

**National Committee for the Management of
Decentralization and Deconcentration Reform
No. 68 NCDD**

Phnom Penh Capital, 08 September 2008

Prakas

**On the Reorganization of Structure, Roles and Responsibilities of the
Provincial/ Municipal Development Committee and Executive Committee**

**The National Committee for the Management of Decentralization and
Deconcentration (NCDD)**

- Having seen the Constitution of the Kingdom of Cambodia.
- Having seen the Royal Decree No. ស្តី/រក្ខត/1198/72 dated 30 November 1998 on the appointment of the Royal Government of Cambodia.
- Having seen the Royal Decree No. 02/ស្តី/94 dated 20 July 1994 promulgating the establishment and operation of the Council of Ministers.
- Having seen the Royal Decree No. ស្តី/រក្ខត/0301/05 dated 19 March 2001 promulgating the Law on Administration and Management of Commune/Sangkat.
- Having seen the Royal Decree No. ស្តី/រក្ខត/0806/355 dated 18 August 2006 on the establishment of the National Committee for the Management of Decentralization and Deconcentration (NCDD).
- Having seen the Sub-Decree of the Royal Government No. 94 អនុក្រឹត្យ ប្តីក dated 20 September 2006 on the establishment of the NCDD Task Force.
- Having seen the Decision of the NCDD No. 009 សំណើ/គ.ជ.វ.វ. dated 11 January 2007 on the establishment of the Program Support Team on NCDD Secretariat.
- Pursuant to the required tasks of the NCDD.

It is hereby decided

Article 1:

Transfer structure, roles and responsibilities of the Provincial/Municipal Rural Development Committee (PRDC) which was established by Prakas No. 292 KDNS dated 08 December 2002 of the Seila Task Force on Structure, Roles and Responsibilities of the Provincial/Municipal Rural Development Committee (PRDC) of the Seila Program to under management of the National Committee for the Management of Decentralization and Deconcentration (NCDD) in order to

manage development works within the province/municipality. Provincial/Municipal Rural Development Committee consists of the following members:

- | | |
|--|-----------------|
| 1. Provincial/Municipal Governor | Chair |
| 2. Deputy Governor (1-2) | Deputy Chair(s) |
| 3. All Directors of Line Departments in the province | Members |
| 4. All District/Khan Governors in the province | Members |

The Chair of the Provincial/Municipal Rural Development Committee has the right to appoint any member of Provincial/Municipal Rural Development Committee as its Permanent Member.

Article 2:

The Provincial/Municipal Rural Development Committee is under direct supervision of NCDD and has the following roles and responsibilities:

- Review and approve Provincial/Municipal development plans;
- Review and approve the provincial annual workplan and budget in accordance with guidelines and submit to the NCDD for approval through NCDDS;
- Review and approve the investment allocation and program support budgets for the province and districts in accordance with the NCDD annual workplan and budget;
- Review and sign agreements with development partners in accordance with its assigned roles and responsibilities.
- Promote and support effective collaboration between government institutions, the private sectors, civil society and national/international development agencies in planning and management of the Provincial/Municipal development;
- Support the implementation of decentralization and deconcentration and other policies in accordance with NCDD guidance;
- Support the mainstream gender and natural resource and environment strategies within the provincial/ municipal development plans.
- Review and endorse progress reports on the implementation of the provincial/municipal annual workplan and budget and submit to the NCDDS
- The Chair of the Provincial/Municipal Rural Development Committee may invite members of the Provincial/Municipal Rural Development Committee, representatives of development agencies and observers to participate in its meetings.
- The Provincial/Municipal Rural Development Committee shall meet on quarterly and annually basis to review the progresses of the implementation of its annual development plan.

Article 3:

To execute the annual workplan and budget, the Provincial/Municipal Rural Development Committee shall establish the Executive Committee (ExCom) to assist its day-to-day work. This Executive Committee consists of the following members:

1. Governor	Chair
2. Deputy Governor (1 or 2 persons)	Deputy Chair(s)
3. Director of the Department of Rural Development	Member
4. Director of the Department of Planning	Member
5. Director of the Department of Economy and Finance	Member
6. Director of the Department of Agriculture, Forestry and Fisheries	Member
7. Director of the Department of Water Resources and Meteorology	Member
8. Director of the Department of Women's Affairs	Member
9. Director of the Provincial Treasury	Member
10. Chief of Local Administration Unit	Member

The Chair of Executive Committee has the right to appoint any member of the Executive Committee as its Permanent Member. In accordance with the work requirements, the Chair of Executive Committee can appoint additional Directors from other Departments as members of the Executive Committee. Whenever necessary, the Chair of the Executive Committee can invite Directors from concerned technical Departments, representatives of development agencies and the private sector to participate in its meetings.

