

付属資料IV:「州・特別市投資小委員会の設立に関する政令No.17」

Kingdom of Cambodia Nation Religion King

Royal Government of Cambodia
No. 17 ANK/BK

Anukret on the Establishment of the Sub-Committee on Investment of the Provinces-Municipalities of the Kingdom of Cambodia

The Royal Government

- Having Seen the Constitution of the Kingdom of Cambodia;
- Having Seen the Royal Kram No.NS/RKM/0704/001 dated July 13, 2004 on the Promulgation of Additional Constitution to normalize the function of national institutions.
- Having Seen the Royal Decree No. NS/RTK/0704/124 dated July 15, 2004 on the appointment of the Royal Government of Cambodia.
- Having Seen the Royal Kram No. 02/NS/94 dated July 20, 1994 on the Promulgation the law on the Organization and Function of the Council Ministers.
- Having Seen the Royal Kram No. 03/NS/94 dated August 05,1994 on the Promulgation of the Law on Investment of the Kingdom of Cambodia and the Royal Kram NS/RKM/0303/009 dated March 24, 2003 on the Promulgation of the Law on the Amendment of the Law on Investment of the Kingdom of Cambodia;
- Having Seen the Sub-Decree No. 70 ANK/BK dated July 27, 2001 on the Organization and Functioning of the Council for the Development of Cambodia.
- Referring to Anukret No. 88/ANK/BK of December 29, 1997 on the Implementation of the Law on Investment of the Kingdom of Cambodia and Anukrets on the Amendments No. 53/ANK/BK of June 11, 1999 and No. 130/ANK/BK of December 26, 2001 respectively;
- Referring to the Royal Government Policy on Investment attractiveness from private sectors at all provincials/municipals levels.
- Referring to the requests of the Council for the Development of Cambodia.

DECIDES

Article 1:

To establish a mechanism to register investment proposal as a Qualified Investment Project “QIP” in ----- to be known as -----Sub-Committee on Investment and shall be composed as follows:

1.Provincial Governor	Chairman
2.Representative from CDC/CIB	Permanent Vice-Chairman
3.First Provincial Vice Governor	Vice-Chairman
4.Second Provincial Vice Governor	Vice-Chairman
5.Chief of Department of Economy and Finance	Member
6.Chief of Department of Commerce	Member
7.Chief of Department of Industry, Mine, and Energy	Member
8.Chief of Department of Public Works and Transport	Member
9.Chief of Department of Environment	Member
10.Chief of Department of Land Management, Urban Planning and Construction	Member
11.Chief of Department of Agriculture, Forestry and Fishery	Member
12.Chief of Department of Planning	Member
13.Chief of Department of Water Resource and Meteorology	Member
14.Chief of Department of Tourism	Member
15.Chief of Department of Posts and Telecommunication	Member
16.Representative from ----- Chamber of Commerce	Observer
17.Representative from Secretariat	Secretary

All the above mentioned members shall attend meeting as convened by the Chairman or by the Vice-Chairman, in the event of the Chairman's absence.

All relevant Provincial Department, District Governors in the ----- who are not members of the ----- Sub-Committee on Investment can be invited to the meeting according to its relevant cases.

Article 2:

The ----- Sub-Committee on Investment shall have a Secretariat to manage the day-to-day works under the chairmanship of Permanent Vice-Chairman of the ----- Sub-Committee on Investment.

The ----- Sub-Committee on Investment shall have the right to officially use a separate seal for its daily operations.

Article 3:

The ----- Sub-Committee on Investment shall perform its roles and duties according to the Laws and Regulations on Investment of the Kingdom of Cambodia in relation to the registration of investment proposal of new companies as a QIP with an investment capital of less than 2,000,000 (two million) United States Dollars.

Article 4:

The ----- Sub-Committee on Investment shall submit documents relating to the registered QIP upon registration to CDC/CIB for its review and providing incentives on the importation to investors.

Article 5:

All relevant Ministries; institutions shall delegates to its subordinates at provincial level the power to decide on behalf of Ministries/Institutions by explaining all regulations regarding the process and procedures to be implemented with respect to the issuance of permits, licenses, approvals on behalf of their Ministries/Institutions.

Article 6:

The below mentioned investment projects shall not be subject to ----- Sub-Committee on Investment's registration and shall be under registration mechanism of the CDC/CIB:

1. investment with capital exceeding 2,000,000 (two million) United States Dollars;
2. investment project located in the jurisdiction of at least two provinces-municipalities;
3. investment project located in special economic zones.

Article 7:

The procedures for ----- Sub-Committee on Investment to register investment proposal and provide investment incentive shall be as follows:

- to be One Stop Service mechanism on investment in the province;
- to comply with prescribed procedures based on application Laws and Regulations on Investment as implemented at CDC/CIB.

Article 8:

All investments authorized under the Laws on the Investment promulgated by Preah Reach Kram No. 03/NS/94 of August 5, 1994 and relevant Anukret shall be considered to be QIP provided that the investors have completed all application forms according to procedures as stipulated in Anukret on Implementation of the Law on the Amendment to the Law on Investment of the Kingdom of Cambodia.

Article 9:

- CDC shall issue regulations on the actual practice and provide expert training to the ----- Sub-Committee on Investment so as to ensure the smoothness and effectiveness of the Sub-Committee's functioning mechanism.
- The ----- Sub-Committee on Investment shall make monthly report to CDC/CIB in order that CDC/CIB has its basic sufficient documents to report the Royal Government.

Article 10:

The Co-Chairmen of CDC, the Minister in charge of the Office of the Council of Ministers, the Co-Ministers of Interior, the Ministers of Economy and Finance, of Commerce, of Industry, Mines, and Energy, of Public Works and Transport, of Environment, of Land Management, Urban Planning and Construction, of Agriculture, Forestry and Fisheries, of Planning, of Meteorology, of Tourism, of Post and Telecommunication, the Ministers of all relevant Ministries, Governor of -----, Provincial/Municipal Governors, head of Institutions/Entities and all compositions listed in Article 1 shall effectively implement this Anukret from the date of its signature.

Phnom Penh, February 9, 2005
Prime Minister
Signature and Seal

Hun Sen

Having informed Samdech Prime Minister
by Senior Minister
Minister of Economy and Finance
First Vice-Chairman of CDC

Keat Chhon

CC:

- Ministry of Royal Palace
- General Secretary of the Senate
- General Secretary of the National Assembly
- Cabinet of Samdech Prime Minister, “Co-Chairman”
- As in Article 10 “for implementation”
- Archives and Chronicle
- (See footnote)

***This Anukret has been adopted to establish the Sub-Committee on Investment for each of the 24 Provinces and Municipalities of the Kingdom of Cambodia.