

**Kingdom of Cambodia
Nation Religion King**

**Ministry of Commerce
No. 226 P.N.A.KBB.PRK**

Unofficial Translation

**Prakas
On
Formalities and Procedures of Inspection and Investigation
under the Law on Competition**

Minister of Commerce

- Having seen the Constitution of the Kingdom of Cambodia,
- Having seen the Royal Decree No. NS/RKT/0918/925 dated 6 September 2018 on the Appointment of the Royal Government of Cambodia,
- Having seen the Royal Decree No. NS/RKT/0320/421 dated 30 March 2020 on the Appointment and Adjustment of the Composition of the Royal Government of Cambodia,
- Having seen the 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 the Royal Kram No. NS/RKM/0196/16 dated 24 January 1996 promulgating the Law on the Establishment Ministry of Commerce,
- Having seen the Royal Decree No. NS/RKT/1021/013 dated 05 October 2021 promulgating of the Law on Competition,
- Having seen Sub-Decree No. 38 dated 16 March 2020 on the Organization and Functioning of the Ministry of Commerce,
- Having seen the Sub-Decree No. 37 ANKR.BK dated 17 February 2022 on the Organization and Functioning of the Cambodia Competition Commission,
- According to the necessity of the Ministry of Commerce.

Hereby Decides
Chapter I
General Provisions

Article 1: Purpose

This Prakas sets out the formalities and procedures of investigation to identify the existence of any agreements or activities that prevent, restrict, or distort the competition through the effectiveness and transparency of inspection and investigation.

Article 2: Scope of Application

This Prakas shall apply to the inspection and investigation of all offenses under the Law on Competition to be implemented by the Investigating Officers of the Consumer Protection Competition and Fraud Repression Directorate-General (CCF).

Article 3: Definition

Key terms stated in this Prakas shall have the meaning as follows:

1. **CCF Directorate-General** refers to the Consumer Protection Competition and Fraud Repression Directorate-General.
2. **Complainant** refers to any person who has filed a complaint to the CCC in accordance with the Article 4 and 5 of this Prakas.
3. **Investigating Officers** refer to the Investigating Officers of the CCF Directorate-General appointed to investigate offenses under the Law on Competition.
4. **Persons under Investigation** refer to any person suspected of violating the Law on Competition.
5. **Rights and Obligations** refers to the rights and obligations of the Investigating Officers as defined under chapter 4 of the Law on Competition and the Persons under Investigation as stated under this Prakas.
6. **Premises for Searches** refer to workplace and any vehicle excluding a domestic premise or residence unless such domestic premise or residence is used in connection with any agreements or activities that is likely prevent, restrict, or distort the competition or any document or evidence in relations with any agreements or activities that is likely prevent, restrict, or distort the competition is located in such domestic premise or residence.
7. **Warrant** refers to a letter of authorization issued by the President of the Court of First Instance which has territorial jurisdiction on the case at the request of the Prosecutor, to authorize any appointed Investigating Officers to enter into the specified Premises for Searches as identified in the Warrant for conducting search for any person, information, data or document within such Premises for Searches for Searches or for acting any act or all act as specified in this Prakas, in accordance with Article 113 of the Code of Criminal Procedure.

Chapter II

Complaint and Preliminary Examination

Article 4: Complaint Filed by Persons

Any person, either having or not having any interest in or from the agreements or activities that is likely to prevent, restrict, or distort the competition, has acknowledged or reasonably suspected about the occurrence of an offense under the Law on Competition, may file a written complaint to the CCC directly or through other means.

The complaint filed by the person shall identify the information as follows:

- a. Information about the complainant and/or its representative;
- b. Information about the parties involved;
- c. A brief description of the agreements or activities that are likely to prevent, restrict, or distort the competition; and
- d. Any other relevant information and supporting documents.

The CCF Directorate-General is the Secretariat of CCC in receiving any complaint related to competition.

Article 5: Complaint Filed by the Ministry, Institution or Competent Regulator

Any Ministry, Institution or Competent Regulator has acknowledged or reasonably suspected that a violation to the Law on Competition has occurred, may file a written complaint to the CCC.

