

Kingdom of Cambodia
Nation Religion King

Royal Government of Cambodia
No. 14/ANK/BK

ANUKRET
on
the Organization and Functioning of
the Ministry of Public Works and Transport

Royal Government of Cambodia

- Referring to the 1993 Constitution of the Kingdom of Cambodia;
- Referring to Reach Kret of September 24, 1993 on the Appointment of the First Prime Minister and the Second Prime Minister of the Royal Government of Cambodia;
- Referring to Reach Kret of November 1, 1993 on the formation of the Royal Government of Cambodia;
- Referring to Reach Kram No. 021N5/RKM/94 of July 20, 1994 promulgating the Law on the Organization and Functioning of the Council of Ministers;
- Referring to Reach Kret No. NS/RKT/1 094/83 of October 24, 1994 and Reach Kret No. NS/RKT/1094/90 of October 31, 1994 on the Reorganization of the Composition of the Royal Government of Cambodia;
- Referring to Reach Kram NS/RKM/0196/03 of January 24, 1996 promulgating the Law on the Establishment of the Ministry of Public Works and Transports;
- Referring to Reach Kret No. CS/RKT/0897/147 of August 7, 1997 on the Reorganization of the Composition of the Royal Government of Cambodia;
- Referring to Anukret No. 20/ANK/BK of April 30, 1996 on the Organization and Functioning of Ministries and State Secretariats;
- Pursuant to the proposal of the Minister of Public Works and Transport;
- Pursuant to the approval of the Council of Ministers of May 7, 1997.

IT IS HEREBY DECIDED

Chapter 1
GENERAL PROVISIONS

Article 1:

The organization and functioning of the Ministry of Public Works and Transport and its departments shall be determined by this Anukret.

Chapter 2
MISSIONS AND STRUCTURE

Article 2:

The Ministry of Ministry of Public Works and Transport shall be mandated by the Royal Government of Cambodia to direct and manage the public works and transport shall be mandated by the Kingdom of Cambodia.

Article 3:

The Ministry of Ministry of Public Works and Transport shall be responsible for:

- Managing and developing national policies on general public civil construction sectors through the preparation of principles and laws in collaboration with other institutions to develop the country;
- Improving, maintaining, and managing public infrastructures such as roads, bridges, ports, railways, water ways, and state buildings;
- developing regulations related to the management of roads, ports, railways, and waterways infrastructures;
- developing regulations and managing all road transportations, railways, and waterways;
- participating and jointly developing laws, rules, and regulations relating to construction;
- renovating buildings as assigned by the Royal Government; and
- cooperating with the State Secretariat of Civil Aviation on aeronautical constructions.

Article 4:

The Ministry of Public Works and Transport shall be endowed with the following organizational structure:

- 1- General Inspectorate;
 - General Department for Administrative Affairs:
 - Administration Department;
 - Personnel and Human Resources Department;
 - Accounting and Financial Department; and
 - Planning Department.
- 2- General Department for Public Works and Transport:
 - Road Department;
 - Heavy Equipment Center;
 - Technical Research Center;
 - Public Building Department;
 - Waterway Department; and
 - Airport Infrastructure Department;
- 3- General Department for Transport:
 - Road and Transport Department;
 - Inland Waterway Transport Department; and
 - Merchant Shipping Department.
- 4- Cabinet of the Minister
- 5- Local institutions
- 6- Regional Department of Public Works and Transport;
- 7- Provincial Department of Public Works and Transport;
- 8- State Owned Enterprises;
- 9- Public Construction Entities under other ministries and institutions.

The organizational structure of the Ministry of Public Works and Transport shall be attached as an annex of this Anukret.

Chapter 3
GENERAL INSPECTORATE

Article 5:

The General Inspectorate of the Ministry shall be responsible for:

- conducting regular inspections of institutions subjected to the jurisdiction of the Ministry;
- reporting to the Minister on the functioning of these institutions and providing suggestion for their improvement;
- performing duties as directed by the Minister.

The General Inspectorate shall be administered by an inspector general assisted by one or more deputy inspector generals as necessary.

Chapter 4**GENERAL DIRECTORATE FOR ADMINISTRATIVE AFFAIRS****Article 6:**

The General Directorate for Administrative Affairs shall be in charge of coordinating, facilitating, and managing administrative and personal works, and controlling the logistics and finances as well as conducting research and planning.

The General Directorate shall be directed by one director general who may be assisted by deputy director generals as necessary. It shall consist of the following 4 departments.

Article 7:

The Administration Department shall be responsible for:

- coordinating all activities between the centralized departments of the Ministry and institutions under its control;
- managing and disseminating administrative documents;
- ensuring the safety and effectiveness of the administration;
- preparing reports on the Ministry's works and other activities.

