

KINGDOM OF CAMBODIA
Nation Religion King

The Constitutional Council

CASE

N° 106/006/2006

Of June 14, 2006

Decision

N° 078/005/2006 CC.D

Of June 16, 2006

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 Preah Reach Kram N° NS/RKM/0301/05 of March 19, 2001 promulgating the Law on the Khum/ Sangkat Administrative Management;
- Seen Preah Reach Kram N° NS/RKM/0301/04 of March 19, 2001 promulgating the Law on the Elections of Khum/ Sangkat Council;
- Seen the decision N° 042/004/2001 CC.D of March 07, 2001 of the Constitutional Council;
- Seen the letter N°662 NA dated June 14, 2006 from Samdech **HENG SAMRIN**, President of the National Assembly, requesting the Constitutional Council to examine the constitutionality of the law on the amendment of the Law on the Elections of khum/sangkat Council, adopted by the National Assembly on May 25, 2006 at the 4th session of its 3rd legislature and reviewed and approved by the Senate on June 09, 2006 in the 1st session of its 2nd legislature, letter received by the Secretariat General of the Constitutional Council on June 14, 2006 at 9:15 A.M;

Having heard the rapporteur,

Having deliberated in compliance with the law,

- Whereas the National Assembly and the Senate have duly implemented the procedure provided for in the Article 113N of the Constitution concerning the review and the adoption of the law on the amendment of the Law on the Elections of khum/sangkat Council;
- Whereas the request of Samdech **HENG SAMRIN**, President of the National Assembly, is in compliance with the Article 140N of the Constitution and the Article 16 of the law on the Organization and the Functioning of the Constitutional Council, promulgated by Preah Reach Kram N° CS/RKM/0498/06 of April 08, 1998, and therefore admissible;

- Whereas the form of the elaboration and the adoption of the law on the amendment of the Law on the Elections of khum/ sangkat Council is not inconsistent with the Constitution;
- Whereas all the Articles of the law on the amendment of the Law on the Elections of the khum/sangkat Council, have no provision contrary to the Constitution;

Decides:

Article 1: Pursuant to the above-mentioned motives, the law on the amendment of the Law on the Elections of khum/sangkat Council, adopted by the National Assembly on May 25, 2006 at the 4th session of its 3rd legislature and reviewed and approved by the Senate on June 09, 2006 at the 1st plenary session of its 2nd legislature, is declared constitutional.

Article 2: This decision made in the plenary session of the Constitutional Council in Phnom Penh on June 16, 2006 shall be final without recourse, shall have authority over all instituted powers as stipulated in the Constitution and shall be published in the “Journal officiel”.

Phnom Penh, June 16, 2006
For the Constitutional Council
The President

Signed and Sealed

BIN CHHIN