

**Kingdom of Cambodia
Nation Religion King**

Ministry of Labour and Vocational Training
No. 196 KB/Kr.K

**Prakas
On
Use of Foreign Workforce**

Minister of Labour and Vocational Training

- Having seen the Constitution of the Kingdom of Cambodia
- Having seen Royal Decree NS/RKT/0913/903 dated 24 September 2013 on Appointment of Royal Government of the Kingdom of Cambodia
- Having seen Royal Code 02/NS/94 dated 20 July 1994 promulgating the Law on Organization and Functioning of the Council of Ministers
- Having seen Royal Code NSRKM/0397/001 dated 13 March 1997 promulgating the Law on Labour Law
- Having seen Royal Code NSRKM/0105/003 dated 17 January 2005 promulgating the Law on Establishment of Ministry of Labour and Vocational Training
- Having seen Sub-decree No. 52 OrNKr.BK dated 01 April 2005 on Organization and Functioning of the Ministry of Labour and Vocational Training
- Having seen Joint Prakas 1009 MoEF dated 28 December 2012 on Public Service Fees of Ministry of Labour and Vocational Training

Decide

Article 1

The owners or directors of enterprises/establishments as stipulated in Article 1 of the Labour Law when needing to recruit workers/employees shall consider Cambodians as a priority.

In case of unavailability of Cambodians to meet any necessary need, the owner or director of enterprise/establishment may recruit foreigners who are specialists, technicians or professionally skilled to fulfil any vacant position that Cambodians are unavailable by making a written request to seek permission in advance from the Ministry of Labour and Vocational Training.

A request of need for foreigners for the subsequent year shall specify clearly the number of Cambodian workers/employees and foreign workers/employees being employed and the main reason for employing foreign workers/employees and shall be sent to the Ministry of Labour and Vocational Training by the end of November of each year.

Article 2

At the request of the owner or director of each enterprise/establishment, the Ministry of Labour and Vocational Training, in general, will permit the use of foreign workforce not exceeding 10% of the total Cambodian workers/employees. The maximum limit of 10% shall be divided according to the following categories of workers/employees:

- Office employee : 3 per cent
- Specialized employee or worker : 6 per cent
- Non-specialized employee or worker : 1 per cent

Article 3

The owner or director of enterprise/establishment using foreigners shall take the written employment contract of each foreigner to register with the Department of Employment and Workforce of the Ministry of Labour and Vocational Training for those who are located in Phnom Penh and with Municipal/Provincial Departments of Labour and Vocational Training for those who are located in cities and provinces.

Article 4

Those who violate this Prakas shall be fined or punished as stipulated in Chapter 16 of the Labour Law.

Article 5

Any provision contrary to this Prakas shall be abrogated.

Article 6

Chief of Cabinet, General Department of Administration and Finance, General Department of Labour, General Inspectorate, all Departments and Municipal/Provincial Departments of Labour shall be in charge of implementing this Prakas respectively from the date of this signature.

Phnom Penh, 20 August 2014

Minister
(signed and stamped)
Ith Sam Heng

Place to receive:

- *Office of the Council of Ministers*
- *Cabinet of Samdech Prime Minister*
- *Cabinet of Stationed Deputy Prime Minister*
- *Ministry of Foreign Affairs and International Cooperation*
- *Ministry of Interior*
- *Ministry of Economy and Finance*
- *“for information”*
- *As in Article 6*
- *Archives*

... Letterhead of Enterprise/Establishment ...

**Director of Enterprise/Establishment
To
H.E Minister of Labour and Vocational Training**

Subject: Request for quota for the use of foreign workers of persons for the year of

With the above subject and reference, I would like to inform **Your Excellency** that in the coming year of, our enterprise/establishment will need to use foreign workforce in total of persons for the reason that

The foreign workforce that will be used in the year of is persons, of which persons who have been working for our company was employed in the year of

Thus, we would like to request more foreign workers or maintain the foreign workers of persons. (Please check the Table of Foreign Workforce to be Used as attached herewith)

In this regard, I would like to request **Your Excellency** to check and approve the proposed use of foreign workforce of persons for the year of for our company.

Please accept, **Your Excellency**, the assurance of my highest consideration.

Phnom Penh, date..... month 2014

Director of Company

... Letterhead of Enterprise/Establishment ...

**Table of Request for Quota of Foreign Workforce
for the year of**

No.	Position and duty	Number of Cambodian Workers/Employees			Number of Foreign Workforce			Others
		At present	To be needed more	Total	At present	To be needed more	Total	
1	2	3	4	5=3+4	6	7	8=6+7	9
1	A- Administration /Management Director / Deputy Director							
2	Administration/Accounting							
3							
4	B. Department/Section...							
5								
6								
7	C. Department/Section...							
.....								
.....								
.....								
Total								

Phnom Penh, date month..... 2014
Director ofCompany