

KINGDOM OF CAMBODIA
Nation Religion King

The Constitutional Council

CASE

N° 089/012/2004

Of November 11, 2004

Decision

N° 068/010/2004 CC.D

Of December 07, 2004

The Constitutional Council

- Seen the Constitution of the Kingdom of Cambodia of 1993;
- Seen Preah Reach Kram N° CS/RKM/0498/06 of April 8, 1998 on the Organization and the Functioning of the Constitutional Council;
- Seen Preah Reach Kram N° 02/NS/94 of July 20, 1994 on the Organization and the Functioning of the Council of Ministers;
- Seen the letter N° 304 NA of November 10, 2004 from Samdech **HENG SAMRIN**, Acting President of the National Assembly, requesting the Constitutional Council to review the constitutionality of the Law on the Establishment of Ministry of Social Affairs, Veterans and Youth Rehabilitation, letter received by the Secretariat General of the Constitutional Council on November 11, 2004.

Having heard the rapporteur,

Having deliberated in compliance with the law,

- Whereas the National Assembly and the Senate have duly implemented the procedures provided for in the Article 113N for adopting the Law on the Establishment of Ministry of Social Affairs, Veterans, and Youth Rehabilitation;
- Whereas the request for reviewing the constitutionality of the Organic Law by the Acting President of the National Assembly is in compliance with the constitution (sentence 1, Article 140N of the Constitution.);
- Whereas the decision on the constitutionality of the Organic Law is within the competence of the Constitutional Council (sentence 2, Article 140N of the Constitution.);
- Whereas the procedure of legislation and the adoption of the Organic Law has no provision contrary to the Constitution;
- Whereas the substance of the Articles 1, 2, 3, 4, 5, and 6 of the Law on the Establishment of Ministry of Social Affairs, Veterans, and Youth Rehabilitation does not contain any provision contradictory to the Constitution.

Decides:

Article 1 : The Law on the Establishment of Ministry of Social Affairs, Veterans and, Youth Rehabilitation adopted by the National Assembly on October 27, 2004 and entirely reviewed by the Senate on November 05, 2004 is declared constitutional.

Article 2 : The decision made in the plenary session of the Constitutional Council in Phnom Penh on December 07, 2004 shall be final without recourse, shall have authority over all the instituted powers as stipulated in the Constitution, and shall be published in the “Journal Officiel”.

Phnom Penh , December 07, 2004
For the Constitutional Council
The President
Signed and Sealed

BIN CHHIN