The complaint filed by the Ministry, Institution or Competent Regulator shall identify the information as follows:

- a. Information about the complainant and/or its representative;
- b. Information about the parties involved;
- c. A brief description of the agreements or activities that is likely to prevent, restrict, or distort the competition;
- d. Any other relevant information and supporting documents; and
- e. Any statement or analysis report on the agreements or activities that are likely to prevent, restrict, or distort the competition.

The CCF Directorate-General is a Secretariat of the CCC in receiving any complaint related to competition.

Article 6: Initiative of Complaint by CCC

In compliance with Article 16 of the Law on Competition, the CCC may initiate and address the complaint by itself or by the written request of the CCF Directorate-General upon the acknowledgment of or have reasonably suspected the occurrence of any agreement or activity that are likely to prevent, restrict, or distort the competition.

The written request of the CCF Directorate-General shall identify the information as follows:

- a. Information about the parties involved;

- b. A brief description of the agreements or activities that are likely to prevent, restrict, or distort the competition;
- c. Any other relevant information and supporting documents; and
- d. Any statement or analysis report on the agreements or activities that are likely to prevent, restrict, or distort the competition.

Article 7: Commencement of Preliminary Examination

Upon receipt of the complaint in compliance with Article 4 and Article 5 of this Prakas, the CCC Directorate-General as a Secretariat of the CCC shall notify the complaint to the CCC in written form. Upon the agreement of the CCC, the CCF Directorate-General shall appoint the investigating officers within 10 (ten) working days from the date of receipt of the notification to commence the preliminary examination.

If the complaint is an initiative of the CCC as stipulated under Article 6 of this Prakas, the CCF Directorate-General shall appoint the investigating officers within 10 (ten) working days from the date of commencement of the complaint to commence the preliminary examination.

If the complaint is an initiative of the CCC through the written request of the CCF Directorate-General as stipulated under the Article 6 of this Prakas, the CCF Directorate-General shall appoint the investigating officers within 10 (ten) working days upon agreement of the CCC to commence the preliminary examination.

The preliminary examination shall be completed by the appointed Investigating Officers within 30 (thirty) working days and may be extended to another 30 (thirty) working days.

Article 8: During the Course of Preliminary Examination

During course of the preliminary examination, the Investigating Officers shall determine whether the agreements or activities that are likely to prevent, restrict, or distort the competition have reasonable grounds of suspicious by taking into consideration any of the following criteria:

- a. Jurisdiction and competence of the Investigating Officers and/or CCC over the agreements or activities that are likely to prevent, restrict, or distort the competition;
- b. Any particular interest of the Complainant;
- c. Any non-compliance with Article 4 and Article 5 of this Prakas;
- d. Any specific provision of the Laws and Regulations that may have been violated; and
- e. Any cause of not proceeding to investigation based on insufficient reasonable grounds such as:
 - The complaint does not identify any breach of the Law on Competition;
 - The complaint does not identify any actual harm to competition in national market of the Kingdom of Cambodia;
 - The facts, evidence and other relevant documents provided or found during the preliminary examination does not provide probable and collaborative ground to proceed to investigation;
 - The preliminary examination could collect other facts, evidence and other relevant documents indicating the absence of the agreements or activities that are likely to prevent, restrict, or distort the competition;

- The preliminary examination could indicate that the agreements or activities that are likely to prevent, restrict, or distort the competition falls under the exception under Article 12 of the Law on Competition; and
- Any other reasonable grounds to not proceeding to investigation of the agreements or activities that are likely to prevent, restrict, or distort the competition.

For the above-mentioned determination, the Investigation Officers shall have the rights to interrogate and seek clarification from the related persons which deem necessary and relevant to the agreements or activities that are likely to prevent, restrict, or distort the competition.