Article 8:

The Personnel and Human Resources Department shall be responsible for:

- administering civil servants, and agents of the Ministry in collaboration with the Secretary of State for Civil Services;
- preparing administrative documentation for staff appointment;
- preparing staff appointment and managing the human resources of the Ministry;
- evaluating the needs for personnel training;
- conceptualizing and implementing training policies in collaboration with the State Secretariat for Civil Service;
- preparing statistics and production of decision making tools for personnel management;
- administering all socially related matters of the Ministry.

Article 9:

The Accounting and Financial Department shall be responsible for:

- keeping invoices and preparing assets inventory for the Ministry;
- keeping computerized financial and accounting system;
- preparing and implementing budget of the Ministry;
- collecting incomes pursuant to the Financial Law;
- reconciling budget items;

- reconciling and consolidating expenditures of the Ministry;
- overseeing technical aspects of public procurement operations.

Article 10:

The Planning Department shall be responsible for:

- compiling all requests and preparing the Ministry's budget for equipment repairs;
- monitoring operation of special accounts.
- supervising technical aspects of public procurements operations;
- preparing and monitoring database systems of the Ministry and determining its development program within every sector;
- developing cooperation programs inside and outside the country in the fields of public works and transportation;
- coordinating foreign aid and monitoring its use.

Chapter 5

GENERAL DIRECTORATE FOR PUBLIC WORKS AND CONSTRUCTION

Article 11:

The General Directorate for Public Works and Construction shall be in charge of directing, managing, monitoring, and supervising the construction and repair of works, maintaining of roads and bridges infrastructure, monitoring public building construction and controlling the construction and rehabilitation of state heritage as directed by the Royal Government.

The General Directorate shall be directed by a director general who may be assisted by deputy general directors as necessary. It shall consist of the following 6 departments.

Article 12:

The Department of Roads shall be responsible for:

- improving, repairing, and developing regulations pertaining to infrastructures such as roads, tracks, historical sites, ferry docks, ferries, and urban roads.

In such roles, the department shall have 2 duties:

a) Relating to the development of roads and bridges maintenance and supervision programs, it shall be in charge of:

- collecting baseline data for better understanding of road networks;
- keeping technical documents on roads use, and other information relating to road networks;
- preparing budgets and deploying means to monitor and follow up maintenance works;
- managing public assets such as roads, waterways, and railways.

b) Relating to the management of road and bridge worksites, it shall be in charge of:

- studying and developing programs on road and bridge maintenance;
- preparing budgets and deploying means to monitor and follow up road and bridge worksites;
- evaluating completed worksites;
- managing ferry docks.

Article 13:

The Heavy Equipment Center shall be responsible for:

- researching, developing, and implementing plans for new works;
- administering and controlling equipment and machinery under the control of the Ministry;
- assessing and providing training to civil servants who are in charge of these machinery.

Article 14:

The Technical Research Center shall be responsible for:

- preparing technical regulations and works to be implemented;
- researching and preparing public construction plans;
- evaluating construction, material quality, and modern technology to implement the Ministry's tasks.

Article 15:

The Public Building Department shall be responsible for:

- collaborating with other institutions in order to direct, instruct, control, and monitor public building constructions and urban planning works.
- supervising the construction and rehabilitation of state heritage as instructed by the Royal Government;
- collaborating with various institutions to develop construction offices;
- investigating disputes related to buildings and conducting surveys to ensure public safety;
- preparing programs and budgets for major maintenance works;
- monitoring technical and financial aspects of maintenance operations;
- implementing construction regulations;
- implementing technical and construction safety;
- collecting and utilizing economic data for public building constructions and urban planning works.

Article 16:

The Waterway Department shall be responsible for:

- studying and conducting works relevant to traffic along national waterways;
- preparing maps and plans of rivers and canals;
- putting signs and buoys along rivers;
- taking measures to clear obstacles in waterway traffic;
- informing river transport drivers of any recently discovered obstacles;
- arranging proper docking of transport means, rafts, floating houses, and the like;
- reviewing construction proposals in, under, or above rivers;
- studying embankment erosion works;
- taking measures to dredge rivers to serve transportation;
- building local ports in collaboration with local authorities;
- managing waterway shoulders;
- reviewing proposals to dredge rivers and deepen river beds;
- imposing fees on waterway transportation;
- recording water height along rivers within the country for waterway traffic.

Article 17:

The Airport Infrastructure Department in collaboration with the State Secretariat for Civil Aviation in the construction of airports shall be responsible for:

- studying and monitoring airport construction projects throughout the country

- including state and private construction under B.O.T. scheme;
- studying, selecting, and controlling the location of airport construction projects;
- developing technical regulations on airport construction works.

Chapter 6

GENERAL DIRECTORATE FOR TRANSPORT

Article 18:

The General Directorate for Transport shall be in charge of controlling and monitoring the ground, water, and air transport and shall prepare all rules and regulation to facilitate and assure traffic safety.

The General Directorate shall be directed by a director general who may assisted by deputy director generals as necessary. It shall consist of the following 3 departments.

