KINGDOM OF CAMBODIA  
NATION  RELIGION  KING

THE ROYAL GOVERNMENT  
First Draft  
LAW ON ASSOCIATIONS AND NON-GOVERNMENTAL ORGANIZATIONS

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CHAPTER 1  
General Provisions

Article 1: Aim

This law aims at setting out formalities and conditions for  
registering associations or domestic non-governmental organizations  
and signing the Memorandum of Understanding of foreign non-governmental  
organizations operating in the Kingdom of Cambodia.

Article 2: Purposes

The purposes of this law are:  
- to promote the practice of rights and the freedoms of Cambodian citizens  
in registering associations or domestic non-governmental organizations in  
order to jointly protect lawful personal and public interests;  
- to provide opportunities for foreign non-governmental organizations to  
engage with the Royal Government of Cambodia in implementing aid  
projects and programs;  
- to encourage cooperation between associations or domestic non-  
governmental organizations or foreign non-governmental organizations  
and the Royal Government in the development of Cambodian society.

Article 3: Scope

This law has a scope of application to associations or domestic non-  
governmental organizations which are registered, and foreign non-governmental  
organizations which have signed a memorandum in the Kingdom of Cambodia in  
compliance with this law; except mass organizations created locally inconsistent with  
conditions set forth in this law and operated in compliance with other existing laws for  
mutual assistance.

Article 4: Definitions

For the purpose of this law:  
- An association is referred to a group of Cambodian natural persons who  
agree to establish themselves for the protection of their members' interests or/and  
public interests without conducting any activity to generate profits for sharing among  
their members.  
- A domestic non-governmental organization is referred to a group of  
Cambodian natural persons who agree to establish themselves to serve public  
interests without conducting any activity to generate profits for sharing among their  
members.
- A foreign non-governmental organization is referred to a group of foreign natural persons in foreign countries established under foreign laws to serve public interests in the Kingdom of Cambodia without conducting any activity to generate profits for sharing among their members.
- The term non-governmental organizations are referred to domestic non-governmental organizations and foreign non-governmental organizations.

Article 5: Formation of Legal Entities

For the purpose of this law:
- An association or domestic non-governmental organization is a non-profit legal entity;
- A foreign non-governmental organization is a foreign legal entity.
Legal entities shall comply with the Constitution and other existing laws in the Kingdom of Cambodia.

Article 6: Prohibiting Provisions

Any association or non-governmental organization which is not registered or signed a memorandum in accordance with this law shall not be allowed to operate in the Kingdom of Cambodia.

CHAPTER 2
Registrations of Associations and Domestic Non-Governmental Organizations

Article 7: Registration Authority

The Ministry of Interior is responsible for registering associations and domestic non-governmental organizations.
The Ministry of Interior may delegate the authority for registration of associations or domestic non-governmental organizations to sub-national administration as deemed necessary.

Article 8: Conditions for registration of Associations

To register an association, there shall be at least eleven (11) Cambodian founding members.
These members shall choose at least five (05) governing members to fulfill formalities and conditions for registration.

Article 9: Conditions for registration of Domestic Non-Governmental Organizations

To register a domestic non-governmental organization, there shall be at least three (03) Cambodian founders.
These members shall elect a president to fulfill formalities and conditions for registration.
Article 10: Statute of an Association and Domestic Non-Governmental Organization

The governing members of associations or domestic non-governmental organizations shall prepare their own statutes.

The statutes of associations and domestic non-governmental organizations shall comply with the Constitution and other existing laws of the Kingdom of Cambodia.

The statutes of associations and domestic non-governmental shall include the following substantial elements:
- Name written in full form and abbreviation and logo;
- Purpose and objective;
- Methods for selecting, terminating, dismissing, transferring and removing directors and governing members;
- Rights and duties of members or staff;
- Structure, authority, role, duty, establishment and functioning of the governing bodies;
- Governing bodies including general assembly, board of directors, committee of directors, executive committee or other equivalent bodies;
- Rules of ordinary and extraordinary meetings of the governing bodies;
- Sources of resources and properties;
- Rules of resource and property management;
- Rules for changing the organization’s name and logo and revising or amending the organizational statute;
- Rules of dissolution and distribution of resources and properties upon being dissolved.