Article 9: Completion of Preliminary Examination

During the course of Preliminary Examination, the Investigating Officers shall have the discretion rights as following:

- a. to close the preliminary examination if there is no reasonable ground and collaborative prima facie evidence of the agreements or activities that are likely to prevent, restrict, or distort the competition;
- b. to open an investigation if there is a reasonable ground and collaborative prima facie evidence of the agreements or activities that are likely to prevent, restrict, or distort the competition;
- c. to prepare the legal proceedings to the Prosecutor if the Investigating Officers have a reasonable ground and collaborative prima facie evidence of the agreements or activities that are likely to prevent, restrict, or distort the competition under Article 7 of the Law on Competition; and/or
- d. to request the CCC to issue a decision on Interim Measure as stipulated under Article 27 of the Law on Competition if the agreements or activities that are likely to prevent, restrict, or distort the competition under Article 8, Article 9 and Article 10 of the Law on Competition.

Upon completion of the preliminary examination, the Investigating Officers shall provide a written report attaching with other relevant evidence and documents to the CCC for their information and issuance a decision. This report shall be called as “Report on Preliminary Examination”, where the format of this report is attached herein in the Annex 1 of this Prakas.

Chapter III

Procedures and Rights of Investigation

Article 10: The Establishment of the Competition Case Committee

After the issuance of the decision of the CCC on the investigation, the CCC shall establish the Competition Case Committee to examine and investigate on the Competition Cases through the deliberating, interrogating, and hearing on the Report on Preliminary Examination made by Investigating Officers and Statement of Defense made by Person under investigation if available.

The Competition Case Committee established as stipulated in the paragraph 1 above may require the person under investigation and relevant persons to provide the necessary related documents and information for the investigation on competition cases.

The place and date of the deliberating, interrogating, and hearing as stipulated in the paragraph 1 above shall be determined by the Competition Case Committee and shall take place after the person under investigation has submitted a statement of defense to the Investigating Officers of the CCF Directorate-General if available or after the expiration of the requirement to provide a statement of defense to the investigating officers of the CCF Directorate-General.

The Competition Case Committee may summon persons under investigation and relevant persons to participate in the deliberating, interrogating, and hearing by giving a written notice to the person under investigation and relevant persons at least within 15 working days. In the event that persons under investigation and the relevant persons fail to participate in the discussion, interviewing, and hearing, the persons under investigation and the relevant persons shall provide reasonable grounds for such failure.

In the event that persons under investigation and relevant persons fail to attend the deliberating, interrogating, and hearing 2 (two) times consecutively, whether or not there is any reasonable ground, the Competition Case Committee may continue the proceedings by not requiring the presence of any persons under investigation and relevant persons nor legal representatives.

Article 11: The Commencement of Investigation

Upon a decision of the CCC on the commencement of investigation, the Competition Case Committee shall issue a letter of appointment of the Investigating Officers to in charge the investigation.

Upon the appointment, the Investigating Officers shall immediately conduct an investigation on the agreements or activities that are likely to prevent, restrict, or distort the competition

The Investigating Officers shall issue a written notice on the merit cases to be investigated to the Complainant and the Person under Investigation and relevant persons. This written notice shall be called as “Notice on the Commencement of Investigation”, where the format of this Notice is attached herein in the Annex 2 of this Prakas.

The Notice on the Commencement of Investigation shall:

- a. Clearly state the specific deadline for which the persons under investigation shall provide a statement of defense to the Investigating Officers as stipulated under Article 27 of this Prakas; and
- b. Be attached with the Written Report on Preliminary Examination.

Article 12: Rights of Investigating Officers

The Investigating Officers shall have the rights as following:

- a. To search by entering into the Premises for Searches with or without agreement of the Persons under Investigation or relevant parties, if necessary, as stipulated under Article 18 and Article 19 of this Prakas;
- b. To interview the Persons under Investigation or relevant persons in order to collect further information by serving a prior written summon at least within 15 (fifteen) working days to the Persons under the Investigation or relevant person, as stipulated under Article 17 of this Prakas;

- c. To command the Persons under Investigation or relevant persons to provide and prepare related documents and information, as stipulated under Article 16 of this Prakas;
- d. To request cooperation from the relevant Ministries, Institutions, or Competent Regulators, as specified under Article 21 of this Prakas.

