and annual reports to relevant ministries and institutions
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 12-

The Personnel Department has following duties:

- Manage civil servants of the Ministry of Commerce in liaison with the Ministry of Civil Service and relevant ministries and institutions
- Prepare documents for career management of civil servants, including appointments, permanent employment, transfers, promotion of step, promotion of grade, compliment, medal award, disciplinary action, placement outside the original body, leave without pay, removal from the body, retirement and loss of professional fitness
- Recruit new staff, change the type of framework and contract staff
- Manage civil servants' data through IT system
- Coordinate the proposal to establish or dissolve the unit, organize the functions, duties and adjust the structure of the Ministry
- Prepare the annual framework of the Ministry
- Develop policies, development plans and human resource management
- In charge of communicating and coordinating public administrative reform with relevant institutions
- Lead, manage, coordinate and support the implementation of the Ministry's deconcentration and decentralization reform process
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 13-

The Accounting and Finance Department has the following duties:

- Prepare strategic budget plan, budget plan, action plan, financial monitoring and evaluation plan
- Manage routine inventory and physical accounting
- Manage cash and manage all accounts of the Ministry
- Manage financial and accounting systems, revenues, expenditures, advances, general expenses and mission expenses in the country and abroad
- Coordinate the annual planning needs of state property, equipment, facilities, materials, and logistics

- Manage and allocate the use, maintenance and repair of all state property, equipment, facilities, materials and logistics of the Ministry
- Manage inventory
- Propose and coordinate the Ministry's public procurement
- Monitor and coordinate public financial management reform
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 14-

The Business Training and Research Institute has the following duties:

- Plan and develop curricula on all subjects related to trade and economics for short, medium and long term
- Organize training and enhance knowledge for civil servants, public organizations and staff from the private sector or general students according to the curriculum and as needed
- Cooperate and facilitate the opening of training courses under the assistance project from various development partners or from national and international organizations
- Cooperate with developing countries and communities to raise funds for human resource training, institutional capacity building and business sector development
- Manage the library of the Ministry of Commerce
- Co-disseminate relevant laws and regulations, principles and procedures to civil servants of the Ministry of Commerce, relevant ministries and the private sector
- Research new knowledge and curriculum in business and related fields
- Find partners and cooperate with relevant ministries and institutions to receive and use technical assistance related to training from development partners
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Chapter 5

Directorate-General of International Trade

Article 15-

The Directorate-General of International Trade has the roles and duties of researching, formulating policies and strategic plans for foreign trade, negotiating market access, conducting economic and trade cooperation with countries in the region and sub-region, and integrating trade economy with the Association of Southeast Asian Nations and countries on continents to facilitate and participate in international trade disputes, facilitate assistance and promote the implementation of Cambodia's obligations with the World Trade Organization, with ASEAN and other free trade regions.

The Directorate-General of International Trade consists of 5 (five) departments which have the duties as stated in this chapter and perform other duties assigned by the Minister.

Article 16-

The Asia-Pacific Department has the following duties:

- Research, formulate policies and strategic plans for regional, sub-regional and bilateral trade in the Asia-Pacific region
- Participate in studying and evaluating the possibility of establishing a bilateral free agreement with other countries

- Act as the National Secretariat of the ASEAN Economic Community (which is responsible for matters relating to the ASEAN Economic Senior Ministers, the ASEAN Economic Ministers and the Ministers of the ASEAN Economic Community Council) and as a sub-regional and bilateral secretariat
- Participate in or chair the ASEAN Free Trade Area and ASEAN, Sub-Regional and Bilateral Partnership Negotiations to deepen regional economic integration and strengthen trade and economic cooperation
- Prepare documents and draft laws requesting ratification by the Legislature on the relevant agreements and protocols signed by the Minister of Commerce and prepare notification letters on the completion of local procedures for the implementation of those agreements and protocols
- Disseminate the results of the open market for goods, services and agreements with the relevant institutions, units and the public
- Prepare reports, aide-mémoire and speeches to the leadership of the Ministry and the government
- Prepare project proposal for technical assistance from development partners to strengthen the capacity of officials and institutions
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 17-

The Department of Europe, Middle East and Africa has the following duties:

