

Kingdom of Cambodia  
Nation – Religion – King

Royal Government  
No. 04/ANK/BK

**ANUKRET**  
on  
**The Organization and Functioning of  
the Ministry of Economy and Finance**

**The Royal Government**

- Seen the Constitution of the Kingdom of Cambodia
- Seen Reach Kram No. 02/NS/94, dated July 20, 1994, promulgating the Law on the Organization and Functioning of the Council of Ministers.
- Seen Reach Kret No. NS/RKT/1198/72, dated November 30, 1998 regarding the Appointment of the Royal Government of Cambodia.
- Seen Reach Kram No. 01/NS/, dated December 28, 1993, promulgating the Law on the Financial System.
- Seen Reach Kram No. NS/RKM/01696/18, dated January 24, 1996, promulgating the Law on Establishment of the Ministry of Economy and Finance.
- Seen Anukret No. 20/ANK/BK, dated April 30, 1996 regarding the organization and functioning of the Ministry and secretariat.
- Pursuant to the approval of the Council of Ministers.

**HEREBY DECIDES**

**Chapter 1**  
**General Provisions**

**Article 1:**

This Anukret determines the organization of the entity of the Ministry of Economy and Finance and determines the missions of the ministry, the general secretariat, the general inspectorate, and other departments.

**Chapter 2**  
**Mission and Structure**

**Article 2:**

The Ministry of Economy and Finance is delegated by the Royal Government to perform the mission of guidance and administration of the economy and finance of the Kingdom of Cambodia in order to support economic development and to improve the living standards of Cambodian people based on the principles of a free market economy and social equality.

The mission shall be performed through the proper organization and implementation of policy, legal framework, and regulations related to micro-economic administration and public finance, state property, investment and industrial finance, including relevant rules and regulations.

**Article 3:**

The Ministry of Economy and Finance has the following functions and duties:

- To participate in the organization, implementation, and monitoring of the performance of economic and financial policies of the Royal Government;
- To administer and coordinate the structural reform of the economic and financial institutions;
- To promote good governance as to the administrative aspect of economy and public finance;
- To allocate and re-allocate national revenues through the collection of income and programming and budgeting of public expenses;
- To establish financial system;

- To establish a national, uniform financial system and ensure a proper application of the law on the financial system and finance law, as well as other relevant laws and regulations;
- To prepare draft laws and regulations, either of annual or permanent nature, for macro-economic and financial management;
- To prepare and administer the national budget;
- To prepare and implement the policy of the national revenue budget;
- To collect tax revenues and non-tax revenues and deposit them in the public accounts; to prepare balance sheets and statements of accounts for state financial operations;
- To control and endorse the expenses made by the ministry and other public institutions;
- To administer the public properties;
- To analyze, monitor and predict economic situations in the short, medium and long-term and to formulate measures for regulating and improving the economic administration;
- To participate in developing, administering and controlling industrial and financial activities, including insurance, market, bonds, lotto games, lotteries, casinos, retirement funds and other financial reserves;
- To cooperate with other relevant ministries/institutions for management purposes and participate in the organization and implementation of the Royal Government's strategic policy in terms of international economic and financial cooperation and integration of Cambodia economy into the world economy, in particular the economic integration into ASEAN;
- To participate in lobbying for aid and the preparation of plans for borrowing and payment of foreign loans and follow up and monitor the performance of such plans;
- To manage and control public procurement transactions of the ministries/institutions, provinces/municipalities, and state-managed or autonomous institutions;
- To participate in the formulation of policy and management of investments;
- To undertake inspection tasks on public finance; and
- To conduct regular training for improvement of economic and financial skills and management of public property for ministerial officials and relevant institutions.

#### Article 4:

The Ministry of Economy and Finance consists of the following structures:

##### 1) Central level:

- (a) General Secretariat;
- (b) Cabinet of Minister;
- (c) General Inspectorate;
- (d) Tax Department;
- (e) Customs and Tax Office
- (f) National Treasury;
- (g) Department of Budget and Finance;
- (h) Department of Public Procurement;
- (i) Department of Public Property;
- (j) Department of Economic Analysis and Prediction;
- (k) Department of Investment and Co-operation;
- (l) Department of Economic Integration and ASEAN;
- (m) Department of Industrial Finance;
- (n) Department of Personnel;
- (o) Department of Administration and Finance;
- (p) Department of Legal Affairs; and
- (q) Institute of Economy and Finance.