Article 13: Alternative Competence of Investigating Officers

In compliance with Article 17 and Article 18 of the Law on Competition, for the performance of the rights and obligations as provided under this Prakas, the Investigating Officer shall be granted an alternative competence either to act as an Investigating Officer having the powers as stipulated under Article 12 of this Prakas or a Judicial Police in accordance with the Code of Criminal Procedure.

The Investigating Officer may act as a Judicial Police to perform all the rights and obligations as provided under this Prakas as well as the Code of Criminal Procedure during the Investigation in any of the following event:

- a. There is no cooperation from the Person under Investigation or relevant persons person and such non-cooperation is not occurred from or in relation to any non-performance of the Investigating Officer's obligation as provided under Article 22 of this Prakas; or
- b. The agreements or activities that are likely to prevent, restrict, or distort the competition are fallen under Article 7 of the Law on Competition.

Article 14: Period for Completion of Investigation

The Investigation shall be completed within a reasonable time through the decision of the CCC with the request of Investigating Officers. The period for completing the Investigation shall be excluded a period of negotiated settlement as stipulated under Prakas on Formalities and Procedures of Negotiated Settlement.

Article 15: Completion of Investigation

Upon the completion of Investigation, the Investigating Officers shall provide a written report attaching other supporting evidence and documents to the Competition Case Committee. This report shall be called as "Report on Investigation", where the format of this report is attached herein in the Annex 3 of this Prakas.

The substance of Report on Investigation shall consist of information as follows:

- a. General Overview: date of opening investigation, the place of investigation, the overview of allegation, the summary of preliminary examination, and the response of the persons under investigation and relevant persons;
- b. Background: procedural history;
- c. Findings of the investigation;
- d. Conclusion and Assessment on the Finding; and
- e. Recommendations.

Upon the receipt of Report on Investigation, the Competition Case Committee shall examine and investigate on the competition cases through the deliberating, interviewing, and hearing on the Report of Investigation and and Statement of Defense made by Person under investigation if available by complying

with the procedures as stipulated under Article 10 of this Prakas to make a conclusion and report to the CCC for the review and issuance of the decision.

Chapter IV

Rights and Obligation of the Investigating Officer

Article 16: Right to Request Information and Document

During the course of Investigation, the Investigating Officers shall have the right to request the Persons under Investigation or relevant persons to provide any information by issuing a prior written notice to the Persons under the Investigation or relevant persons. This prior written notice shall be called as a “Notice of Request for Relevant Documents and Information”, where its format is attached herein in the Annex 4 of this Prakas.

A Notice of Request for Documents and Information shall clearly state:

- a. The purpose for which the required information and documents shall be provided;
- b. The specification of the required documents and information to be provided;
- c. The reasonable deadline for providing the required documents and information within a reasonable time as specified by investigating officer;
- d. The formality and substance of which the required information and documents shall be provided; and
- e. The nature of the offences and penalties which might be imposed should any person choose not to comply or co-operate with the Investigating Officers.

The investigating officers may take copy of or extracts from any information and documents.

Article 17: Right to Summon

During the course of Investigation, the Investigating Officers shall have the right to request the Persons under Investigation or relevant persons to appear to interview and obtain any information by issuing a prior written notice of at least 15 (Fifteen) days to the Persons under the Investigation or relevant persons. This prior written notice to appear shall be called as “Letter of Summon”, where its format is attached herein in the Annex 5 of this Prakas.

Upon the interrogation, the Investigating Officers shall prepare a record of interrogation and re-read the record loudly to the interrogated persons in accordance with the Article 93 of the Code of Criminal Procedure. This record shall be called as “Record of Responses”, where its format is attached in the Annex 6 of this Prakas.

A Record of Responses shall consist of:

- a. The note of acknowledgment of accuracy;
- b. The signature and/or affixed with the thumbprint of the interrogated person on each page of the record. If the interrogated person refuses to sign or affix thumbprint, the Investigating Officer shall note such refusal on the Record of Responses; and
- c. The signature and/or affixed with the thumbprint of the Investigating Officers.

Article 18: Right to Enter Premises for Searches Without Warrant

During the course of Investigation, the Investigating Officers shall have the right to enter into the Premises for Searches of the Persons under Investigation and relevant persons with a prior written consent of the person who is occupying the Premises for Searches.

