



The Royal Government of Cambodia

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ROYAL DECREE

ESTABLISHMENT OF CAMBODIAN NURSING COUNCIL

- Having seen the Constitutions of the Royal Kingdom of Cambodia
- Having seen the Royal Decree នស/រកត/០៧០៤/១២៤ dated 15 July 2004 on the appointment of the Government of the Kingdom of Cambodia;
- Having seen the Reach Krom No ០២/នស/៩៤ dated 20 July 1994 promulgating the law on the establishment of the Office of the Council of Ministers
- Having seen the Reach Krom No នស/រកម/០១៩៦/០៦ dated 24 January 1996 promulgating the law on the establishment of the Ministry of Health
- Having seen the Reach Krom No នស/រកម/១១០០/១០ dated 30 November 2000 promulgating the law on the management of private medical professional, para-clinic professional, and medical assistance professional
- Having seen the Reach Krom នស/រកម/១១៧៩/០៥ dated 06 November 1997 promulgating the General Statutes for the Military of the Royal Military Police
- Having seen the request letter from the Samdech Prime Minister of Cambodia which was agreed upon by the full session of the Council of Ministers dated 18 August 2006.

We, the King, release the following order:

Chapter I General Provision

Article 1

Establish a Cambodian Nursing Council for the purpose of gathering all qualified nurses who can exercise as medical professional assistant in the Kingdom of Cambodia.

Article 2

The term "Nurses" mentioned in this Royal Decree is referred to a legal person holding a Nursing Certificate issued by the Ministry of Health of the Royal Government of Cambodia or issued by any educational institution whose quality of education is recognized by Accreditation Committees for Cambodia.

All Nurses who has exercised as medical professional assistants must register with the Cambodian Nursing Council.

Chapter II Missions of the Cambodian Nursing Council

Article 3

Cambodian Nursing Council shall supervise the implementations of principles of morality, righteousness, fairness and loyalty necessary for effective and sustainable performing the medical professional assistants.

The Cambodian Nursing Council shall observe performance of all members regarding the respect of professional obligations and other regulations stipulated in the Code of Ethic in Nursing.

The Cambodian Nursing Council shall preserve honors and dignity of medical professional assistants.

The Cambodian Nursing Council performs their tasks by following the Municipal and Provincial Nursing Council, which wrote in short letter as (PNC); Regional Nursing Council (RNC); and National Nursing Council (NNC).

Section I Moral Function

Article 4

The Cambodian Nursing Council is responsible to develop the Code of Ethic in Nursing by following necessary point of profession in holding economic and social affairs, which is good progress in terms of patient benefits.

The Cambodian Nursing Council shall observe all work performances and compliance of the Codes of Ethic.

The Cambodian Nursing Council is an autonomous organization in its spending, its supports, and self-autonomy in order to ensure the professional dignity, interest and moral benefits.

Section II Administrative Function

Article 5

Division of power shall follow the regulations of the Nursing Council.

The Nursing Council shall maintain and update regularly the list of nurses who have legally registered and fulfilled the required moralities.

The obligation of registering with the Nursing Council renders a person to be able to provide nursing care to patients.

The Nursing Council is the only one professional organization to observe the performances of medical professional assistants.

Section III Judicial Decision Function

Article 6

Any complaints made against professional misconduct by nurses shall not be an obstacle for filing complaint to the court.

Section IV Counseling Function

Article 7

The Nursing Council shall be requested to provide counseling on draft of law or other guidelines, which relate to nursing care.

Section V Mutual Assistance Function

Article 8:

Mutual assistance is important for the nurses and their families. The mutual assistance shall be as follows:

- The Nursing Council shall reserve budget to be mutual assistances as urgent aids in appropriate case for nurses and their families whenever necessary they get the emergency cases.
- The Nursing Council shall have a Committee for being mutual assistance, which has a representative from Cambodian Nurse Association as a membership.
- This Committee shall make annually budget which could withdraw partially from the membership funds were paid by the nurses to the Nursing Council.