##### 2) Locally-based entities:

- Provincial/Municipal Economic and Finance Office;
- Provincial/Municipal Treasury, with rank equivalent to office at central level;
- Provincial/Municipal Tax Office, with rank equivalent to office at central level;
- Provincial/Municipal Customs and Tax Office, with rank equivalent to office at central level; and
- Customs and Tax Office at border gates, with rank equivalent to provincial office;



3) Financial control team:

The organization chart of the ministry is an annex to this Anukret.

### **Chapter 3 The General Secretariat**

**Article 5:**

The General Secretariat shall function as a mechanism of the ministry for the following duties:

- To ensure consistent activities of the ministry;
- To manage, coordinate, and follow up on activities of departments and other entities under the ministry;
- To act as the mechanism of the Ministry of Economy and Finance in order to propose economic and financial policy of the Government and follow up on the reform of the economic infrastructure in the capacity of ministerial policy planner;
- To facilitate international cooperation and economic integration;
- To coordinate activities of the economic advisor team of the Ministry of Economy and Finance within the scope of application of Anukret No. 25/ANK/BK, dated June 10, 1997, concerning the creation of the Committee for Economic and Financial Policy; and
- The General Secretariat shall function as the high financial official for ASEAN.

The General Secretariat shall be headed by one Secretary General and a number of deputies as assistants.

### **Chapter 4 Cabinet of the Minister**

**Article 6:**

The cabinet is in charge of undertaking missions that are determined by the provision of Anukret No. 20/ANK/BK, dated April 30, 1996 as referred to above, concerning the organization and functioning of the ministry and the State Secretariat.

### **Chapter 5 General Inspectorate**

**Article 7:**

The General Inspectorate of the Ministry of Economy and Finance shall act as a mechanism of the ministry for the following activities:

- (a) Internal inspection
  - To conduct a regular inspection of the activities of entities under the Ministry of Economy and Finance;
  - To prepare reports about the functioning of inspected entities to the Minister and propose improvement measures for such entities;
  - To regularly cooperate with the auditing authority on subjects related to public finance.
- (b) Inspection at the provincial/municipal levels of the ministry
  - To conduct general inspections on all ministries, institutions, provinces and municipalities as to the disciplines of operations, revenues/expenses of the national budget and regarding responsibilities of public cashiers;
  - To conduct inspections over all financial operations of public institutions of administrative status and public institutions of economic status, state corporations, joint-ventures, organizations and private companies that receive any form of benefit from public finance;
  - To conduct investigations of claims and complaints made by citizens in connection with economic management for filing actions with the court.

The General Inspectorate shall be headed by one General Inspector and a number of Deputies as assistants.

## **Chapter 6**

### **Tax Department**

#### **Article 8:**

The tax department shall function as the ministerial mechanism for the following activities:

- To propose policies for taxation and tax collection and deposit into the national budget account;
- To develop policies, draft laws and tax regulations defining standard forms, documents and legal papers for taxable persons or VAT-withholding agents which shall be maintained and submitted to the tax administration authority;
- To establish a basis of taxation of taxable persons or VAT-withholding agents based on observation and information analysis;
- To calculate and collect taxes, supplemental taxes, stamp taxes, interest and other revenues;
- To develop and implement a program for monitoring tax documents and examining enterprise account books;
- To envisage national and international cooperation regarding taxation;
- To perform disciplinary measures under the law upon taxable persons or VAT-withholding agents;
- To participate in the organization of the national budget plan for inclusion in the draft law on financial management.

The Tax Department shall have uniform management throughout the country and have the rights to administer and control all tax authorities from the central through provincially/municipally- based entities as determined by the ministry.

The Tax Department shall be headed by one Department Director and a number of deputies as assistants.

