ANUKRET ON THE ORGANIZATION AND FUNCTIONING OF THE NATIONAL COMMITTEE OF LAND MANAGEMENT, URBAN PLANNING AND CONSTRUCTION

• Referring to the Constitution of the Kingdom of Cambodia, 1993;
• Referring to the Royal Decree of September 24, 1993 on the Nomination of the First and Second Prime Ministers;
• Referring to the Royal Decree of November 1, 1993 on the Formation of the Royal Government of Cambodia;
• Referring to the Royal Decree No 1094/83/NS/RKT of October 24, 1994 on the Reorganization of the composition of the Royal Government of Cambodia;
• Referring to the Royal Decree No 1094/90/NS/RKT of October 31, 1994 on the Reorganization of the composition of the Royal Government of Cambodia;
• Referring to the Royal Kram No 02/NS/94 of July 20, 1994 on the Organization and Functioning of the Council of Ministers;
• Referring to the Royal Decree No 0897/147 CS/RKT of August 07, 1997 on the Reorganization of the Composition of the Royal Government of Cambodia;
• Referring to the Royal Decree No 04/94/NS of August 10, 1994 on the Land Management, Urban Planning and Construction;
• Pursuant to the Proposal of the Senior Minister in charge of Culture and Fine Art, Land Management, Urban Planning and Construction;
• Pursuant to the Approval of the Council of Ministers of March 04, 1997.

IT IS HEREBY DECIDED

Article 1:
The National Committee of Land Management, Urban Planning and Construction (CNATUC) shall be created by this Anukret. The composition of this Committee shall be nominated by Decision of the Royal Government.

The composition of this committee shall be as follows:
- Senior Minister in charge of Culture, Fine Art, Land Management, Urban Planning and Construction, Chairman
- Co-Ministers of Interior or their representatives, Vice Chairman
- Minister of Public Work and Transports or his representative, Vice Chairman
- Co Ministers of the Office of Council of Ministers or their representatives, Member
- Co Ministers of National Defense or their representatives, Member
- Minister of Environment or his representative, Member
- Minister of Economy and Finances or his representative, Member
- Minister of Agriculture, Forestry and Fishery or his representative, Member
- Ministers of concerned ministries or their representatives, Member

The Chairman of the National Committee of Land Management, Urban Planning and Construction shall invite concerned ministers to additionally joint in the committee upon each
The rank of the minister’s representative shall be at least equal to under secretary of state.

Article 2:
Pursuant to legal principles and regulations as well as the framework of urban planning and construction, this committee shall have duties as follows:
1- to direct and develop master plans for Phnom Penh municipality, provinces and towns in order to protect natural resources, soil, water, air, forests, landscape, cultural assets and national patrimony;
2- to develop the policies in order to raise a standard of people’s ideal in participation of development of various sectors such as socio economic and cultural affairs in rural as well as in urban area;
3- to study and develop regional plans for different provinces and municipals according to the conditions of that territory;
4- to monitor and supervise all types of constructions in complying with the natural environment;
5- to determine the reserved areas for future development activities according to a master plan;
6- to protect and reserve the coastal zones, river bank, valleys and creeks areas and also the lakes, pond, water ways and dam as vacant areas to meet the needs of people in freely using water and travel according to the master plans,
7- to protect natural resorts, forest and others as determined by the Cultural Patrimony Law;
8- to determine the zone for dwelling, commercial, cultural and administrative activities to meet the need of people by installing water and electrical networks, transport and communication lines in complying with the environmental protection and shall prevent any harm by bad odor, contamination and noise vibration;
9- to determine the restricted, camping and construction areas. To determine public and useful areas such as schools, sport compounds, public parks, site-walk, pagoda compound, health institutions, site way of railroads and sewage system etc.
10- to draft laws and regulations for city and rural areas in collaboration with concerned ministries, offices and entities and submit its for the consideration of the Royal Government and for the adoption of the National Assembly;
11- to make people understand their obligations and make them participated in environmental protection and improvement of the city, rural and urban images;
12- to provide facilitation to the provincial and municipal committee and sub committee in conducting technical and various affairs according to the laws and regulations, its possibilities and actual needs.

Article 3:
The National Committee of Land Management, Urban Planning and Construction shall be assisted by an Executive Secretariat General, Phnom Penh Committee of Land Management, Urban Planning and Construction and Sub-Committee of Provincial and Municipal Land Management, Urban Planning and Construction as assistance.