- Research and develop trade policies and strategic plans with countries in Europe, the Middle East and Africa
- Coordinate economic and trade cooperation with countries in Europe, the Middle East and Africa
- Research and develop policies, strategies and action plans for regional and sub-regional economic and trade cooperation
- Collaborate with relevant units and institutions to negotiate market access, facilitate and promote trade in Europe, the Middle East and Africa
- Implement the Ministry's policies and missions in managing international trade with countries in Europe, the Middle East and Africa
- Coordinate with relevant units and institutions to resolve issues related to tariff and non-tariff barriers aimed at facilitating trade with countries in Europe, the Middle East and Africa
- Advise on Cambodia's draft laws, regulations, legal instruments and Trade Agreements with countries in Europe, the Middle East and Africa
- Coordinate and promote the implementation of agreements and memorandum of understanding on which Cambodia is a party in bilateral and regional frameworks with countries in Europe, the Middle East and Africa
- Prepare documents requesting ratification from the Legislature on the relevant agreements and protocols signed by the Minister of Commerce and prepare notification letters on the completion of the procedure for implementation
- Research and compile trade information and data within Europe, the Middle East and Africa
- Disseminate the results of the open market for goods, services and agreements with the relevant institutions, units and the public
- Coordinate and cooperate with organizations, associations and chambers of commerce within the framework of Europe, the Middle East and Africa
- Prepare action plan and annual budget plan of the department

- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 18-

The Department of America has the following duties:

- Research and develop trade policies and strategic plans with countries in the Americas
- Cooperate in economics and trade with countries in the Americas
- Research and develop existing policies, strategies and action plans for bilateral economic and trade cooperation with countries in the Americas
- Collaborate with relevant units and institutions to negotiate for open markets, facilitate and promote trade with countries in the Americas
- Implement the policies and missions of the Ministry in doing international trade with countries in the Americas
- Coordinate with relevant units and institutions to resolve issues related to tariff and non-tariff barriers aimed at facilitating trade with countries in the Americas
- Advise on Cambodia's draft laws, regulations, legal instruments and Trade Agreements with countries in the Americas
- Coordinate and promote the implementation of agreements and memorandum of understanding on which Cambodia is a party in bilateral and regional frameworks with countries in the Americas
- Prepare documents requesting ratification from the Legislature on the relevant agreements and protocols signed by the Minister of Commerce and prepare notification letters on the completion of the procedure for implementation
- Research and compile trade information and data within the Americas
- Disseminate the results of the open market for goods, services and agreements with the relevant institutions, units and the public
- Coordinate and cooperate with organizations, associations and chambers of commerce within the Americas
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 19-

The Department of International Cooperation has the following duties:

- Research and develop international trade policies and strategic plans
- As a focal point for technical assistance for trade in mobilizing assistance, acting as a facilitator with development partners and international organizations, both domestic and foreign
- Update and coordinate the development of strategies for the implementation and monitoring of the implementation of the Cambodia trade strategy and the roadmap for business development
- Develop and implement a systematic approach to managing trade assistance, including gathering information on development partners' assistance strategies or policies, key opportunities, and global initiatives
- to Mobilize aids and use resources for human resource development, build institutional capacity, develop and implement trade strategies and technical cooperation with development partners and the private sector
- Manage aids in accordance with the procedures of the Royal Government of Cambodia
- Prepare indicators to monitor and evaluate the implementation of business strategies and roadmaps for business development and projects under the management of the department

- Disseminate the results, achievements and impacts of the implementation of trade strategies and roadmaps for business development to the public and stakeholders
- Act as a secretariat for trade governance approaches and other mechanisms for managing business development
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 20-

The Department of Information and Legal Verification has the following duties:

- Participate in advising on the draft laws, regulations and legal instruments of the Kingdom of Cambodia related to regional and global trade treaties to which the Kingdom of Cambodia is a party to ensure consistency
- Act as a secretariat to coordinate with relevant institutions to inform the Secretariat of the World Trade Organization about the newly adopted legal instruments, laws, amendments and other notices as required by the World Trade Organization
- Act as a coordination center for receiving and providing information related to the service sector, trade sector and other sectors of the Kingdom of Cambodia
- Coordinate and promote the implementation of Cambodia's obligations under the World Trade Organization
- Monitor, coordinate and participate in negotiations in various fields under the framework of the World Trade Organization
- Coordinate the preparation of Cambodia's position in international trade negotiations under the framework of the World Trade Organization
- Coordinate with inter-ministerial institutions and relevant authorities to review Cambodia's trade policies
- Prepare documents requesting ratification from the Legislature on the relevant agreements and protocols signed by the Minister of Commerce and prepare notification letters on the completion of the procedure for implementation
- As a center for keeping documents of national and international legal norms and organizing seminars on the progress of negotiations related to economy and trade under the framework of the World Trade Organization
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Chapter 6

