

KINGDOM OF CAMBODIA
Nation Religion King



The Constitutional Council

CASE

N° 184/007/2011

Of July 06, 2011

Decision

N° 118/006/2011 CC.D

Of July 14, 2011

The Constitutional Council

- Seen the Constitution of the Kingdom of Cambodia;
- ...
- Seen Preah Reach Kram N° NS/RKM/0410/004 of April 17, 2010 promulgating Anti-Corruption Law;
- ...
- Seen the letter N° 633 N.A. of July 06, 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 Anti-Corruption Law, adopted by the National Assembly on June 16, 2011 in the 6th plenary session of its 4th legislature, and declared nothing new to be reviewed in the second time to the Senate Session by the Senate on July 01, 2011, letter received by the Secretariat General of the Constitutional Council on July 06, 2011 at 16:30.

Having heard the rapporteur,

Having deliberated in compliance with the law,

- 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 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 according to the decision N° 115/003/2011 CC.D of May 20, 2011, the Constitutional Council decided in Article 1 as follows “*The Law on the Amendment of Anti-Corruption Law adopted by the National Assembly on April*

*01, 2011 in the 6th plenary session of its 4th legislature, and reviewed and entirely approved by the Senate on the legal form and substance in the 9th plenary session of its 2nd legislature on May 03, 2011 is declared in conformity with the Constitution except Paragraph 1 of Article 16 (New) in **Article one.**”;*

- Whereas after the request N° 399 L-C.J. of June 06, 2011 of the Royal Government, the National Assembly amended Paragraph 1 of Article 16 (New) in **Article one** of the Law on the Amendment of Anti-Corruption Law on June 16, 2011 in the 6th plenary session of its 4th legislature in order to comply with the Constitutional Council decision N° 115/003/2011 CC.D of May 20, 2011. The Senate declared nothing new to be reviewed in the second time to the Senate Session on July 01, 2011;
- Whereas all provisions of the Law on the Amendment of Anti-Corruption Law have nothing contrary to the Constitution.

Decides:

Article 1: The Law on the Amendment of Anti-Corruption Law, amended by the National Assembly on June 16, 2011 in the 6th plenary session of its 4th legislature and declared nothing new to be reviewed in the second time to the Senate Session on July 01, 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 July 14, 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, July 14, 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 signed 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
L-C.J.	Letter of the Council of Jurists