Chapter III

Organizational Structure

Section I Provincial/Municipal Nursing Council (PNC)

Article 9:

PNC shall be established within each province and municipality in the Kingdom of Cambodia. Any province/municipality which has less than 20 nurses shall integrate into the nearest province/municipality in order to form up a Nursing Council Committee.

Article 10:

PNC shall have nine permanent staff and nine alternative staff in the case that the number of nurse does not exceed 100 persons (hundred). The members could increase up to 11 (eleven), 15 (fifteen), 19 (nineteen) or 21 (twenty-one) should the number of midwife registered exceeds 100

(hundred), 500 (five hundreds), 1000 (thousand) or 2000 (two thousands) respectively.

Article 11:

The PNC's members shall be elected by all registered nurses for a period of six years. Members who have already finished their term could also stand for election. The Council shall elect a President once every two years when one third of the council members have been changed. There must clearly state in the internal regulation regarding the indefinable number of change. The office of the PNC shall compose of one President, one Vice President, one Secretary General, one Treasurer and five other members.

Article 12:

PNC shall undertake its duties within the framework of its own province/municipality and under supervision of the National Nursing Committees regarding the general responsibilities stipulated in the Article 2 of his Royal Decree. PNC has full power to register in the list of the Nursing Committee any nurse who has fulfilled the conditions set out in the Article 3 of Chapter I, Article 6 of Chapter 2 of the Law on the Management of private medical professional and para-clinic professional.

PNC shall not discriminate its members based on their belief, religion, political trend, social status, resources and other situations.

Article 13:

PNC has no power to impose any disciplinary measure on any nurse under its supervision when there is complaint, PNC shall further submit this complaint to the Regional Nursing Council Committee by clearly specifying the reasons of the complaint.

Article 14:

The President shall represent of the PNC in all civil activities.

Article 15:

The meeting of the PNCC shall not be organized publicly. The President has the power to make final decision when the votes/voices are equal. Director of the Provincial/Municipal Health Department could be invited to join the meeting for advisory voice only. PNCC could invite legal advisor to attend the meeting as well.

Article 16:

All nurses in each province/municipality shall register in the list the PNCC of their respective area. Only nurses holding Nursing Certificate issued by the Ministry of Health or Certificate issued by institution Accreditation Council Committee (ACC) to exercise as nursing professional practice and has fulfilled the legal and code of ethic are allowed to register.

The registration of nurse could only be made in the province/municipality where he/she exercise their professional career.

Article 17:

PNCC shall decide on the registration no later than 3 months, starting from the day they received sufficient required documents from the applicant. One week after approval, PNCC shall inform in writing to the applying nurse. Should PNCC reject any application, the clear reasons in writing shall be provided to the applicant.

Any accepted midwife to be registered, PMCC shall, no later than two weeks, inform related provincial/municipal authority, Provincial/Municipal Prosecutor, and National Midwife Council.

Article 18:

Following their name registered with the Provincial/Municipal Nursing Council, nurses are able to serve as medical assistant in the province/municipality where they were registered. In case that the nurse wants to move their professional business outside the area his/her name was registered, the nurses shall inform the current council and need to re-apply to the new council where one was living and placing.

Article 19:

PNCC shall accept rejection made by the National Nursing Council, Nurse Association, Minister of Health, Director of Provincial/Municipal Health Department, prosecutor, or any registered nurse and thereafter prepare a report to the National Nursing Council.

Section II
Regional Nursing Council Committee (RNCC)

Article 20:

The geographical location for the RNCC is divided as follows:

- Region I: The regional office shall cover Phnom Penh, Kandal, Kampong Speu, Kampong Chhnang and be located in Phnom Penh.

Region II: The regional office shall cover Pursat, Battambang, Banteay Meanchey, Siem Reap, Odor Meanchey, Pailin and be located in Battambang.

