



**Royal Government of Cambodia**  
**Council for Administrative Reform**

# **HANDBOOK FOR CIVIL SERVANTS**

**“Serving people better”**

June 2010

First edition

## PREFACE

The Civil Service of Cambodia is the policy implementing arm of the Royal Government of Cambodia (RGC). In executing this important role, each civil servant is obligated to act according to the law and is guided by public policy pronouncements.

Since all reform efforts towards prosperity and the wellbeing of the country and its people are very much dependent on the implementation by the civil servants of the Kingdom of Cambodia, the overall objective of the RGC is to transform the civil service into an effective provider of public services by making public service more transparent, responsive and efficient, and by enhancing civil servants' motivation, loyalty, professionalism and culture of service. This will result in enhanced performance and accountability of the civil service. In order to achieve the primary goal of "serving people better," one of the most important steps is knowledge and understanding of the legal foundations of the civil service. This is the basis for the promotion of transparency, accountability, effectiveness, responsiveness and the rule of law. Therefore, the purpose of this handbook is to provide the civil servants with a reference book on their rights and duties and thus their status as a permanent civil servant under the *Common Statute of Civil Servants, dated October 26, 1994* – the primary legislative framework for the Civil Service of Cambodia.

The handbook focuses on the permanent civil servant in the civil administration, excluding judges of the juridical order and civil servants of the legislative order. Regulations on civil servants who are covered by separate statutes (such as the Military Personnel of the Royal Armed Forces and the Police) – and who are therefore not managed by the

State Secretariat for Civil Service (SSCS) – are not included in the handbook. Furthermore, the handbook shall only provide an overview on the most important rules applicable to all permanent civil servants in the administrative sector and not on those only applicable for one specific group. Wherever text passages are drawn directly from the legal source, there were no alterations made to the original wording or the provided English translation, respectively. Policies are subject to revision as part of ongoing reform. Naturally, regulations have to change accordingly. Therefore, this handbook will be updated and re-published regularly. Furthermore, all new regulations will be published on the CAR website ([www.car.gov.kh](http://www.car.gov.kh)).

The handbook focuses on the legal situation of civil servants and is meant as a daily reference and guidebook. But this does not release the civil servants of their moral obligations. It is important to understand that civil servants shall not only be guided by the law, regulations and instructions of their superior, but by common moral values and ethics. Serving for the well-being of the country and its people encompasses *care and responsibility, fairness and equality, honesty and transparency* and therefore government for the people – all the people. CAR hopes that Cambodian civil servants keep that in mind when using this handbook as a daily reference and guidebook.

## **ABBREVIATIONS**

CAR	Council for Administrative Reform
DSA	Daily Subsidy Allowance
MEF	Ministry of Economy and Finance
MoSAVY	Ministry of Social Affairs, Veteran and Youth Rehabilitation
NSSF	National Social Security Fund
NSSFC	National Social Security Fund of Cambodia
PMAS	Performance Management and Accountability System
RGC	Royal Government of Cambodia
RSA	Royal School of Administration
SSCS	State Secretariat for Civil Service



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## INTRODUCTION

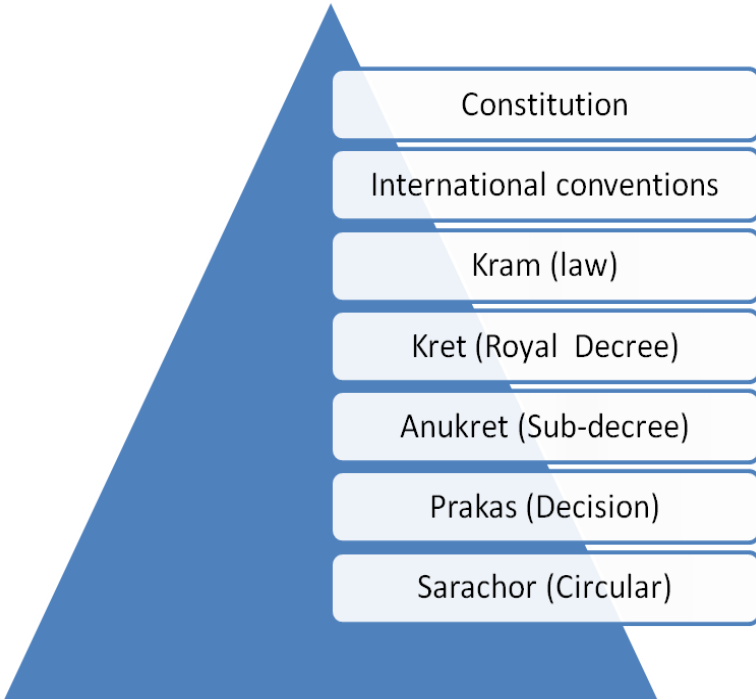
This handbook, drafted and compiled by the General Secretariat of the Council for Administrative Reform (CAR), does not replace laws and regulations or set up additional rights and duties; it does not have any purpose to interpret laws, provisions in force or regulations concerning the civil service.

The booklet consists of a compilation of major rights and duties and only summarizes and explains those regulations for a better knowledge and understanding. The CD in the back of the booklet contains the relevant legal documents to facilitate the reader's research. Moreover, a soft copy of the handbook is available on the CD with hyperlinks to most of the legal documents referred to. Please be aware that most of the translations of the English versions are not certified by the Council of Jurists if not explicitly stated. Also please notice that this booklet has been commented by the State Secretariat for Civil Service.

In general, each chapter is composed in the following way: First the directive that forms the basis of the relevant topic is stated (***Policy***). As a second step the legal sources are put down under ***Legal Basis***. And finally a ***Summary of Regulations*** provides an overview on the legal situation.



## The hierarchy of norms in Cambodia



# CHAPTER 1: ORGANIZATION OF THE CIVIL SERVICE

## 1. Employment classification system

Policy: The Cambodian civil service is a career system that has already been in place for a long time. All civil servants are grouped into different civil service bodies - based on their level of education - which are ruled by their own particular statutes.

Legal basis: [Royal Decree CS-RKT-1297-273 on the General Principles of Organization of the State Civil Service, dated December 1, 1997.](#)

Summary of regulations: Civil servants are grouped into civil service bodies. The bodies are ranked in four categories (A, B, C and D) according to the minimum education required to join a body and to the classification of the jobs of such a body.

Each body is subdivided into 3 grades and each grade is subdivided into steps (salary classes). The first (highest) grade consists of 6 steps, the second grade consists of 10 and the third grade consists of 14 steps.

The system of pay and allowances is based on the employment classification. The steps bear an index that provides the level of remuneration (confer the chart on page 40). The following chart demonstrates the system of categories, grades and steps.

Category	Grade	Up to 14 Steps/ salary classes													
		14	13	12	11	10	9	8	7	6	5	4	3	2	1
<b>A</b>	1														
	2														
	3														
<b>B</b>	1														
	2														
	3														
<b>C</b>	1														
	2														
	3														
<b>D</b>	1														
	2														
	3														

## 2. Particular body statute

Policy: Each body was created to be under a particular statute which manages the civil servants' careers based on the educational background. If their educational background, position or type of position are the same, they are grouped into bodies. There shall be established a particular statute for that body (e.g. health, general administration, technical etc.).

Legal basis:

- Sub-Decree no. 9 on Establishing a Model of a Particular Statute of a Body, dated February 12, 1998;

- Royal Decree CS-RKT-1297-273 on the General Principles of Organization of the State Civil Service, dated December 1, 1997.

Summary of regulations: All Ministries and institutions shall establish a particular statute for each body. It shall include the following provisions:

- attachment of the body to a ministry,
- classification of the body into a category,
- general mission of the body,
- positions that may be undertaken by the employee of the body,
- minimum qualifications required to enter the body and the procedures concerning the external or internal competitive examinations,
- guidelines concerning the probationary period,
- structure of the body (division of the body into grades and the definition of the positions it may be undertaken at each grade),
- rules concerning step and grade promotion.

Each of the 21 particular statutes is provided on enclosed CD.