The entry into the Premises for Searches shall be accompanied by at least 2 (two) witnesses in accordance with Article 113 of the Code of Criminal Procedure and such witnesses shall not be judicial police or military police. The witnesses shall not be any person having the right to exercise the investigation powers as stipulated under this Prakas.

During the entry into the Premises for Searches, the Investigating Officers shall have the right to:

- a. Seize or collect equipment or objects, which deem necessary to the Investigation, in the Premises for Searches in accordance with Article 20 of this Prakas;
- b. Require any person in the Premises for Searches to:
 - Provide and prepare relevant documents and information;
 - Provide an explanation on the relevant documents and information;
 - Specify where the relevant document and information can be found; or
 - Any other matters as may be deemed necessary to or relevant to the Investigation;
- c. Take copies of or extracts from any documents;
- d. Require copying any information, which deem necessary and relevant to the Investigation; and
- e. Any other agreements or activities as may deem necessary and relevant to the Investigation.

Upon the completion of search by entering into the Premises for Searches without warrant, the Investigating Officers shall provide a written record on searches. This written record shall be called as "Record of Searches". The format of the Record of Searches is attached herein in the Annex 7 of this Prakas.

Record of Searches shall state:

- a. The identity of the Persons under the Investigation and relevant persons, the person owning or occupying the investigated Premises for Searches and witnesses, if any;
- b. The list of seized or collected objects as stipulated under Article 20 of this Prakas; and
- c. Each page of the record of search shall sign or affix thumbprint of the Persons under the Investigation and relevant persons. If the Persons under the Investigation and relevant persons refuse to sign or affix thumbprint, the Investigating Officers shall note on the Record of Searches.

Article 19: Right to Enter into the Premises Under Warrant

In case there is no consent from the Persons under Investigation and relevant persons occupying or owning the Premises for Searches, the Investigating Officers may use the competence as Judicial Police as stipulated under Article 13 of this Prakas to request for a warrant for searches from the President of the Court of First Instance which has territorial jurisdiction on the case through the Prosecutor.

The Search by entering into the Premises under warrant shall be presided by a prosecutor.

The procedure and a written report for entering into the Premises under warrant shall comply with Article 113 of the Code of Criminal Procedure.

Article 20: Right to Sealing of Exhibits

The Investigating Officers may seize or collect any exhibits by sealing on such pieces. The seized or collected exhibits shall be:

- a. Shown to the Persons under Investigation and relevant persons owning or occupying the Premises for Searches and the witnesses; and
- b. Listed in a record of the confiscation, which shall be signed and/or affixed with thumbprint of the Persons under Investigation and relevant persons owning or occupying the Premises for Searches or the witnesses. If the Persons under Investigation and relevant persons refuse to sign or affix thumbprint, the Investigating Officers shall note such refusal on the Record of Searches.

Article 21: Right to Request for Cooperation from the Ministry, Institution or Competent Regulator

If the Investigation is fallen under and involved in any sector governed by specific Ministry, Institutions or Competent Regulator, the Investigating Officers shall have the right to request for cooperation the Ministry, Institution or Competent Regulator through a request and decision of CCC.

Based on such cooperation, the CCC may request for cooperation the Ministry, Institution or Competent Regulator regulators as following:

- a. Provide the relevant information and/or documents relevant to the investigation;
- b. Facilitate and cooperate with the CCC on the performance of their respective functions as provided under this Prakas;
- c. Avoid performing any duplicated functions with the CCC; and
- d. Provide advice and consultation as may deem necessary for the Investigation.

For the purpose of cooperation and Investigation, the Ministry, Institution or Competent Regulator shall have the same obligation as the Investigating Officer as specified under Article 23 of this Prakas, and Article 22 and Article 23 of the Law on Competition.