Region III: The regional office shall cover Takeo, Kampot, Koh Kong, Sihanoukville and Kep and be located in Kampot.

Region IV: The regional office shall cover Stung Treng, Ratanakiri, Mondul Kiri, Kratie and Preah Vihear and be located in Stung Treng.

Region V: The regional office shall cover Kampong Cham, Prey Veng and Svay Rieng and be located in Kampong Cham.

Article 21:

RNCC plays the role as Primary Professional Disciplinary Council and has nine permanent members and nine alternative members who are elected amongst the region. Each RNCC shall nominate at least one representative and one alternative and the remaining seats shall be given to provinces/municipalities depending on number of registered nurses.

The elected members of the RNCC shall serve for a period of six years. Members who have already completed their term could also stand for the next election. RNCC shall select a President and other members for the office once every two years when one third of the council members have been changed. The alternative members shall back up the permanent members during their absence with whatever reason it may be.

RNCC has one President, one Vice President, one Secretary General, one Financial Officer and five other members.

Article 22:

President of the PNCC and RNCC and the Secretary General of those councils could not hold duplicated positions.

Article 23:

The following person could attend the meeting of RNCC in capacity as Vice-chair and counselors:

- Representative of the Minister of Health, nominated by Ministry of Health
- Director of Provincial/Municipal Health Department where the RNC is located
- A Legal Advisor assigned by Ministry of Justice

- A nurse's representative assigned by the Minister of Labor and Vocational Training
- The director of Regional Training Center

Article 24:

Under the framework of regional nursing council committee, RNCC shall carry out its duties within the disciplinary only. RNCC could be received the complaint made by Minister of Health, Director of Provincial/Municipal Health Department, Provincial/Municipal Authority, Provincial/Municipal Prosecutor, or the registered nurse oneself where they were registered. RNCC shall review and decide the latest within six months (06), after received the complaint otherwise NNCC would send this complaint to a different RNC, which was selected.

Article 25:

Nurses who are serving public services and request to register in the list of nursing council, could invite to explain the complaint in front of the RNCC only through the Minister of Health, Director of Provincial/Municipal Health Department or Provincial/Municipal Prosecutor.

Article 26:

Disciplinary action should be made in the presence of the accused nurse. The accused nurse is allowed to use defender, be as a nurse or a lawyer in the Kingdom of Cambodia. If the accused nurse does not show up for RNC within 3 times of invitation without valid reason, RNCC will apply Point 4 of the Article 28 of this Royal Decree.

Article 27:

RNCC shall maintain all records of disciplinary meetings. RNC shall prepare a comprehensive report with approval and signature from all members of the meetings, including those of the accusing nurse.

Article 28:

With participation from the Disciplinary Unit of the NNC, RNCC could impose the following disciplinary measures:

1. Give warning
2. Issue a reprimand letter and record in personal file

3. Impose professional suspension for a period of not more than 3 years or permanently of specialty area or whole part of medical assistant, which is recognized by the Government.
4. Revoke from the list of nursing council

The revoking nurse who name have been removed from the list are no longer allowed to re-register in other places. Should the last measure be used, the final decision shall be disseminated to all PNC and NNC. RNC is to make the above decision based on the evidential reasons.

Article 29:

After completing the minimum period of 3 years professional suspension, the imposed nurse could be granted amnesty upon submitting request from nursing council committee, which was given the punishment. The punishment shall be made by nurse-own-self. Once this request is rejected following thorough assessment and evidential reasons, the nurse could re-submit request one-year later.

Nurse who has been imposed with permanent disciplinary measure on any part or overall part of medical professional, para-medical profession, and medical assistant; which recognized by government; there would not be granting of amnesty if so requested.

Article 30:

The implementation of nurse disciplinary measures would not conflict with the administrative or judicial measures if violating nurse was conducted.

