

SUB-DECREE
ON
THE USE AND MANAGEMENT OF FROZEN PROPERTY
FROM THE FINANCING OF PROLIFERATION OF
WEAPONS OF MASS DESTRUCTION



**KINGDOM OF CAMBODIA
NATION RELIGION KING**

ROYAL GOVERNMENT OF CAMBODIA

No. 159 ANK.BK

SUB-DECREE

ON

**THE USE AND MANAGEMENT OF FROZEN PROPERTY FROM THE
FINANCING OF PROLIFERATION OF WEAPONS OF MASS DESTRUCTION**

THE ROYAL GOVERNMENT OF CAMBODIA

- Having seen the Constitution of the Kingdom of Cambodia
- Having seen Royal Decree no. NS/RKT/0918/925 dated 06 September 2018 on the Appointment of the Royal Government of Cambodia
- Having seen Royal Decree no. NS/RKT/0320/421 dated 30 March 2020 on the Appointment and Modification of the Composition of the Royal Government of Cambodia
- Having seen Royal Kram no. NS/RKM/0618/012 dated 28 June 2018 promulgating the Law on the Organization and Functioning of the Council of Ministers
- Having seen Royal Kram no. NS/RKM/0196/18 dated 24 January 1996 promulgating the Law on the Establishment of the Ministry of Economy and Finance
- Having seen Royal Kram no. NS/RKM/0196/08 dated 24 January 1996 promulgating the Law on the Establishment of the Ministry of Interior
- Having seen Royal Kram no. NS/RKM/0620/019 dated 27 June 2020 promulgating the Law on Combating the Financing of Proliferation of Weapons of Mass Destruction
- As per its necessary requirement

HEREBY DECIDES

CHAPTER 1

GENERAL PROVISIONS

ARTICLE 1.-

This Sub-Decree sets out the use and management of frozen property in order to enable an individual or entity holding the frozen property to use and manage the frozen property pursuant to the Law on Combating the Financing of Proliferation of Weapons of Mass Destruction.

ARTICLE 2.-

This Sub-Decree applies to the use and management of frozen property from the financing of the proliferation of weapons of mass destruction within the Kingdom of Cambodia.

ARTICLE 3.-

The key terms that are used in this Sub-Decree shall be defined as follows:

1. Basic expenditure refers to necessary expenses incurred from any of the following purposes:
 - Meal expense;
 - Payment for rent or lease;
 - Medication or treatment expenses;
 - Payment for taxes;
 - Payment for insurance premium;
 - Payment for water, electricity, gas and garbage collection services;
 - Payment for professional services;
 - Reasonable expenses associated with legal service; and
 - Other expenses that are not in violation of the United Nations Security Council's resolutions.
2. Expenses on performance of contract obligations prior to the imposition of punishment refer to necessary expenses incurred from performance of contract made prior to the frozen property of the individual or entity and such payment is not in violation of the United Nations Security Council's resolutions.
3. Other expenses that are authorized and in compliance with the United Nations Security Council's resolutions refer to expenses that exclude basic expenses or expenses on contract obligations made prior to the imposition of punishment as determined by the Ministry of Justice, and that are not in violation of the United Nations Security Council's resolutions, and that are adopted by United Nations Security Council or its committee.

CHAPTER 2

THE USE AND MANAGEMENT OF FROZEN PROPERTY

ARTICLE 4.-

An individual or entity holding the frozen property shall be authorized to use and manage the frozen property under the court ruling in order to cover:

- Basic expenses;
- Expenses on performance of contract obligations prior to the imposition of punishment;
- Other expenses that are authorized and in compliance with the United Nations' resolutions.

ARTICLE 5.-

An individual or entity holding the frozen property shall request for the use and/or management of the frozen property from the Court that issues the frozen ruling. The frozen ruling shall be made in a form of a court order.

CHAPTER 3

FINAL PROVISIONS

ARTICLE 6.-

Any provisions that contradict this Sub-Decree shall be abrogated.

ARTICLE 7.-

The Minister in charge of the Office of the Council of Ministers, the Minister of Economy and Finance, the Minister of Interior, the Minister of Justice, all Ministers of relevant ministries and institutions shall be responsible for implementing this Sub-Decree within their respective tasks from the date of signature.

Done in Phnom Penh, on the 30th of September 2020

PRIME MINISTER

(Signed and Sealed)

Samdech Akka Moha Sena Padei Techo HUN SEN

CC:

- Ministry of the Royal Palace
- General Secretariat of the Senate
- General Secretariat of the National Assembly
- Cabinet of Samdech Akka Moha Sena Padei Techo PRIME MINISTER
- Cabinet offices of Samdech, Excellency Deputy Prime Ministers
- Individuals as stated in Article 7
- Royal Gazette
- Documentation and Archives