



Kingdom of Cambodia

Nation Religion King

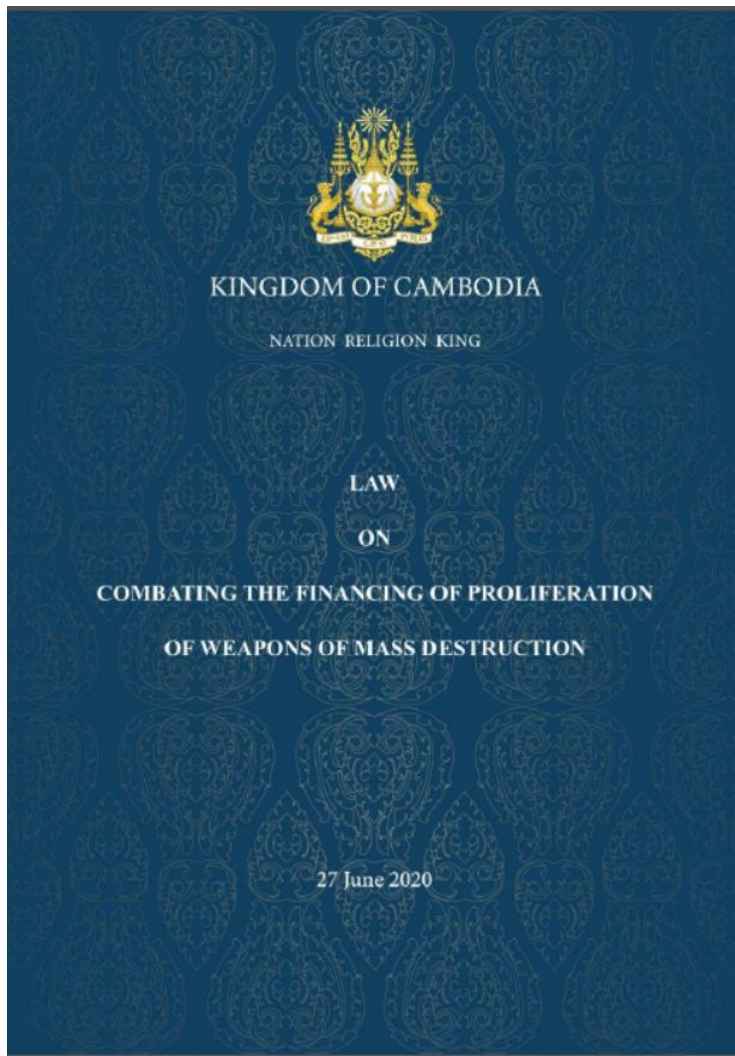
**COMMERCIAL GAMBLING MANAGEMENT
COMMISSION OF CAMBODIA
GENERAL SECRETARIAT**

**Presentation
On
Law on Combating the Financing of Proliferation
of Weapons of Mass Destruction**

Prepared by: AML/CFT Working Group of General Secretariat of CGMC

2024

Promulgation



more additional penalties under Article 168 (Additional Penalties) of the Penal Code.

Legal entities may be held responsible as defined in Article 42 (Criminal Responsibility of Legal Entities) of the Penal Code for offences under Article 21 of this Law. Legal Entities shall be punishable by a fine from 30,000,000 (thirty million) to 100,000,000 (one hundred million) Riels together with one or more additional penalties under Article 168 (Additional Penalties) of the Penal Code.

CHAPTER 8 FINAL PROVISIONS

Article 23.- Abrogation

Any provisions that contradict this Law shall be abrogated.

Article 24.- Promulgation

This Law shall be promulgated as urgent.