The Phnom Penh Committee of Land Management, Urban Planning and Construction consist of an office of urban planning as operator. Sub Committee of Provincial and Municipal Land Management, Urban Planning and Construction consist of provincial and municipal office of land management and urban planning as operator.
The Urban Planning Office is under jurisdiction of the provincial and municipal and Phnom Penh administrative offices and technical office of the Committee of Land Management, Urban Planning and Construction.

This Provincial and Municipal Committee and Sub-Committee shall be provided technical skills by the National Committee of Land Management, Urban Planning and Construction and shall be directly administered by provincial and municipal administrative office.

**Article 4:**
The National Committee of Land Management, Urban Planning and Construction shall nominate a Secretary General as assistance.
- Secretary General shall be authorized by a Chairman of the National Committee of Land Management, Urban Planning and Construction to fulfill all missions assigned by himself pursuant to the spirit of this Anukret and could also act on behalf of a chairman.
- Secretary General shall organize meeting for the National Committee of Land Management, Urban Planning and Construction in cooperation with other members of committee upon prior agreement of a Chairman.

**Article 5:**
The Secretary General has duties to direct permanent secretariat of the National Committee of Land Management, Urban Planning and Construction and to organize different skill as follows:
- to manage technical affairs and urban planning documents,
- to administer and develop an action legal and procedural plans;
- to conduct an inspection;

The members of permanent secretariat shall fulfill their duties authorized by Secretary General upon the Chairman’s approval.

**Article 6:**
The office of the National Committee of Land Management, Urban Planning and Construction is located at the Office of the Council of Ministers and is authorized to use the Council of Ministers’ seal.

Every government official who works with the National Committee of Land Management, Urban Planning and Construction shall be nominated outside the cadre of concerned ministries. A recruit requirement shall be done according to the Co-Status of Civil Servants through permanent institution of the Royal Government.

The operation expenditures of the National Committee of Land Management, Urban Planning and Construction including personal salaries, office rental, material purchasing and transportation fees shall be clearly stated in an annual budget plan of the Office of the Council of Ministers pursuant to budget proposal of this Committee.

The National Committee of Land Management, Urban Planning and Construction has the rights to cooperate with national, international, public organizations and regional foundations to get funding in order to ensure proper operation as the above mentioned.
Article 7:
The Chairman of the Committee of Land Management, Urban Planning and Construction is also a chairman of Phnom Penh Committee of Land Management, Urban Planning and Construction.
- Chairman of the Committee of Land Management, Urban Planning and Construction
- Delegate of the Royal Government to Phnom Penh municipality
- Vice governor of Phnom Penh municipality
- Chief of Phnom Penh Land Office
- Chief of Phnom Penh Public Work and Transport Office
- Chief of Phnom Penh Land Management and Construction Office
- Chief of Phnom Penh Police Office
- Chief of Phnom Penh Environmental Office
- Chief of Phnom Penh Urban Planning Office

Chief of other offices shall attend the meeting as invited by this committee.

Article 8:
Provincial governors shall be the Chairmen of other Sub-Committee of Provincial and Municipal Land Management, Urban Planning and Construction. This Sub Committee including technical entities shall be nominated by the provincial and municipal governors upon the approval of the Chairman of the National Committee of Land Management, Urban Planning and Construction.

Article 9:
If there is any proposal from the provincial and municipal governors, the National Sub-Committee and Sub-Committee of Provincial and Municipal Land Management, Urban Planning and Construction could jointly implement the obligations determined by Article 18 of the Law on Land Management, Urban Planning and Construction.

Article 10:
The Organization and Functioning of the Phnom Penh Committee of Land Management, Urban Planning and Construction shall be determined by Anukret and the others Sub-Committee’s organization and Functioning shall be determined by a Prakas of the National Committee of Land Management, Urban Planning and Construction.

Article 11:
Any provisions contrary to this Anukret shall be considered null and void.

Article 12:
Senior Minister in charge of Culture and Fine Art, Land Management, Urban Planning and Construction, Co Ministers in charge of the Office of Council of Ministers, Delegate of the Royal Government to Phnom Penh Municipal, Provincial and municipality governors, members of the National Committee of Land Management, Urban Planning and Construction and concerned institutions shall implement this Anukret according to their duties from the date of its signature.