## The particular statutes

21 statutes in 6 sectors for the each category (A, B, C, D)

The 4 categories	21 Statutes in 6 sectors					
	General Administration	Mol	Diplomats	Education	Health	Technical
<b>A</b> Bachelor Degree	General Administration Official	High Ranking Administration Official	High Ranking Diplomat Official	University Teacher	High Ranking Health Official	High Ranking Technical Official
<b>B</b> Associate Degree	Kramkar Official	Kramkar Official	Kramkar Official for Foreign Affairs	Basic Level Teacher	Medium Ranking Health Official	Medium Ranking Technical Official
<b>C</b> High School Diploma	Administrative Secretary	Administrative Secretary		Primary School Teacher	Primary Health Official	Primary Technical Official
		Prison Inspector				
<b>D</b>	Administrative Agent	Administrative Agent				Technical Agent

### **3. Employment status**

Policy: All employees governed by the Common Statute of Civil Servants of the Kingdom of Cambodia shall be defined as civil servants of the public administration, which is a career system. In the public administration, a civil servant is not recruited to hold any particular position but he is recruited under the public function of his particular body; his position is flexible, it moves forward in accordance with the upgrading of the civil servant within that body. It is different from the employment/contract system which is ruled by labor law.

Legal basis: [Kram NS-RKM-1094-006 on the Common Statute of Civil Servants, dated October 30, 1994.](#)

Summary of regulation: Any employee from outside the civil service shall mandatory become a permanent employee at the third grade of a body and conduct a probationary period for 12 months; hence the Civil Service System of Cambodia is career-based. And positions in the civil service shall in principle be reserved for career civil servants.

Nevertheless, in exceptional cases or if necessary, the Royal Government may appoint to a given position a dignitary or a person with a degree that does not belong to any of the bodies of the civil service (confer art. 61 of the [Common Statute](#)). In this case, the person concerned shall receive a salary from the civil service but shall not be entitled to a retirement pension.

## **CHAPTER 2: ENTRY INTO THE CIVIL SERVICE**

In 2010, the Royal Government of Cambodia has temporarily postponed the recruitment to bodies of all ministries except of the Ministry of Education, Youth and Sports and the Ministry of Health. However, the general employment rules are as follows.

### **1. Employment requirements**

Policy: The recruitment and selection for a civil service body shall serve the purpose of filling vacancies with candidates meeting the skill requirements of the workplace. The applicant must satisfy general employment requirements and the minimum requirements for each category.

#### Legal basis:

- [Art. 11-15 of Kram NS-RKM-1094-006 on the Common Statute of Civil Servants, dated October 30, 1994;](#)
- [Royal Decree CS-RKT-1297-273 on the General Principles of Organization of the State Civil Service, dated December 1, 1997.](#)

#### Summary of regulations:

Each applicant must fulfill the following requirements:

1. Must be a Cambodian citizen;
2. Must be at least 18 years but not more than 25 years old, however, exceptions shall be made for:
  - candidates with a diploma of higher education, in which case the age limit shall be extended to 30 years,

- candidates having studied a year or more of higher education without having obtained a final diploma, in which case the age limit of 25 years shall be pushed back to a length of time equal to their studies without exceeding the age limit of 30 years,
  - candidates having effectively accomplished their service, in which case the age limit shall be pushed back to a length of time equal to their service in the army,
  - the ability of the Royal Government to lift, in case of necessity, by sub-decree, all restrictions regarding a candidate's age in order to satisfy the needs found to be priorities and in the national interest;
3. Must not be deprived of his/ her civil rights, civic and political;
  4. Must not have been condemned for a crime or attempted offence of good moral conduct, honor or integrity;
  5. Must satisfy the conditions of physical aptitude for the exercise of the function as required by guidelines and applicable regulations;
  6. Must satisfy the aptitude conditions required by the particular statute governing his/her body.

Furthermore, the applicant must satisfy the minimum job requirements for each category. The entry in a particular category is defined by level of education (confer art. 3-6 of [Royal Decree CS-RKT-1297-273](#)):



- Category A: The minimum educational level required to enter a body in Category A shall be a secondary education diploma (baccalaureate) plus 4 years of studies certified by a degree. Some particular statutes may, if necessary, impose a minimum educational level at or above a secondary education plus 6 years of studies certified by a degree. In such case, the civil servant shall be granted a step increase.

The category includes functions regarding direction, inspection, studies and advice as well as all functions of responsibility.

- Category B: The minimum educational level required to enter a body in Category B shall be a secondary education diploma plus 2 years of studies certified by a degree.

The category includes functions regarding the preparation of the work to be undertaken by officials and of implementation of their decisions.

- Category C: The minimum educational level to enter a body in Category C shall be a secondary education diploma;

The category includes functions regarding secretarial services as well as administrative functions requiring a particular skill or know-how.

- Category D: No requirement for a secondary education for entry into a body in this category.

The category includes functions regarding simple administrative responsibilities.

Any further requirements for applicants need to be taken from the relevant statute of the body (confer page 10).

## **2. Competitive examination/ appointment**

Policy: The recruitment of civil servants shall in principle be undertaken through competitive examination, except for contrary arrangements enacted by the Royal Government.

Legal basis:

- [Kram NS-RKM-1094-006 on the Common Statute of Civil Servants, dated October 30, 1994;](#)
- [Sub-Decree no. 20 on the Organization and Functioning of Ministries and State Secretariats, dated April 30, 1996.](#)

Summary of regulations: Staff is appointed to one of the four categories A through D based on a competitive examination depending on their level of education. No general rules exist concerning the content of the competitive examinations.

The date of the competitive entry examination for a body shall be established and published three months before the preparation of the examination. In case of emergency, this period may be reduced to 30 days.

All competitive entry examinations in the civil service shall be undertaken in the presence of a representative of the State Secretariat for Civil Service (SSCS) and a representative of the Council for Administrative Reform (CAR).

Candidates belonging to ethnic minorities, coming from remote regions, as well as women, may benefit from facilities or prioritized measures of recruitment (art. 11 no. 6 of the Common Statute). Candidates who are selected to

work in the rural areas for less than 3 years are not eligible to transfer to the Ministry or central level.

### **3. Royal School of Administration (RSA)**

Policy: The RSA has the role “to recruit, train and improve the civil servants intended to serve the administration of the Kingdom of Cambodia”. Graduates are not subject to an open competitive examination as the school's entry examination qualifies as a competitive examination.

Legal basis:

- Royal Decree NS-RKT-0495-040 on the Creation of the Royal School of Administration, dated April 21, 1995;
- Sub-Decree no. 83 on the Statute of the Royal School of Administration, dated December 14, 2004;
- Sub-Decree no. 53 on Allowance for Civil Servants Who Finished Initial Training at the Royal School of Administration, dated May 29, 2007.

Summary of regulations: The RSA's training programs are divided into two main categories: continuing education programs and initial training programs.

The first are addressed to civil servants on active service under cadres A and B and aimed at upgrading knowledge in the area of public administration. Conditions of entry are defined every year by a circular from the Office of the Council of Ministers (CoM). Candidates are selected by their respective ministries/institutions.

Initial training programs are addressed to students, satisfying certain criteria of education and age, who want to enter the civil service as middle-ranking (Kramkars) or high-

ranking civil servants. Candidates become civil servants as soon as they pass the entry examination by signing a contract before being appointed by the Council of Ministers. In case successful candidates were already civil servants, they must resign from their previous body. They shall serve for a minimum period of at least 7 years counting from the date of appointment to a body of Ministry/Institution.

#### **4. Probationary period**

Policy: Individuals receiving the initial appointments to the civil service as well as promotions to a higher employment category must in principle serve a probationary period. After successfully passing the probationary period an individual becomes a permanent civil servant.

Legal basis: [Art. 16-18, Kram NS-RKM-1094-006 on the Common Statute of Civil Servants, dated October 30 1994.](#)

Summary of regulation: The duration of the probationary period is in general twelve months. Permanent civil servants having passed a competitive entry examination in another body may be excused from six months of the probationary period; their seniority of the previous employment will be kept.

The obligatory probationary period may be waived by incumbent civil servants being promoted within the same group of bodies, through competitive examination to a higher body than their current body.

The probationary period is not taken into consideration if the trainee accumulates more than 30 days of absence. In this case, the trainee shall undertake a second year of probation.

Permanent employment shall be determined by the authority having the power of appointment, on the proposal of the departmental head of the trainee. The determination shall be made upon the advice of a commission composed of the following:

- the Minister concerned or his/her designee (president),
- the department head concerned or his/her designee (member),
- the human resources manager or his/her designee (member),
- a civil servant of the body that the civil servant is entering (member).

Any trainee that does not demonstrate a sufficient professional aptitude, or whose manner of service has been judged improper, or that is recognized to be physically unable to exercise the functions pursuant to the conditions imposed by applicable guidelines, may be, at any time, dismissed during the probationary period.

Dismissal or permanent employment shall necessarily be decided within three months following the expiration of the twelve-month probationary period.

