



**Kingdom of Cambodia
Nation Religion King**



No: NS.RKT0807373

/នសវកត្ត០៨០៧-៣៧៣

**Royal Decree
on
Establishment of Cambodian Council of Nurses**

We,
Preash Karuna Preahbath Samdech Preahboromaneath Norodom Sihamony
The King of Cambodia

- Having seen the Constitutions of the Kingdom of Cambodia,
- Having seen the Royal Decree No. NS/RKT/0704/124 (នសវកត្ត/ ០៧០៤/១២៤) dated 15 July 2004 on the appointment of the Royal Government of the Kingdom of Cambodia;
- Having seen the Royal Kram No. NS/02/94 (០២/នស/៩៤) dated 20 July 1994 promulgating the law on the organization and functioning of the Council of Ministers,
- Having seen the Royal Kram No. NS/RKT/0196/06 (នសវកម/០១៩៦/០៦) dated 24 January 1996 promulgating the law on the establishment of the Ministry of Health,
- Having seen the Royal Kram No. NS/RKT/1100/10 (នសវកម/១១០០/១០) dated 30 November 2000 promulgating the law on the management of private medical professional, Paramedical, and medical aide practice,
- Having seen the Royal Kram No. ChS/RKT/1179/05 (ជសវកម/១១៧៩/០៥) dated 06 November 1997 promulgating the General Statutes of the Royal Armed Forces for the Military,

- Having seen the letter of request from Samdech Prime Minister of the Royal Government of Cambodia, that this has been endorsed by the full session of the Council of Ministers dated July 27, 2007,

We, the King, release the following order:

CHAPTER I

General Provisions

Article 1

Establish **Nursing Councils** for gathering all qualified nurses who can perform her/his medical aide professional in the Kingdom of Cambodia.

Article 2

The term of "**Nurses**" mentioned in this Royal -decree is referred to a legal person who are holding a **Nursing Diploma** issued by the Ministry of Health of the Kingdom of Cambodia or **Nursing Diploma** issued by the educational institution that its educational quality are accredited by Accreditation Committees of Cambodia.

All nurses who perform as medical aide professional must register with the **Nursing Councils**.

Chapter II

Missions of the Council of Nurses

Article 3

Council of Nurses shall monitor the implementation of the principles of morale, honesty, fairness and devotion that are necessary for effective and sustainable practice of the medical professional assistants.

Council of Nurses shall observe the performance of its members in accordance with the code of ethics of nurses and their professional.

Council of Nurses shall protect honors and freedom of medical aide professional.

The Cambodian Council of Nurses performs their tasks through the **Municipal-Provincial Nursing Council**, hereinafter is its abbreviation "PNC", **Regional Nursing**

Council, hereinafter is its abbreviation "RNC" and **National Nursing Council**, hereinafter is its abbreviation "NNC".

Section I

Moral Functions

Article 4

Nursing Councils is responsible to develop the Code of Ethics in compliance with the necessity of the professional and conform with technique, economic and social aspects for the benefits of patient.

Nursing Councils shall observe all the performances and compliance.

Nursing Councils is an autonomous organization for self-expenditure, financial support and hold ownership for ensuring freedom and protection of organization's interest of professional ethics.

Section II

Role of Administration

Article 5

Division of power shall be executed in accordance with the order of the Nursing Councils.

Nursing Councils shall maintain and update regularly the list of nurses who have registered and fulfilled all criteria in compliance with legal requirement and code of ethics.

The obligation of registration as registered nurse is to perform nursing care.

Nursing Councils is the solely professional organization to monitor the performances of the medical aide professional.

Section III

Judicial Decision Function

Article 6

Any complaint made against professional misconduct of nurse file to the Nursing Council shall not be an obstacle for filing the complaint against professional misconduct to the court.

Section IV Role of Counseling

Article 7

Nursing Councils may be invited to provide input on draft law or legal documents relating to medical aide professionals.