Article 4:

The Executive Committee of the Provincial/Municipality Development has the following roles and responsibilities:

- Propose indicative allocation figures for formulating sector workplans and budgets and program support budgets in accordance with the resources available from the NCDD and from other sources and in according with NCDD workplan and budget.
- Appraise the annual workplan and budget consolidated by the Provincial/Municipal Department of Planning and forward to the Provincial/Municipal Rural Development Committee for review and approval;
- Enter into contract agreements with implementing agencies, after the annual workplan and budgets are approved, in accordance with the guidelines, formats and procedures of contract preparation.
- Assist and provide facilitation support to districts/khan in implementation of district initiative program and other programs that focus their support to the districts/khan.
- Provide support to C/S councils in formulation and implementation of CDP/annual CIP, administrative tasks and other concerned duties.
- Support and facilitate the Provincial/ Municipal Accountability Working Group in implementation of its assigned tasks in effective, transparent and accountable manner.
- Appraise the draft contracts submitted by implementing agencies and provide recommendations to the Provincial/Municipal Rural Development Committee for approval in accordance with contract appraisal guidelines.

- Manage the Imprest and other Special Accounts, authorized by the Ministry of Economy and Finance, to finance the annual workplan and budget in accordance with regulations and guidelines.
- Effectively manage, monitor and conduct regular auditing of the financial system and provide payments against approved contracts in accordance with the NCDD financial manual/guidelines.
- Monitor and evaluate the program/ projects in accordance with guidelines and procedures in order to promote effectiveness and support the formulation of national policies;
- Produce periodic financial and progress reports, in accordance with the NCDD formats and reporting systems, and submit to the NCDDS on a regular basis;
- Share information on planning, contracting and implementation systems and procedures with line departments and concerned agencies to ensure effective implementation of National Program;
- Effectively implement all established policies, administrative procedure and personnel management system;
- Manage and ensure sufficient staff to effectively serve the Executive Committee, in accordance with the scope of work and the assigned roles and responsibilities;
- Promote and support effective collaboration between government institutions, the private sector, civil society and national/international development agencies in formulation and implementation of the annual workplans and budgets for Provincial/Municipal development;
- Implement, monitor and evaluate gender and natural resource management mainstreaming strategies;
- Conduct Executive Committee monthly meetings on a regular basis to review and discuss progress, identify operational constraints and solve problems to ensure efficiency and effectiveness of program implementation and other projects;
- Authorize the Permanent Member of the Executive Committee to approve expenditures less than US \$1,000 in accordance with financial management procedures.
- The Executive Committee shall use the stamp of the Provincial/Municipal Rural Development Committee. This stamp shall be maintained under responsibility of the Permanent Member.

Article 5:

The Permanent Member of the Executive Committee shall perform his/her duties as secretary to the Executive Committee and has roles and responsibilities as followings:

- Provide support and represent the ExCom in the supervision of the Units of ExCom;
- Assist ExCom in coordination and cooperation with development partners;
- Assist ExCom in managing of contracts and subcontracts between ExCom and line departments, districts/khan, communes/sangkat, NGOs and private sector;
- Assist ExCom to facilitate the Provincial/Municipal Accountability Working Group;

- Assist ExCom in organizing and facilitating of development forums;
- Prepare agendas, invitation letters and take minutes of the Executive Committee meetings;
- Review incoming and outgoing correspondences, ensure timely distribution to appropriate Executive Committee Units and the Governor and other officials concerned for taking action, and properly maintain these correspondences;
- Facilitate exchange of information between the Provincial/Municipal Rural Development Committee and the Executive Committee Units, line departments and other agencies;
- Approve expenditures less than US\$1,000 under delegated authority from the Chair of the Executive Committee and in accordance with financial guidelines and procedures;
- Perform daily tasks on communication and collaboration with development partners on behalf of ExCom;
- Perform other duties as requested by the Chair of the Executive Committee.