Permanent employment shall take effect, with regard to salary and promotion by seniority, on the date of expiry of the probationary period. However, seniority, as it relates to the calculation of retirement benefits, shall commence as of the beginning of the probationary period.

Deductions for retirement pensions are made on the wages of trainees. These deductions shall be refunded to the trainee if he/she does not become integrated into the civil service at the end of his/her probationary period.

During their probationary period civil servants shall receive only the basic salary and are not entitled to receive functional allowances. They cannot shift their work area and they cannot be appointed to hold any position in the structure of the ministry/institution (i.e. Deputy Bureau Chief or higher), nor are they allowed to take leave in order to pursue their education etc.

After successfully completing the probationary period, the probationary will be appointed to be a permanent civil servant. Appointment shall be carried out by Royal Decree for category A; by Sub-Decree for category B; and by Decision for category C and D.

## CHAPTER 3: PROMOTION

Policy: Normally, civil servants shall spend their whole career within the third grade and shall be promoted in steps regularly through the seniority or selection.

Legal basis:

- Art. 20-32 of Kram NS-RKM-1094-006 on the Common Statute of Civil Servants, dated October 30, 1994;
- Royal Decree CS-RKT-1297-273 on the General Principles of Organization of the State Civil Service, dated December 1, 1997.

Summary of regulation: In general, the minimum period of time required to obtain a promotion in steps shall be 2 years. Promotion through seniority can be alternated with promotion through selection where the civil servant is recognized for the exceptional qualities of his/her work, according to the provisions provided by the particular statute of each body.

Each civil servant shall have the right to personnel correspondence and confidential access to all records and other documents existing in his/her file in the case of a delay of his/her seniority step advancement.

Civil servants assigned to positions classified as remote, unhealthy or dangerous shall benefit from an increase of half of the seniority period required for placement on the list of candidates for promotion.

## **Proceedings of promotion**

Any promotion has to be subject to prior inclusion on a promotion list. Each year in January, any civil servant who is entitled to apply for a promotion in step or grade shall fill in a professional evaluation form that shall be annotated by his/her head of department. In the following, the head of institution (Secretary of State or Minister) concerned shall prepare a list of civil servants to be proposed for promotion according to the stipulated criteria for promotion.

To be entitled to be placed on the list of candidates for promotion, candidates must meet, on the 13<sup>th</sup> of April of the year in which the list is established, the conditions for promotion provided in the particular statute of their body.

Employees shall be regularly promoted in steps every two years and evolve their careers through their promotion, from grade three to grade two and to grade one following defined procedures and principle.

Promotion in steps is decided upon as follows:

- Promotion within the first grade of category A shall be made by Royal Decree;
- Promotion within the second grade of category A shall be made by Sub-Decree;
- Promotion within the third grade category A or lower (Kramkar, secretary, administration agent) shall be decided upon by Decision.

A promotion to the next grade shall be reserved for the most meritorious employees who have an appropriate position and rank. Such promotion shall be subject to vacancies within the grade and shall be undertaken either

- through placement on a promotion list, or

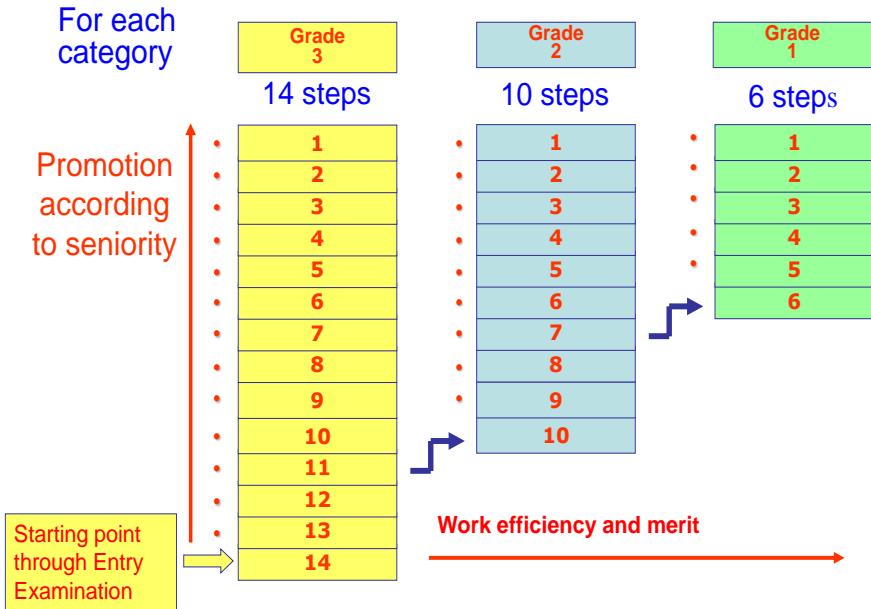


- obtaining a certificate of long-term training from the RSA (or from a vocational school recognized by the particular statute), or
- by competitive examination.

The right to a promotion, through selection or through seniority, shall be suspended for any civil servant facing judicial (confer page 56) or disciplinary proceedings (confer page 52). Each grade defines the ability to hold certain positions in an institution or ministry.

Promotions to the second grade of a body shall only be possible for employees having reached the eleventh step of the third grade. Promotions to the first grade of a body shall be subject to employees having reached the 7<sup>th</sup> step of the second grade (compare the table on page 10 or 40).

## The Promotion for each of the categories



## **CHAPTER 4: EXIT FROM THE SERVICE**

### **1. Reasons for termination**

All employees who hold civil servant statuses under the law of the Common Statute are by definition permanent employees (confer page 13). Dismissal or permanent employment shall necessarily be decided within three months following the expiration of the twelve-month probationary period.

After the probationary period reasons for the termination of the state service can only be:

- voluntary departure,
- disciplinary sanctions of the 2<sup>nd</sup> degree,
- retirement or professional physical unfitness or
- death.

Dismissal, automatic placement into retirement and removal of civil servants has to be carried out by Royal Decree, Sub-decree or Decision, according to the particular status that applies (art. 5 of the Common Statute).

### **2. Retirement**

#### **a. Seniority pension**

Policy: Civil servants who meet the conditions for retirement may terminate their service and shall receive retirement benefits.

Legal basis:

- [Kram NS-RKM-1094-006 on the Common Statute of Civil Servants, dated October 30, 1994;](#)

- [Sub-Decree no. 59 on the Regime of Retirement Pensions and Professional Unfitness of Civil Servants, dated October 6, 1997.](#)

Summary of regulations: The legal retirement age of civil servants of either sex is 60 for category A, 58 for category B; and 55 for categories C and D, following the respective determination of the particular statutes.

Conditions for receiving the pension:

- Civil servants shall receive a monthly seniority retirement pension equaling 80% of their respective net basic salary, when they have accomplished at least 30 years of service.
- Civil servants having reached the retirement age and that have **at least 20 years and under 30 years** of service, shall benefit from a retirement pension equal to 60% of their respective net salary. Those that have completed **more than 20 years** of service shall receive a proportional annual supplementary pension of 2% of their net salary. The total amount in this case shall not exceed 80% of the seniority pension and shall not be lower than the basic monthly salary of the respective civil servant.
- Civil servants having reached the retirement age and having **less than 20 years** of service shall not be granted a retirement pension. In such case, the civil servant is entitled to obtain a refund of his/her pension deductions withdrawn from his/her salary as well as other state allowances, in a lump sum payment (art. 17 and 18 of the [Common Statute](#)).

The monthly retirement pension of civil servants can be increased by zone allowances as well as risk or family allowances (art. 4 of [Sub-decree no. 59](#)).

Civil servants placed on retirement shall automatically receive an initial lump sum allowance from their Ministry. This one-time payment used to amount to the equivalent of 8 total monthly salaries. From 2010 onwards, it shall amount to the equivalent of 8 basic monthly salaries ([Sub-Decree no. 201 ANKr.BK on the Modification of the Determination of First Allowance for Retired, Physically Unfit, Dead, Resigned, Prematurely Retired and Unfulfilled Conditions for Retirement or for Physically Unfit Civil Servants, Judges and Prosecutors, dated November 25, 2009](#)).

There are currently no employee contributions for a Pension Fund, but the state contributes 16% of the civil servants' salary package and with the NSSF a Social Security Fund has already been established (confer chapter 7: Social Security Policy).

## **b. Pension for Professional Physical Unfitness**

Policy: Civil servants that are professionally unfit with 20 years of seniority and that have not yet reached the age of retirement shall have the right to a professional unfitness pension.

