

**Unofficial Translation**

**KINGDOM OF CAMBODIA  
NATION RELIGION KING**

**Royal Government of Cambodia  
No. 160 ANK/BK**

**SUB-DECREE  
ON  
THE ORGANIZATION AND FUNCTIONING  
OF THE CAMBODIA HALAL STEERING COMMITTEE - CHSC**

**Royal Government**

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen the Royal Decree No. NS/RKT/0913/903 dated 24 September 2013 on the Appointment of the Royal Government of Cambodia;
- Having seen the Royal Decree No. NS/RKT/1213/1393 dated 21 December 2013 on the Reshuffling and Supplementation of Composition of the Royal Government of the Kingdom of Cambodia;
- Having seen the Royal Kram No. 02/NS/94 dated 20 July 1994 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. 131 ANK/BK dated 19 March 2014 on the Organization and Functioning of the Ministry of Commerce
- According to the necessity of the Royal Government of the Kingdom of Cambodia

**DECIDES  
CHAPTER I  
GENERAL PROVISIONS**

**Article 1. \_**

To establish the Cambodia Halal Steering Committee with the acronym of “CHSC” in order to manage, inspect, and issue the Certificate of Cambodia Halal Product Technical Standard for the purpose of promoting technical standard, hygiene, and the trust of Muslims towards the Cambodian Halal Products supplying in local markets and promoting exports to international markets.

**Article 2. \_**

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

- “ហាឡាល” or “HALAL” or “حلال” (an Arabic Word) refers to any object or service which is permissible to use or engage in according to Islamic law. These terms are commonly used in relation to food products, meat products, cosmetics, personal care products, pharmaceuticals, nutrition, food ingredients, and other consumables.

- **Product** refers to the general category of goods such as groceries, foods, and services that serve customer's need or want.
- **Halal Products** refers to products which occur naturally or are produced according to the technical standard of Halal Products 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 that 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 technical standards of Cambodian Halal products.
- **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. \_

The CHSC composes of the following members:

- Minister of Commerce		Chairman
- Secretary of State of the Ministry of Commerce	01 person	Vice Chairman
- Senior of Muslim Leader	01 person	Vice Chairman
- Member of the Council of Jurists of Office of the Council of Ministers	01 person	Member
- Representative of the Ministry of Interior	01 person	Member
- Representative of the Ministry of Justice	01 person	Member
- Representative of the Ministry of Foreign Affairs and International Cooperation	01 person	Member
- Representative of the Ministry of Labor and Vocational Training	01 person	Member
- Representative of the Ministry of Economic and Finance	01 person	Member
- Representative of the Ministry of Agriculture, Forestry and Fisheries	01 person	Member
- Representative of the Ministry of Industry and Handicraft	01 person	Member
- Representative of the Ministry of Education, Youth and Sport	01 person	Member
- Representative of the Ministry of Cult and Religion	01 person	Member
- Representative of the Ministry of Health	01 person	Member
- Representative of the Ministry of Tourism	01 person	Member
- Representative of the Ministry of Information	01 person	Member
- Director General of the Camcontrol of the Ministry of Commerce	01 person	Member
- Representative of the Cambodian Highest Council for Islamic Religious Affairs	01 person	Member

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

**CHAPTER III**  
**ROLES, DUTIES AND FUNCTIONING OF THE CHSC**

**Article 4. \_**

The CHSC shall have the following roles and duties:

- To conduct research, prepare, compile, legalize all documents related to halal, and monitor the progress of the Cambodian Halal Affairs;
- To systemize the management of the Cambodian Halal Products, especially the examination of Halal Products for supplying local markets and promoting export, as well as for protecting the Cambodian Halal Logo;
- To approve the Certificate of Cambodia Halal Product Technical Standard;
- To act as a coordinator in building partnerships with the public and private sectors;
- To advise the government on all issues related to the development of halal products in Cambodia;
- To research and develop the whole Halal production chain;
- To attract foreign assistance for supporting the Cambodian Halal Products;
- To act as the information center and consultant to investors intending to develop Halal products in the Kingdom of Cambodia;
- To examine and monitor all projects related to the Cambodian Halal Products
- To attend national and international meetings and conferences on the development of Global halal products;
- To prepare any reports and to regularly advise the Government about any updates and progress of the Cambodian Halal Products as well as foreign market information for the Royal Government of Cambodia.
- To act as the coordinator in all work related to the Cambodian Halal Affairs; and
- To carry out other relevant work as assigned by the Government.

**Article 5. \_**

The CHSC shall hold at least two meetings per year. If deemed necessary, the CHSC may call for extraordinary meetings.

The CHSC members shall attend the meeting as being invited by the Chairman. The Chairman may delegate the authority to the Vice-Chairman to chair the meeting as delegated by the Chairman.

If deemed necessary, the Chairman of the CHSC may invite representatives from relevant ministries, institutions, experts, national and international organizations and private sector to the meeting to give opinions.