Section III National Nursing Council Committee (NNCC)

Article 31:

NNCC members shall be selected through votes for a period of 6 years as indicated below:

- One representative from each province/municipality who is selected through votes among PNC members and the elected representative shall be appointed by the Provincial/Municipal Health Director.
- Two representatives from Phnom Penh who are selected through votes among its members and the elected persons shall be appointed by the Phnom Penh Municipal Health Director.

- Five representatives from central institution who are selected through votes among its members and the elected persons shall be appointed by the Minister of Health.
- One representative from Technical School for Medical Care who would be appointed by the Rector of the Health Science University.

Article 32:

Following each reshuffling of 1/3 of staff, NNC shall select new staff to fill in once every two years (02) and select chairperson and staff for a period of two years.

The office of the NNCC shall compose of: 01 Chairperson; 02 Vice Chairpersons; 01 Secretary General; 01 Deputy Secretary General; 01 Treasurer; and 01 Vice Treasurer. The outgoing Chairperson or other members could also stand for the next election.

Article 33:

NNCC shall have 02 nurses, one-person who is representative of Minister of Health, and one-person is representative of Minister of Labor and Vocational Training in terms of counselors.

Article 34:

NNCC shall has a Disciplinary Unit comprising of 07 staff and led by a Chairperson who is selected out of the above 07 staff. The Disciplinary Staff shall be selected through votes among the members of the NNCC. The duties of the Disciplinary Unit are defined in Article 24 and Article 28 of this Royal Decree.

Article 35:

Following the reshuffling of 1/3 of its staff, NNCC shall select new Disciplinary staff.

Article 36:

NNCC shall perform its duties in accordance with the Article 2 of this Royal Decree. NNC shall observe the compliance with Nursing Professional Duties and other principles as defined in the Nursing Code of Ethics by all members of the nursing councils. NNCC shall cooperate with the Provincial Nursing Council in resolving any complex issues related to professional performance of nurses.

NNCC shall perform the above duties through its specialized units and other committees and study the plans proposed by the Minister of Health or other relevant institutions.

Article 37:

NNCC shall define an agreed amount of membership contribution which all members are required to pay upon registration and every year. NNCC shall also define the amount of contribution the PNC required to pay to it and the RNCC and the amount it needs to keep for general operation expenditures. Paying the membership contribution is a compulsory duty to all nurses.

NNCC shall control all assets of all Nursing Committee and is allowed to establish or support any interest of nursing professionalism including other emergency works.

NNCC shall monitor the management of PNC and RNCC. The PNC shall first of all report to the NNCC with courtesy copy to the RNCC regarding the establishment of its organizational structure as well as other arrangements.

Article 38:

NNCC shall establish a committee to handle all financial and internal audit affairs. Members of this committee shall be selected by NNCC, which they are not in office of council committees. At the end of the year, this committee shall prepare an evaluation report and submit to the NNCC.

**Chapter VI
Inter Provision**

Article 39:

In the first mandate, members of the NNCC shall be selected and endorsed by Minister of Health to ensure effective process.

In the first six years of the first mandate, staff of the PNC and RNCC shall be selected from internal colleagues and who are recognized by the NNCC.

Article 40:

The Minister of Health shall establish a temporary working group in order to develop the processes leading to the establishment of the Cambodian council of Nurses.

**Chapter V
Final Provision**

Article 41:

Any provisions contrary to this Royal Decree shall be deemed null and void.

Article 42:

The Samdech Prime Minister of the Royal Government of Cambodia shall be responsible for effectively implementing this Royal Decree from the date signed hereunder.

Phnom Penh, Royal Palace, 17 August 2007

His Majesty the King

**Submitted to and Requested
His Majesty The King for Royal
Signature**

NORODOM SEYHAMONY

Prime Minister

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Signature

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For Publication

Phnom Penh, 21 August 2007

Secretary-General for the Royal Government

KHUN CHINKENG