Article 22: Obligations of the Investigating Officers

To implement the rights and obligations as stipulated under the Article 12 of this Prakas, the Investigating Officers shall present the relevant documents and information to the Persons under Investigation and relevant persons as following:

- a. The identity of the Investigating Officers including name, position, and working institution;
- b. The appointment letter for the Investigation as stipulated under Article 11 of this Prakas; and
- c. The purpose of the Investigation and the agreements or activities that are likely to prevent, restrict, or distort the competition

The failure to comply with the obligations of Investigating Officers as stipulated under the Prakas shall allow the Persons under Investigation and relevant persons to deny or reject on the cooperation with the Investigating Officers without facing any responsibility or penalties as stipulated under the Criminal Code and the Law on Competition.

Article 23: Obligation to Confidentiality

The Investigating Officers shall not disclose any Confidential Information as stipulated under Article 22 of the Law on Competition, except for any reason as defined under Article 23 of the Law on Competition.

Article 24: Obligation to Maintain Seized Exhibits

In compliance with the Article 12, Article 18, Article 19 and Article 20 of this Prakas, the Investigating Officers shall maintain any seized exhibits as listed in a record of the confiscation as following:

- a. Keeping the seized exhibit in immediate custody;
- b. Maintaining accurate records of the confiscation.
- c. Ensuring appropriate secured storage;
- d. Performing any other necessary act and measures for safe keeping and custody.

Article 25: Obligation to Return of Seized Exhibits

Upon the completion of investigation, the Investigating Officers shall return the seized exhibits to the Persons under Investigation and relevant persons which the exhibit has been seized or collected from if those seized exhibits are not necessary and relevant to prove the guilt.

Article 26: Legal Protection of Investigating Officers

The Investigating Officers shall perform the rights and obligations on behalf of the CCC in accordance with the provisions of this Prakas or other applicable laws and regulations.

The Investigating Officer shall not be personally liable for his or her act done or purported to be done or omitted to be done in good faith and with reasonable care under the performance or purported performance of his or her function as the Investigating Officer or the exercise or purported exercise of any investigating power under this Prakas or any other applicable laws and regulations.

If there is any complaint to court against the Investigating Officers acting in good faith with reasonable care, the CCC shall provide legal assistance to the Investigating Officers.

The above legal protection does not apply if there is any misconduct of the Investigating Officers in performing all rights and obligations under this Prakas as provided under Article 64 and 65 of the Code of Criminal Procedure.

Any complaint against the performance of the rights and obligations of the Investigating Officers as stated in this Article shall not affect or influence to the determination, evaluation and the conduct of investigation as provided under this Prakas.

Chapter V

Right and Obligation of Person under Investigation

Article 27: Right to Defense

The Persons under Investigation or relevant persons are entitled to a right of self-defense by writing and submitting a statement of defense in response to a fact finding and other conclusion made by the

Investigating Officers under a Preliminary Examination Report attaching with a Notice on the Commencement of Investigation as provided under Article 11 of this Prakas to the Investigating Officers and/or within the course of deliberating, interrogating, and hearing on the Report of Investigation as stipulated under the Article 15 of this Prakas. This statement shall be called as “**Statement of Defense**”.

Article 28: Cooperation Obligation

The Persons under Investigation or relevant persons shall cooperate with the Investigating Officers for performing the investigation as stipulated under this Prakas.

The Cooperation Obligation of the Persons under Investigation and relevant persons are as follows:

- a. Do not destroy or conceal any documents, information and/or evidence exhibit which is relevant to or a part of the Investigation;
- b. Do not refuse to respond to questions or to appear as ordered; or
- c. Do not avoid from doing any action as required for performing the Investigation under this Prakas.

Article 29: Responsibilities of the Person under Investigation

Any person under investigation and relevant person fails to comply with Investigating Officers as stipulated under Article 28 of this Prakas shall be liable for a criminal offense in accordance with Criminal Code.

The Investigating Officers shall provide a report on such breach attaching with relevant documents, information and/or evidence to the competent prosecutor. In this event, the criminal procedure as stipulated under the Code of Criminal Procedure shall be applied therein.

Chapter VI

International Cooperation

on the Competition Case Investigation

Article 30: International Cooperation on the Competition Case Investigation

Based on the reciprocal basis and applicable international agreements, the CCC may cooperate with the relevant competition institutions of the foreign states on the investigation of the agreements or activities that prevent, restrict, or distort the competition occurred inside or outside the Kingdom of Cambodia.

