

MINUTE OF CCC BI-MONTHLY MEMBERS MEETING
27 September 2018; 8:00am – 4:15pm
Diakonia Center (KSSA/ICF near Tuol Sleng Genocide Museum)

Introduction:

This 254th Bi-Monthly Members Meeting will be convened on 27 September 2018 at Diakonia Center (KSSA/ICF No.19-21, St. 330, Phnom Penh). There are 129 (56 female) participants who are country Representatives/Executive Directors and Senior Leaders/Managers of CCC members to attend and share knowledge and experiences, the common concerns on the development challenges and prioritize the issues to be addressed by relevant stakeholders. This meeting is organized to achieve the following objectives:

- To welcome new members and sharing of members’ development approaches
- To share research results from satisfaction survey and quick survey on legal compliance
- To discuss and share an update on Tax Law and Labour Law
- To discuss on CSO’s priority and Road Map in the new development context

Detailed Discussion:

Topic	Detailed Discussion
Welcome and opening remarks	<p>Welcome and opening remarks by Mr. Khorn Bunthong, Head of Program of CCC</p> <p>He provides warmly welcome to participants, and appreciate for the new members from BBC Media Action, and Human and Health Organization who will share to working approach. Today, beyond our members, there are nine members of our partners DFDL who also participate to learn from the meeting with contributing the cost for this event.</p> <p>Actually, we have seven more application stay at observer status in the process of submitting for ExCom endorsement, and few other applications, hope that by end of this year, we will have around 180 member organizations. Then he highlighted other key agenda related to survey of member satisfaction and legal compliance to learn for improvement CCC services, and others. Moreover, will have the key presentation of speaker from DFDL on taxation, labor law, and other issues affecting CSOs.</p> <p>Finally, he thanks again to all participants, and wishes to have fruitful discussion, and then announces to open the meeting.</p>

<p><u>Session 1: CCC new member sharing and learning of member's development approaches</u></p> <ul style="list-style-type: none"> - Presentation of British Broadcasting Corporation Media Action (BBC Media Action) - Presentation of Human and Health (H&H) 	<p>Presentation and sharing of new members</p> <p>1-Presentation by Ms. Gemma Hayman, country director of BBC Media Action</p> <p>Most of BBC work is for development but not about development. It focus on four key area: 1) Research: to understand audiences' needs, attitudes and media and communication habits; inform and adapt programming; and assess impact; 2) Capacity strengthening: among media and local NGOs; 3) Production and Dissemination of Media Content: Editorially rigorous, informative and engaging multimedia outputs are at the core of our approach; and 4) Outreach: Community Mobilisation and Interpersonal Communication (convene discussion groups, road shows and community events).</p> <p>The services more focus through media education and outreach as it is a powerful force for positive social change. The program work in Cambodia since 2003 which certain educate story for young people such as Loy9 Klahan9, and the current project on climate adaptation</p> <p>Some more interest please visit Watch our Climate Adaptation TV programme on CTN and My TV from February 2019 www.bbc.co.uk/mediaaction gemma.hayman@kh.bbcmediaaction.org (Please see the slide presentation)</p> <p>2- Presentation by Mr. Chan Sophal program manager of H&H</p> <p>He share in his presenation about the history, vision, mission, and program activities of H&H. H&H is registered since 2011 with other name, and re-register again in 2017. The project work in support for health services included of :</p> <ul style="list-style-type: none"> ▪ Nutrition and food security ▪ Water and sanitation ▪ TB support ▪ TB peer education ▪ Health sector cooperation ▪ Awareness performance ▪ Radio TB education ▪ VHSG training ▪ TB national day <p>He then high light the working approach with well cooperation with local authority and school for TB education, and other activities to achieve the project. Finally, he had share some challenges and lesson learn in dealing of those issues.</p> <p>(Please see the slide presentation) Q&A</p>
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	<p>Q1-How is small entity support, and partnership with other organization? Q2-This video is available in website? Q3-If I-LNGO need to develop video have free of charge support? Q4-What is your purpose does your focus on only TB or other patients could access for other services, i.e. malaria?</p>	<p>A1-Partnership is very important</p> <ul style="list-style-type: none"> - Technical skill is very important - Providing network - Use media content - Radio, TV program is very important and influence - We always involve partners since the beginning <p>A2- Yes, another please contact if you have any interest</p> <p>A3- It is difficult for us to provide adhoc assistant, if you need please sent us in advance of what you needed, we build capacity first</p> <p>A4- Target beneficiaries are all people in the target province. We are not working on the malaras.</p>
<p><u>Session 2: Sharing of research results from the survey with CCC members</u></p> <ul style="list-style-type: none"> - Membership satisfaction survey - Quick survey legal compliance (visa, work permit, and MoU) 	<p>Session 2: Sharing of research results from the survey with CCC members</p> <p>Membership satisfaction survey</p> <p>Result from survey of member satisfaction still very of member assessment to services and enjoy the engagement with CCC. Moreover, they express their participate as sense of solidarity and strength (86%), knowledge information networking (77%), and quality of products and services (34%).</p> <p>However, there are two percent which are not enjoy with CCC services that need further coniseration, and some more suggestion to get more mobilizing local member in the province, fine more innovative services for members, and keep good work to engage with donors, government and other private sectors.</p> <p>Result of Quick survey legal compliance (visa, work permit, and MoU)</p> <p>Both local and foreign NGOs have somehow difficult in registration or MoU, which substitute about one third of both types of the respondents. Those challenges raised about different format, difficult to communicate, and don't have a clear comments for improvement as well as take time to make the right process.</p> <p>In combination nearly twenty percent for both visa process and work permit for foreign staff face difficulty, which relevant to changing the format and requirement without prior notices, time consuming, and some difficult in communication.</p> <p>The last questions of if needed to have CCC coordination to have a meeting with relevant ministry, different point of view raised among having a meeting, and don't need to have a meeting.</p> <p>(Please see the slide presentation)</p>	
<p><u>Session 3: Tax and Labour update 2018 and recent change affecting NGOs</u></p>	<p>Session 3: Tax and labour law update 2018 and resent change affecting NGOs</p> <p>There are many different points had been shared in relevant to Tax registration, Tax audit, and other new terms to labor law, as well as the certain challenges that affect to CSOs.</p> <p>Tax registration, those include:1) Small tax payer; 2) Medium tax payer (include</p>	