Directorate-General of Domestic Trade

Article 21-

The Directorate-General of Domestic Trade has the roles and duties of researching, formulating policies, strategic plans for domestic trade, compiling, analyzing and disseminating statistics and trade information, determining inventory of strategic and essential goods, inspecting inventory of strategic goods, monitoring pricing and marketing processes, managing and developing information technology networks and websites, drafting trade laws and regulations, coordinating trade with the private sector and acting as a staff of the Ministry that is the technical guardian of the Chamber of Commerce, the trade associations, the business associations, the Cambodia Rice Federation and the National Commission for the Promotion and Development of the Cambodian Silk Sector.

The Directorate-General of Domestic Trade consists of 3 (three) departments which have the duties as stated in this chapter and perform other duties assigned by the Minister.

Article 22-

The Legislative Department has the following duties:

- Study and research national and international legal documents and instruments related to trade sector management
- Prepare plans to draft laws and legal instruments
- Prepare draft laws and legal instruments in the trade sector
- Compile and maintain all relevant legal documents and treaties related to the trade sector
- Disseminate and monitor the implementation of laws and legal instruments related to the trade sector
- Provide legal advice to the Ministry and the private sector
- Reconciliate commercial disputes
- Cooperate with the National Commercial Arbitration Center
- Manage the filing of notices of guaranteed transactions, facilitate and promote law enforcement
- Review and evaluate the impact of all legal documents of the Ministry and advise on the impact
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 23-

The Department of Private Sector Development has the following duties:

- Define inventory of strategic goods and other goods as needed
- Monitor prices and market processes
- Intervene in the market to ensure the stability of prices in the market, especially for strategic goods
- Strengthen private sector development, ensure freedom of trade facilitation and trade equity
- Coordinate technical aspects of the Cambodian Chamber of Commerce in the country and abroad
- Manage the market and implement domestic trade policies
- Collaborate with relevant institutions to promote the One Village One Product movement
- Plan the need for training in skills related to business and trade to strengthen the capacity of officials and the private sector in the short, medium and long terms as needed
- Organize research, analyze and monitor the market and flow of Cambodian products
- Collaborate with the Department of Market Development to research product and potential marketing, as well as participate in various advertising missions
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 24-

The Department of Planning, Statistics and Business Information has the following duties:

- Participate in the preparation and development of the Ministry's strategic business plan
- Prepare economic index and analyze international trade situation
- Cooperate in the field of trade statistics with countries in the region and the world
- In charge of Statistics and Business Information Center

- Research, collect and analyze information to create a table of price fluctuations
- Study, analyze and monitor price data on international markets
- Disseminate economic and trade statistics, price index, price fluctuations and domestic and foreign trade information
- Coordinate the collection and compilation of inputs of the Ministry of Commerce to respond to the requirements of the national strategic development plans, programs and policies related to the Royal Government's trade sector
- Manage, develop and publish the Ministry's business newsletter
- Prepare, manage and develop the information technology system and website of the Ministry
- Collaborate in training of professional officers in planning, business statistics and information technology
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Chapter 7

Trade Support Services Directorate-General

Article 25-

The Trade Support Services Directorate-General has the roles and duties of researching, formulating policies and strategies for providing public services related to the trade sector, managing and controlling the registration of businesses and commercial enterprises, marks, tradenames and acts of unfair competition, managing and implementing the provisions of trade preferential systems, being the focal point of the Kimberly Organization, managing the issuance of import and export licenses, and certificates of origin, and managing representatives of the Ministry of Commerce in the Special Economic Zone Administration

The Trade Support Services Directorate-General consists of 3 (three) departments that have the duties as stated in this chapter and perform other duties assigned by the Minister.