Article 11: Use of name and logo of a domestic association or non-governmental organization

An association or domestic non-governmental organization shall determine its name and logo as follows:
- Name shall have a meaning in Cambodian;
- Logo shall not copy the logo of national institutions or symbols of the Red Cross or Red Crescent or other international institutions;
- The name in full form and the logo of a newly created association or domestic non-governmental organization shall not duplicate those of domestic associations or non-governmental organizations already registered.

Article 12: Offices

An association and domestic non-governmental organization shall have a central office in the Kingdom of Cambodia.

Article 13: Determination of Excise Fees for Registration

The fee for registering an association or a domestic non-governmental organization shall be determined by an Inter-Ministerial Proclamation co-signed by Minister of Interior and Minister of Economy and Finance.

Article 14: Documents for Registration of an Association
The head of an association shall submit the application for registration at Ministry of Interior attaching the following documents:
- An application signed by the head of the association, two (02) copies;
- A name list of at least eleven (11) founders with an identification of their age, sex, nationality and permanent address. Those members shall nominate the governing members of the association, which shall be comprised of at least five (05) people, for fulfilling formalities and conditions for registration;
- A letter stating the address of the association’s central office, recognized by the Commune or District Chief, one (01) copy;
- A statute signed by the president and all governing members of the association, two (02) copies;
- Profiles of the governing members of the association, at least five (05) people, with a recent 4x6 size photograph, two (02) copies each;
- A receipt for the registration excise fee for associations, one (01) copy.

Article 15: Documents for Registration of a Domestic Non-Governmental Organization

The president of a domestic non-governmental organization shall submit the application for registration at Ministry of Interior attaching the following documents:
- An application form signed by the president of the domestic non-governmental organization, two (02) copies;
- A letter stating the address of the central office of the domestic non-governmental organization, recognized by the Commune or District Chief, one (01) copy;
- A statute, signed by the president of the domestic non-governmental organization, two (02) copies;
- Profiles of the governing members of the domestic non-governmental organization, at least three (03) people with a recent 4x6 size photograph, two (02) copies each;
- A receipt for the registration excise fee for domestic non-governmental organizations, one (01) copy;

The president of domestic non-governmental organization shall assure that he/she will provide a copy of bank statement of domestic non-governmental organization which has deposited at any bank recognized by the National Bank of Cambodia within 30 working days at the latest after receiving registration letter. In case of default, the ministry of interior will remove the domestic non-governmental organization from registration list.

Article 16: Receipt of Registration Application of an Association or Domestic Non-Governmental Organization

The Ministry of Interior shall issue one (01) copy of a receipt of registration application to any association or domestic non-governmental organization that has submitted sufficient documents as set forth in Article 14 or Article 15 of this law.

Article 17: Decision to accept or reject the registration

The Ministry of Interior shall examine the documents and the legality of the statute of the association or domestic non-governmental organization, and shall decide whether to accept or reject the registration within 90 working days at the latest.
Article 18: Existence of legal entity

An association will become a non-profit legal entity from the date the ministry of interior approve the registration.

A domestic non-governmental organization will become a legal entity serving public interests from the date the ministry approve the registration.

CHAPTER 3
Registration of Associations or Domestic Non-governmental Organization Alliances

Article 19: Definition

Alliances of associations or non-governmental organizations are referred to associations or non-governmental organization which have allied for any common purpose to serve public interests without generating profits for sharing among their members.

Article 20: Registration authority

The registration of association or domestic non-governmental organization alliances is the authority of the Ministry of Interior.

The Ministry of Interior may delegate its registration authority of association and domestic non-governmental organization alliance to sub-national administration as deemed necessary.