Legal basis:

- [Sub-decree no. 59 on the Regime of Retirement Pensions and Professional Unfitness of Civil Servants, dated October 6, 1997](#);
- [Sub-decree no. 201 ANKr.BK SRNN on the Modification of the Determination First Allowance for Retired, Physically Unfit, Dead, Resigned, Prematurely Retired and Unfulfilled Conditions for](#)

Retirement or for Physically Unfit Civil Servants, Judges and Prosecutors, dated November 25, 2009;

- Decision no. 52 SSR on Revision of Social Insurance Policy's Allowances, dated December 6, 2005.

Summary of regulations: Civil servants may be declared professionally unfit after 12 months of continuous illness.

Such professional unfitness shall be certified by a commission whose composition shall be as follows:

- the head of the institution concerned or his/her designee (president),
- the chief of the unit or his/her designee (member),
- the human resources manager or his/her designee (member),
- a certified physician designated by the Ministry of the Health (member),
- two civil servants from the same body having at least the same grade as the civil servant concerned (members).

Any civil servant found to be unable to continue exercising his/her functions due to being physically unfit and not satisfying the conditions required to claim a retirement pension may be terminated from his function at any time (art. 19 of the [Common Statute](#)).

Conditions for receiving a physical unfitness pension

- When declared professionally unfit civil servants are entitled to a one-time payment equal to 7 times their last basic salary (art. 2, [Sub-Decree no. 201 ANK.BK, dated 25 November 2009](#));

- Civil servants who are declared unfit due to an accident at work will receive a monthly annuity equal to 65% of their last earned net salary plus an additional 1.5% for every completed service year above 20 years up to a maximum constituting of 90% of their net salary;
- Civil servants who are declared unfit due to illness will receive a monthly annuity equal to 50% of their last earned net salary plus an additional 1.5% for every completed service year above 20 years up to a maximum constituting of 90% of their net salary;
- Civil servants who served less than 20 years will benefit from the full refund of their pension deductions and a subsidy from the State.

Civil servants in a professionally unfit state shall benefit from subsidies for zone allowances, allowance for hardship, family costs and other subsidies in line with pensioners.

For retired unfit persons who are receiving both monthly pension and political allowances at the same time, the Ministry of Social Affairs, Veterans and Youth Habilitation shall suspend the pension immediately. Pensions already provided to the unfit persons who are currently holding political functions shall be channeled back to the national budget.

### **3. Financial support of family members in case of death**

Policy: Deceased civil servants' family shall be given financial support.

Legal basis:

- Sub-Decree no. 59 on the Regime of Retirement Pensions and Professional Unfitness of Civil Servants, dated October 6, 1997;
- Decision no. 52 on Revision of Social Insurance Policy's Allowances, dated December 6, 2005.

Summary of regulations: Deceased civil servants' family shall be given financial support as follow to organize funeral for each of the deceased:

- 1,200,000 Riel for those who die of illness.
- 1,500,000 Riel for those who die when on duty or of occupational risk. ([Decision no. 52](#))

In case of death of a pensioner, his/her family shall benefit from a one-time subsidy equal to 12 months of his/her monthly retirement pension for traditional funeral purposes. The spouse of the deceased shall continue to receive a monthly subsidy until his/her death or until his/her new marriage. Children of the deceased shall also receive a subsidy like other children of civil servants, until the age of 15 years; an attestation of schooling is required of them when they are more than 15 years of age. (Art. 10 of [Sub-decree no. 59](#))

When a civil servant in a professionally unfit state dies, his family shall receive a subsidy from the State in line with that of pensioners (art. 15 of [Sub-decree no. 59](#)).



## **CHAPTER 5: ATTENDANCE, LEAVES AND ABSENCE**

### **1. Working Hours**

Policy: Civil servants of the Kingdom of Cambodia shall work 5 days by week and shall benefit from a weekly leave of 2 days on Saturday and Sunday.

Legal basis:

- Kram NS-RKM-1094-006, on the Common Statute of Civil Servants, dated October 30, 1994;
- Sub-Decree no.21, on the Duration of the Workweek of Civil Servants of the Kingdom of Cambodia, dated January 30, 1996;
- Sub-Decree no. 38 on the Determination of the Number of Required Teaching Hours, Additional Teaching Hours and Fees for Additional Teaching Hours for Teaching in Public Educational Institutions, dated September 6, 1996.

Summary of regulations:

Civil servants shall work 8 hours per day according to the following provisions:

- in the morning : 7 a.m. to 11:30 a.m.
- in the afternoon : 2 p.m. to 5:30 p.m.

The duration of the workweek for teachers, masters of school and the teaching personnel of schools is established separately.

According to the law, any cessation of service or unauthorized absence shall automatically entail the leave without pay or the suspension of salary. Furthermore, civil servants might be subject to disciplinary sanctions.

## **2. Leave and Holidays**

Policy: Civil servants are entitled to different kinds of leave. Civil servants on leave in accordance with the Common Statute of civil service and other existing provisions are in general entitled to basic salary.

### Legal Basis:

- Sub-Decree no. 21 on the Duration of the Workweek of Civil Servants of the Kingdom of Cambodia, dated January 30, 1996;
- Decision no. 73 on Working Hours and Days off for Senior Officials and State Employees, dated June 8, 1983.

### **a. Annual leave**

According to art. 4 of [Sub-Decree no. 21 on the Duration of the Workweek of Civil Servants of the Kingdom of Cambodia, dated January 30, 1996](#) the calendar of annual leave for civil servants shall be established by Sub-decree, Circular and other legal letters of the Royal Government of Cambodia.

[Decision no. 73 on Working Hours and Days off for Senior Officials and State Employees, dated June 8, 1983](#) states, that all senior officials and state employees are entitled to 15 days of paid annual leave per year after they have worked for their ministry for one full year. Thereby the annual leave does not include any sick leave that is less than three months a year or maternity leave.

### **b. Sick leave**

Confer page 47, Chapter 7: Social Security Policy.

### **c. Maternity leave**

Policy: Female civil servants do not lose their job because of pregnancy (art. 46 provision 2 of the Constitution of the Kingdom of Cambodia 1993).

Legal basis:

- Constitution of the Kingdom of Cambodia, dated 24 September 1993;
- Decision 52 SSR on Revision of Allowances Policies and Social Insurance, dated December 6, 2005.

Summary of regulations: Women have the right to take maternity leave with full pay and with no loss of seniority or other social benefits for a period of 90 days.

According to Decision 52, female civil servants on maternity leave shall be given 600,000 Riel each.

### **d. Special Leave**

Policy: Civil servants who stand as candidate for parliamentary elections are entitled to special leave and their salary and pension are maintained. This special leave shall end on the announcement date of the election result. Civil servants who are assigned by the national election committee are permitted to stay off their work to serve the election preparation process. They return to their usual work when their duty is completed.

Legal basis:

- Sub-Decree no. 34 on Special Leave of Civil Servants Who Stand as Candidate for Parliamentary Elections, dated June 2, 1998;

- [Sub-Decree no. 35 on Temporary Leave of Civil Servants During the Preparation Period for Parliamentary Elections, dated June 2, 1998.](#)

**e. Leave without pay/ suspension**

Policy: A civil servant can be on leave without pay upon the employee's request with the approval of the head of institution or upon the authorities request for disciplinary purposes (suspension).

Legal basis: [Sub-Decree no. 116 on the Legal Framework of Leave Without Pay, dated October 19, 1995.](#)

Summary of regulation: Leave without pay shall be the position in which the civil servant shall be placed when he/she ceases to benefit from his/her rights to wages, promotion and seniority for retirement. Mandatory leave without pay (suspension) is exercised on civil servants who are absent without permission for 15 consecutive days or civil servants under court decision of felony or misdemeanor, who appealed until the date of final verdict.

Such leave can be granted for the duration of 3 months and up to a maximum duration of 2 years. It can be renewed for up to a total of 4 years. Such placement on leave without pay shall apply in the following cases:

- to undertake an activity in the private or quasi-public sector,
- to undertake, within the Kingdom of Cambodia or overseas, studies or research of general interest,
- for personal convenience.

Such a grant of leave without payment may be renewed for an aggregate period not exceeding 4 years. It shall apply in the following cases:

- in case of serious sickness of a spouse or child,

- when the civil servant has not been able to benefit from an assignment allowing him/her to join his/her spouse.