Done in the Royal Palace, 27 June 2020

PorRorLor. 2006.696

Royal Signature

NORODOM SIHAMONI

Having respectfully proposed to His Majesty the King for Royal Signature

Prime Minister

(Signature)

Samdech Akka Moha Sena Padei Techo HUN SEN

Having respectfully submitted to

Samdech Akka Moha Sena Padei Techo Prime Minister

Having duly copied from the original text

Deputy Prime Minister, Minister of Interior

**Standing Deputy Prime Minister, Minister in charge of
the Office of the Council Ministers:**

(Signature)

Samdech Krohahom SAR KHENG

(Signature and Seal)

H.E. Kitinaitekor:slbaudit BIN CHHIN

Law on Combating the
Financing of Proliferation of
Weapons of Mass Destruction
is promulgated by
Royal Kram No.
NS/RKM/0620/019
dated 27 June 2020

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Chapter 1 : General Provisions



Article 1. Purpose

This Law aims at ensuring the combat against the financing of the proliferation of weapons of mass destruction by defining the preventing measures, control, suppression, and abolition against the financing of the proliferation of weapons of mass destruction.

Article 2. Scope

This Law is applicable to all acts relating to the financing of the proliferation of weapons of mass destruction within the Kingdom of Cambodia.

Article 3. Definition

1. Property;
2. Designated individual or entity;
3. Entity;
4. Property freeze;
5. Weapon of Mass Destruction;
6. Cambodia Financial Intelligence Unit (**CAFIU**);
7. Supervisory authority;

Chapter 1 : General Provisions (cont.)



Article 3. Definition (cont.)

2. **Designated individual or entity:** an individual or entity designated by the United Nations Security Council or its Committees under Article 4 of this Law or by the Court under Article 5 of this Law.

3. **Entity:** includes legal persons, unincorporated bodies, groups, associations, organisations, institutions and arrangements.

4. **Property freeze:** refer to the prevention, sale, supply, lease, transfer, conversion, disposition or transfer, movement or use of the property.

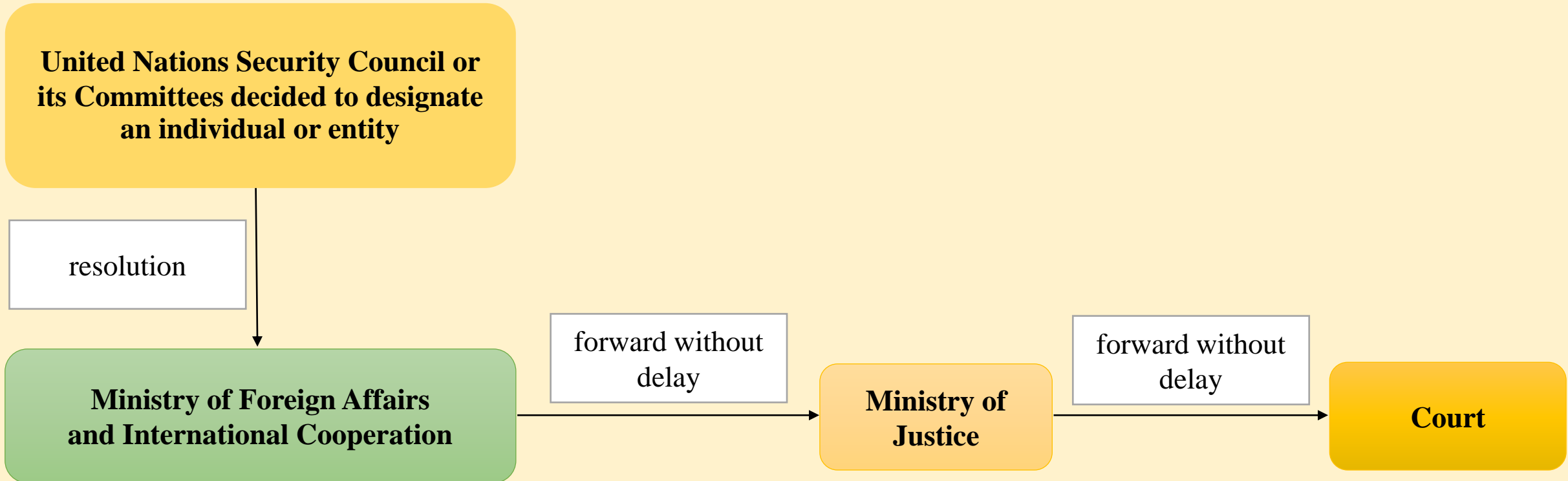
5. **Weapon of Mass Destruction:** shall mean weapons of mass destruction as atomic explosive weapons, radioactive material weapons, lethal chemical and biological weapons and any weapons developed in the future which might have characteristics in destructive effect to those of the atomic bomb or other weapons mentioned above.