Article 26-

The Department of Business Registration has the following duties:

- Manage and control the business registration and monitor legal compliance after business registration
- Manage and develop business registration automation system
- Train and manage legal representatives in applying for business registration
- Examine and approve the application for the name of companies and enterprises
- Manage and maintain business registration documents
- Store information and data of companies and enterprises
- Develop e-commerce
- Manage and issue e-business licenses for natural persons or issue licenses to operate e-commerce services for legal entities
- Provide consulting services related to business registration and provide relevant information
- Prepare and disseminate legal instruments on business registration, amendment, dissolution, delisting, declaration and legal compliance after business registration
- Issue a letter or certificate confirming any activities of the company
- Facilitate the settlement of disputes related to business registration, amendment and delisting of companies and enterprises
- Supervise, monitor and verify information, data, legal compliance of companies and enterprises and cooperate with other competent institutions in performing the duties

- Manage business registration archives
- Research and provide information to customers related to business registration
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 27-

The Department of Intellectual Property has the following duties:

- In charge of the Secretariat of the National Committee for Intellectual Property Management
- Collaborate with relevant ministries to compile and implement intellectual property law in accordance with international agreements, conventions and treaties to which Cambodia is a party to receive and use technical assistance related to intellectual property from international organizations and countries
- In charge of coordinating bilateral or multilateral cooperation in the field of intellectual property with other countries and international organizations
- Collaborate with relevant units to disseminate laws, regulations and intellectual property knowledge to the public, educational institutions and law enforcement officers
- Implement and co-develop laws and regulations related to intellectual property, including marks, trade names and acts of unfair competition, geographical indications, protection of trade secrets and non-disclosure, manage business licensing and rights, and other intellectual property rights under the jurisdiction of the Ministry of Commerce
- Register marks, international marks, collective marks, certification marks, trade names and geographical indications as well as recording the licensing and licensing of trademarks
- Manage, record and maintain the certificate of import and distribution rights of exclusive branded goods
- Manage the registration database of marks, international marks, collective marks, certification marks, geographical indications and other mark-related records
- Manage and develop automation systems for applications for mark registration and other records
- Manage re-registration of marks and other records
- Manage and train representative agents of legitimate mark owners
- Resolve disputes over the registration of marks, collective marks, certification marks, trade names and geographical indications
- Mediate disputes related to intellectual property which is the competence of the Ministry of Commerce
- Collaborate with the competent authorities and the judiciary to stop intellectual property infringement
- Create and manage intellectual property websites
- Study and research international agreements and conventions related to intellectual property
- Promote trade using intellectual property
- Promote branding on potential Cambodian products
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 28-

The Import and Export Department has the following duties:

- Research and develop policies and strategic plans to provide trade services to facilitate export and import
- Manage and develop automation system for Certificates of Origin
- Participate in the national single window project for the issuance of import and export licenses and certificates for unprocessed diamonds under the Kimberly Process to provide more efficient commercial services
- Issue import and export licenses and certificates for unprocessed diamonds under the Kimberly Process and Certificates of Origin
- Manage the implementation of the regulations of the general preferential system and trade preferential system
- Register traders and producers who export through the trade preferential system, subcontracting factories, and import-export companies for the implementation of self-certification projects
- Prepare and implement technical documents and laws related to non- tariff measures and rules of origin under the framework of trade preferential system as well as under the free trade zones
- Prepare documents and participate in negotiations on the rules of origin under the framework of trade preferential system and free trade zones, as well as the ASEAN single window
- In charge of the coordinating unit on behalf of Cambodia as a member of the Kimberly organization
- Manage the import of canvas and raw materials for production and export
- Manage and provide permits or notices for goods in transit, and import and export licenses of goods on the prohibited and restricted list based on laws and other legal documents
- Manage and direct the technical work of the representative of the Ministry of Commerce in the administration of the special economic zones
- Manage and inspect the technical affairs, issuance of Certificates of Origin of the provincial departments of commerce
- Cooperate, train, manage and register names of legal representatives who apply for import and export documents
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Chapter 8

Directorate-General of Trade Promotion

Article 29-

The Directorate-General of Trade Promotion has roles and duties of formulating policies and strategic plans for trade, market exploration, promotion of national products, promotion of exports of products and services, facilitation of exhibitions, and as the secretariat of the inter-ministerial committee in organizing the world and international exhibitions and coordinating work with the National Committee for the Promotion of One Village, One Product Movement.

