

Nation Religion King

[NS/RKM/1199/12](#)

[No. NS/RKM/1199/12](#)

We  
nouk Reach Harivong Uphatosuheat  
Visothipong Akamohaborasratanak  
Nikarodom Thammikmohareacheathireach Boromaneat Boromabopit Preah Chau Krong  
Kampuchea Thipdey  
We

~~Preah Bat Samdech Norodom Sihanouk,~~  
~~King of the Kingdom of Cambodia~~

- Referring to the 1993 Constitution of the Kingdom of Cambodia;
- Referring to Kram No. NS/RKM/0399/01 of March 8, 1999 on the Amendment of the Articles 11, 12, 13, 18, 22, 24, 28, 30, 34, 51, 78, 90, 91, and 93 and Articles of Chapters VIII to XIV of the Constitution of the Kingdom of Cambodia;
- Referring to Reach Kret [No. NS/RKT/1198/72](#) of November 30, 1998 on the formation of the Royal Government of Cambodia;
- Referring to Kram [No. 02/NS/94](#) of July 20, 1994 promulgating the Law on the Organization and Functioning of the Council of Ministers;
- Referring to Kram No. NS/RKM/0196/16 of January 24, 1996 promulgating the Law on the Establishment of the Ministry of Commerce;
- Referring to Kram No. NS/RKM/0695/04 of June 26, 1995 promulgating the Law on the Commercial Regulationes and the Commerce Register;
- Pursuant to the proposals of the Prime Minister and the Minister of Commerce.

HEREBY PROMULGATE

The Law regarding on the amendments Amendments of Articles 10, 11, 14, 16, 17, 21, 22, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 42, and 44 of Chapter 2, Articles 54, 57, and 58 of Chapter 4 and Articles 59 and 60 of Chapter 5 of the law Law on the commercial Commercial rules Rules and Commerce Register as adopted ratified by the National Assembly on ~~the 3rd of November~~ 3, 1999 at ~~the~~ the ~~its~~ the 3<sup>rd</sup> plenary session of the second 2<sup>nd</sup> legislature and as ratified approved by the Senate as to its entire form and legality in its form and legal concepts on ~~the 5<sup>th</sup> of November~~ 5, 1999 at ~~its~~ the ~~second~~ 2<sup>nd</sup> plenary session of the first 4<sup>st</sup> legislature and whose meaning are as follows ~~as follows~~ ing:

Law  
On

The Amendments of Articles 10, 11, 14, 16, 17, 21, 22, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 42, and 44 of Chapter 2, Articles 54, 57, and 58 of Chapter 4 and Articles 59 and 60 of Chapter 5 of the Law on the commercial Commercial rules Rules and Commerce Register .

Only one Article:

Articles 10, 11, 14, 16, 17, 21, 22, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 42, and 44 of Chapter 2, Articles 54, 57, and 58 of Chapter 4 and Articles 59 and 60 of Chapter 5 of the Law on the eCommercial Rules and Commerce Register promulgated by Preah ReachRaya Kram No. NS/RKM/0695/04, datedof

The applicant for registration shall file with the registration office two copies of declaration with his/her signature and also file the Articles of Incorporation.

The sample declaration form ~~of declaration~~ to be provided by a registrar shall include the following information:

1. Family name and name, pseudonyms of stockholders/partners, date and place of birth, family status, and nationality;
2. Logo of the company;
3. Business activities;
4. Places where the company ~~have~~ has its principal establishment, branch, or agency within the Kingdom of Cambodia;
5. Name(s) of members or third parties authorized to govern, control, manage, and sign for the company, and their date and place of birth ~~those persons~~;
6. Capital of the company, source of capital, and amount of capital or valuables contributed by stockholders if it is a joint-stock company;
7. The dates of existence and expiration of the company;
8. Form of company;
9. Sample signatures of stockholders or third parties as provided for in paragraph number 5 of this article and corporate seal imprint;
10. Certificate-Affidavit of capital deposit issued by ~~the a~~ bank; and
11. Good faith statement made by the applicant stating ~~ing~~ that he/she has never been convicted for commercial, civil, or criminal ~~conduct~~ offenses.

Article 21 . - new: The declaration shall be made in three copies and filed by the applicant or his/her

All copies of documents related to cancellation from the commercial register shall be delivered to the commercial court for filing under its commercial jurisdiction.

Article 29 ~~\_-~~ new: ~~Any~~ persons may ask the registrar to issue a certificate ascertaining all notations in the commercial register. If it was not registered in the commercial register the registrar shall issue a certificate of non-registration.

The registrar shall be subject to disciplinary actions and rectify damages for any negligence or refusal to issue the certificate mentioned above within one week from the date of application.

An extract copy of the certificate issued by the registrar shall not ~~state about~~ mention bankruptcy judgments or judicial liquidation if the company is later rehabilitated. The extract copy shall ~~not also state about~~ not mention judgments or writs of restraints of trade, judgments or judicial orders appointing assisting counsel if the restraint of trade was revoked.

Article 30 ~~\_-~~ new: There are two types of commercial register which are maintained at the registration office ~~it of~~ the Ministry of Commerce:

1. Chronological Register; and
2. Analytic Register.

Article 31 ~~\_-~~ new: The declaration shall be recorded on the stub of a chronological register in accordance with the order of filing at the registration office and number thereof.

A receipt for filing of declaration which is detached from ~~the~~ register stub called "an extract" shall be submitted as a proof of filing with the following contents:

1. Serial number of the declaration;
2. Date and time of filing and place of the Ministry of Commerce; and
3. Family name, name, company logo, and address of the declarant.

The analytic register shall be in a table form to record numbers, date, ~~and time of~~ filing, identity number, name of company, objectives, and capital of the company. Each commercial establishment which is subject to a separate registration shall be recorded on both sides and the registrar shall write down the number of original declaration of registration on such sheet.

Article 32 ~~\_-~~ new: If there is any request to record any special notation which causes any cancellation of the existing notation, the registrar shall strike out such notation in red ink or cross ~~it~~ out by a computer process with a written reference of new notation on the margin of the page and number under which the declaration or application for recording of such notation ~~have has~~ actually been registered.

Article 33 ~~\_-~~ new: If the name is removed from the register, such removal shall be crossed by two red lines or by a computer process.

The decision to remove the name from the register by the Minister of Commerce or application for removal shall also ~~be~~ recorded in red ink on the margin of the page.

The registrar shall certify this notation by executing his/her initials.

Article 34 ~~\_-~~ new: If the notation in the declaration was recorded into the analytic register, the registrar shall deliver one copy of such declaration to the applicant with his/her proper signature on it. The copy is to be used as a certificate of registration.

All declaration sheets ~~which that~~

| If the Minister of Commerce verifies~~ed~~ and ~~found~~ finds that any declaration falls into any case provided for in new article 40 and article 41 of this law, the Minister of Commerce shall refer this case to the prosecutor attached to the competent court.

| Article 36 ~~.-~~ new: The registration, removal of names~~s~~, or issuance of certificates~~s~~ shall be an accountable duty of the registrar. Such certificate shall be issued to the applicant from a register stub with a registration number. The duties for registration, removal, or issuance of certificate shall be determined by ~~the a~~ Prakas of the Ministry of Economy and Finance, and collected by the registrar for the national budget.

| Article 37 ~~.-~~ new: An extract of the registration, removal certificate, and certificate of non-registration issued by the registrar shall be furnished without charge at the request of the court or administrative official only if the notation of the addressee ~~was~~ is recorded on such request.

| Article 38 ~~—~~ new: Each registration and removal of name from the commercial register shall be publicized by the registrar in its Official Gazette.