6. **Cambodia Financial Intelligence Unit (CAFIU)**

Chapter 2 : Designation And Property Freeze



Article 4. Designation by the United Nations Security Council

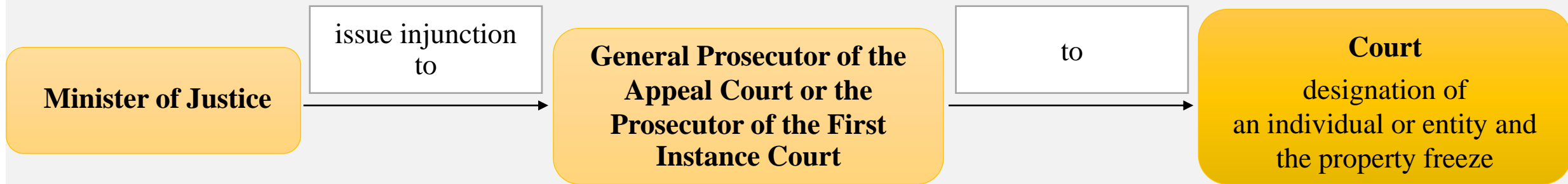


** A freezing order by the Court shall have an indefinite duration unless this order is revoked.*

Chapter 2 : Designation And Property Freeze (cont.)



Article 5. Designation by the Court



The Court shall order the designation of an individual or entity and freeze their property if it has reasons to believe that the individual or entity meets the criteria for designation as specified in Paragraph 32 of the United Nations Security Council Resolution 2270 and the subsequent resolutions.

** A designation and freezing order issued by the Court shall have an indefinite duration unless this order is revoked.*

Chapter 2 : Designation And Property Freeze (cont.)



Article 6. Property Freeze

Any individual or entity who holds the frozen property in accordance with an order issued by the Court as defined in Article 4 or Article 5 of this Law, shall freeze the property **without delay** and **without prior notice**.

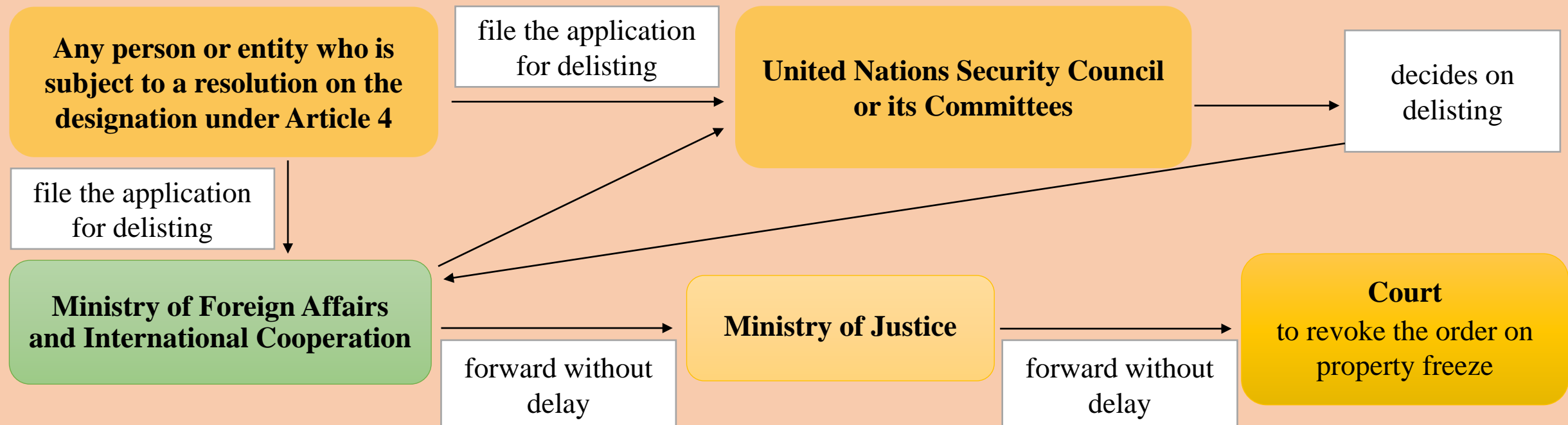
The freezing property as following:

1. Property that are wholly or partially, directly or indirectly, owned or controlled by a designated individual or entity;
2. Property of individuals or entities acting on behalf of, or at the direction of, a designated individual or entity;
3. Property diverted or generated from property as mentioned in paragraphs (1) and (2);
4. Vessels designated by the United Nations Security Council or its Committees.

Chapter 3 : Application To United Nations Security Council For Delisting And Permission To Use The Frozen Property



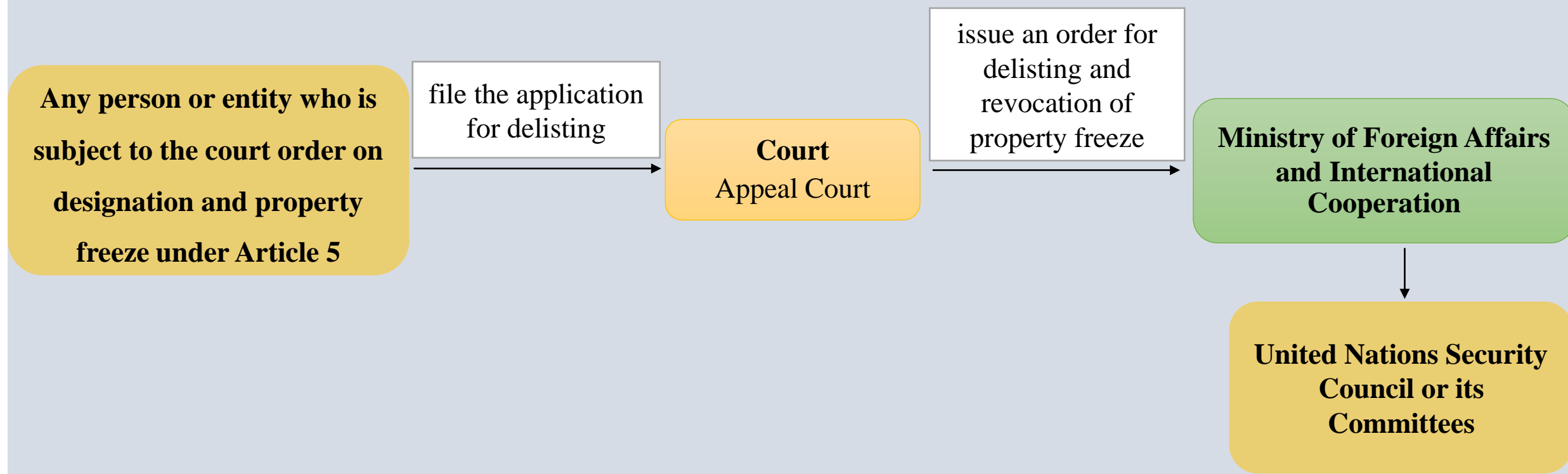
Article 7. Application to the United Nations Security Council for Delisting



Chapter 3 : Application To United Nations Security Council For Delisting And Permission To Use The Frozen Property (cont.)