Article 21: Conditions for Registration of Association or Domestic Non-Governmental Organization Alliances

To register any domestic association or non-governmental organization alliance, there shall be at least two (02) founding members which are lawful associations or domestic non-governmental organizations.

These members shall elect an alliance president to fulfill formalities and conditions for registration.

Membership of domestic association or non-governmental organization alliance may consist of foreign non-governmental organizations which comply with Cambodian laws. But foreign non-governmental organization may not play leadership role in the domestic association or non-governmental organization alliance.

Article 22: Registration fee

Registration fee of domestic association or non-governmental organization alliance shall be determined by an Inter-Ministerial Proclamation between Minister of Interior and Minister of Economy and Finance.

Article 23: Registration dossiers of domestic association or non-governmental organization alliance
The president of domestic association or non-governmental organization alliance shall submit registration application to the Ministry of Interior by attaching with following dossiers:

- Two (02) copies of registration applications signed by the president of domestic association or non-governmental organization alliance;
- One (01) copy of registration approval of each domestic association or non-governmental organization which is the alliance’s member;
- One (01) copy of the registered office address of the domestic association or non-governmental organization alliance recognized by the Commune or District Chief;
- Two (02) copies of common statute signed by the president of the domestic association or non-governmental organization alliance;
- Two (02) copies of biography with a recent 4x6 size photograph of each governing member of the domestic association or non-governmental organization alliance,
- One (01) copy of registration receipt of the domestic association or non-governmental organization alliance;

The president of the domestic association or non-governmental organization alliance shall ensure that he/she will provide one (01) copy of bank statement of the domestic association of non-governmental organization alliance deposited in any bank recognized by the National Bank of Cambodia within thirty (30) working days at the latest after receiving registration approval. In case of default, the Ministry of Interior shall remove the domestic association or non-governmental organization alliance from the registration list.

Article 24: Existence of legal entity

A domestic association or non-governmental organization alliance shall become a non-profit legal entity from the date on which the Ministry of Interior issues the registration approval.

Article 25: Use of name and logo of a domestic association or non-governmental organization alliance

Any domestic association or non-governmental organization which has formed an alliance shall use the term “alliance” in front of its name and shall comply with article 11 of this law.

Article 26: The compliance of domestic association or non-governmental organization alliance

A lawful domestic association or non-governmental organization alliance shall comply with provisions of this law as other domestic associations or non-governmental organizations do.

Article 27: Collaborations between associations and non-governmental Organizations

Lawful associations and domestic non-governmental organizations may collaborate to implement a lawful project in accordance with the decision of the associations or non-governmental organizations. Should the collaboration exceed one (01) year period, a written notification shall be submitted to the Ministry of
Interior by enclosing with:
- An Agreement or equivalent document or terms of collaboration;
- The number and names of associations or non-governmental organizations engaged.

CHAPTER 4
Signing Memorandum of Foreign Non-Governmental Organization

Article 28: Signing of memorandum

The signing of memorandum of foreign non-governmental organization is the authority of the Ministry of Foreign Affairs and International Cooperation.

Article 29: Representative Office

A foreign non-governmental organization shall have a representative office in the Kingdom of Cambodia.

Article 30: Application for memorandum of foreign non-governmental organizations

Any foreign non-governmental organization wishing to implement aid projects or programs in the Kingdom of Cambodia shall submit an application for memorandum to the Ministry of Foreign Affairs and International Cooperation by enclosing the following documents:
- One (01) copy of a letter requesting to open a representative office, of a president of a foreign non-governmental organization which has its permanent office in a foreign country, by indicating its purpose for opening the office in the Kingdom of Cambodia;
- One (01) copy of a letter, of the president of a non-governmental organization in a foreign country, requesting for appointment of the organization’s representative to the Kingdom of Cambodia by enclosing with a biography of the appointee;
- One (01) copy of an operation permit of the organization issued by a competent authority of the country of origin hosting the permanent office of the concerned organization;
- One (01) copy of aid-projects/programs supporting documents of a foreign non-governmental organization issued by a ministry/institution of the Royal Government of the Kingdom of Cambodia;
- One (01) copy of budget declaration for implementing aid-projects/programs of the foreign non-governmental organization within at least one (01) year certified by its permanent office in the foreign country;
- One (01) copy of list of national and foreign staffs who are working in the Kingdom of Cambodia;

