

KINGDOM OF CAMBODIA
Nation Religion King

The Constitutional Council

CASE

N°:113/013/2006

Of November 16, 2006

Decision

N°: 088/015/2006 CC.D

Of December 12, 2006

The Constitutional Council

- Seen the Constitution of the Kingdom of Cambodia;
- Seen Preah Reach Kram N° CS/RKM/0498/06 of April 08, 1998 on the Organization and the Functioning of the Constitutional Council;
- Seen Preah Reach Kram N° NS/RKM/0196/27 of January 26, 1996 on the promulgation of the Law on the Organization and Functioning of the National Bank of Cambodia;
- Seen the letter N° 1241 NA of November 16, 2006 of Samdech HENG SAMRIN, President of the National Assembly, requesting the Constitutional Council to review the constitutionality of the Law on the Amendment of the Articles 14 and 57 of the Law on the Organization and Functioning of the National Bank of Cambodia, letter received by the Secretariat General of the Constitutional Council on November 16, 2006 at 15:40;

Having heard the rapporteur,

Having deliberated in compliance with the law,

- Whereas the request of Samdech HENG SAMRIN, President of the National Assembly, is in compliance with the Article 140(N) of the Constitution and the Article 16 of the Law on the Organization and the Functioning of the Constitutional Council, and therefore admissible;
- Whereas the Article 14 was amended to the Article 14(N) by deleting the words “**only once**” in sentence 2, point 1;
- Whereas the Article 57 was amended to the Article 57(N) by the modification of the sentence “**by the special commission appointed by the Royal Government,**” to “**by the Board of Directors of the National Bank of Cambodia and National Audit Authority.**”

The above amendment contains nothing contrary to the Constitution;

Decides:

Article 1 : The Law on the Amendment of the Articles 14 and 57 of the Law on the Organization and the Functioning of the National Bank of Cambodia, adopted by the National Assembly in the 5th plenary session of its 3rd legislature on October 17, 2006 and approved by the Senate in the 2nd plenary session of its 2nd legislature on November 13, 2006, is declared constitutional.

Article 2 : This decision made in the plenary session of the Constitutional Council in Phnom Penh on December 12, 2006 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 12, 2006
For the Constitutional Council
The President

Signed and Sealed

BIN CHHIN