



KINGDOM OF CAMBODIA
NATION RELIGION KING

NATIONAL BANK OF CAMBODIA

Number B7.014.226 Pro.kor

Unofficial Translation

PRAKAS
ON
LEGAL PROTECTION FOR SUPERVISORY OFFICERS

The Governor of the National Bank of Cambodia

- With reference to the Constitution of the Kingdom of Cambodia;
- With reference to the Royal Decree NS/RKT/0412/337 of April 17, 2012 on the reappointment of His Excellency Chea Chanto as Governor General of the National Bank of Cambodia, equivalent to Senior Minister;
- With reference to the Royal Kram NS/RKM/0196/27 of January 26, 1996 promulgating the Law on Organization and Conduct of the National Bank of Cambodia;
- With reference to the Royal Kram NS/RKM/1206/036 of December 29, 2006 promulgating the Law on the Amendment of article 14 and 57 of the Law on Organization and Conduct of the National Bank of Cambodia;
- With reference to the Royal Kram NS/RKM/1199/13 of November 18, 1999 promulgating the Law on Banking and Financial Institutions;
- With reference to the Royal Kram NS/RKM/1005/030 of October 24, 2005 promulgating the Law on Negotiable Instruments and Payment Transactions;
- With reference to Prakas N° B8-98-385 Prokor dated 20 July, 1998 on Organization structure of National Bank of Cambodia and all departments of the National Bank of Cambodia
- With reference to Prakas N° B1-010-194 Prokor dated 26 November 2010 on the amendment of Article 3, Article 4, Article 5, Article 12 and Article 13 of Prakas on Organization Structure of the National Bank of Cambodia and all departments of the National Bank of Cambodia;
- Pursuant to the recommendation made by National Bank of Cambodia Management meeting on 03 September 2014.

Decides

Article 1.-

The purpose of this Prakas is to provide legal protection for supervisory officers of banking and financial institutions in discharging their function and duties.

Article 2.-

The Prakas aims to increase confidence and performance efficiency of supervisory officers with the transparency, accountability, and responsibilities.

Article 3.-

The scope of this Prakas is to cover only supervisory officers.

Article 4.-

Supervisory officers shall include:

- Management of the National Bank of Cambodia
- Staff of the Banking Supervision Directorate
- Person appointed to carry out the supervisory task
- Expert or advisor related to supervision
- Person appointed as Provisional Administrator.

Article 5.-

Supervisory officers who are provided legal protection in discharging their function and duties either individually or in group shall fulfill the below requirements:

- acting in good faith
- acting professionally as stated in code of conduct of the NBC
- complying with the code of ethics
- complying with the principles of professional secrecy
- avoiding the conflict of interest
- avoiding any act that may ham reputation of supervisory authority
- avoiding any act that may harm reputation and interest of banks and financial institutions.

Article 6.-

In such a case that supervisory officer, is being sued for action taken while discharging functions and duties, the National Bank of Cambodia shall:

- cover all expenses related to the procedures of lawsuit
- select and cover the cost of lawyer services
- provide security to the accused officer
- cooperate to provide evidence and information as required by the court.

Article 7.-

Any other provisions contrary to this Prakas are hereby repealed.

Article 8.-

The General Secretariat, the General Directorate of Supervision, the Technical General Directorate, the General Inspection, the General Cashier, all departments of the National Bank of Cambodia shall strictly implement this Prakas.

Article 9.-

This Prakas shall have effect from the signing date.

Phnom Penh, 08 September, 2014

Governor

Signed and sealed: **Chea Chanto**

Cc:

- All members of the Board of Directors
- As stated in article 8 “ for implementation ”
- Files - archives
- Council of Minister
“for information”
- Administrative Department of CM
“for publication in the National Gazette”