## **Chapter 7**

### **The Customs and Tax Office**

#### **Article 9:**

The Customs and Tax Office must function as a mechanism of the ministry in the following activities:

- To propose policies related to the exchange of external trade, draft laws, and regulations concerning the collection of all import-export taxes; and, in particular, to consider the development and implementation of customs tariffs and tax collection policies associated with customs and taxes on all kinds of goods which corresponds to each phase of transaction;
- To regulate imported and exported goods;
- To propose preventive measures and to seize and attach all smuggled goods;
- To collect taxes on all imported and exported goods;
- To control and follow up on the importation and exportation of goods, luggage, currency, valuable metals, precious stones, cultural patrimony, packages, and all kinds of postal pouches and means of transport;
- To propose a technical skill training project for officials, staff, and customs/tax staff;
- To implement the policy of economic integration and cooperate with foreign countries associated with customs and tax; and
- To participate in preparing a national budget plan to be included into a draft law on financial management.

The Customs and Tax Office shall have a uniform management system throughout the country; and shall have the rights of management and control over all customs and tax authorities from the central through the provincial/municipal levels, as determined by the ministry.

The Customs and Tax Office shall be directed by one Director, whose status is equivalent to the head of a division, and by a number of Vice-Directors, whose status is equivalent to a deputy of a division, as assistants.



## Chapter 8 The National Treasury

### Article 10:

The National Treasury shall function as the mechanism of the ministry in the following activities:

- To manage the cash flow, national budget, autonomous budgets and reserve accounts;
- To balance and control the State's revenues and expenses;
- To participate in the orientation of currency policy performance;
- To regulate and follow up on the performance of finance policy and public debts;
- To manage the State's moneys and special accounts of the treasury;
- To maintain and follow up on the implementation of public accounts and centralized accounts;
- To design principles and accounting regulations;
- To ensure the general balance of accounts;
- To provide services to all ministries/institutions, and province/municipalities as to the settlement of expenses, payrolls, and collection of revenues as provided by the finance law of each year;
- To manage treasury bills in cooperation with relevant sections of the National Bank of Cambodia;
- To manage private deposits;
- To liaison with the National Bank of Cambodia in the implementation of currency policy;
- To manage currency accounts at the National Bank of Cambodia;
- To participate in preparing balance sheets for financial operations; and
- To participate in preparing a national budget plan to be included into the draft law on financial management.

The National Treasury shall have a uniform management system throughout the country and shall have the rights of management and control over all customs and tax authorities from the central, through the provincial/municipal levels, as determined by the ministry.

The National Treasury shall be directed by one Director, whose status is equivalent to head of a division, and a number of Vice-Directors, whose status is equivalent to a deputy of a division, as assistants.

## Chapter 9 Department of Budget and Finance

### Article 11:

The Department of Budget and Finance shall function as the mechanism of the ministry regarding the management and implementation of the State budget as follows:

- (a) Development of draft laws and public finance regulations:
  - To organize a program of public expenditures;
  - To research and establish revenue and expense rules as the basis for a draft law on financial management and regulations;
  - To set figures for controlling provincial/municipal revenues and expenses;
  - To instruct various ministries, institutions, provinces and municipalities in the preparation and execution of the annual national budget;
- (b) Implementation of the Law on the Financial System, the Law on Financial Management, and the laws on the financial regime and public property
  - To set revenue and expense indices for implementation by ministries/institutions and provinces/municipalities;
  - To release budgeted funds to ministry/institutions at the central level and to provinces/municipalities according to their line items, articles and chapters in the Table of the National Budget;
  - To maintain a record of the national budget in the account book to indicate the status of daily, weekly, monthly, trimester, semester and annual implementation;
  - To cause the preparation of urgent reports and accounting reports and to participate in the development of the monthly financial balance sheet;
  - To instruct about financial, technical and budgetary skills for specialized entities at the ministerial/institutional and provincial/municipal levels; and



- To follow up on the execution of revenues and expenses of the national budget allocations to ministries, institutions and provinces/municipalities;
- (c) Development of a draft law for the annual settlement of the national budget
  - To develop draft law for the annual settlement of the national budget at the central and provincial/municipal levels;
  - To conclude all budget performances, project performance analyses, and evaluate the economic and financial situations for the coming year;
- (d) Financial control activities
  - To implement Anukret No. 81/ANK/BK, on the creation of financial control of national expenses by ministries, provinces, municipalities, autonomous cities, the municipality of Phnom Penh and public entities of administrative status, and Anukret No. 82/ANK/BK, on the general regulation of public accounting, dated January 16, 1995;
  - To organize the coordination of activities and follow up on the performance of financial officers;
  - To prepare a monthly expense contract in order to verify it against the ordonnateur's administrative account and revenue/expense accounts prepared by the national treasury;
  - To design a prior-control program for financial officers as to the conditions of revenue and expense operations, to propose necessary adjustment measures, and to design a program for post-control by cooperation with departments of finance regarding the subjects provided in this paragraph;
  - To review and endorse contracts for expenses;
  - To encourage and follow up on the payment of non-tax revenues into the national budget accounts;
  - To endorse money orders;
  - To provide technical consultation on financial management to the ordonnateur
  - To participate in the organization of budget and finance laws; and
  - To serve as a member of the Committee for Public Procurement.