Article 8. Application to the Court for Delisting and Revoking the Property Freeze



Chapter 3 : Application To United Nations Security Council For Delisting And Permission To Use The Frozen Property (cont.)



Article 9. Permission to Use the Frozen Property

Any individual or entity that holds the frozen property may be permitted to use or dispose the frozen property.

The use and disposal of the frozen property shall be determined by a sub-decree.

Chapter 4 : Prohibition And Obligation



Article 10. Prohibition of Using the Property

No individual or entity who is subject to the laws of the Kingdom of Cambodia may make the whole or partial property directly or indirectly available to, or for the benefit of, any of the following individuals or entities:

- a) designated individuals or entities:
- b) individuals or entities directly or indirectly owned or controlled by designated individuals or entities:
- c) individuals or entities acting on behalf of, or at the direction of, designated individuals or entities, or those owned or controlled by them.

Reporting entities may permit payments or earning that are acquired from a contractual obligation to be added to frozen account so long as those payments or earnings are also frozen.

Chapter 4 : Prohibition And Obligation (cont.)



Article 11. Reporting Entities

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- Casinos and other gambling institutions
- any other individuals or entities that are designated by the Cambodia Financial Intelligence Unit that falls within the scope of this law.

Article 12. Reporting Obligation of Reporting Entity

- Shall report of the property freeze and attempted transactions on the frozen property to the **CAFIU no later than 3 days.** (the freezing in accordance with the article 6 of this Law)
- Shall Report of the request to make the property available to a designated individual or entity in contradiction with Article 10 of this Law, without delay, to **CAFIU.**
- Shall submit reports on property freeze to the **CAFIU.**
- Shall provide any other information in relation to the reports upon the request of the **CAFIU** or **Ministry of Justice.**

Chapter 4 : Prohibition And Obligation (cont.)



Article 13. Reporting Obligation of Individuals or Entities other than Reporting Entities

- Shall report of the property freeze and attempted transactions on the frozen property to the Ministry of Justice **no later than 3 days**. (the freezing in accordance with the article 6 of this Law)
- Shall report of the request to make the property available to a designated individual or entity in contradiction with Article 10 of this Law, without delay, to the Ministry of Justice.
- Shall submit reports on property freeze to the Ministry of Justice.
- Shall provide any other information in relation to the reports upon the request of the Ministry of Justice and **CAFIU**.

Chapter 5 : Seizure Of Frozen Property



Article 14. Seizure of Frozen Property

- Seizure of any frozen property shall be carried out under the court order upon the request of the General Prosecutor of the Appeal Court or the Prosecutor of the First Instance Court after receiving the injunction from the Minister of Justice, or upon the request of the holder of the frozen property.
- The Court may issue an order to seize the frozen property if there is a reasonable risk that the property will dissipate.
- The Court may appoint an administrator to manage seized property.
- The seized property under this Article shall only be retained by the administrator appointed by the Court until the property is no longer subject to the property freeze as specified in Article 4 or Article 5 of this Law.

Chapter 6 : Administration



Article 15. National Coordination Committee

A National Coordination Committee shall be established to set out policies, to lead and to coordinate the implementation of this Law.

The organization and functioning of the National Coordination Committee shall be determined by a sub-decree.

Article 16. Monitoring and supervision

Supervisory authorities shall monitor reporting entities under their supervision to ensure the compliance of this Law.

The Ministry of Justice shall monitor reporting entities under their supervision to ensure the compliance of this Law.

Article 17. Disclosure of information

The Ministry of Justice, Ministry of Foreign Affairs and International Cooperation, Cambodia Financial Intelligence Unit and supervisory authorities may disclose information obtained in the course of implementing this Law to the government ministries, national institutions, or international agencies or bodies, for law enforcement, supervisory or regulatory purposes.