Article 19:

The Road and Transport Department shall be responsible for:

- managing and developing rules and regulations, maintaining safety, and facilitating ground transport such as road and railway transports.
 - a. computerized management of the following activities:
 - preparing computerized information for driving licenses, registration certificates, and transport licenses;
 - maintaining routine certifications slips;
 - preparing statistics of the department's activities.
 - b. regulating public order and traffic:
 - making road traffic regulations;
 - monitoring the training and issuing of exams subjects and driving trainers;
 - issuing traffic certifications.
 - c. organization and management on ground transports:
 - studying and enforcing rules and regulations to facilitate and harmonize passenger transport;
 - studying, enforcing, and monitoring rules and regulations to facilitate road transportation;
 - issuing international and regional transport licenses for passengers and cargo;
 - instructing cities and towns administration on transport within cities and towns;
 - facilitating technical aspects and fares setting for railways and road transportation.

Article 20:

The Inland Waterway Transport Department shall be responsible for:

- managing any transport along rivers, creeks, small rivers, and lakes;
- making and monitoring the enforcement of rules and regulations and the conduct of river transportation;
- supervising and monitoring transport development policies;
- issuing driving licenses, boat and driver identifications, and business licenses;
- administering local ports;
- inspecting the statutes of domestic ships.

Article 21:

The Merchant Shipping Department shall be responsible for:

- a. managing the general administrative works of commercial ships and public institutions of the state:
 - managing regular maritime transportation and monitoring the enforcement of rules and regulations and fleet hors conference;
 - assessing the integration of the state fleet hors conference into specialized fleet;
 - studying and evaluating the qualitative and quantitative needs for commercial ships of the state;
 - researching on scientific and technical ship's conception;
 - providing technical assistance with regards to investment in the shipping industry;
 - preparing formalities related to the status of maritime vessels.
- b. international and regional maritime cooperation:
 - making and proposing technical bases for international and regional maritime cooperation;
 - managing international and regional maritime cooperation;
 - managing bilateral agreements on maritime transport cooperation;
 - negotiating international maritime transport arrangement;
- c. management of related professions in the maritime fields.

Chapter 7 CABINET OF THE MINISTER

Article 22:

The Cabinet of the Minister shall be responsible for alt missions defined by the provisions of Anukret No. 20/ANK/BK of April 30, 1996 on the Organization and Functioning of Ministries and State Secretariats.

Chapter 8 LOCAL INSTITUTIONS

Article 23:

There are municipal/provincial public works and transport offices within each municipality and province and units at the district and commune levels which shall be charged with the implementation and facilitation of the Ministry's activities. The organization and functioning of local institutions shall be defined by a separate Anukret.

Chapter 9 PUBLIC ENTERPRISES

Article 24:

The Ministry of Public Works and Transport shall have the following state enterprises under its jurisdiction:

- I. Enterprises subject to Anukret No.41 ANK/BK of August 06, 1997.
 - a. State owned enterprises under its jurisdiction:
 1. Royal Railways of Cambodian;
 2. Sihanoukville Port;
 3. Phnom Penh Port;
 4. Kampuchea Shipping Agency (KAMSAB);

5. Vehicle Transport Company;
6. Passenger Transport Company;
7. Equipment Department;
8. Phnom Penh Construction Enterprise;
9. Construction Machinery and Repair Enterprise;
10. Research and Study Construction Plan Enterprise;
11. Kompong Cham Construction Enterprise;
12. Transport Enterprise;
13. Sand and Pebble Construction Enterprise;
14. Historical construction Enterprise;
15. Color Tile Enterprise;
16. Driving School.

b. Entities under lease agreements and ongoing concerns:

17. Sawmill Factory;
18. Brick Kiln Factory;
19. Roof covering Factory;
20. 7 Makara Repair Workshop.

II. State Owned enterprises.

- a. Public enterprise with economic characteristics
 - Construction and Public Works Laboratory.
- b. Mixed State Private enterprise.
 - Cambodian Shipping Company (Camtranship)

Chapter 10

FINANCIAL CONTROL UNIT

Article 25:

The Financial Control Unit shall be established by the Minister of Economy and Finance pursuant to the conditions provided in Anukret O81/ANK/BK of November 16, 1995 on the financial control of budgeted expenditures within ministries.

Chapter 11

FINAL PROVISIONS

Article 26:

The organization and functioning of the Ministry at the central administration levels lower than the department level shall be declared by a Prakas of the Ministry of Public Works and Transport.

Article 27:

Any provision contrary to this Anukret shall be null and void.

Article 28:

The Minister in charge of the Office of the Council of Ministers, the Minister of Public Works and Transports, ministers, and state secretaries of relevant ministries and institutions shall be responsible for implementing this Anukret.

Article 29:

This Anukret shall enter into force from the date of its signature. Phnom Penh March 3, 1998

First Prime Minister
Signature and Seal

Second Prime Minister
Signature and Seal

Ung Huot

Hun Sen

Has submitted to
the First Prime Minister and
the Second Prime Minister
Deputy Prime Minister and
Minister of Public Works and Transport

Ing Kiet