The Department of Budget and Finance shall be headed by one Director assisted by a number of deputies.

#### Chapter 10 Department of Public procurement

##### Article 12:

The Department of Public Procurement shall function as the mechanism of the ministry for activities provided by Articles 14, 15, and 16 of Anukret No. 60 ANK/BK, dated July 31, 1995, on the management of public procurement, including:

- To control the public procurement activities performed by ministries, institutions, provinces, municipalities, autonomous entities, and public enterprises in charge of allocating the category, classification and registration of construction contractors, to and endorse bidding documents prior to announcements for bidding;
- To propose recommendations to the leadership for review and approval; and
- To monitor the application of rules and provisions related to public procurement conducted by ministerial, institutional, provincial, and municipal authorities, autonomous entities and public enterprises; and to propose measures to minimize disputed procurements and take action for appropriate solutions against any institutions that violate the rules and provisions on public procurement.

The Department of Public Procurement shall be headed by one Director assisted by a number of deputies.

#### Chapter 11 Department of Public Property

##### Article 12:

The Department of Public Property shall function as the mechanism of the ministry for following activities:

- To manage public properties based on the laws and regulations in force;
- To examine, prepare an inventory book and manage the inventory of public properties;
- To research and administer un-owned properties and properties from intestate inheritances without heirs;

- To be responsible for the management of public properties;
- To manage public shares and capital;
- To manage public institutions of administrative status and public enterprises;
- To collect information related to the privatization and liquidation of public enterprises;
- To prepare draft laws and regulations related to the management of public properties;
- To prepare the ledger of land, forest, mines and other public properties conceded to private entities;
- To formulate procedures, appraise the rents or costs for leasing, sale, or transfer of public properties;
- To participate in the organization of the annual budget for incorporation into the finance law.

The Department of Public Property shall be headed by one Director assisted by a number of deputies.

## Chapter 12 Department of Analysis and Economic Projection

### Article 14:

The Department of Analysis and Economic Projection shall function as the mechanism of the ministry for the following activities:

- To facilitate and follow up on the application of economic and financial policies for short term, medium, and long term;
- To collect and synthesize the important data for analysis and economic projection at national and international levels, and, based on this projection, to follow up and evaluate the evolution of domestic economic and financial activities, and to design macro-economic policies for the Ministry of Economy and Finance;
- To design macro-economic policies for the allocation of the national budget;
- To organize and analyze the balance sheets of public financial operations;
- To follow up and analyze the performances and functioning of public finance and public expense programs and, based on this, make suggestions and propose measures to the ministerial leadership to improve the effectiveness and balance of public financial management;
- To coordinate and follow up on the implementation of a "restructuring program"- in particular, to cooperate in the economic and financial restructuring with international financial institutions, including the International Monetary Fund, World Bank and others;
- To disseminate data on economic activities prepared by the Ministry of Economy and Finance;
- To participate in the organization of the annual budget for incorporation into the finance law.

The Department of Analysis and Economic Projection shall be headed by one Director assisted by a number of deputies.

## Chapter 13 Department of Investment and Cooperation

### Article 15:

The Department of Investment and Cooperation shall function as the mechanism of the ministry in the following activities:

- To manage public investments in the scope of the public investment system and to set priorities for annual investments in order to budget public investment projects in cooperation with the relevant ministries;
- To provide financing for public investment projects based on annually-approved public expense and investment programs;
- To cooperate with relevant entities in implementing public procurement procedures for approved public investment programs;
- To participate in preparing policies for the management of private investments;
- To participate in activities associated with the management of investments and follow up on and monitor the performance of private investments;
- To review the provisions for incentives under the Law on Investment;



- To participate in the monitoring of the use of equipment and raw materials which serve the private investments;
- To follow up on and participate in the management of projects financed by foreign entities through:
- The control of payments and procurements for project compliance with donor requirements;
- To follow up on and control the use of counterpart funds and the management of foreign aid accounts;
- To conduct regular supervision over financial operation accounts;
- To ensure international economic and financial cooperation with international financial organizations and countries;
- To prepare and circulate all public agreements regarding assistance, loans, and guaranties;
- To develop a plan for revenue from foreign aid and loans;
- To manage public debts through a projection for loans and payments of debts, interest, and other payments.
- To participate in the organization of the annual budget for incorporation into the finance law.