<ul style="list-style-type: none"> - Tax audits: Process overview and tax appeal requirements - Recent labour law amendments affecting termination pay, calculation methods of certain benefits and the national minimum wage - Reforms to the National Society Security Fund scheme, and - Overview of the requirements for foreign employee quotas, foreign employee work permits and visas 	<p>LNGO, FNGO, INGO) , and 3) Large tax payer</p> <p>Even the organization that do have any money to pay tax but have to register in tax department. The organization have keep the related documents up to 10years, while the tax authority doing tax audit they may review for 10 years back. And if the organization miss any document the tax department have authorize to require the organization pay tax up to 40% without discussion.</p> <p>Tax audits: Process overview and tax appeal requirement</p> <ul style="list-style-type: none"> o Desk audit o Limit audit o Comprehensive audit <p>Resent labour law amendment affecting termination pay, calculation methods of certain benefit and the national minimum wage</p> <ul style="list-style-type: none"> o Termination payment o 2 times salary payment o Public service (prakas 714) o Staff movement report o Institutional book o Salary payment is by computerize o Prakas for hiring foreign employee o Develop internal regulation have to agree by staff representative then submit to MoSFA o Pension scheme o Minimum wage: <ul style="list-style-type: none"> ▪ Law on minimum wage (\$170/month) ▪ Severance pay have to pay to the employee every end of each contract 5% (FDC) FDC maximum is 4 years one term is 2 years. ▪ Pensioned ▪ Quota for foreign workers o Overview of the requirement for foreign employee quotas, foreign employee work permit and visas <ul style="list-style-type: none"> - Foreign employee quota maximum 10% (visa B, C not include into 10%) but visa D&E have to include. - Work book (visa B or C no need work book) <p>NSSF</p> <ul style="list-style-type: none"> o Any institution who have more than 50 staff need to health care center (art ..) and have to hire disability at least 1% if not have to pay contribution to Ministry of labor. If the institution fail to train labor, have to pay 1% of all staff payment to Ministry of labor. <p>(Please see the slide presentation)</p> <table border="1" data-bbox="491 1771 1453 2078"> <thead> <tr> <th data-bbox="491 1771 900 1809">Question</th> <th data-bbox="900 1771 1453 1809">Answer</th> </tr> </thead> <tbody> <tr> <td data-bbox="491 1809 900 1937">Q1: We hire consultant fee include everything, what should we do for holding tax?</td> <td data-bbox="900 1809 1453 1937">- The holding tax is 15% for whole fee including professional service and other service</td> </tr> <tr> <td data-bbox="491 1937 900 2078">Q2: INGO have provide fund to partners does it need to pay income tax (local country)?</td> <td data-bbox="900 1937 1453 2078">- Have to register with GDT - If the organization was not register have to pay income tax 20% - Any institution if do not have any tax</td> </tr> </tbody> </table>	Question	Answer	Q1: We hire consultant fee include everything, what should we do for holding tax?	- The holding tax is 15% for whole fee including professional service and other service	Q2: INGO have provide fund to partners does it need to pay income tax (local country)?	- Have to register with GDT - If the organization was not register have to pay income tax 20% - Any institution if do not have any tax
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		accession.
	Q3: Consultant from the abroad (desk review) does it have to pay tax?	- Non tax register payer have to pay tax 20% art 20-22.
	Q4: Work in Cambodia have to pay tax in Cambodia?	- Work in Cambodia over 183 days have to pay tax in Cambodia.
	Q5: Pension payment law require only 15 days / year than organization pay staff 30 days, what do we pay about tax?	- Employer pay over the law that is good. - Tax exception only the minimum wage of law but over this have to pay tax (on salary tax).
	Q6: Buy any service from public service.	- Buy any service from public service do not need to do any withholding tax.
	Q7: The seniority payment?	- Seniority pay (art 89) apply only UDC not FDC.
	Q8: Pay by the activities do we need to do withholding tax?	- Any pay to who are not register tax registration have to do withholding tax 15%.