The president of a foreign non-governmental organization shall assure that he/she will provide one (01) copy of a bank statement of the foreign non-governmental organization which has deposited at any bank recognized by the National Bank of Cambodia within 30 working days at the latest after signing the memorandum. In case of default, the ministry of foreign affairs and international cooperation shall remove the foreign non-governmental
organization from registration list.

Cambodian

Article 31: Receipt of memorandum application

The Ministry of Foreign Affairs and International Cooperation shall issue one (01) copy of a receipt of memorandum application to any foreign non-governmental organization which has fulfilled sufficient documents as provided for in article 30 of this law.

Article 32: Examination of the application and responses

The Ministry of Foreign Affairs and International Cooperation shall examine the application and decide whether or not to sign a memorandum with a foreign non-governmental organization within forty-five (45) working days at the latest.

Article 33: Entering into agreement on aid-projects/programs with partner ministries/institutions

A foreign non-governmental organization shall discuss and agree with partner ministries/institutions of the Royal Government on aid-projects/programs before submitting an application for a memorandum of understanding with the ministry of foreign affairs and international cooperation as provided for in article 30 (para. 4) of this law.

Article 34: Preparation and signing of a memorandum

Upon approving to sign the memorandum, the Ministry of Foreign Affairs and International Cooperation shall set a date and venue for signing the memorandum with the concerned foreign non-governmental organization, and shall sign the memorandum of understanding with a representative of the foreign non-governmental organization so that the organization may implement its aid-projects/programs pursuant to laws of the Kingdom of Cambodia. After signing the memorandum with the Ministry of Foreign Affairs and International Cooperation, the foreign non-governmental organization shall declare its agreement on aid-projects/programs to the Council for the Development of Cambodia.

Article 35: Existence of legal entity

A foreign non-governmental organization shall become a legal entity from the date on which the Ministry of Foreign Affairs and International Cooperation approves to sign the memorandum.

For the purpose of this law, a foreign non-governmental organization shall receive legal personality as a foreign legal entity unless that foreign non-governmental organization has its registered office in a foreign country and is recognized by laws of that country.

Article 36: Collaboration between foreign non-governmental organizations and relevant ministries/institutions or authorities

A foreign non-governmental organization shall collaborate with relevant partner ministries/ institutions of the Royal Government of Cambodia when developing projects, monitoring, and evaluating the implemented activities or results. Should aid-projects/programs be implemented in Phnom Penh or other
provinces in the Kingdom of Cambodia, a foreign non-governmental organization shall notify its partner ministries/institutions of the Royal Government.

**Article 37: Initial validity of a memorandum and its extension**

A memorandum of understanding shall have its initial validity for at least one (01) year and at most three (03) year due to the organization’s aid-projects/programs, and the validity of the memorandum thereof between the Royal Government and the foreign non-governmental organization may be extended upon the request of the concerned organization.

A foreign non-governmental organization shall submit a request to extend the validity of its memorandum within ninety (90) days prior to its expiry. In case of default, the foreign non-governmental organization shall notify the Ministry of Foreign Affairs and International Cooperation by indicating reasons of procrastination within thirty (30) days prior to the memorandum’s expiry.

**CHAPTER 5**

**Resources and Assets of Associations and Non-Governmental Organizations**

**Article 38: Resources and Assets of Domestic Associations or Non-Governmental Organizations**

Resources and properties of a domestic association or non-governmental organization include the followings:

- Donation or contributions or subscription fees of members;
- Own resources and assets of a domestic association or non-governmental organization;
- Lawful gifts from natural persons or legal entities;
- Other incomes generated from lawful activities.