The civil servant that is placed on leave without pay at his/her request shall have to ask for an extension of his/her leave or his/her reinstatement in the two months preceding the end of his/her period of leave without pay. The civil servant failing to request the extension of his/her leave without pay or his/her reinstatement as of the last day of his/her period of leave shall be considered to have resigned and shall be removed from the civil service as of such last day.

The reinstatement or dismissal decision of a civil servant on leave without pay shall be issued through a Royal Decree, Sub-Decree or Decision.

#### **f. Placement outside the original body**

Policy: Civil servants, judicial staff, police, and Cambodian Royal Armed Forces who are appointed as member of the Royal Government, Under-Secretary of State or advisor to the Government at any level shall be placed outside their original body of the respective ministry/institution. Chairmen, vice-chairmen and members of the National Election Committee at all levels shall be placed outside their original body until they are appointed anew.

#### Legal basis:

- [Sub-Decree no. 35 on Temporary Leave of Civil Servants During the Preparation Period for Parliamentary Elections, dated June 2, 1998](#);
- [Sub-Decree no. 50 on the Placement of Civil Servants, Judicial Personnel, Police and Royal](#)

Armed Forces Outside Their Original Body, dated June 10, 1999.

Summary of regulations: During the period in which the civil servants are placed outside their original bodies, their seniority, which will determine the amount of their pension payment, is maintained; yet they do not receive any salary from their original ministry/institution.

## **CHAPTER 6: PAY AND ALLOWANCES**

Policy: The Cambodian civil service remuneration system combines principles of the career system and the employment/contract system. From the career system has been taken the principle of a basic salary based on indexes established according to each category (A,B,C,D), grade and step. From the employment/contract system emerged the principle of functional allowances provided to civil servants according to their positions or functions.

### Legal basis:

- [Royal Decree NS-RKT-1201-450 on the Basic Salary and Subsidiary Allowances of Salary of Civil Servants, dated December 1, 2001;](#)
- [Royal Decree no. NS-RKT-0707-310 on Research Allowance for Royal Academy Members and Research Staff, dated July 27, 2007;](#)
- [Sub-Decree no. 34 on Changes to Functional Allowances for Civil Servants and Pedagogic Allowances in the Education Sector, dated April 23, 2002;](#)
- [Sub-Decree no. 96 on Revision of Functional Allowance for Civil Servants, dated August 3, 2005;](#)
- [Sub-Decree no. 21 on Changing of Unit Value of Basic Salary Index of Civil Servants, dated January 19, 2009.](#)

Summary of regulations: The basic salary and subsidiary allowances of salary are living cost allowances per month which the state shall provide for civil servants under the Common Statute of Civil Servants for carrying out their duties. Basic salary and subsidiary allowances of salary include:

- Basic salary
- Functional allowance or additional allowance and
- Subsidiary allowance (Risk allowance, Regional allowance, Health risk allowance, Pedagogic allowance, Family allowance, etc.).

## **1. Basic salary**

Basic salary is a monthly salary to be provided for civil servants for their living which include: food and drink, accommodation, clothes and medical treatment. The minimum salary index is 100 for salary level D.3.14 and the maximum one is 550 for salary level A.1.1 ([art. 2 of the Royal Decree NS-RKT-1201-450](#)).

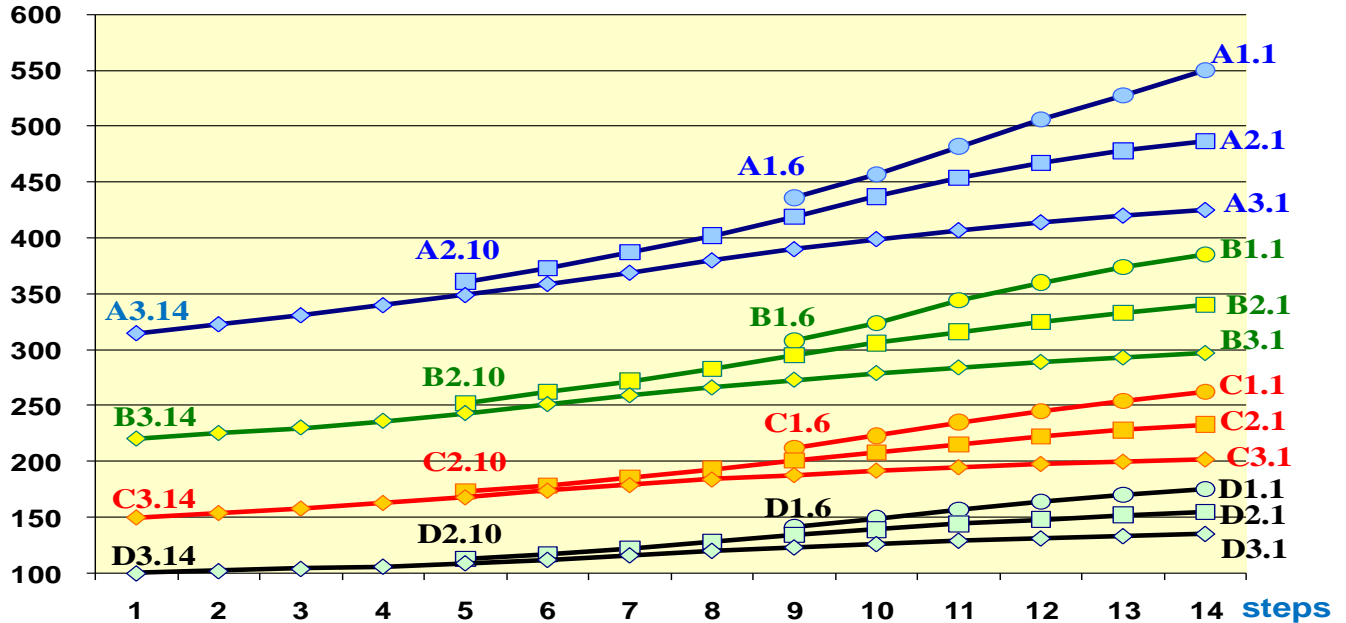
The Royal Decree NS-RKT-1201-450 provides a table of indexes which indicate the basic monthly salary of each civil servant.



	<b>Grades</b>	<b>Steps</b>													
		<b>14</b>	<b>13</b>	<b>12</b>	<b>11</b>	<b>10</b>	<b>9</b>	<b>8</b>	<b>7</b>	<b>6</b>	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>
<b>A</b>	<b>A 1</b>									436	457	482	506	528	550
	<b>A 2</b>					361	373	387	402	419	437	454	467	478	487
	<b>A 3</b>	315	323	331	340	349	359	369	380	390	399	407	414	420	425
<b>B</b>	<b>B 1</b>									308	324	344	360	374	385
	<b>B 2</b>					652	262	272	283	295	306	316	325	333	340
	<b>B 3</b>	220	225	230	236	243	251	259	266	273	279	284	289	293	297
<b>C</b>	<b>C 1</b>									212	223	235	245	254	262
	<b>C 2</b>					143	178	185	193	201	208	215	222	228	233
	<b>C 3</b>	150	154	158	163	168	174	179	184	188	192	195	198	200	202
<b>D</b>	<b>D 1</b>									141	149	157	164	170	175
	<b>D 2</b>					113	117	122	128	134	139	144	148	152	155
	<b>D 3</b>	100	102	104	106	109	112	116	120	123	126	129	131	133	135

# The basic salary index

Riels



In 2004 the unit indicator was 345 Riels per index; while in 2010, the unit indicator increases up to 870 Riels per index, following the Sub-Decree no. 208 ANK.BK on the Adjustment of Unit Indicator for Basic Salary and Increase of Basic Salary of Civil Servants, dated December 3, 2009. The unit indicator for the basic salary is adjusted annually following the Royal Government Policy which demands a 20% increase of the basic salary for civil servants each year.

In order to obtain the basic salary, the respective index number of the table needs to be multiplied with the current unit indicator. For instance, for a category A official within the first grade and within the 6<sup>th</sup> step (A.1.6), according to the above table, the indicator is 436. Therefore, to calculate his basic salary, we shall multiplied 436 by 870 (=379.320 Riels),

## **2. Functional allowance**

Functional allowance is an additional allowance to the basic salary which is to be provided for civil servants according to their position, working experience and working effectiveness. Functional allowances are divided into three categories: education, health and administration. Civil servants with the same function but different seniority shall receive different functional allowances.