The Department of Investment and Cooperation shall be headed by one Director assisted by number of deputies.

#### **Chapter 14** **Department of Economic Integration and ASEAN**

##### **Article 16:**

The Department of Economic Integration and ASEAN shall function as the mechanism of the ministry in the following tasks:

- To follow-up on and implement Cambodia's economic integration policies to bring Cambodia's economy into the world and regional economies, in particularly in the ASEAN economies;
- To act as the technical entity in the preparation, observation and provision of consultations for treaties, conventions, agreements, memoranda, economic instruments, and other documents related to economic integration activities and economic globalization;
- To coordinate the implementation of other technical works which serve economic integration objectives in the region and the world; and
- To participate in fulfilling relationships and international cooperation with foreign counterpart countries in the scope of economic integration, including ASEAN and dialogue partners of ASEAN, the World Trade Organization, the Asia Pacific Organization, the European Union, the North American Free Trade Zone, other agencies of the United Nations, and with other parties under multilateral or bilateral instruments.

The Department of Economic Integration and AESN shall be headed by one Director assisted by a number of deputies.

#### **Chapter 15** **Department of Industrial Finance**

##### **Article 17:**

The Department of Industrial Finance shall function as the mechanism of the ministry in the following activities:

- To participate in proposing monetary policy and in the management of the financial institutions and the financial market;
- To prepare draft laws and regulations for the management of financial institutions and financial markets;
- To regulate securities activities, retirement funds, casinos, lotto games, lotteries and other financial services;
- To participate in the management of securities marketing and financial services as stated above;
- To manage the insurance business; and
- To manage and monitor the influx and outgo of capital in Cambodia.

The Department of Industrial Finance shall be headed by one Director assisted by a number of deputies

Non official translation



## Chapter 16 Department of Administration and Finance

### Article 18:

The Department of Administration and Finance shall function as the mechanism of the ministry in the following activities:

- (a) Administrative affairs
  - To coordinate all ministerial activities at the central level and between the central level and locally-based entities which are under the ministry's jurisdiction;
  - To manage and circulate other administrative documents of the ministry;
  - To ensure a duly safe and effective administration;
  - To sum up and make a report about ministerial activities and tasks;
  - To manage protocol activities and cooperate in the organization of national and international days and other ceremonies of the ministry;
- (B) Financial affairs
  - To propose the ministerial budget plan and monitor its implementation;
  - To combine and adjust budget chapters which cover all expenses of the ministry;
  - To administer ministerial procurers and procurement procedures;
  - To study ministerial needs, expense programs and distributions of gasoline and spare parts for services rendered to the ministry;
  - To administer movable and immovable property, stock, and materials; make an inventory list; and manage the use and repair of the ministry's equipment;
  - To monitor special accounts;
  - To maintain vouchers and physical accounts;
  - To publish national lottery and technical documents, including information on the policies of the ministry and relevant institutions;
  - To design an annual budget plan for expenses; fix monthly revenue and expense programs; and to prepare annual reports on decisions related to ministerial revenues and expenditures.

The Department of Administration and Finance shall be headed by one Director assisted by a number of deputies.

## Chapter 17 Department of Personnel

### Article 19:

The Department of Personnel shall function as the mechanism of the ministry in the following activities:

- (a) Administrative affairs
  - To manage the civil servants of the ministry through liaison with the State Secretariat for Public Functions and other relevant ministries/institutions;
  - To prepare and facilitate the implementation of administrative papers for career management;
  - To define roles, technical positions, and human resources of the institution and;
  - To undertake career placements promotions and demotions of the ministry's civil servants;
  - To prepare salaries, grades of benefits, family support policies, social welfare policies, and recreation policies;
  - To review requests for annual leaves, sick leaves, and spousal leaves;
  - To observe all activities of officials and civil servants of the ministry;
  - To prepare policies on appraisals, promotion, sanctions, warnings, or disciplinary measures of ministerial officials and civil servants based on the Law on Civil Servants of the Kingdom of Cambodia; and
  - To manage and maintain personnel files.