**Article 39: Resources, Assets and Budget for implementing Aid-Projects/Programs of Foreign Non-Governmental Organizations**

Resources and assets of a foreign non-governmental organization obtain from lawful sources.

A foreign non-governmental organization shall have sufficient budget to implement its aid-projects/programs in the Kingdom of Cambodia, and assure that administrative expenses including staff’s salaries, office equipments, and other expenditures for office functioning shall not exceed 25 percent of the total budget.

**CHAPTER 6**

**Rights and benefits of associations or non-governmental organizations**

**Article 40: Rights as a Legal Entity of Associations and Non-Governmental Organizations**

A lawful association or non-governmental organization has rights:

- To receive financial contributions or gifts from lawful sources;
- To open bank accounts in the name of the association or non-governmental organization in any bank recognized by the National Bank of Cambodia;
- To recruit members, staffs and workers;
- To lease lands or buildings for implementing aid-projects/programs;
- To enter into contracts for implementing aid-projects/program of the
  association or non-governmental organization aimed at serving public
  interests;
- To disseminate its information or activities through lawful means;
- To own real properties according to existing laws.

**Article 41: Recruitment of Staffs and Workers by Associations or Non-
Governmental Organizations**

An association or non-governmental organization shall employ Cambodian
members, staffs or workers as many as possible. Recruitment of staff or workers by
an association or non-governmental organization shall comply with existing laws of
the Kingdom of Cambodia. The number of staffs or workers shall be proportionate to
its projects or work plans.

**Article 42: Rights and benefits of an association or non-governmental
organization**

A lawful association or non-governmental organization operating in the
Kingdom of Cambodia may request to import necessary materials/ equipments for
use according to its projects and work plans of which import taxes and duties shall be
the state's burden and as determined by the Royal Government.

**Article 43: Opening of branch office/s or operation of associations or non-
governmental organizations**

A lawful association or non-governmental organization may open branch office/
s or conduct activities in Phnom Penh or other provinces of the Kingdom of
Cambodia. In such a case, the association or non-governmental organization shall
provide a written notification to municipal hall or concerned provincial hall/s by
enclosing with photocopied documents such as its registration approval and
organization statute, or agreement on aid-projects/programs and memorandum.
Municipal or concerned provincial hall/s shall create enabling environment for the
functioning of the concerned association or non-governmental organization in a
partnership manner.

**Article 44: Change of name and logo, amendment of organization statute,
move of offices, rotation, termination, dismissal or removal of presidents or
governing members of an association or non-governmental organization**

A lawful association or non-governmental organization may change its name
or logo, amend its organization statute, move its offices or rotate, terminate, dismiss
or remove its president or governing members according to the organization statute,
internal regulations and existing laws. In this case, the association or non-
governmental organization shall provide a written notification to the Ministry of
Interior or the Ministry of Foreign Affairs and International Cooperation by enclosing
with new dossiers.
Article 45: Immunity and privilege of a foreign non-governmental organization’s representative office, expatriate and Cambodian staffs and their family members

Foreign non-governmental organizations’ representative offices, expatriate and Cambodian staff and their family members shall not enjoy immunity and privileges bestowed to diplomats as provided for in the 1963 Vienna Convention on Consular Relations, otherwise provided for in a special agreement between the Royal Government of Cambodia and the foreign non-governmental organization.

Expatriate and Cambodian staffs of foreign non-governmental organizations shall not be immune from judicial prosecution regarding their job-related activities as well as all sorts of cases.

CHAPTER 7
Obligations of Associations and Non-Governmental Organizations

Article 46: Annual Reports of Associations or Non-Governmental Organizations

Lawful associations or non-governmental organizations shall produce annual reports on activities and budget status of preceding year and action plan of following year to be deposited their office and submit to the Ministry of Interior or Ministry of Foreign Affairs and International Cooperation and the Ministry of Economic and Finance and other relevant ministries not later than February excluding certain foreign non-governmental organizations for which their fiscal years end after February.