Article 18. Legal Regulations for Implementing this Law

Formalities and procedures relating to the combat against the financing of the proliferation of the weapon of mass destruction shall be determined by a sub-decree upon the request of the Ministry of Justice.

The Ministry of Justice may issue an instruction to individuals or entities other than reporting entities on the implementation of this Law.

Supervisory authorities may issue an instruction to reporting entities for implementation of this Law.

Chapter 7 : Penalties



Article 19. Offence relating to Violation of the Freezing Order

Any person who refuses to comply with the court order under Article 6 of this Law shall be punishable by imprisonment from 02 (two) to 05 (five) years and by a fine from 20,000,000 (twenty million) to 50,000,000 (fifty million) Riels, irrespective of other criminal offences.

Article 20. Offence relating to Making the Property Available

A person who makes the property, directly or indirectly, wholly or jointly available to, or for the benefit of, the individual or institution under Article 10 (Prohibition of Using the Property) of this Law shall be punishable by imprisonment from 07 (seven) to 15 (fifteen) years and by a fine from 50,000,000 (fifty million) to 200,000,000 (two hundred) million Riels, irrespective of other criminal offences.

Article 21. Offence relating to the Violation of Reporting Obligation

Anyone who fails to report in violation of Article 12 and Article 13 shall be punishable by imprisonment from 01 (one) to 06 (six) months and by a fine from 100,000 (one hundred thousand) to 1,000,000 (one million) Riels, irrespective of other criminal offences.

Chapter 7 : Penalties (cont.)



Article 22. Criminal Responsibility of Legal Entities

Legal entities may be held responsible as defined in Article 42 (Criminal Responsibility of Legal Entities) of the Penal Code for offences under Article 19 of this Law. Legal Entities shall be punishable by a fine from 30,000,000 (thirty million) to 100,000,000 (one hundred million) Riels together with one or more additional penalties under Article 168 (Additional Penalties) of the Penal Code.

Legal entities may be held responsible as defined in Article 42 (Criminal Responsibility of Legal Entities) of the Penal Code for offences under Article 20 of this Law. Legal Entities shall be punishable by a fine from 100,000,000 (one hundred million) to 400,000,000 (four hundred million) Riels together with one or more additional penalties under Article 168 (Additional Penalties) of the Penal Code.

Legal entities may be held responsible as defined in Article 42 (Criminal Responsibility of Legal Entities) of the Penal Code for offences under Article 21 of this Law. Legal Entities shall be punishable by a fine from 30,000,000 (thirty million) to 100,000,000 (one hundred million) Riels together with one or more additional penalties under Article 168 (Additional Penalties) of the Penal Code.

Chapter 8 : Final Provision



Article 23. Abrogation

Any provisions that contradict this Law shall be abrogated.

Website



- 1. The Resolution of the United Nations Security Council**
<https://www.un.org/securitycouncil/content/resolutions-0>
- 2. Individual or entity listed in the United Nations Security Council**
<https://www.un.org/securitycouncil/content/un-sc-consolidated-list>
- 3. The Freezing Property Order no. 11 dated 02 November 2020 of the Judge of the First Instance Court**
<https://moj.gov.kh/kh/announcement/150>
- 4. The Freezing Property Order no. 12 dated 02 November 2020 of the Judge of the First Instance Court**
<https://moj.gov.kh/kh/announcement/149>
- 5. Directive on Frozen Property Report by Reporting Entity**
https://cafiu.nbc.gov.kh/Directives/1%20Directive_on_Frozen_Property_Report_by_Reporting_Entity_KH%20&%20EN.pdf
- 6. Prakas No. 184 KY.BrK/20 On Report Template on Property Freeze Produced by Individuals or Entities other than Reporting Entities**
<https://moj.gov.kh/kh/announcement/160>



Thank You for your pay attention