If the request for cooperation from the relevant competition institutions of the foreign states on the investigation of the agreements or activities that prevent, restrict, or distort the competition occurred outside the Kingdom of Cambodia, but fall under the scope of the Law on Competition of the Kingdom of Cambodia, the procedures for inspection and investigation on the agreements or activities that are likely to prevent, restrict, or distort the competition shall be implemented in compliance with the procedures as stipulated under this Prakas.

If the agreements or activities that are likely to prevent, restrict, or distort the competition have been violated the Law of any foreign state, the procedures for inspection and investigation on the agreements or activities that are likely to prevent, restrict, or distort the competition shall be implemented

in compliance with Memoranda of Understanding and/or Agreements on International Cooperation between the Kingdom of Cambodia and foreign states related to the competition including the Bilateral or Regional Agreements. If there is an absence of Memorandum of Understanding and/or Agreement on International Cooperation to govern the investigation procedures, the procedures for inspection and investigation shall be implemented in compliance with the procedures as stipulated under this Prakas.

Chapter VII

Final Provisions

Article 31: Abrogation

Any provisions that are in contradiction to this Prakas shall be abrogated.

Article 32: Implementation

Members of the Cambodia Competition Commission, Chief of the Cabinet, Delegate of the Royal Government of Cambodia in charge as Director-General of the Consumer Protection Competition and Fraud Repression Directorate-General, and Heads of all relevant authorities shall be responsible for the implementation of this Prakas in accordance with their respective duties from the date of signature.

[Buddhist Date ...]

Done in Phnom Penh, 4th November 2022

Minister of Commerce

And Chairman of the Cambodia Competition Commission

[seal and signature]

PAN SORASAK

Recipients:

- Council of Ministers
- Cabinet of Samdech Akka Moha Sena Padei Techo Prime Minister
- Cabinet of Samdech, His Excellency and Her Excellency Deputy Prime Ministers
- Municipal and Provincial Administrations
- As stated in Article 32
- Royal Gazette
- Documentation and Archive



Case No.

Written Report on Preliminary Examination

Respectfully to

His Excellency the Chairman of the Cambodia Competition Commission

Subject: The submission of supporting documents and evidence on Case No.
dated..... with the person under investigation namely

Reference:

1. Relevant provision(s)
2. Case No. dated

With respect to the subject and reference above, I hereby respectfully report to **His Excellency the Chairman of the Cambodia Competition Commission** that the investigating officials of the Consumer Protection Competition and Fraud Repression Directorate-General (CCF)

1. Facts

.....

2. Alleged Violation

.....

3. Summary of result on Preliminary Examination

.....

4. Conclusion

.....

It shall also be noted that the result of the above investigation was made based on the facts and the preliminary examination, which relevant only to the particular issues of this investigation herein.

This report shall not be construed as a standing rule binding upon the courts in other cases.

Buddhist Date ...

Done in Phnom Penh, Date....

**Delegate of the Royal Government
in charge as Director General of CCF**



Case No.

**Notice
on the Commencement of the Investigation**

Reference:

1. The Decision of the CCC dated: on the commencement of the investigation
2. Letter of Appointment on the Establishment of the Competition Case Committee on Case No. ...
3. Appointment Letter of the Investigating Officer No..... dated.....
4. Report of Preliminary Examination dated.....

We, the Investigating Officers of the CCF, hereby inform to Mr./Ms..... current residential address.....

.....

on the commencement of the investigation on the case of of the person under investigation namely..... required to the person under investigation to submit the Statement of Defense to the CCF within as required starting from the issuance date of this notice.

Buddhist Date ...

Done in Phnom Penh, Date....

**Delegate of the Royal Government
in charge as Director General of CCF**



Case No.

Report on Investigation

Respectfully to

His/Her Excellency the Chair of the Competition Case Committee

Subject: The Submission of Evidence and Supporting Documents on Case No.
dated..... with the Person Under Investigation namely.....