Article 47: Deposit of associations’ or non-governmental organizations’ annual reports

Annual reports of associations or non-governmental organizations shall be deposited for a period of five (05) years to be examined by competent institutions.

Article 48: Authority to examine financial reports and assets of associations or non-governmental organizations

The Ministry of Economy and Finance or the National Audit Authority has the right to examine reports on financial status and assets of associations or non-governmental organizations as provided for in article 10, Chapter 2 of the Law on Audit of the Kingdom of Cambodia, by, providing written notification two (02) weeks in advance to concerned associations or non-governmental organizations.

CHAPTER 8
Postponement, dissolution, termination of MOU, and reconciliation of resources and assets

Article 49: Suspension or dissolution of a domestic association or non-governmental organization
A domestic association or non-governmental organization may postpone its activities or dissolve as determined in its statute by providing written notification to the Ministry of Interior. In case a domestic association or non-governmental organization is suspended or dissolved by a definitive court judgment, all relevant competent institutions shall enforce the ruling accordingly.

**Article 50: Postponement or Termination of MOU of Foreign Non-Governmental Organizations**

A foreign non-governmental organization may request to postpone or terminate validity of its memorandum by submitting a request to the Ministry of Foreign Affairs and International Cooperation by carbon copying to all relevant ministries.

In case a foreign non-governmental organization is postponed or has its memorandum terminated by a court’s judgment, all relevant competent institutions shall enforce the ruling.

**Article 51: Reconciliation of resources and assets upon voluntary dissolution or termination of MOU**

Should a domestic association or non-governmental organization voluntarily dissolve as stated in article 49, para. 1 of this law or a foreign non-governmental organization be allowed to terminate its MOU as stated in article 50, para. 1 of this law, reconciliation of resources and assets shall comply with its organization statute, memorandum or decisions of the concerned association or non-governmental organization.

**Article 52: Reconciliation of resources and assets upon dissolution or termination of MOU by a definitive judicial ruling**

Should an association or a non-governmental organization be dissolved or its memorandum be terminated by a definitive judicial ruling, which orders to dissolve or to terminate the validity of memorandum, reconciliation of resources and assets shall be enforced according to the definitive judicial ruling.

**CHAPTER 9**

**Procedure and penalty provisions**

**Article 53: Violation**

In case a lawful association or a non-governmental organization does not comply with Article 46 of this law, the Ministry of Interior or Ministry of Foreign Affairs and International Cooperation shall issue a warning in writing.

In case of recidivist of a domestic association non-governmental organization, the Ministry of Interior shall issue a written decision to temporarily suspend the organization’s activities from one (01) to three (03) months.

In case of recidivist of a foreign non-governmental organization, the Ministry of Foreign Affairs and International Cooperation shall issue a written decision to suspend the organization’s activities and to terminate the validity of its memorandum.

**Article 54: Violation of organization statute or memorandum**
In case any lawful association or a non-governmental organization does not comply with its statute or memorandum, the Ministry of Interior or Ministry of Foreign Affairs and International Cooperation shall issue a written warning to the concerned association or non-governmental organization. In case of recidivist or serious cases, the offending organization shall be punished according to laws in force.

CHAPTER 10
Transitional Provisions

Article 55: Re-registration of domestic associations and non-governmental organizations

Following the entry into force of this law, a domestic association or non-governmental organization which has deposited application dossiers at state institutions shall prepare application dossiers for re-registration pursuant to the provisions stipulated in Chapter 2 and Chapter 3 of this law, within a three hundreds and sixty five (365) working days at the latest. In case of default, it shall be deemed as null and void.

Article 56: Continuous validity of a foreign non-governmental organization’s memorandum

Following the entry into force of this law, a foreign non-governmental organization which has signed a memorandum of understanding with the Ministry of Foreign Affairs and International Cooperation retains continuous validity of its memorandum.

CHAPTER 10
Final Provisions

Article 57: Abrogation of provisions contrary to this Law

Any provision contrary to this law shall be abrogated.

Article 58: Entry into force of the law

This law shall be declared urgent.