

**KINGDOM OF CAMBODIA  
NATION-RELIGION-KING**



**Ministry of Labor and Vocational Training**

**Nº: 196 រ៉.ប/ប្រ**

**PRAKAS  
ON  
EMPLOYMENT OF FOREIGN LABOUR**



**MINISTER OF THE MINISTRY OF LABOUR AND VOCATIONAL TRAINING**

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen the Royal Decree NS/RKT/0913/903 dated 24 September, 2013 on the Appointment of the Royal Government of the Kingdom of Cambodia;
- Having seen the Royal Kram No. 02/NS/94 dated 20 July, 1994 promulgating the Law on the Organization and Functioning of the Council of Ministers;
- Having seen the Royal Kram No. NSRKM/0397/001 dated 13 March, 1997 promulgating the Labor Law;
- Having seen the Royal Kram No. NS/RKM/0105/003 dated 17 January, 2005 promulgating the Law on the Establishment of the Ministry of Labour and Vocational Training;
- Having seen the Sub-Decree No. 52 ArnorKro.BK dated 01 April, 2005 on the Organization and Functioning of the Ministry of Labour and Vocational Training;
- Having seen the Join-Prakas No.1009 MEF dated 28 December, 2012 on the Providing Public Services of the Ministry of Labour and Vocational Training;
- In accordance with the Necessity Work of the Ministry of Labour and Vocational Training

**HEREBY DECIDES**

**Article 1:**

Owners, directors of enterprises and establishments defined in article 1 of Labor Law shall give priority to Cambodian when they need to recruit workers/employees.

In the case that they could not recruit any Cambodian to fulfill their desirable need, the owners or director of enterprises and establishments may recruit foreigner workers who are specialist, technician or expert to admit to the workplace where Cambodian employees/workers cannot find by must at first request letter to ask permission to the Ministry of Labor, Vocational Training.

The request of the need foreign labour for next year shall be clear and separately mentioned regarding the current number of Cambodian and foreigner workers and main reason of the need for foreigner workers and send to the Ministry of Labor and Vocational Training before the end of November of each year.

## ***Unofficial Translation***

### **Article 2:**

Considering to the request of owner or director of each enterprise or establishment, the Ministry of Labor and Vocational Training generally allow the use of foreigner worker, but not over 10% of the total number of Cambodian workers. This rate of 10% is divided into 3 categories of employees:

- Office employees: 3%
- Employees or skill workers: 6%
- Employees or Non-skill workers: 1%

In the case of the need for foreigner workers is over 10%, the request letter shall mention thoroughly and clearly about the position, specialty, technology or professional skill of each foreigner worker who will be selected to work and the actual reason of the need for using of each foreigner worker that is over 10%.

### **Article 3:**

Owner or director of Enterprises or Establishments employing foreigner workers shall register the written labour contract of each foreigner worker at the Department of Occupation and Employment of the Ministry of Labor and Vocational Training for the worker in Phnom Penh and at the provincial/municipal department of Labor Vocational Training for the workers in municipalities/provinces.

### **Article 4:**

Any person breaching the provision of this Prakas shall be liable to fine or punishment as stated in Chapter 16 of the labour law.

### **Article 5:**

Provisions contrary to this Prakas shall be abrogated.

### **Article 6:**

Director of Cabinet, Director General of General Department of Administration and Finance, Director General of General Department of Labor, Director of Directorate, all Department and Provincial Department of Labour and Vocational Training shall be responsible for implementing this Prakas respectively from the day of its signature.

Phnom Penh, 20 August, 2014

**MINISTER**

[Signed and Seal]

**ITH SAMHENG**

#### **Receiving Place**

- Council of Minister
- Cabinet of Samdach Prime Minister
- Cabinet of Permanent Deputy Prime Minister
- Ministry of Foreign Affair and International Cooperation

## ***Unofficial Translation***

- Ministry of Interior
- Ministry of Economy and Finance  
“ for information ”
- As in Article 6 “for Implementation”
- Document-achieve