Functional allowances are divided into 5 levels according to duration and work experience within the following occupations ([Royal Decree NS-RKT-1201-450 on the Basic Salary and Subsidiary Allowances of Salary of Civil Servants, dated December 1, 2001](#)):

- Level 5 for experience under 3 years
- Level 4 for experience from 3 to 6 years

- Level 3 for experience from 6 to 10 years
- Level 2 for experience from 10 to 16 years
- Level 1 for experience from more than 16 years.

A change of level and the provision of a functional allowance cannot be automatically carried out according to the number of years; however, it should be done with actual evaluation by the head of the respective institution.

A functional allowance can be given to officials whose positions range from Director General down to Secretary (category C officials). Furthermore, an additional allowance is available for officials who hold a political position. This allowance covers all members of the Royal Government down to Under-Secretaries of State (Sub-Decree no. 62 ANK.BK On the Allowance of Government Members, Under-Secretary of State, Advisor and Armed Forces, Whose Rank Ranges from Under-Secretary of State and above, dated September 30, 2004). An allowance is given to Council Members at the capital, provincial, municipal, district and Khan levels (Sub-Decree no. 214 ANK.BK On the Determination of Allowance for Council members at the capital, provincial, municipal, district and Khan levels, dated December 14, 2009).

### **3. Risk allowance**

Risk allowance is a monthly allowance to be provided for any civil servant who is assigned to work in a location vulnerable to communicative diseases or to work on matters which are dangerous for health such as: hot and humid locations, dusty areas or poisonous areas, poisonous steams, dangerous chemicals, too noisy areas, smelliness and areas vulnerable to malaria.

Health-affected positions and risky areas and risk allowances are decided by a separate sub-decree.

#### **4. Family allowance**

Policy: Family allowance is a monthly allowance to be provided for civil servants who are breadwinners for their wife, children and their legally adopted children under their custody.

Legal basis: [Sub-Decree no. 32 on Increase of Allowance for Spouse and Children of Civil Servants, Royal Armed Forces, National Police Force, Retirees, Invalids and Veterans with Disabilities, dated April 4, 2008.](#)

Summary of regulations: Children allowance can be still provided for the children until they reach 21 years of age, in case there is a letter certifying their study.

<b>Family allowance</b>	<b>Amount/month</b>
Wife	6,000 Riel
Children	5,000 Riel

#### **5. Pedagogic allowance**

Policy: Pedagogic allowances are additional pay to the monthly functional allowances to be provided to civil servants within the education sector who have received training in pedagogy.

Legal basis: [Sub-Decree no. 34 on Changes to Functional Allowances for Civil Servants and Pedagogic Allowances in the Education Sector, dated April 23, 2002.](#)

Summary of regulation: Pedagogic allowances shall be provided according to the categories of civil servants as follows:

<b>N</b>	<b>Category</b>	<b>Pedagogic allowance/month</b>
1	Category A	12,000 Riel
2	Category B	10,000 Riel
3	Category C	8,000 Riel
4	Category D	6,000 Riel

Changes to Pedagogic allowances shall be determined by a sub-decree.

There are also special teacher allowances for teaching two shifts and for teaching combined classes.

## **6. Living Allowance**

Policy: A Living Allowance is provided to civil servants, military personnel, police personnel and retired persons, professional physical unfit or disabled, veterans, who have lost their working capacity or labor capacity, for 20.000 each every month. This provision is the RGC policy to ease their difficulties. The Living allowance has to be implemented year by year and is not a permanent allowance.

Legal basis: Sub-Decree no. 45 ANK.BK On the Provision of Living Allowance to Civil Servants, Military Personnel, Police Personnel and Retired Persons, Professional Physical Unfit or Disabled, Veterans, Who Have Lost their Working Capacity or Labor Capacity dated March 05, 2009.

## **7. Daily subsidy allowances (DSA)**

Policy: Civil servants who are on missions/ official trips within and outside the country receive a daily subsidy allowance (DSA).

Legal Basis: [Sub-Decree no. 10 on Daily Subsidy Allowance for Mission Within and Outside the Country, dated April 12, 2004.](#)

Summary of regulation: The granted DSA is distributed according to the respective ranks of the civil servant and the destination of the mission.

Different tables provide the relevant rates. Thereby the DSA is composed of pocket cash and the money needed for food and accommodation and the rate differs in regards to the distance of the location target of the mission.

A special DSA is granted to senior officials from secretary general, director general, or officials with equivalent positions onward.

Furthermore, ad hoc DSA is granted for the attendance of international meetings in the provinces or municipalities outside the participant's working place. In principle up to 10 traveling days maximum will be covered.

In case no government transport is available the transport expenses shall be paid according to actual receipts.

Accompanying individuals have to cover the travel costs on their own.

## CHAPTER 7: SOCIAL SECURITY POLICY

Policy: Civil servants shall receive the following social insurance schemes: retirement and professional unfitness (confer page 288), maternity (confer page 34), work accidents, and death (confer page 30).

Legal basis:

- [Royal Decree NS/RKT 0108/039 on Social Security Scheme for Civil Servants, dated January 18, 2008;](#)
- [Sub-Decree no. 14 on the Establishment of the National Social Security Fund \(NSSF\), dated February 05, 2008;](#)
- [Decision no. 52 on Revision of Social Insurance Policy's Allowances, dated December 6, 2005.](#)

Summary of regulations:

Social Security Policy Allowance for civil servants who died and civil servants who are on maternity leave is as follows:

- A civil servant's family shall receive 1.200.000 Riels (one million and two hundred thousand Riels) in case the civil servant died of illness;
- A civil servant's family shall receive 1.500.000 Riels (one million and five hundred thousand Riels) in case the civil servant died on duty or of occupational risk;
- Female civil servants who are on maternity leave shall receive 600.000 Riels (six hundred thousand Riels).

The Decision no. 245 and the Instructive Circular for implementing Decision no. 245, both dated 1988, have up to date only been partly revised by [Decision no. 52 on](#)



[Revision of Social Insurance Policy's Allowances, dated December 6, 2005](#). According to the above provisions senior officials, state employees, retirees and invalids were entitled to medical check-up at a public hospital free of charge in case of **sickness**. During their treatment period, senior officials and state employees were furthermore entitled to full salary including regional, family and other allowances as during their current employment for a period of three months.

In regards to the social security scheme on **occupational accident** the provisions dating 1988 state that sick leave can be taken according to each level of injury and sickness as follows:

- Level 1: 60 days
- Level 2: 45 days
- Level 3: 30 days
- Level 4: 15 days

The new provisions on sickness and working accidents still need to be stipulated.

In 2008 the RGC established a National Social Security Fund (NSSF), a public establishment with administrative characteristics, with the mission to provide social services (confer [Sub-decree no. 14](#)). The NSSF (meanwhile NSSFC) is mandated to manage the Social Security Fund for civil servants, retirees, disabled (loss of working capacity), maternity, traffic accidents, death and their dependents.

One of the NSSF's sources of fund shall be contributions from the civil servants (art. 20 of [Sub-decree no. 14](#)).

The fund has not been set up yet, as the form and procedures of registration, contribution, and provision of

benefits of each type of social security scheme should be defined by Decisions of the Ministry of Social Affairs, Veteran and Youth Rehabilitation (MoSAVY) with agreement from the Ministry of Economy and Finance (MEF) and at the request of the NSSF's Governing Board (art. 32 of [Sub-decree no. 14](#)).

## **CHAPTER 8: CONDUCT AND DISCIPLINE**

Policy: Each civil servant is obligated to respect the law, regulations and instructions of his/her superior and is personally responsible for his/her actions.

### Legal basis:

- Kram NS-RKM-1094-006 on the Common Statute of Civil Servants, dated October 30, 1994;
- Sub-Decree no. 10 on Establishing Procedures for Imposing Disciplinary Sanctions on Civil Servants, dated January 28, 1997;
- Sub-Decree no. 116 on the Legal Framework of Leave Without Pay, dated October 19, 1995.

### Summary of regulations:

Violation of duties may lead to the application of disciplinary sanctions whereas the use of rights (for example art. 6 of the [Common Statute](#)) does not justify personal or legal consequences.

### **1. Civil Servants duties**

The violation of the following duties may result in disciplinary actions:

- The civil servant has to carry out orders that he/she is given.
- When exercising his/her function any civil servant has to be neutral and is not allowed to use his/her position and the State facilities to work for or against a political candidate or a political party.
- The civil servant is obligated to perform the service during the stipulated working hours. He/she can only cease his/her service for legitimate reasons (in accordance with the rules and regulations on leave)

and after preliminary obtaining the authorization of a qualified authority.