The Directorate-General of Trade Promotion consists of 3 (three) departments which have the duties as stated in this chapter and perform other duties assigned by the Minister.

Article 30-

The Department of Exhibition Affairs has the following duties:

- Organize and participate in domestic trade exhibitions and events, foreign trade exhibitions, world trade exhibitions and international trade exhibitions, and encourage producers and traders to participate
- In charge of coordinating the work of the International Exhibition Office and as the secretariat of the inter-ministerial committee to participate in world exhibitions and international trade exhibitions
- Establish and manage the National Trade Exhibition Centre
- Manage the issuance of permits for trade exhibitions, expositions and product promotions
- Coordinate and cooperate with the National Committee for the Promotion of One Village, One Product Movement
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 31-

The Market Development Department has the following duties:

- Analyze, develop policies and strategies to find markets for export promotion
- Facilitate market access for farmers and traders
- Research and develop domestic and foreign markets
- Organize and receive domestic and foreign trade missions for the purpose of establishing business partner forums or business meetings for local and foreign traders
- Collaborate with regional and global trade promotion partners and trade promotion centers
- Organize and prepare workshops, conferences, forums and meetings on business promotion for business partnerships
- Study and research new products and develop potential products to serve the market
- Provide consulting services on domestic and international marketing
- Coordinate and communicate information with foreign trade representatives
- Establish and manage the Cambodia Trade Centre
- Compile and disseminate documents related to trade promotion
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 32-

The Trade Policy Department has the following duties:

- Develop policies and strategic plan to boost trade
- Study, research and analyze domestic and foreign trade activities
- Cooperate with relevant institutions to develop policies for the development of small and medium enterprises
- Plan and mobilize assistance to prepare for the implementation of projects related to trade promotion
- Participate in formulating policies to promote the One Village, One Product movement
- Study and research the national and international economic situation and forecast market trends
- Disseminate trade promotion policy through the organization of workshops and training courses for the private sector and relevant officials to increase awareness and participate in the implementation in order to promote the development of trade sector in Cambodia
- Coordinate work with the National Committee for the Promotion of One Village, One Product Movement

- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Chapter 9

Consumer Protection, Competition and Fraud Repression

Directorate-General

Article 33-

The Consumer Protection, Competition and Fraud Repression Directorate-General has the roles and duties of researching, formulating policies and strategic plans related to the quality and safety of products and services, consumer protection and competition, inspecting goods and services within its jurisdiction and cooperating with relevant authorities to prevent and suppress trade fraud and take action on agreements that restrict, restrain, or distort competition, ensure the quality, safety and compliance of products, goods and services, competitive markets and protect the rights and interests of consumers, and manage the Consumer Protection, Competition and Fraud Repression branches.

The Consumer Protection, Competition and Fraud Repression Directorate-General consists of 6 (six) departments that have the duties set out in this chapter and perform other duties assigned by the Minister.

Article 34-

The Department of General Affairs and Public Relations has the following duties:

- Prepare budget plan of the Directorate-General
- Prepare and manage the accounting, finance, movable property, immovable property and inventory documents in the Directorate-General
- Prepare, manage, maintain and circulate administrative documents and files of civil servants in the Directorate-General
- Organize and coordinate training programs
- Facilitate the internal work of the Directorate-General and with the relevant units and institutions
- Provide opinions on legal affairs and relevant legal documents
- Receive complaints related to consumer protection, competition and fraud
- Summarize reports, compile and maintain data on all activities of the Directorate-General
- Develop newsletter and manage website of the Directorate-General
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 35-

The Technical Affairs Department has the following duties:

- Participate in the preparation of draft regulations and technical standards related to product quality and safety
- Develop a monitoring program within the framework of quality, safety, products, goods and services, consumer protection, competition and fraud repression
- Participate in cooperation with national and international institutions related to product quality control and safety
- Receive and provide information related to food safety measures and Codex
- Participate in building risk information compilation for product risk assessment
- Collect, compile, manage and maintain scientific and technical documents related to quality and safety of products and biotechnology products

- As a national point of contact related to the ASEAN Rapid Alert System for Food and Feed and participate in the ASEAN working group related to the ASEAN Consultative Committee on Standards and Quality
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 36-

The Consumer Protection Department has the following duties:

- Research, prepare and develop policies and strategic plans for consumer protection
- Supervise the inspection of products, goods and services during market circulation and other events for necessary investigations
- Monitor, research and take action against all forms of advertising on all kinds of products, goods and services that are misrepresenting, misleading, fraudulent or misleading consumers about quality, safety and other benefits
- Prepare and review complaints from relevant persons within the framework of consumer protection to take procedural action
- Develop and participate in the implementation of outreach programs to provide educational information and raise awareness to consumers and stakeholders
- Cooperate in both national and international frameworks in the field of consumer protection
- As a point of contact in the ASEAN Committee on Consumer Protection and development partners
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 37-

The Laboratory Department has the following duties:

- Research, prepare and develop policies and strategic plans to strengthen work performance and ensure managerial and technical effectiveness
- Develop and implement a laboratory management system in accordance with the requirements of "Good Laboratory Practice" or general requirements for capacity building of analytical laboratories in accordance with international standards
- Build adequate documentation of guidelines, work procedures and formalities for the laboratory
- Analyze the quality and safety of products in accordance with the specific methods and evaluate the appropriateness of the product, maintain and manage the analytical data properly
- Take samples for laboratory analysis if necessary
- Set test parameters for request for assessment of analytical ability from officially recognized entities
- Manage the implementation and technical work of mini laboratories and mobile laboratories
- Build and strengthen laboratory capacity through cooperation between domestic, regional and international laboratories
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 38-

The Department of Competition Affairs has the following duties:

- Research and develop competitive policy and strategic plan
- Communicate with relevant institutions on national and international competitions
- Receive and implement assistance projects on competition
- Analyze the impact of market competition
- Prepare and review complaints from relevant persons within the framework of consumer protection to take procedural action
- Investigate and propose law enforcement measures for activities that are prohibited or restricted to competition
- Analyze the proposals of the merger of individual businesses from the potential impact that may have noticeable object or effect to prevent, restrict, or distort the competition in the market and draw conclusions on that analysis
- As a point of contact in the ASEAN Experts Group on Competition and development partners
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 39-

The Department of Halal Affairs has the following duties:

- Collaborate on research, preparation and development of policies and strategic plans to protect the provision of services, production and packaging using certificates, signs or Halal logos
- Participate in the registration of Halal products and the implementation of certification work
- Investigate and propose legal action for violations of technical evaluation standards, the use of inappropriate or outdated Halal certificates, signs or logos on products, goods and services
- Participate in study, research and communication with relevant institutions and communities on Halal affairs
- Participate in promoting the movement to support and raise awareness about Halal affairs to stakeholders
- As the Secretariat of the Cambodian Halal Product Inspection Committee
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Chapter 10

General Inspectorate

Article 40-

The General Inspectorate serves as a staff for the Ministry of Commerce in the mission of inspecting technical, administrative and financial work and personnel management of civil servants.

The General Inspectorate consists of 2 (two) departments which have the duties as stated in this chapter and perform other duties assigned by the Minister.

Article 41-

The Department of Administrative Inspection and Complaints has the following duties:

- Inspect the administrative processes of public units and enterprises under the Ministry
- Disseminate and strengthen the implementation of laws and legal instruments

- Observe and monitor the implementation of the roles and duties of units under the Ministry
- Receive and review complaints and defamations related to administrative processes in the trade sector
- Manage and circulate documents and other administrative documents of the General Inspectorate
- Maintain confidentiality of any information related to inspection work
- Summarize monthly, quarterly, semi-annual and annual reports on the activities of the General Inspectorate
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Article 42-

The Technical Inspection Department has the following duties:

- Inspect the technical work within the competence of the Ministry to ensure the effectiveness, efficiency and accountability in accordance with the applicable laws and legal instruments and based on risks and suspected cases
- Inspect complaints, defamations and disputes within the jurisdiction of the Ministry of Commerce
- Participate in inspection work with units under the Ministry, sub-national administration and relevant ministries and institutions
- Observe, monitor and review the recommendations of various inspection units
- Report on the results of professional inspection to the leadership of the Ministry
- Maintain confidentiality of any information related to inspection work
- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Director General.

Chapter 11 Internal Audit Department

Article 43-

The Internal Audit Department performs its duties in accordance with Sub-Decree No. 40 ANKR.BK dated 15 February 2005 on the Organization and Functioning of the Internal Audits in ministries, institutions and public enterprises.