Section V Role of Mutual Assistance

Article 8:

Mutual assistances are the contribution for the nurses and their families. The mutual assistances are as the followings:

- Nursing Council shall have its owned budget that are reserved for mutual assistances and that are most appropriate for difficult nurses and their family as an emergency aids;
- Nursing Councils shall have a Committee for assisting each other which includes one representative of the **Cambodian Nursing Association** as a member;
- The said Committee shall have its annual resources, part of it are taking from the membership's fees that were paid for by nurses who have registered with the Nursing Councils;

Chapter III Organizational Structure

Section I Provincial-Capital Nursing Council (PNC)

Article 9:

PNC shall be established in each province and capital of the Kingdom of Cambodia. Any province-capital that has less than 20 (twenty) nurses shall be integrate into the nearest province-capital in order to form a Nursing Council.

Article 10:

PNC shall have 9 (nine) full members and 9 (nine) alternates in the case that the number of nurses does not exceed 100 (hundred) persons. The full members may increase of up to 11 (eleven), 15 (fifteen), 19 (nineteen) or 21 (twenty-one) when the numbers of registered nurses exceeds 100 (hundred), 500 (five hundreds), 1000 (thousand) or 2000 (two thousands).

Article 11:

PNC's members shall be elected for a period of 6 (six) years by all registered nurses. Members who have already finished their term may also stand for re-election. After having change 1/3 of the council's members, the council shall elect its Chairperson and office once in every two years. The provision relating to indivisible in numbers should be clearly stated in the internal regulation of the councils. The office of the PNC shall compose of one Chairperson, one Vice-chairperson, one Secretary General, one Treasurer and five other are members.

Article 12:

PNC shall undertake its duties within the framework of its respective province-capital and under the monitoring of the NNC's capacity as stipulated in the Article 2 of this Royal-decree. PNC shall decide for registration of nurses who are qualified, as stated in the provisions of Chapter I, Article 3, Chapter II, Article 6 of the Law on the Management of private medical, paramedical, and medical aide profession. PNC shall not discriminate its members because of their belief, religion, political trend, social status, resources and other statuses.

Article 13:

PNC has no power to impose any disciplinary measures against any nurse under its competence. PNC shall submit that complaint with specific reason to the RNC.

Article 14:

The Chairperson shall represent PNC in all civil activities.

Article 15:

The meeting of PNC shall not be organized publicly. When the voices are equal, the vote of the Chairperson is prominent. The Director of the Provincial-Capital Health Department (PHD) should be invited to take part in the meeting for advice. PNC may invite legal advisor to attend the meeting.

Article 16:

All nurses of each province-capital shall register with PNC of their respective province-capital. Only nurses holding Nursing Diploma issued by the Ministry of Health or Diploma issued by educational institution accredited by Accreditation Committee of Cambodia (ACC), in compliance with medical aide professional, laws and code of ethics shall allowed to register.

Nurses shall solely register within their respective province-capital where they perform nursing professional.

Article 17:

No later than 3 (three) months after receiving complete documents from applicant, PNC shall decide on the registration. PNC shall notify in writing to the applicant, latest

one week after approval of the PNC. In case of refusal, PNC should explain clearly in writing the reason of refusal to applicant.

All approval for registration on the list of PNC, notification of the registration shall be submitted to provincial-capital authorities, provincial-capital prosecutor, and NNC.

Article 18:

After registration with the PNC, nurses are able to perform his/her medical aide professional within the province-capital where s/he registered for only.

In case that the nurse move to perform her/his medical aide professional in another province-capital, s/he shall register with the new PNC of that province where s/he is going to operate his/her business of medical aide profession. S/he must notify her/his current PNC that s/he had registered.

Article 19:

PNC shall receive complaint from NNC, Nurse Association, Minister of the Ministry of Health, Director of provincial-capital Health Department, prosecutor, or any registered nurse and report to the NNC.

Section II
Regional Nursing Council (RNC)

Article 20:

The geographical location of the RNC is divided as follows:

Region I: shall include Phnom Penh, Kandal, Kampong Speu, Kampong Chhnang and its office shall be located in Phnom Penh.

