

KINGDOM OF CAMBODIA
Nation Religion King

**Ministry of Social Affairs,
Labour , Vocational Training
and Youth Rehabilitation**
No. 004 MoSALNY

Phnom Penh, January 05, 2000

PRAKAS
ON
APPRENTICESHIP

- Seen the Constitution of the Kingdom of Cambodia;
- Seen the Royal Decree No. សន / រកត / 1198/72 dated November 30th, 1999 on the Formation of the Royal Government of Cambodia,
- Seen the Royal Decree No. ជន/រកម / 0397/27 dated March 13th, 1997 promulgated the law,
- Seen the Royal Decree No. សន/រកម / 0699/06 dated June 17th, 1999 promulgated the law, on the establishment of the Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation,
- Seen the Sub-Decree No. 87/ អនក្រ.បក dated October 04, 1999 on the Organization and Functioning of the Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation.

HEREBY DECIDED

ARTICLE 1:

All enterprises, establishments and factories which are defined in Article 1 of the Labour Law shall duly conduct the apprenticeship performance in accordance with technical terms of trades and types of work.

An apprentice is person who signs a contract to be instructed any occupational skill by an employer or artisan. They have promised to each other that employer shall instruct or educate the apprentice and in return, the apprentice shall work for the employer in accordance with only the terms and conditions of the contract.

ARTICLE 2:

The apprenticeship performance must be done through a written contract called "The apprenticeship Contract".

The period of the contract shall not exceed two years. The apprenticeship performance is a vocational education duty provided by an employer in accordance with an appropriate methodology, to another person who has contracted with him to assist working as an apprentice.

ARTICLE 3: Enterprises, Establishments and factories employing more than sixty workers shall make available apprentices as defined bellow:

- A- 10% (Ten per cent) for enterprise employing from 61 to 200 workers,
- B- 8% (Eight per cent) for enterprise employing from 201 to 500 workers,
- C- The percentage is added 4% (Four per cent) for every additional five hundred workers in case of the enterprise employing from 501 workers.
- D- The maximum number of yearly apprentices is 110 (One hundred and ten) even though how much the number of workers of the Enterprise is.

ARTICLE 4:

At the end of the apprenticeship performance, a certificate shall be issued by the Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation provided that the apprentices pass successfully the examination.

ARTICLE 5:

All enterprises, establishment and factories shall conduct the apprenticeship performance within 3 (three) months after this Prakas takes effect. Enterprises, Establishments and factories, newly opened, shall conduct the apprenticeship performance with 3 (three) month after the date of the official opening.

ARTICLE 6:

To assure the quality of the apprenticeship performance, all enterprises, establishments and factories shall organize :

A- Apprenticeship monitoring:

- The monitoring shall be made regularly every month, quarter, and semester as well as the final examination. The written report on these matter shall be made. The monitoring shall state the progress and changes of the apprentice, both theory and practice.
- The monitoring communication shall consist of:
 - 1-Trainer of the enterprise
 - 2-Representative of workers of the same occupational skill work,
 - 3-Representative of the Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation.

B- Final examination:

- To insure the quality of the apprentice and the neutrality of the final examination, enterprise shall set up a neutral exam panel to be responsible for and implement.
- The exam panel shall consist of :
 - 1-Trainer and representative of the enterprise
 - 2-Representative of workers of the same occupational skill work,
 - 3- Representative of the Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation.

RTICLE 7:

All enterprises, where the apprenticeship performance is conducted

, shall comply with the internal rules concerning the apprenticeship performance as provided in Annex 1 of this Prakas.

ARTICLE 8:

Any enterprise, establishment and factory, which have no possibility to conduct the apprenticeship performance, shall make a proposal to the Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation to pay an apprenticeship tax. The apprenticeship tax shall be yearly aid and computed at 1% (one per cent) of the annual salaries of the total number of all workers employed in the enterprise.

The apprenticeship tax shall be paid by the end of each quarter or can be paid in advance once for year.

This apprenticeship tax shall be noted to the Vocational Training Fund of the Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation. It must be noted to the Ministry of Economy and Finance and Institutions concerned. The Fund shall be determined by a separated Prakas.

ARTICLE 9:

The objection to the payment of this apprenticeship tax shall be subjected to the fine in accordance with the provisions of chapter 16 of the Labour Law.

ARTICLE 10:

This Prakas shall take effect as of the date of its signature.

Minister

(Signature and Stamp)

CC:

HE. ITH SAM HENG

- Royal Secretariat of the King
- General Secretariat of the Senate
- General Secretariat of the National Assenbly
- Cabinet of the Prime Minister
- Office of the Council Ministers,
- All Ministries, Provinces and Municipality,
- Ministry of Information " for extensive dissemination ",
- All radio and television channels,
- Royal archives,
- All Dept. of Social Affairs in Municipality- Provinces " For Information "
- Chronicles and file,