PM Session

Session 4: CSO's Priority and Road Map in the new Development Context, and Group Discussion

- a) *What are key points would you like to be added or deleted from the context analysis?*
- b) *What are key priorities to add in the draft road-map?*
- c) *What value added each member organization contribute to achieve the identified priorities?*
- d) *What value added that CCC can bring to achieve the identified priorities?*

Session 4: CSO's Priority and Road Map in the new Development Context, and Group Discussion

Before grouping the participants for discussion, the executive director of CCC had briefly shared some contexts in relevant to development trend to economic, social and political factors, as well as relevant to geopolitical space in the region, global trend, challenges in CSOs space and some economic challenges as well as other upcoming opportunities.

He briefly about history of development in Cambodia since the peace agreement in 1991 which the merge of more CSO in Cambodia as well as the five commitments in Paris agreement. Our economic speedy growth for recent years but the numbers of just on poverty line is still high. There also high number registered CSOs and different types for different purposes. Certain things need to improve is the institutional system in public services as well as strong civil society; citizens need strong participation in democratic development.

Results of the groups to Q1: Key points to Cambodia Context

- **Donor trend:** the financial budget to support for CSOs is decreased since our declaration of moving our country to low middle income. Moreover, the donors some shift interest to provide fund and loan support to social enterprise and private engagement.
- **Pressure of democracy and civic space:** freedom of expression and social media, as well as the pressure of the meeting at the local community people. The decrease of civic space and democratic development had become a pressure from EU punishment, and it could affect to benefits for Cambodian workers. How the political space in Cambodia could be improved, therefore, other pressure from international community could be decreased.
- **Food safety and environmental risk:** previously we mostly thought about food security but now we much concern about food safety, and

other environmental concern.

- **Urban population increase** (some in the neighbor country) due to the attractive work and less opportunity at the rural area.
- **Political improvement:** Political factor is the key factor that determines and affect to other factors. Moreover, certain challenge to Cambodia such as migration issue and law to migration. This will increase majority of foreigners to compete with Cambodian people, whilst the Cambodian have migrated out of the country.
- **Public services need to be improved**, especially on education and health. Education need to improve for quality of teaching and adequate equipment/materials, whereas, Health (capacity and morality of the health staff) lack of health equipment and quality services that could better services to our people, especially at rural community. The medical doctors should improve the professional ethic.
- **Law enforcement in Cambodia:** we have many laws and regulations but those are not well and faire implemented, therefore, people could not gain for justice. Moreover, the translation/interpretation of the law or article should not different understood from one to one, i.e. LANGO.

Results of the Groups to Q2: Key Prioritized:

- **Increase the cooperation with the government** (MoLVT: increase skills to make competition, i.e. with Chinese, Vietnam). It could better in dealing with corruption issue, good governance and other public services. The good cooperation could improve partnership with government to better civil society as partnership for development.
- The minimum wage gradually increased but the **skill need for productive services** need to improve that could be completed within the regional market. This skill and knowledge could improve environment as well as address to food safety.
- **Market system:** improve value chain and improve the entrepreneurship for better market access.
- For the new law establishment, there should be more engagement from citizens and CSOs.
- **Gap:** minimized the gap among the rich and the poor.
- **Education** is very important among other sectors, which could drive the country to speedy develop. The second is health sector which need to improve as well, i.e. NSS services to health.