The CHSC may have some technical advisors and national and international experts as needed.

The CHSC has the right to use the seal of the Ministry of Commerce.

#### **Article 6. \_**

The CHSC has a secretariat, the Department of Trade Policy of the Ministry of Commerce, as an implementing body.

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

### **CHAPTER IV THE CAMBODIA HALAL TECHNICAL WORKING GROUP**

#### **Article 7. \_**

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

#### **Article 8. \_**

Cambodia Halal Technical Working Group is led by the President of the Highest Council for Islamic Religious Affairs of Cambodia. The actual composition shall be appointed by Prakas of the Minister of Commerce, who is acting as the Chairman of the CHSC.

#### **Article 9. \_**

The Organization and Functioning of the Cambodia Halal Technical Working Group shall be defined by Prakas of the Minister of Commerce, who is acting as Chairman of the CHSC.

### **CHAPTER V THE EXAMINATION AND ISSUANCE OF THE CERTIFICATE OF CAMBODIA HALAL PRODUCT TECHNICAL STANDARD**

#### **Article 10. \_**

A natural person or legal entity who intends to provide services, production, and packaging of products marked or labeled “ហាឡាល” or “HALAL” or “حلال” in the Kingdom of Cambodia must first file an application form for the Certificate of Cambodia Halal Product Technical Standard at the Ministry of Commerce.

Without the Certificate of Cambodia Halal Product Technical Standard, the provision of services,

production, or packaging of products marked or labeled “ហាឡាល” or “HALAL” or “حلال” in the Kingdom of Cambodia, with or without the intention of doing business, shall be prohibited.

**Article 11. \_**

A natural person or legal entity who provides services, production, and packaging of certified Halal products from another country must first file the Certificate of Cambodia Halal Product Technical Standard application form at the Ministry of Commerce.

The provision of services, production, or packaging of certified halal products from another country marked or labeled “ហាឡាល” or “HALAL” or “حلال”, without the Certificate of Cambodia Halal Product Technical Standard, shall be prohibited.

**Article 12. \_**

After receiving an application form, the CHSC shall cooperate with the Cambodia Halal Technical Working Group to carry out on-site inspection at the provision of services, production, packaging, and other relevant locations in order to inspect raw materials or products to be packaged, processing of service, production, packaging and storage.

The procedure of application for the assessment of halal product technical standard shall be determined by Prakas of the Minister of Commerce, who is acting as the Chairman of the CHSC.

**Article 13. \_**

Once the provision of service, production, packaging of product has satisfied the quality assessment requirements of halal products, the Certificate of Cambodia Halal Product Technical Standard will be issued within 3 months by the CHSC and the Cambodia Halal Technical Working Group. The Certificate of Cambodia Halal Product Technical Standard shall be issued by Halal Technical Working Group and approved by the Minister of Commerce, who is acting as the Chairman of the CHSC.

**Article 14. \_**

After Consultation with the Cambodia Halal Technical Working Group, the assessment requirements of halal product technical standard shall be determined by Prakas of the Minister of Commerce, who is acting as the Chairman of the CHSC.

After Consultation with the Cambodia Halal Technical Working Group, the logo, template and validity period of the Certificate of Cambodia Halal Product Technical Standard shall be determined by Prakas of the Minister of Commerce, who is acting as the Chairman of the CHSC.

Application fee, issuance fee, and administrative fee for the Certificate of Cambodia Halal Product Technical Standard shall be determined by Joint Prakas of the Ministry of Commerce and the Ministry of Economics and Finance.

**Article 15. \_**

The CHSC has the right to assign officials and Halal Experts to carry out on-site inspection at the provision of services, production, packaging and other relevant locations in order to inspect halal product technical standard. In case any non-compliance to the assessment requirements of halal products technical

standard have been found and have been made by service provider, producer, packaging maker, after consultation with the Cambodia Halal Technical Working Group, the CHSC will either decide as follows:

- Request to take corrective action
- Revoke the logo of the Certificate of Cambodia Halal Product Technical Standard from the products
- Suspend the use of the logo of the Certificate of Cambodia Halal Product Technical Standard for a while until the corrective action has been made successfully.
- Completely revoke the logo and the Certificate of Cambodia Halal Product Technical Standard from the products.

The inspection of Halal Product Technical Standard by the CHSC is not an obstacle to the supervision of other authorities that carry out their legal mandate's duties. The product owners are still obliged to comply with technical standards, hygiene and environment, following the provision in force.

#### **Article 16. \_**

The CHSC cooperates with CAMCONTROL Directorate-General to assign officials to inspect the use of halal logo and the Certificate of Cambodia Halal Product Technical Standard on halal imported products at products warehouse, or products circulating in the market, or service locations.

CAMCONTROL Directorate-General shall assign officials to inspect the use of halal logo and the Certificate of Cambodia Halal Product Technical Standard on halal imported products at products warehouse, or products circulating in the market, or service locations.