- Prepare action plan and annual budget plan of the department
- Manage and organize the administrative work, staff and facilities in the department, and
- Perform other duties assigned by the Minister of Commerce.

Chapter 12 Overseas and International Units

Article 44-

The Permanent Mission of the Kingdom of Cambodia to the World Trade Organization and international organizations related to the economic and trade sector in Geneva, Switzerland shall perform its duties in accordance with Sub-Decree No. 25 ANKR.BK dated 21 February 2017 on the Establishment of the Permanent Mission of the Kingdom of Cambodia to the World Trade

Organization and international organizations related to the economic and trade sector in Geneva, Switzerland.

Trade counselors or attaché at the embassies of the Kingdom of Cambodia abroad shall fulfill missions and have a hierarchy under Sub-Decree No. 107 ANKR.BK dated 7 August 2018 on the Establishment and Functioning of the Representatives of the Kingdom of Cambodia in foreign countries.

Chapter 13 Public Enterprise

Article 45-

Green Trade Company is a state-owned company under the technical guardianship of the Ministry of Commerce and under the financial guardianship of the Ministry of Economy and Finance and shall perform its duties in accordance with Sub-Decree No. 72 ANKR.BK dated 23 November 1998 on the Establishment of Green Trade Company.

Chapter 14 Sub-National Units

Article 46-

The municipal and provincial departments of commerce have roles and duties to lead, manage and coordinate the work on trade at the sub-national level as determined by the Minister of Commerce and the relevant legal instruments.

Chapter 15 Financial Control Unit

Article 47-

The Financial Control Unit is established by the Minister of Economy and Finance in accordance with the provisions set out in the Sub-Decree No. 81 ANKR.BK dated 16 November 1995 on the Establishment of the Financial Control Institutions on Public Expenditure in Ministries.

Chapter 16 Transitional Provision

Article 48-

Any legal instruments related to the appointment of civil servants and the establishment or organization and functioning of units under the Ministry of Commerce shall have the power to continue until they are replaced by new legal instruments in accordance with the content of this sub-decree.

Chapter 17 Final Provisions

Article 49-

Sub-Decree No. 131 ANKR.BK dated 19 March 2014 on the Organization and Functioning of the Ministry of Commerce, Sub-Decree No. 59 ANKR.BK dated 29 May 2008 on the Promotion of the Cambodia Import-Export Inspection and Fraud Repression Department (Camcontrol) to be the

Cambodia Import-Export Inspection and Fraud Repression Directorate General (Camcontrol) under the Ministry of Commerce, Sub-Decree No. 127 ANKR.BK dated 20 June 2016 on the Amendment of Article 2, Article 3, Article 4 and additional Article 8bis of Sub-Decree No. 59 ANKR.BK dated 29 May 2008 on the Promotion of the Cambodia Import-Export Inspection and Fraud Repression Department (Camcontrol) to be the Cambodia Import-Export Inspection and Fraud Repression Directorate General (Camcontrol) under the Ministry of Commerce and any provisions that are contrary to this Sub-Decree shall be abrogated.

Article 50-

Minister in charge of the Council of Ministers, Minister of Economy and Finance, Minister of Commerce, ministers of all ministries and heads of all relevant institutions shall be responsible for the implementation of this sub-decree in accordance with their respective duties from the date of signature.

Monday the 8th day of the waning moon of the 4th
month, in the year of the Pig, Ek Sak, B.C. 2563
Phnom Penh, 16 March 2020

Prime Minister

Seal and Signature

Samdech Akka Moha Sena Padei Techo Hun Sen

Respectfully submitted to Samdech Akka Moha Sena Padei Techo Prime Minister
for signature

Minister of Commerce

Signature

Pan Sorasak

Recipients:

- Ministry of Royal Palace
- General Secretariat of the Constitutional Council
- General Secretariat of the Senate
- General Secretariat of the National Assembly
- Cabinet of Samdech Techo Prime Minister
- Cabinet of Samdech, His Excellency and Her Excellency Deputy Prime Ministers
- As stated in Article 50
- Royal Gazette
- Documentation and archive

Appendix of Sub-Decree No. 38 ANKRR.BK dated 16 March 2020 on the Organization and Functioning of the Ministry of Commerce

Organizational Structure of the Ministry of Commerce