Article 6:

The Executive Committee shall establish four management units to fulfill its executive responsibilities in implementing the annual workplan and budget. The four management units of the Executive Committee are as follows:

1. Contract Management and Administration Unit (CAU)
2. Local Administration Unit (LAU)
3. Technical Support Unit (TSU)
4. Finance Unit (FU)

Article 7:

The Contract Management and Administration Unit (CAU) is under supervision of the Director of the Provincial/Municipal Department of Planning. The Unit is responsible to assist the ExCom in the preparation and management, monitoring and reporting of all contracts signed between the P/MRDC and various implementing agencies under the Program. In addition, this Unit is responsible for coordinating the monitoring, evaluation and reporting on all development projects under the NCDD AWPB framework at province/municipal level as well as managing the administration of the ExCom.

The Contract Management and Administration Unit has the following specific responsibilities:

- Prepare the Provincial/Municipal Annual Workplan and Budget in accordance with the Provincial/Municipal Strategic Plan and Development Investment Program (PDIP) for ExCom appraisal and approval;
- Perform initial review of contracts and amendments submitted to the ExCom to ensure that they are prepared in accordance with the PDIP and AWPB, agreed formats, and include all necessary information;
- Coordinate the implementation, monitoring and evaluation of contracts between PRDC and line departments, districts/khan and other implementing agencies

- Coordinate with other Units of ExCom to ensure a smooth flow of information between Units regarding contract management;
- Ensure that line departments, districts/khan and other implementing agencies under the NCDD D&D reform framework at provincial/municipal level prepare reports on a regular and timely basis for submission to the ExCom;
- Review the progress and end of contract reports submitted by line departments, districts/khan and other implementing agencies under NCDD D&D reform framework at provincial/municipal level and consolidate these reports for ExCom approval prior submitting them to PST/NCDDS on regular basis;
- Conduct training needs assessments and provide training on contract preparation, monitoring, evaluation and reporting as well as general administration and information system and procedures to line departments, districts/khan and concerned implementing agencies;
- Prepare and conduct monitoring, on a regular basis, on the implementation of contracts between ExCom and line departments, districts/khan and other implementing agencies;
- Prepare and conduct evaluation of the AWPB and the annual contract of the ExCom
- Provide support to line departments, districts/khan and other implementing agencies regarding preparation and conducting of evaluations of their own contracts
- Prepare, produce and disseminate information, through various means, about development activities funded by the ExCom and the CS fund and other development activities in the province/ municipality;
- Prepare and manage all ExCom staff contracts and ensure evaluation of staff performance is conducted on a regular basis and in accordance with NCDD procedures;
- Keep administrative documents and databases of contracts and development projects under NCDD D&D reform framework at provincial/municipal level;
- Manage all ExCom incoming and outgoing correspondence;
- Organize and take minutes of all P/MDC and ExCom meetings and development forums;
- Ensure that all procurement directly undertaken by the ExCom is implemented in accordance with procedures established in the NCDD Administration and Finance Manual;
- Manage and ensure proper maintenance of all ExCom vehicles and motorcycles and issue fuel coupons for ExCom staff members;
- Manage the inventory and database of all equipment and properties provided to ExCom, implementing departments, districts/khan and communes/sangkat by the NCDD;
- Manage the ExCom building including office security, electricity and water supply, cleaning and maintenance of the office.

Article 8:

The Local Administration Unit (LAU) of ExCom is under the supervision of the Chief of

Provincial/Municipal Local Administration Unit. The Unit is responsible to assist the ExCom on facilitation and support for capacity building and local development at commune/sangkat and district/khan levels. Specific responsibilities of the LAU are as follows:

- Facilitate the preparation of training needs assessments, training plans and implementation of the training plans and ensure effectiveness of the training for capacity building of Provincial Facilitation Teams (PFTs), District Facilitation Teams (DFT), C/S Councils, C/S Clerks, C/S Committees and C/S focal persons;
- Facilitate the formulation of the C/S Development Plan and C/S Investment Program, formulation and implementation of C/S annual budget, and C/S project implementation according to agreed guidelines and procedures;
- Facilitate and support the district/khan for implementation of the planning, prioritization and project selection process, preparation and implementation of inter-commune/sangkat projects funded by the district initiative program and other projects under the management of ExCom;
- Monitor and evaluate the performance and capacity of C/S Councils in implementation of the decentralized regulatory framework and in management of the C/S administration;
- Coordinate and promote effective collaboration with all ministries, institutions, departments, units, NGOs/IOs, private sector and other development partners to support capacity development of the Commune/Sangkat and assist in mobilizing resources for development of the commune/sangkat.
- Manage databases and prepare reports for submission to the Executive Committee of Provincial Development Committee, Governor and related national institutions;
- Ensure that C/S project information is entered into the C/S Project Information Database and prepare regular progress reports on C/S contract implementation for submission to the ExCom and Governor;
- Encourage all services are delivered to C/S Councils in order to fulfill the needs of the governance and development;
- Conduct regular meetings with PFTs and DFTs to review progress, identify strengths and weaknesses and resolve problems on a timely basis;
- Facilitate the preparation and oversee the implementation of the PFTs and DFTs workplans.
- Monitor and evaluate the performance of the PFTs and DFTs.
- Disseminate laws, regulations, sub-decrees, guidelines, procedures and instructions related to C/S Councils, to the PFTs and DFTs;
- Collaborate with the Units, Line Departments, NGOs/IOs and other concerned units to provide training to the PFTs and DFTs on the necessary skills for further delivery of training to the C/S Councils, C/S Clerks, C/S Committees and C/S focal persons;
- Collaborate and coordinate with the Units of ExCom/PRDC, Units and line departments to support the implementation of C/S activities.
- Assist the commune/sangkat in the implementation of monitoring and evaluation their activities;

- Manage, maintain and file all documents related to CS tasks;
- Inform and assist CS Councils, Districts/Khans and other related stakeholders at the local level to effectively implement the accountability framework on the use of all funds under the mandate of the P/MDC;
- Perform other duties as required by the P/MDC ExCom.

Article 9:

The Finance Unit (FU) is under the supervision of Director of the Provincial/Municipal Department of Economy and Finance and Chief of the Provincial/Municipal Treasury. This Unit shall be managed by a Chief who is the director of the Provincial/Municipal Department of Economy and Finance and a Deputy Chief who is the Chief of the Provincial/Municipal Treasury. This Unit plays a role as secretariat to the Governor and Chairman of ExCom in providing financial services in an effective and transparent manner to line departments, districts/khan, other implementing agencies and commune/sangkat councils in accordance with financial manuals of procedures authorized by the national level. The Finance Unit has the following overall responsibilities:

- Establish and manage bank accounts authorized by the Ministry of Economy and Finance through specific financial agreements;
- Formulate and review budgets contained in annual work plan and budgets under the authority of the P/MDC to ensure their conformity with annual allocations and budgeting procedures approved by the NCDD prior to their submission to the national level;
- Manage the receipts, payments, accounting, financial reporting and other requests for replenishment for all funds assigned to the Provincial/Municipal Development Committee and managed by the Executive Committee in accordance with financial manuals of procedures approved by the national level;
- Provide guidance and capacity building on financial procedures to implementing agencies and the Executive Committee Units;
- Monitor and evaluate the efficiency of the financial management systems and formulate recommendations for improvements for submission to national level;
- Facilitate the work of internal and external auditors.

Specific responsibilities of the Finance Unit in providing financial services to implementing agencies with signed contracts with the P/MDC include:

- Participate in preparing and reviewing the workplan and budget of the Executive Committee to ensure the consistency between budget allocations and overall resources received by the Province/Municipality from various sources.
- Following approval of the provincial/municipal work plan and budget, assist the Contract Administration Unit to ensure that financial information and budgets are properly reflected in the contract document in accordance with agreed formats and that the budget is consistent with the approved allocation;

- Properly manage all cash resources allocated and transferred to the P/MDC Executive Committee, the timely preparation of requests for replenishments and the safe keeping of all accounting documents.
- Review all payment requests submitted by implementing agencies and properly execute payments.
- Manage the Executive Committee's petty cash and control and monitor the use of implementing agency's petty cash.
- Monitor the daily Executive Committee cash position and ensure that the cash flow plan is regularly updated;
- Maintain the relationship with the relevant provincial banks and the provincial treasury and ensure proper reconciliation of accounts;
- Ensure that accounting procedures as specified in the relevant Financial Systems Manuals are properly carried out;
- Implement the NCDD Financial Management System with efficiency and transparency and propose improvements to the system for review in periodic meetings or workshops;
- Disseminate and provide guidance on principles issued by national level or P/MDC ExCom and provide training to the finance staff of implementing departments, districts/khan on financial rules;
- Generate and submit regular financial reports on budget implementation of various sources to the Executive Committee regularly.