According to art. 35 of the [Common Statute](#) it is strictly forbidden for civil servants to:

- undertake work for personal purposes during the hours of service,
- use the prerogatives and authority of their position for personal profits or threaten or violate the rights of citizens,
- undertake an activity that undermines the honor and integrity of their position,
- be a member of a board of directors or to manage directly or indirectly a private company or enterprise,
- publish or disseminate, without the prior authorization of the head of institution, information related to their position or the functioning of the institution or to
- exercise at the same time a profession forbidden by the particular statute of their body.

## **2. Disciplinary sanctions**

Disciplinary sanctions divide into two categories:

### **a. First-degree sanctions:**

- Reprimand,
- Censure recorded in the file,
- Automatic position change,
- Removal from the promotion list.

### **b. Second-degree sanctions:**

- Severe censure with removal from the promotion list, in case of placement on the promotion list, or

postponement of promotion through selection or seniority for a prescribed period of time not to exceed 2 years,

- Automatic placement on leave without pay/suspension for a duration not to exceed 1 year,
- Downgrade to one or several lower grades or steps,
- Automatic retirement or dismissal,
- Removal.

### **3. Disciplinary proceedings**

#### **a. First Degree Sanctions**

Disciplinary proceedings are ordered by the authority having the power of nomination, upon a detailed report by the chief of the unit or head of the institution.

Each civil servant has the right to personal correspondence and confidential access to all records and other documents existing in his/her file, before becoming subject to a disciplinary measure (art. 6 of the [Common Statute](#)).

Having seen explanations given by the civil servant or in the absence of a response by the civil servant during the period described above, the head of the institution may alternately decide to:

- dismiss the affair without further action,
- impose a reprimand, or
- impose other disciplinary sanctions of the **first degree**.

#### **b. Second Degree Sanctions**

Disciplinary actions of the **second degree** are used for misconduct considered severe enough, but must be

preceded by a disciplinary inquiry. The maximum duration of the inquiry shall be 2 months.

The file concerning the inquiry shall be transferred to the head of the institution who, after examination, shall decide whether:

- to bring the civil servant before the disciplinary council,
- dismiss the affair without further action, or
- impose a sanction of the first degree.

If the Minister concerned decides to continue the inquiry, the file shall be transferred to a formally appointed disciplinary council. In that case the charged civil servant has to be informed that he/she has the following rights:

- The right to review his/her personal file,
- The right to call witnesses,
- The right to choose a defender,
- The right to give written or verbal explanations.

The charged civil servant is also entitled to examine all personnel documents in the file and ask to provide the list of witnesses as well as the name of his/her defender.

The disciplinary council shall vote by secret ballot by descending order of the disciplinary sanctions. In case of a refusal by the civil servant, the disciplinary council shall forward the entire file to the Minister concerned.

The authority having the competence for imposing the sanction may not conform to the opinion expressed by the disciplinary council. In that case it may, with a written argument, lighten a sanction of the second degree proposed by the disciplinary council.

The final sanction shall be imposed by Royal Decree, Sub-decree or Decision.

#### **4. Right to appeal against the disciplinary sanction**

Civil servants who are subject to disciplinary sanctions have the right under art. 6 of the [Common Statute of Civil Servants](#) to access their personnel file. In this case they have the following rights:

- Right to call a witness;
- Right to choose a lawyer;
- Right to explain their view in writing or verbally;
- A civil servant is also provided with the right to access his/her own personnel file in this case and the right to request a list with the names of witnesses and lawyers.

The request for checking the personnel file has to be done within 15 days after receiving the official invitation to review the file from the head of his organization/ institution. He can claim and write a letter to the head of his institution within 15 days after receiving the case. The duration of investigation must be no longer than two months. The last sanction is conducted by Royal Decree, Sub-Decree or Decision.

## **CHAPTER 9: PERFORMANCE MANAGEMENT**

The Royal Government of Cambodia (RGC) aims at creating a work environment in the civil service in which people are enabled to perform to the best of their abilities with available resources (Performance Management) and are responsible for the activities that they have carried out and for the results of those activities (accountability). Therefore the Council for Administrative Reform (CAR) assists government ministries and institutions to develop and implement a **Performance Management and Accountability System (PMAS)**. PMAS will define expected results of individual performance, and enable managers to provide effective performance feedback and to identify and address barriers to performance in order to enhance the motivation and performance of civil servants.

In particular, it includes:

- Establishment of clear position descriptions.
- Selection of appropriate people with a fair and transparent selection process.
- Agreement on performance standards, targets, and indicators.
- Provision of effective orientation and training.
- Provision of on-going coaching and feedback.
- Conducting of regular performance development discussions.
- Provision of promotional/career development opportunities for staff.
- Provision of effective remuneration and incentive systems that recognize the contributions of individuals.



## **CHAPTER 10: JUDICIAL LITIGATIONS**

### **1. Judicial prosecutions**

Policy: Breaches of conduct may constitute an illegal act or criminal offence. In this case the civil and judicial processes are two separate inquiries, which will result in two independent verdicts and subsequent sanctions, if applicable.

Legal basis:

- [Kram NS-RKM-1094-006 on the Common Statute of Civil Servants, dated October 30, 1994;](#)
- [Kram NS/KRM/0999-11 on the Amendment of article 51 of the Common Statute of Civil Servants, dated September 18, 1999.](#)

Summary of regulations: Prosecutors must inform the relevant head of agency within 72 hours of deciding to bring charges against a civil servant, and to inform the senior official immediately in the case of arrest or detention.

In case the offense took place during the office working hours, for the general interest, the Government shall defend that officer appropriately to the provision of the law.

Conviction of a criminal offense, without a suspended sentence shall result in the removal of the civil servant, commencing from the day when the judgment became final (art. 53 of the [Common Statute](#)).

### **2. Resolution of litigation related to the civil service**

Policy: Any civil servant shall be entitled to call upon a court to handle litigation related to civil service. However, he/she

shall have previously exhausted all administrative remedies.  
(art. 58 of the [Common Statute](#))

Legal basis:

- [Kram NS-RKM-1094-006 on the Common Statute of Civil Servants, dated October 30, 1994;](#)
- [Sub-Decree no. 42 on the Creation of Committee of Arrangements of Disputes Relating to the Civil Service, dated May 17, 1995.](#)

Summary of regulations: The administrative organ having competency to deal with litigation related to the civil service is the "Conciliation Committee on Litigation Related to the Civil Service," a permanent institution presided over by the SSCS. The committee is tasked to settle disputes that concern civil service management, namely, monitoring training commitments, permanent employment, promotion, or disciplinary sanctions of civil servants, their transfer, payments, etc.

## INDEX OF CITED LAWS AND REGULATIONS

### **I. Constitution:**

- Constitution of the Kingdom of Cambodia, dated 24 September 1993
- Constitution of the People's Republic of Kampuchea (PRK) (1979-1989), promulgated June 27, 1981

### **II. Common Statute and Particular Statutes**

- Kram NS/KRM/0999-11 on the Amendment of article 51 of the Common Statute of Civil Servants, dated September 18, 1999.
- Kram NS-RKM-06 on the Common Statute of Civil Servants, dated October 30, 1994
- Royal Decree CS/RKT/1297/273 dated December 1, 1997 on the General Principles of Organization of the State Civil Service
- Sub-decree 009-ANK dated February 12, 1998 on Establishing a Model of a Particular Statute of a Body and Attached Model of a Particular Statute

### **General Administration**

- Royal Decree NS/RKT/0300/116 dated March 03, 2000 on the Particular Statute of Category of Administrative Official
- Royal Decree NS/RKT/0400/056 dated April 04, 2000 on the Particular Statute of Category of Kramkar Official

- Royal Decree NS/RKT/0500/103 dated May 31, 2000 on the Particular Statute of Category of Administrative Secretary
- Royal Decree NS/RKT/0700/135 dated July 25, 2000 on the Particular Statute of Category of Administrative Agents

### **Territorial Administration - Ministry of Interior**

- Royal Decree NS/RKT/0200/104 dated February 22, 2000 on the Particular Statute of Ministry of Interior's Category of High Ranking Administrative Official
- Royal Decree NS/RKT/0400/075 dated April 22, 2000 on the Particular Statute of Category of Kramkar Official
- Royal Decree NS/RKT/0500/096 dated May 19, 2000 on the Particular Statute of Ministry of Interior's Category of Administrative Secretary
- Royal Decree NS/RKT/0500/097 dated May 19, 2000 on the Particular Statute of Prison Security Personnel of the Ministry of Interior
- Royal Decree NS/RKT/0700/125 dated July 16, 2000 on the Particular Statute of Ministry of Interior's Category of Administrative Agent

