

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



**The Constitutional Council**

**CASE**

N° 182/005/2011

Of June 02, 2011

**Decision**

N° 117/005/2011 CC.D

Of June 13, 2011

**The Constitutional Council**

- Seen the Constitution of the Kingdom of Cambodia;
- ...
- Seen Preah Reach Kram N° NS/RKM/0606/020 of June 27, 2006, promulgating the law on the Amendment of the Law on the Elections of Khum/Sangkat Councils;
- Seen the letter N° 435 N.A. of June 20, 2011 of Samdech Akka Moha Ponhea Chakrei **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 Councils, adopted by the National Assembly on May 11, 2011 in the 6<sup>th</sup> plenary session of its 4<sup>th</sup> legislature, and reviewed and entirely approved by the Senate on the legal form and substance in the 9<sup>th</sup> plenary session of its 2<sup>nd</sup> legislature on May 31, 2011, letter received by the Secretariat General of the Constitutional Council on June 02, 2011 at 17:05.

**Having heard the rapporteur,**

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

- Whereas the National Assembly and the Senate have duly implemented the procedure stipulated in Article 113 (New) of the Constitution for reviewing and adopting the Law on the Amendment of the Law on the Elections of Khum/Sangkat Councils;
- Whereas the request of Samdech Akka Moha Ponhea Chakrei **Heng Samrin**, President of the National Assembly, made in accordance with Article 140 (New) of the Constitution and Article 16 (New) of the Law on the Amendment of 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 and adopting the Law on the Amendment of the Law on the Election of Khum/Sangkat Councils has nothing contrary to the Constitution;
- Whereas the Law on the Amendment of the Law on the Elections of Khum/Sangkat Councils consists of **two Articles**;
- Whereas in **Article one** of this Law, Article 190 (New) of the Law on the Amendment of the Law on the Elections of Khum/Sangkat Council, promulgated by Preah Reach Kram N° NS/RKM/0606/020 of June 27, 2006, was amended to Article 190 (New-two) by prolonging the date of the election of Khum/Sangkat Council for the 3<sup>rd</sup> legislature shall be conducted on Sunday June 3<sup>rd</sup>, 2012; This Article 190 (New-two) has nothing contrary to the Constitution;
- Whereas Article 2 states that this Law shall be declared as urgent has nothing contrary to the Constitution;
- Whereas all provisions of the Law on the Amendment of the Law on the Elections of Khum/Sangkat Councils have nothing contrary to the Constitution.

### **Decides:**

**Article 1:** The Law on the Amendment of the Law on the Elections of Khum/Sangkat Councils, adopted by the National Assembly on May 11, 2011 in the 6<sup>th</sup> plenary session of its 4<sup>th</sup> legislature, and reviewed and entirely approved by the Senate on the legal form and substance in the 9<sup>th</sup> plenary session of its 2<sup>nd</sup> legislature on May 31, 2011, is declared in conformity with the Constitution.

**Article 2:** This decision made in the plenary session of the Constitutional Council in Phnom Penh on June 13, 2011 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, June 13, 2011

**On behalf of the Constitutional Council**

**The President,**

**Signed and Sealed: EK SAM OL**

## Glossary

---

|                  |  |
|------------------|--|
| CC.D             | Decision of the Constitutional Council   |
| Preah Reach Kram | Royal Kram (the legal act singed by His Majesty the King for promulgating the Constitution or Law) |
| NS               | Norodom Sihamoni (His Majesty the King of the Kingdom of Cambodia)                                 |
| RKM              | Royal Kram   |
| Khum             | Commune  |
| Sangkat          | Quarter  |