The Department of personnel shall be headed by one Director assisted by a number of deputies.

## **Chapter 18**

### **Department of Legal Affairs**

#### **Article 20:**

The Department of Legal Affairs shall function as the mechanism of the ministry in the following activities:

- To cooperate with relevant departments in order to research/collect and prepare texts related to draft of financial law and other laws related to ministry activities treaties related to economic and financial aspects ;
- To introduce and follow up the implementation of financial law and other laws related to ministry activities within the scope of ministry's competence;
- To study, research, make different legal files and submit to the ministry for dissemination and implementing institutions;
- To prepare report to the minister on the application of law, royal kram, royal kret, sub-decree, circulars, prakas and treaties related to economic and financial aspects;
- To follow up and encourage entities of the Ministry of Economy and Finance to publish legal texts Into the official gazette;
- To maintained the laws, royal kram, royal kret, sub-decree, circulars, prakas and other instructions in the ministry documentation center and instruction to all departments and entities which are under the ministry's jurisdiction on how to manage and maintain such documents.

The department of legal affair shall be headed by one director and assisted by a number of deputies.

## **Chapter 19**

### **Economic and Financial Institute**

#### **Article 21:**

The economic and financial institute shall function as a mechanism of the ministry in the following activities:

- To study and access the need for human resources development and promote quality of economic and financial career for ministry officials and officials of relevant ministry and institution;
- To conduct training and regular professional improvements for all ministry and relevant ministry /institution staff according to their rank and other technical skills in the economic and financial fields due applicable situation;
- To study, researching the implementation of the economic and financial sectors in order to find out cause and important factors in order to determine the economic and financial policy of Cambodia;
- To select and assess staff capacity under the ministry jurisdiction in order to train them inside and outside of Cambodia;
- To apply the short term, medium, long-term training upon cooperation with institution, national and International organizations;
- To set up a large training program for leadership and administrative officials on economic and financial topics and information technology and foreign languages to serve economic and financial management;

The department of economic and financial institute shall be headed by one director who enjoys status equivalent to head of department and assisted by a number of deputies who enjoys status equivalent to deputy of department.

## **Chapter 20**

### **Local Based Entity**

#### **Article 22:**

There shall be economic and financial offices, treasury, branch of provincial city, municipal tax offices and branch of custom offices which are in charge of coordination and perform roles on the management of the economic and financial aspects determined by the ministry.



## **Chapter 21**

### **Financial Control Entity**

#### **Article 23:**

A financial control entity shall be established by the Ministry of Economy and Finance upon the terms and conditions of the regulation as defined in Sub-decree No. 81, dated November 11, 1995 regarding an establishment of financial control over the budget expenditures at ministerial level.

## **Chapter 22**

### **Transitional Provisions**

#### **Article 24:**

The Royal Government's delegate in charge of the customs office who is appointed by royal decree No. NS/RKT/1298/99, dated December 29, 1998 shall fulfil his/her roles under a direct management of the Senior Minister, Minister of Economy and Finance through the coordination with the secretary general of the ministry.

## **Chapter 23**

### **Final Provisions**

#### **Article 25:**

The organization and functioning of the Ministry of Economy and Finance from a level below department shall be determined by the Ministry of Economy and Finance.

#### **Article 26:**

Any duty which is related to other ministry's jurisdiction, a director of such institution shall cooperate with the Minister of Economy and Finance to allocate the responsibilities and implement such activities through a joint Prakas of the Minister of Economy and Finance and director of such institution.

#### **Article 27:**

Any provision that is contrary to this Sub-decree shall be deemed null and void.

#### **Article 28:**

The Minister in charge of the Council of Ministers, Minister of Economy and Finance, Minister and Secretaries of State of all relevant institutions shall effectively implement this Sub-decree from the date of signature herein.

Phnom Penh, January 20, 2000  
Prime Minister  
Hun Sen

Have informed to  
Samdech Prime Minister

Senior Minister, Minister of  
Economy and Finance

Keat Chhon