Region II: shall include Pursat, Battambang, Banteay Meanchey, Siem Reap, Odor Meanchey, Pailin and its office shall be located in Battambang province.

Region III: shall include Takeo, Kampot, Koh Kong, Sihanoukville and Kep and its office shall be located in Kampot province.

Region IV: shall include Stung Treng, Ratanakiri, Mondul Kiri, Kratie and Preah Vihear and its office shall be located in Stung Treng province.

Region V: shall include Kampong Cham, Kampong Thom, Prey Veng and Svay Rieng and its office shall be located in Kampong Cham province.

Article 21:

RNC shall play the role as Primary Professional Disciplinary Council and has 9 (nine) full members and 9 (nine) alternate who are elected from and amongst PNC of that region. Each PNC shall elect of at least one of its representatives and one alternate, and the remaining seats shall be given to province-capital depending on the number of PNC's registered nurses of that region.

The RNC's members shall be elected for 6 (six) years term. Members who have already finished their term may also stand for re-election. After having change 1/3 of the council's members, the council shall elect its president and office once in every two years. The alternative members shall replace full member who is absent regardless of what reason.

RNC office shall have one Chairperson, one Vice-chairperson, one Secretary General, one treasurer and five members.

Article 22:

The Chairperson of the PNC and the Chairperson of RNC and the Secretary General of these councils shall not hold duplicated positions.

Article 23:

The following person shall participate the RNC's meeting in the capacity as Vice-chair and consultant:

- Representative of the Minister of Health, nominated by Minister of the Ministry of Health;
- Director of Provincial-capital Health Department where the RNC is located
- A legal Advisor appointed by Minister of the Ministry of Justice;
- One representative of nurse appointed by the Minister of Labor and Vocational Training;
- The director of Regional Training Center;

Article 24:

Under the framework of RNC, RNC shall carry out its specific duties on discipline only.

RNC shall receive the complaint from NNC, PNC, Nursing Association, Minister of Health, Director of Provincial-capital Health Department, Provincial-capital Authority, Provincial-capital Prosecutor, or the registered nurse of any nursing council.

RNC shall review and decide within six months (06) latest, after receiving the complaint. Otherwise, NNC shall send this complaint to one of the RNC which was selected.

Article 25:

Any request made by RNC for interviewing the public service of a registered nurse who are serving public services shall be made through the Minister of Health, Director of Provincial-capital Health Department or Provincial-capital Prosecutor only.

Article 26:

Disciplinary action shall be made in the presence of the accused nurse. The accused nurse is allowed to have defender who is nurse or a lawyer in the Kingdom of Cambodia. In case that the accused nurse shall not be present before RNC 3 times after receiving the invitation and do not provide valid reason of the absence, RNC is going to apply disciplinary measure as stipulated in point 4 of the Article 28 of this Royal-decree.

Article 27:

RNC shall maintain all records of disciplinary meetings. RNC shall prepare a comprehensive report with approval and signature from all members of the meetings, including those of the accused nurses.

Article 28:

With participation of the Disciplinary Unit of the NNC, RNC may impose the following disciplinary measures:

1. Warning;
2. Issue a reprimand letter and record in personal file;
3. Impose professional suspension for a period of not more than 3 years or permanently of specialty area or whole part of medical aide practice, officially recognized by the Government;
4. Delete his/her name from the list of nursing council;

After deletion, nurse shall not be allowed to re-register with any nursing council.

The final decision of PNC disseminated to all PNC and NNC. The decision of RNC shall clearly proof the reasons.

Article 29:

After 3 years of termination from the NC, the punishment nurse shall be free from penalty imposed by Nursing Council's discipline. The nurses-themselves shall request for free pardon from punishment. Once the request for free pardon of punishment shall be rejected after careful consideration, one year later the nurse is able to re-apply for abandonment of the punishment.

A permanent disciplinary measure imposed either on the part or overall parts of medical, paramedical, and medical aide practice that officially recognized by government shall not be subject for the request of free pardon.

Article 30:

The application of nurse's disciplinary measures does not an obstacle for judicial measures if the person is committed a criminal.