Reference:

1. Relevant provision(s):
2. Case No. dated

With respect to the subject and reference above, the CCF hereby respectfully report to His/Her Excellency the Chair of the Competition Case Committee as follows:

1. Facts:

.....

2. Alleged Violation

.....

3. Summary of the result an investigation:

.....

4. Conclusion

.....

It shall also be noted that the result of the above investigation was made based on the facts and the investigation, which relevant only to the particular issues of this investigation herein.

This report shall not be construed as a standing rule binding upon the courts in other cases.

Buddhist Date ...

Done in Phnom Penh, Date....

**Delegate of the Royal Government
in charge as Director General of CCF**



Case No.

Notice
on the Request for Documents and Information

Subject: The requirement on providing the documents and/or information on Case No.....
dated..... with Person Under Investigation namely.....

Reference:

1. Notice on the Commencement of Investigation No. dated: of CCF.
2. Case No. dated of

With respect to the subject and reference above, we, the Investigating
Officials of the CCF, hereby require Mr./Ms. current residential address.....
.....
to submit the documents and information as follows:

1.
2.

Therefore, Mr./Ms. shall submit us the documents, information, and evidence as mentioned above
within of working days from the receipt date his notice.

Where Mr./Ms. fails to or prolongs to submit the documents, information, and evidence without
any valid reasons, the punishment and sanctions under relevant laws and regulations will be enforced
accordingly.

Buddhist Date ...
Done in Phnom Penh, Date....

Signature

.....

Investigating Officer



Case No.

Letter of Summon

Reference:

1. Notice on the Commencement of Investigation No. dated: of CCF.
2. Case No. dated of

We, the Investigating Officers of the CCF, hereby summon
 current residential address..... to be
 physically presented at Address

Dated:at time.....andminutes forfor the
 purpose of

Please attach all related documents as follows:

-
-
-

Buddhist Date ...

Done in Phnom Penh, Date....

**Delegate of the Royal Government
 in charge as Director General of CCF**



Kingdom of Cambodia
Nation Religion King



Case No.

Record of Responses

At the CCF, date:....., at time..... and..... minutes
We, the Investigating Officers of the CCF, duly in
compliance with appointment No..... dated..... issued by.....
and with the assistance of

Participated by:

- 1. Name:, Gender:, Position:
- 2. Name:, Gender:, Position:

has summoned a person namely:, current residential
address..... to be physically present in front of the CCF. In front of the CCF, the
person under investigation answered as follows:

About the identity of the Person under Investigation:

- Family Name and Given Name:, Gender:, Name in Latin:....., Nickname:, Ethnicity:, Nationality:, Date of Birth:
- Place of Birth:Current Home Address:
- Identify Card No. dated:....., Provided at
- Passport No. dated:, Provided at
- Occupation.....
- Activity History:

In front of the translator: (for foreigner)

- Family Name and Given Name:, Gender:, Ethnicity:, Nationality:
- Date of Birth: Place of Birth:
- Current Home Address:
- Identify Card No. dated:, Provided at
- Passport No. dated....., Provided at
- Occupation:Education:, Phone Number:

Questions and Answers:

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This record is completed on the same day, month, and year at time..... and minutes and re-read by the Investigating Officer to the person under investigation and the participants.

The person under investigation, participants, and witnesses have read, confirmed and acknowledged the accuracy of all the information provided herein and agreed to sign or affix with the thumbprints as below.

Participants	Signature	Signature
1.	Assistance	Investigation Officer
2.		
3.		
4.		
5.
6.	Thumbprint	Signature
7.	Person under Investigation	Translator

We decided to temporarily seize the exhibits above and hand over to for safekeeping. Apart from the above materials and exhibits, we did not seize any other materials or damage anything or any property located in the premise.

This record was completed on the same day, month, and year at time..... and minutes, and re-read by the Investigating Officer to the person under investigation and the participants.

The person under investigation, participants, and witnesses have read, confirmed and acknowledged the accuracy of all the information provided herein and agreed to sign and affix with the thumbprints as below.

Participants	Signature	Signature
1.	Assistance	Investigating Officer
2.		
3.		
4.
5.		
6.	Thumbprint	Signature
7.	Person under Investigation	Witness
