

KINGDOM OF CAMBODIA
Nation Religion King

The Constitutional Council
N° 09/2005 CC.I
Penh, April 29, 2005

Phnom

**To His Majesty Preah Bat Samdech Preah Boromneath NORODOM
SIHAMONI**

King of Cambodia

Subject: Opinions of the Constitutional Council on the “proposed law” of the Constitutional Law aiming at amending the quorum of the National Assembly and the Senate sessions.

Reference: Royal Message of April 25, 2005
Sire,

After having received the above-mentioned Message of Your Majesty, we, the President and Members of the Constitutional Council, met on April 29, 2005 and respectfully submit our unanimous points of view to Your Majesty **Preah Bat Samdech Preah Boromneath NORODOM SIHAMONI, King of Cambodia**, as followed:

1. This proposed law of the Constitutional Law aimed at amending the Articles 88 and 111 N of the Constitution in order to amend the quorum of the National Assembly and of the Senate sessions, the main content of which says that: “the quorum of seven-tenth shall be applied to adopt a two-third or three-fourth majority vote and the quorum of six-tenth shall be applied to adopt a relative or an absolute majority vote of all the Members of the National Assembly and of the Senate.”

The Article 151 N (Article 132 old) of the Constitution stipulates that “the initiative to review or to amend the Constitution shall be the prerogatives of the King, the Prime Minister, the President of the National Assembly at the suggestion of ¼ of all the National Assembly members. Revision or amendment shall be enacted by a Constitutional Law adopted by the National Assembly with a 2/3 majority vote.”

The Article 152 N (Article 133 old) of the Constitution stipulates that “Revision or amendment shall be prohibited when the country is in a state of emergency, as outlined in the Article 86.”

The Article 17 of the Constitution stipulates that “the King of Cambodia shall reign but shall not govern, as stated in paragraph 1 of the Article 7 of the Constitution, shall absolutely not be amended.”

The Article 153 N (Article 134 old) of the Constitution stipulates that “Revision or amendment affecting the system of liberal and pluralistic democracy and the regime of Constitutional Monarchy shall be prohibited.”

Referring to the examination of “this proposed law” of the Constitutional Law, it is proved that there is nothing affecting the liberal and pluralistic democracy and the regime of Constitutional Monarchy. Furthermore, the proposal to amend the Articles 88 and 111 N of the Constitution was made when the country is in normal situation.

2. The rectification aiming at resolving some remaining problems in this proposed Constitutional Law responds to the substance of the Constitutional Council’s letter N° 08/ 2005 CC of April 21, 2005 .

3. The Constitutional Council considers that the amendment of the Articles 88 and 111 N of the Constitution shall be possible, following the substance of the proposal, the documents of which are here attached.

Deign Your Majesty, Sire, accept the expression of our most profound respect.

For the Constitutional Council
The President
Signed and Sealed
BIN CHHIN