

**Kingdom of Cambodia
Nation Religion King**

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Royal Government of Cambodia
No.: 94 ANKr-BK

Sub-Decree

on

**Procedure and Conditions Authorizing Medical Paramedical and Medical Aid
Foreigners to Perform Private Professional Practices in the Kingdom of Cambodia**

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Royal Government of Cambodia

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen Royal Kram No. NS/RKT/1198/72 dated 30 November 1998 on the Appointment of the Royal Government of the Kingdom of Cambodia;
- Having seen Royal Kram No. 02/NS/94 dated 20 July 1994 promulgating the Law on the Organization and Functioning of the Council of Ministers;
- Having seen Royal Kram No. 05/NS/94 dated 22 September 1994 promulgating the Law on Immigration;
- Having seen Royal Kram No. 03/NS/94, dated 5 August 1994 promulgating the Law on Investment of the Kingdom of Cambodia;
- Having seen Royal Kram No. ChS/RKM/0397/01 dated 13 March 1997 promulgating the Law on Labour;
- Having seen Royal Kram No. NS/RKM/1096/30 dated 9 October 1996 promulgating the Law on Nationality;
- Having seen Royal Kram No. NS/RKM/0196/06 dated 24 January 1996 promulgating the Law on the Establishment of Ministry of Health;
- Having seen Royal Kram No. NS/RKM/1100/10 dated 3 November 2000 promulgating the Law on the Management of Private Professional Practice in the fields of Medical Paramedical and Medical Aid;
- Having seen Royal Kram No. NS/RKT/0200/039 dated 1 February 2000 on the Establishment of Medical Council;
- Having seen Sub-Decree No. 67 ANKr-BK dated 22 October 1997 on the Organization and Functioning of Ministry of Health;
- Received approval of the Council of Ministers in the Plenary Session held on 9 August 2002;

Decides

Chapter 1 General Provision

Article 1

This Sub-decree sets the procedure and conditions authorizing medical paramedical and medical aid foreigners to perform their private professional practices in the Kingdom of Cambodia.

Article 2

Medical paramedical and medical aid foreigners performing their private professional practices in the Kingdom of Cambodia can be authorized only when they open or practice their professions in the form of clinic. Those foreigners shall meet and adhere to the following criteria and conditions:

1. Coming from countries that are members of the World Health Organization
2. Having experiences in health profession at least 5 years
3. Having a valid registration with the health professional council of the country he/she belongs or been recognized by Ministry of Health-embassy of that concerned country
4. Having a diploma of high professional expertise recognized by the competent institution of that country
5. Having good physical shape and health to perform the work
6. Must respect Cambodian customs and tradition
7. Registered with the Health Professional Council of the Kingdom of Cambodia
8. Never been convicted of misdemeanour or felony or imposed disciplinary or administrative action against, such as cancellation of registration or termination of work, title seized for committing things against the honour or unclean acts.

Must not experience personal bankruptcy declared by the court.

Ministry of Health has its own discretion to not authorize medical paramedical and medical aid foreigners to practice their private professions in the Kingdom of Cambodia despite the fact that they have met the conditions prescribed in this Sub-decree.

Chapter 2 Administrative Procedure

Article 3

Medical paramedical and medical aid foreigners intending to perform their private professions in the Kingdom of Cambodia shall submit the following dossiers to Ministry of Health:

1. Correct passport of Visa Type E which is valid and fit to the work duration;
2. Brief biography;
3. Having a work permit and a employment book issued by the ministry in charge of labour in accordance with the Labour Law of the Kingdom of Cambodia and a work contract setting the duration of time in writing in Khmer, French, or English language;
4. An original criminal record issued by the competent ministry and legalized by relevant authorities of the country he/she belongs and translated into Khmer language which is certified by Ministry of Foreign Affairs and International Cooperation of the Kingdom of Cambodia; and
5. Other documents that meet the conditions set in Article 2 above.

Chapter 3 Conditions for Professional Practice

Article 4

Medical paramedical and medical aid foreigners who are lawfully carrying out their mission in the public hospital or organization-run hospital and working for international organization, non-governmental organization are not entitled to practice private profession in the Kingdom of Cambodia.

Article 5

Foreigner who practices their profession in the clinic, poly-clinic, and private maternity clinic shall follow *Prakas* of Ministry of Health on Procedure and Technical Conditions for Opening or Closing or Transforming or Relocating of Private Medical Paramedical and Medical Aid Services.

Foreigner staff can be employed for this service following the determination of the ministry in charge of labour in the Kingdom of Cambodia.

Article 6

The service owner of clinic, poly-clinic, and maternity clinic is not allowed to transfer the work of foreign staff working in that clinic, poly-clinic, and maternity clinic to another foreigner without authorization by Ministry of Health.

Article 7

A foreigner who is the service owner shall be present in his/her service. In case of absence for more than ten (10) days, he or she shall notify Ministry of Health.

Chapter 4 Investment in Poly-Clinic of International Size

Article 8

Investment in clinic, poly-clinic, and clinic of international size shall follow the Law on Investment and other relevant laws of the Kingdom of Cambodia.

Article 9

Investor shall meet the medical standard conditions set by *Prakas* of Ministry of Health.

Article 10

Investor is authorized to employ foreign employees whose fields are in medical, paramedical, and medical aid and who meet the criterion and conditions set in Chapters 1, 2, 3 of this Sub-decree.

Article 11

The investor has an obligation to provide constant and proper training to Khmer employees complying with the programme of Ministry of Health.

Article 12

In the event that investor intends to terminate his/her investment activity in the Kingdom of Cambodia, he/she shall clearly state the reason in the request submitted to Ministry of Health.

Article 13

In the event that investor abuses or fails to comply with the conditions set in this Sub-decree, Ministry of Health is entitled to temporarily suspend the investment activity and file the case with the court.

**Chapter 5
Final Provision**

Article 14

Any provision contrary to this Sub-decree shall be abrogated.

Article 15

Minister in charge of the Council of Ministers, Minister of Health, minister, Secretary of State, all concerned ministries and institutions have a duty to implement this Sub-decree from the date it is signed.

Phnom Penh, 1 September 2002

[Signature and Seal]

**Hun Sen,
Prime Minister**

Submitted to

- Ministry of Royal Palace
- Secretariat General of Senate
- Secretariat General of National Assembly
- Cabinet of Samdech Prime Minister
- As mentioned in Article 15
- Documentation-Archives