Section III **National Nursing Council (NNC)**

Article 31:

NNC's members shall be elected for a period of 6 (six) years as indicated below:

- One representative elected by and from members of PNC of that province or capital. The elected representative shall be recognized by the Provincial Health Director.
- Two representatives elected by and from members of Phnom Penh PNC. The elected persons shall be recognized by the Phnom Penh Health Director.
- Five representatives of central units shall be elected from Phnom Penh PNC and shall be recognized by Minister of the Ministry of Health.
- One representative of Technical School for Medical Care, shall be elected and recognized by the Rector of University of Health Science.

Article 32:

Every two years, 1/3 of NNC's member shall be changed by election. Every time after changing 1/3 of its members, NNC shall elect a Chairperson and its office for a period of two years.

The office of the NNC composes of: 01 Chairperson; 02 Vice-chairpersons; 01 Secretary General; 01 Deputy Secretary General; 01 Treasurer; and 01 deputy-treasurer. The NNC's outgoing Chairperson and members may stand for re-election.

Article 33:

NNC shall have 02 nurses who are representatives of the Minister of Ministry of Health, one person (nurse) is the representative of Minister of the Ministry of Labor and Vocational Training and one person shall perform as legal consultant.

Article 34:

NNC shall have a Disciplinary Unit with 07 members and chair by one Chief who shall be elected from among 07 members. The members of the Disciplinary Unit shall be elected from the NCC's members. The Disciplinary Unit shall perform its duties as stipulated in Article 24 and Article 28 of this Royal-decree.

Article 35:

After changing 1/3 of its members, NNC shall select new members of Disciplinary Unit.

Article 36:

NNC shall perform its duties in accordance with the Article 2 of this Royal-decree.

NNC shall observe the compliance of all members of Nursing Councils that

include nursing professional practice and all principles of the Code of Ethics of Nurses.

NNC shall cooperate with the PNC to solve all complex matters relating to professional treatment of nurses.

NNC shall perform its duties through its specialized units and committees and study and review all problems or project plans proposed by Minister of the Ministry of Health or other relevant institutions.

Article 37:

NNC shall decide the unified amount of membership-fees that all members shall pay for registration and pay for annual fees.

NNC shall also decide the amount of membership's fees that PNC should pay to NNC and RNC and the amount that needs to keep for PNC's general operation expenditures. Paying of membership's fees is the compulsory of all nurses.

NNC shall control all assets of the Nursing Councils and establish reward for creative works that are benefited for medical aide professionals including emergency care.

NNC shall monitor the management of PNC and RNC. The PNC shall make its prior report on all new establishments of its organizations and management of the organization to the NNC and copy to the RNC.

Article 38:

NNC shall establish a committee to handle all financial management and internal audit. Members of this committee shall be selected by NNC, from members of those who are not members of the office of the NNC. At the end of each year, this committee shall make report of its controlling to the NNC.

**Chapter VI
Transitional Provisions**

Article 39:

For the first mandate, members of the NNC shall be nominated and approved by the Minister of Health for ensuring the effectiveness of the process.

In the first six years of the first mandate, compositions of the PNC and RNC shall be selected among their colleagues and recognized by the NNC.

Article 40:

The Minister of Health shall nominate a temporary working group in order to develop the process, which lead to the establishment of the Cambodian Council of Nurses.

Chapter V
Final Provisions

Article 41:

Any provisions contrary to this Royal Decree shall be deemed null and void.

Article 42:

The Samdech Prime Minister of the Royal Government of Cambodia shall be responsible for effectively implementing this Royal-decree from the date signed hereunder.

Phnom Penh, Royal Palace, 17 August 2007
His Majesty the King

Submitted to and Requested

NORODOM SEYHAMONY

His Majesty The King for Royal
Signature

Prime Minister ព្រះស. ០៧០៨.៣៩៧

Signature (No. 0708397)

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លេខ: ៣៧៧ ច.ស (No. 377)

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Secretary-General for the Royal Government

KHUN CHINKENG