

KINGDOM OF CAMBODIA
Nation Religion King

The Constitutional Council

CASE

N° 098/008/2005

Of July 15, 2005

Decision

N° 072/004/2005 CC.D

Of July 27, 2005

The Constitutional Council

- Seen the Constitution of the Kingdom of Cambodia ;
- Seen Preah Reach Kram N° CS/RKM/0498/06 of April 8,1998 on the Organization and the Functioning of the Constitutional Council;
- Seen the letter N° 202/0705/S/P of July 15, 2005 from Samdech **CHEA SIM**, President of the Senate, requesting the Constitutional Council to examine the constitutionality of the Article 44N of the Rules of Procedure of the Senate, letter received by the Secretariat General of the Constitutional Council on July 15, 2005.

Having heard the rapporteur,
Having deliberated in compliance with the law,

- Whereas the request for examining the constitutionality of the Article 44N of the Rules of Procedure of the Senate by the President of the Senate is in conformity with the Constitution (sentence 1, paragraph 2, Article 140N of the Constitution.);
- Whereas the examination of and the decision on the constitutionality of the Article 44N of the Rules of Procedure of the Senate is within the competences of the Constitutional Council (sentence 2, paragraph 2, Article 140N of the Constitution.);
- Whereas the Article 44N of the Rules of Procedure of the Senate is not contrary to the Article 111N (one), paragraph 3 of the Constitution.

Decides:

Article 1 – The Article 44N of the Rules of Procedure of the Senate adopted by the Senate on July 15,2005 is declared constitutional.

Article 2 - This decision made in the plenary session of the Constitutional Council in Phnom Penh on July 27, 2005 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 , July 27, 2005
For the Constitutional Council
The President
Signed and Sealed

BIN CHHIN