### **Foreign Affairs**

- Royal Decree NS/RKT/0401/085 dated April 26, 2001 on the Particular Statute of Category of High Ranking Diplomat
- Royal Decree NS/ RKT/ 0102/ 001 dated January 03, 2002 on Particular Statute for Diplomatic Kramkar Officials

## **Health**

- Royal Decree NS/RKT/0602/163 dated June 21, 2002 on the Particular Statute of Category of High Ranking Health Official
- Royal Decree NS/RKT/0602/164 dated June 21, 2002 on the Particular Statute of Category of Middle Ranking Health Official
- Royal Decree NS/RKT/0602/165 dated June 21, 2002 on the Particular Statute of Category of Primary Ranking Health Official

## **Education**

- Royal Decree NS/RKT/0701/240 dated July 23, 2001 on the Particular Statute of Category of Higher Education Teacher
- Royal Decree NS/RKT/0701/241 dated July 23, 2001 on the Particular Statute of Category of Basic Level Teacher
- Royal Decree NS/RKT/0901/341 dated September 29, 2001 on the Particular Statute of Category of Primary Level Teacher

## **Technical**

- Royal Decree NS/RKT/0602/151 dated June 09, 2002 on the Particular Statute of Category of High Ranking Technical Official
- Royal Decree NS/RKT/0602/152 dated June 09, 2002 on the Particular Statute of Category of Middle Ranking Technical Official

- Royal Decree NS/RKT/0602/153 dated June 09, 2002 on the Particular Statute of Category of Primary ranking Technical Official
- Royal Decree NS/RKT/0602/154 dated June 09, 2002 on the Particular Statute of Category of Technical Agent

### **III. Other Laws and Regulations**

#### **Kram:**

- Kram NS/KRM/0999-11 on the Amendment of article 51 of the Common Statute of Civil Servants, dated September 18, 1999.
- Kram NS-RKM-1094-006 on the Common Statute of Civil Servants, dated October 30, 1994

#### **Royal Decree:**

- Royal Decree NS/RKT 0108/039 on Social Security Scheme for Civil Servants, dated January 12, 2008
- Royal Decree no. NS-RKT-0707-310 on Research Allowance for Royal Academy Members and Research Staff, dated July 27, 2007
- Royal Decree NS-RKT-1201-450 on Basic Salary and Subsidiary Allowances of Salary of Civil Servants, dated December 1, 2001
- Royal Decree CS-RKT-1297-273 on the General Principles of Organization of the State Civil Service, dated December 1, 1997
- Royal Decree NS-RKT-0495-040 on the Creation of the Royal School of Administration, dated April 21, 1995

## **Sub-Decree:**

- Sub-Decree no. 208 ANK.BK on the Adjustment of Unit Indicator for Basic Salary and Increase of Basic Salary of Civil Servants, dated December 3, 2009
- Sub-decree no. 201 ANKr.BK SRNN on the Modification of the Determination First Allowance for Retired, Physically Unfit, Dead, Resigned, Prematurely Retired and Unfulfilled Conditions for Retirement or for Physically Unfit Civil Servants, Judges and Prosecutors, dated November 25, 2009
- Sub-Decree no. 45 ANK.BK On the Provision of Living Allowance to Civil Servants, Military Personnel, Police Personnel and Retired Persons, Professional Physical Unfit or Disabled, Veterans, Who Have Lost their Working Capacity or Labor Capacity dated March 05, 2009
- Sub-Decree no. 21 on Changing of Unit Value of Basic Salary Index of Civil Servants, dated January 19, 2009
- Sub-Decree no. 32 on Increment of Allowance for Spouse and Children of Civil Servants, Royal Armed Forces, National Police Force, Retirees, Invalids and Veterans with Disabilities, dated April 4, 2008
- Sub-Decree no. 14 on the Establishment of the National Social Security Fund (NSSF), dated February 5, 2008
- Sub-Decree no. 96 on Revision of Functional Allowance for Civil Servants, dated August 3, 2005

- Sub-Decree no. 53 on Allowance for Civil Servants Who Finished Initial Training at the Royal School of Administration, dated May 29, 2007
- Sub-Decree no. 10 on Daily Subsidy Allowance for Mission Within and Outside the Country, dated April 12, 2004
- Sub-Decree no. 83 on the Statute of the Royal School of Administration, dated December 14, 2004
- Sub-Decree no. 34 on Changes to Functional Allowances for Civil Servants and Teaching Allowances in the Education Sector, dated April 23, 2002
- Sub-Decree no. 50 on the Placement of Civil Servants, Judicial Personnel, Police and Royal Armed Forces Outside Their Original Body, dated June 10, 1999
- Sub-Decree no. 34 on Special Leave of Civil Servants Who Stand as Candidate for Parliamentary Elections, dated June 2, 1998
- Sub-Decree no. 35 on Temporary Leave of Civil Servants During the Preparation Period for Parliamentary Elections, dated June 2, 1998
- Sub-Decree no. 9 on Establishing a Model of a Particular Statute of a Body, dated February 12, 1998 and Attached Model of a Particular Statute
- Sub-Decree no. 59 on the Regime of Retirement Pensions and Professional Unfitness of Civil Servants, dated October 6, 1997



- Sub-Decree no. 10 on Establishing Procedures for Imposing Disciplinary Sanctions on Civil Servants, dated January 28, 1997
- Sub-Decree no. 38 on the Determination of the Number of Required Teaching Hours, Additional Teaching Hours and Fees for Additional Teaching Hours for Teaching in Public Educational Institutions, dated September 6, 1996
- Sub-Decree no. 20 on the Organization and Functioning of Ministries and State Secretariats, dated April 30, 1996
- Sub-Decree no. 21, on the Duration of the Workweek of Civil Servants of the Kingdom of Cambodia, dated January 30, 1996
- Sub-Decree no. 116 on the Legal Framework of Leave Without Pay, dated October 19, 1995
- Sub-Decree no. 42 on the Creation of Committee of Arrangements of Disputes Relating to the Civil Service, dated May 17, 1995

**Decision:**

- Decision no. 52 SSR on Revision of Social Insurance Policy's Allowances, dated December 6, 2005
- Decision no. 245 on Social Insurance Policy for Senior Officials, State Employees, Retirees and Invalids, dated November 5, 1988
- Decision no. 73 on Working Hours and Days off for Senior Officials and State Employees, dated June 8, 1983

**Circular:**

- Instructive Circular no. 33 for implementing Decision no. 245, dated November 18, 1988

## **Contact us**

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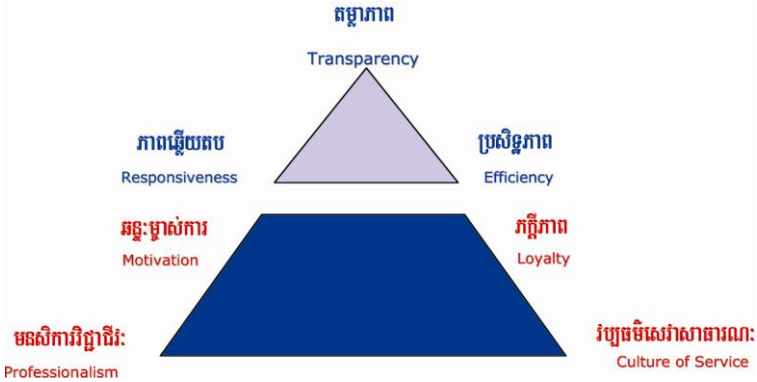
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# បម្រើប្រជាជនឱ្យបានកាន់តែល្អប្រសើរឡើង

## Serving People Better



មន្ត្រីរាជការស៊ីវិលបំពេញការងារប្រកបដោយឆន្ទៈម្ចាស់ការ ភក្ដីភាព មនសិការវិជ្ជាជីវៈ និងវប្បធម៌សេវាសាធារណៈ នឹងធ្វើឱ្យរដ្ឋបាលសាធារណៈកាន់តែមានតម្លាភាព ភាពឆ្លើយតប និងប្រសិទ្ធភាព ដើម្បីសម្រេចគោលដៅបម្រើប្រជាជនឱ្យកាន់តែល្អប្រសើរឡើង ។

To **Serve People Better**, the public administration will become more **transparent**, **responsive** and **efficient** with civil servants upholding the values of **motivation**, **loyalty**, **professionalism** and a **culture of service**.

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