### **CHAPTER VI RESOURCES OF THE CHSC**

#### **Article 17. \_**

The CHSC has national budget sources which is included in the package of annual budget of the Ministry of Commerce. The CHSC shall create a bank account at the National Treasury.

According to the procedure in force, the CHSC has the right to receive and manage funds from other sources for its functioning.

The CHSC shall prepare financial reports to the Ministry of Economy and Finance on sources of funds from international cooperation, development partners, and other sources that serve its functioning.

### **CHAPTER VII PENALTIES**

#### **Article 18. \_**

Sanction under this sub-decree includes as following:

- Written warnings
- Suspension or revocation of the Logo of the Certificate of Cambodia Halal Product Technical Standard from the products.
- Suspension or revocation of the Certificate of Cambodia Halal Product Technical Standard.
- Provisional Fines.

The above sanctions are the competency of the Minister of Commerce, who is acting as the Chairman of the CHSC.

A person who is not satisfied with the decision of the Minister of Commerce may appeal to a competent court, except provisional fines.

The procedure for provisional fine, the payment of fines, the management of fines payment receipt, and the management of income from provisional fine as stated in provision of this sub-decree must be prescribed in an Inter-Ministerial Prakas between the Minister of Commerce, the Minister of Economic and Finance, and the Minister of Justice.

#### **Article 19. \_**

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

In case the offender refuses to pay the provisional fine, the Minister of Commerce shall order the competent officer of the CAMCONTROL to bring the case of offense to the court following the procedure.

In case of an unknown identity of the offender, the Minister of Commerce shall order the competent official of the CAMCONTROL to request the competent prosecutor to seize the evidence of the offense. Relevant stakeholders who object to any decision may appeal to the competent court.

#### **Article 20. \_**

The Forgery act of the logo or the Certificate of Cambodia Halal Product Technical Standard shall be punished in accordance with the law in force.

#### **Article 21. \_**

Provision of services, production or packaging of product marked or labeled “ហាឡាល” or “HALAL” or “حلال” in the Kingdom of Cambodia without the Certificate of Cambodia Halal Product Technical Standard shall be punished by the provisional fine not exceeding 4,000,000 (four million) Riels, whether with or without appropriate Halal Certificate received from another Halal Certification Body of any foreign country.

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

#### **Article 22. \_**

After the suspension or revocation of the logo of the Certificate of Cambodia Halal Product Technical Standard, the act of production, packaging, or services that keep using halal logo on the products shall be punished by the provisional fine not exceeding 4,000,000 (four million) Riels.

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

#### **Article 23. \_**

After expiration, suspension or revocation of the Certificate of Cambodia Halal Product Technical Standard, the act of production, packaging, or services of halal products that keep using halal logo on the products, shall be punished by the provisional fine not exceeding 4,000,000 (four million) Riels.

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

#### **Articles 24. \_**

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 this law.  
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 25. \_**

The act of violations of the assessment requirements of the Cambodian Halal Product Technical Standard relating to production, packaging, or services of the Cambodian Halal Products shall be punished by the provisional fine not exceeding 2,000,000 (two million) Riels.  
Punishment shall be doubled if it is violated again within a 2-years period.

**Article 26. \_**

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 this law.  
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 27. \_**

Regardless of other criminal penalties, administrative sanction shall be imposed on any official and person who has not reported to the CHSC on their authority to inspect halal product technical standard which found out that the provision of services or production or packaging of halal products marked or labeled “ហាឡាល” or “HALAL” “حلال” is without the Certificate of Cambodia Halal Product Technical Standard, or with an expired or revoked certificate, or by not complying with the assessment requirements of the Cambodian Halal Product Technical Standard.

Regardless of other criminal penalties, any official and person who carries out inspection on halal products technical standards without a mission order letter from the CHSC will be subjected to administrative sanctions.

**CHAPTER VIII  
TRANSITIONAL PROVISIONS**

**Article 28. \_**

Natural person or legal entity that provides services, production, and packaging of products marked or labeled “ហាឡាល” or “HALAL” or “حلال” in the Kingdom of Cambodia shall apply for Certificate of Cambodia Halal Product Technical Standard at the Ministry of Commerce within 6 (six) months from the date of issuance of this Sub-decree. If the natural person or legal entity fails to submit application form for the Certificate of Cambodia Halal Product Technical Standard, it is considered as an illegal product and faces legal action under this sub-decree.

Natural person or legal entity that provides services, production, and packaging of products marked or labeled “ហាឡាល” or “HALAL” or “حلال” in the Kingdom of Cambodia as certified by the Halal Certification Body of any foreign country other than the Kingdom of Cambodia, shall also follow the first



paragraph as stated above.

**CHAPTER IX**  
**FINAL PROVISIONS**

**Article 29.** \_

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

**Article 30.** \_

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

Phnom Penh, 29 July 2016

PRIME MINISTER Signed and Sealed