Specific responsibilities of the Finance Unit in providing financial services to the Commune/Sangkat, which are carried out by the Provincial/Municipal Treasury, include:

- Implement the Commune/Sangkat Accounting and Finance System in accordance with the Commune/Sangkat Financial Management System.
- Ensure the proper management of all receipts of CS Fund transfers, receipts of other resources transferred into CS accounts and receipts of revenue collected within the Commune/Sangkat;
- Execute payment orders issued by the Commune/Sangkat Chief after reviewing supporting documents and budget availability.
- Maintain the Commune/Sangkat accounts in accordance with national regulations.
- Prepare periodic financial reports for submission to the Provincial/Municipal Governor and the Executive Committee.
- Maintain a proper filing system for the safekeeping of all documents, transactions, accounting records and inventory lists of the Commune/Sangkat in accordance with guidelines issued by the national level.

Article 10:

The Technical Support Unit (TSU) is under the supervision of the Director of the Department of Rural Development. This Unit shall be managed by a chief and a deputy who assists the chief on technical aspect. Specific responsibilities of the TSU are as follows:

- Assist the commune/sangkat councils and district/khan development committees to carry out project feasibility studies, prepare designs, estimate costs and prepare project proposals for inclusion in Commune/Sangkat Development Plans and Budgets and District/Khan Annual Workplan and Budget;
- Following approval of Commune/Sangkat Development Plans and Budgets and District/Khan Annual Workplan and Budget, assist the Commune/Sangkat Councils and District/Khan Development Committee to manage procurement of local infrastructure contracts through competitive bidding and monitor and supervise implementation of investment activities and certify quantities and quality of works implemented by contractors;
- Provide technical advice to the Provincial/Municipal Governor and the Executive Committee on matters related to implementation of investment activities by the Commune/Sangkat Councils and District/Khan Development Committee by:
 - Maintaining an updated list of current prices of construction materials, labor and machine rates;
 - Maintaining an updated list of pre-qualified contractors who have the right to bid on Commune/Sangkat and District/Khan projects;
 - Monitoring the process of bidding carried out by Commune/Sangkat Councils and District/Khan Development Committee to ensure guidelines and procedures are properly followed;
- Conduct data collection and maintain data on infrastructure projects.
- At the request of other departments and agencies, provide technical support services to rural infrastructure projects related to the design, cost estimates, supervision and certification of quantities and quality of works implemented by contractors.
- Prepare TSU monthly report, trimester report and annual report for the PRDC ExCom.
- Provide technical training to Commune/Sangkat and District/Khan Project Management Committee and contractors
- Participate in conducting technical audit on Commune/Sangkat fund projects and District/Khan Projects and other projects under overall supervision of the ExCom
- Facilitate the technical site visits conducted by development partners and concerned ministries.

Article 11:

To assist the Executive Committee to effectively implement the gender mainstreaming strategy, the Department of Women's Affairs shall have the following roles and responsibilities:

- Prepare mechanisms and mainstreaming strategies to ensure that gender issues are incorporated into the Provincial/Municipal and District/khan workplan and budget and into the Commune/Sangkat development plans and further monitor the implementation of those plans from a gender perspective;
- Provide advice on gender mainstreaming in relation to overall management guidelines, procedures and criteria and ensure that reports and formats adequately reflect gender.
- Provide advice on gender mainstreaming in the formulation of policies;

- Promote dialogue on gender mainstreaming within the Executive Committee and the Provincial/Municipal Rural Development Committee meetings;
- Promote gender equity in the staff recruitment process.

Article 12:

Prakas No. 292 STF dated 08 November 2002 on the establishment of the structure, roles and responsibilities of the Provincial/Municipal Rural Development Committee of Seila Program and any other regulations set forth against this Prakas shall be abrogated.

Article 13:

The Ministry-members of the NCDD and its Sub-Committees, NCDD Task Force, the NCDD Ministry Focal Point Working Group, the Provincial/Municipal Rural Development Committees and other concerned institutions shall be responsible for implementing this Prakas.

Article 14:

This Prakas is effective from the date of its signature onwards.

Deputy Prime Minister, Minister of the Ministry of Interior
Chairman of the NCDD

SAR KHENG

Copy:

- The Cabinet of the Prime Minister
- The Council of Ministers
- The members of the NCDD
- The Provincial/Municipal Rural Development Committees
- Archives