

**KINGDOM OF CAMBODIA**  
**Nation Religion King**



**The Constitutional Council**

**CASE**

N°139/002/2008

Of April 30, 2008

**Decision**

N° 096/001/2008 CC.D

Of May 08, 2008

**The Constitutional Council**

- Seen the Constitution of the Kingdom of Cambodia;
- Seen Preah Reach Kram N° CS/RKM/0498/06 of April 08, 1998 promulgating the Law on the Organization and the Functioning of the Constitutional Council;
- Seen Preah Reach Kram N° NS/RKM/0107/005 of January 31, 2007 promulgating the Law on the Amendment of the Law on the Organization and the Functioning of the Constitutional Council;
- Seen the April 30, 2008 letter N°461N.A. of Samdech Akka Maha Ponhea Chakrei HENG SAMRIN, President of the National Assembly, requesting the Constitutional Council to review the constitutionality of the Law on the Administration of the Capital City, Provinces, Municipalities, Districts and Khans, adopted by the National Assembly on April 01, 2008 at the 7<sup>th</sup> Session of its 3<sup>rd</sup> Legislature, and received by the Secretariat General of Constitutional Council on April 30, 2008 at 05:10pm;

**Having heard the rapporteur,**

**Having deliberated in compliance with the law,**

- Whereas the National Assembly and the Senate have duly implemented the procedures stipulated in Article 113(New) of the Constitution for examining and adopting the Law on the Administration of the Capital City, Provinces, Municipalities, Districts and Khans;
- Whereas the request of Samdech Akka Maha Ponhea Chakrei HENG SAMRIN, President of the National Assembly, done in accordance with Article 140 (New) paragraph 2 of the Constitution and Article 16 (New) of the Law on the Amendment of the Law on the Organization and the Functioning of the Constitutional Council, promulgated by Preah

Reach Kram N° NS/RKM/0107/005 of January 31, 2007, is therefore admissible;

- Whereas the form in drafting the Law on the Administration of the Capital City , Provinces, Municipalities, Districts and Khans is in accordance with the Constitution;
- Whereas all the articles of the Law on the Administration of the Capital City, Provinces, Municipalities, Districts and Khans, contain no provisions contrary to the Constitution;

**Decides:**

**Article 1** : The Law on the Administration of the Capital City, Provinces, Municipalities, Districts and Khans, adopted by the National Assembly on Tuesday April 01, 2008 at the 7<sup>th</sup> Session of its 3<sup>rd</sup> Legislature, that the Senate has reviewed and approved without any modification on April 29, 2008 at the 4<sup>th</sup> Plenary Session of its 2<sup>nd</sup> Legislature, is declared to be consistent with the Constitution.

**Article 2** : This decision made in the Plenary Session of the Constitutional Council in Phnom Penh on May 08, 2008, shall be final, without recourse, shall have authority over all the instituted powers as stipulated in the Constitution, and shall be published in the Royal Gazette.

Phnom Penh, May 08, 2008  
**For the Constitutional Council**  
**The President,**

**Signed and Sealed: EK SAM OL**