Results of the Groups to Q3: Member organization contribute to achieve the identified priorities

- CSO should all participate to improve the public services including the education sector.
- Increase the understanding local community to participate in development process, and other human rights. Better educate people to understand the rights.
- Member of CCC should work and cooperation with government and local authority to increase partnership, to avoid the prejudice of perception CSOs as oppose to government, but CSO are the supporters and partners

	<p>of government.</p> <ul style="list-style-type: none"> • Agricultural market, value chain and increase capacity through the cooperation work, as well as increase productive in community. • Increase cooperation with gov't by providing technical support and fund • Participate and engage ourselves to the development and improvement of the implementation and contribution to all key sectors, not only education • Encourage and improve the quality of public health service and NSSF through using public health service. <p>Results of the groups to Q4: Value added from CCC to achieve the identified priorities</p> <ul style="list-style-type: none"> • Lobby for including the vocational training because CCC is the membership organization that represent more than 170 organizations that have common voice to discuss with government. • CCC should seek for support from government and other partners to improve the political situation. • Strengthening CSO and other partnership networks of CCC that working on the education and support to CSO representative. • To be a representative of CSO to the gov't and seeking support from gov't, as well as sharing all information back and forth, who limited access to engage with the relevant ministries. • CCC should create proper mechanism of advocacy and feedback to gov't and CSOs.
<p>Wrap up and closing remarks</p>	<p>Closing remarks by Mr. Soeung Saroeun, Executive Director of CCC</p> <p>At the end of the meeting, he thanks so much to all CCC members for their contribution to this event, appreciate all active participation since the morning session about new members, to the feedback survey with member and other legal discussion affecting to CSOs. He appreciated to the speakers from DFDL, and also thanks to CCC colleagues who organize the event, then he invites the interest participants to join the SDGs anniversary that will celebrate in Tonle Bassac on 28 September 2018, then he wishes all the best for upcoming Pchum Bend and closing the meeting.</p>

Noted: CCC reserves the right to alter the agenda depending on time constraints and availability of speakers. CCC will upload all documents, photos, and key activities and ideas in CCC websites, and social media for public access.

For event archive download in link to <http://www.ccc-cambodia.org/en/resources/event-archives> www.facebook.com/CCCSince1990 www.youtube.com/CCCambodia

Annex of Group Results

d) CCC
- engage w/ national gov't representing members

a) Donor trend - Less funds and channel difference
- Donors meet each other e.g. business

- freedom of express, assemble etc
- food security + environment
- Growing of urban population due to lack of job at the countryside or growing of industry at the city...

b) → More joint work with the Government... around corruption, public finance reform etc

→ Vocational training... with Ministry of Lab + soft skill...

→ Environment / food safety etc.

c) → More engage with local Govt...
→ Joint vocational program with Govt... e.g. may be integrated into high school

→ Working around agriculture cooperative + market + economic of scale + value chain... + production

ក. បន្ថែម
↳ សេវាសាងសង់: របស់ ក្រុមហ៊ុន ក្រសួងកសិកម្ម, រុក្ខាប្រមាញ់ និងនេសាទ
• ឧប្បត្តិ: ពង្រឹងគុណភាពផលិត (សមត្ថភាព) សង្គម: ខ្ពស់, គោលនយោបាយ, អុបតិមាល្គ: ពង្រឹងគុណភាព, ក្រសួងសេដ្ឋកិច្ច និងហិរញ្ញវត្ថុ, មណ្ឌលស្រាវជ្រាវ, ពង្រឹងការអនុវត្តច្បាប់ គោលនយោបាយ
↳ ពង្រឹងច្បាប់គ្រប់គ្រងសេដ្ឋកិច្ច ប្រកួតប្រជែង ប្រតិបត្តិការ

ខ. វិន័យស្រប
គ. លទ្ធផលសង្គម: ជំនាញ (បច្ចេកទេស, ជំនាញ, ពង្រឹងសមត្ថភាព, ប្រឹក្សាគ្រឹះស្ថានយោបល់ លើគោលនយោបាយ)

ឃ. ពង្រឹងសមត្ថភាពសេដ្ឋកិច្ច, សង្គមសេដ្ឋកិច្ចសម្របសម្រួល

ក) ក្រុមហ៊ុនស្រាវជ្រាវ: ក្រុមហ៊ុនស្រាវជ្រាវ - លើកកម្ពស់សមត្ថភាព បច្ចេកទេស ក្រុមហ៊ុនស្រាវជ្រាវ - មានការស្រាវជ្រាវ ការអនុវត្តច្បាប់

ខ. លើកកម្ពស់: លើកកម្ពស់សមត្ថភាព បច្ចេកទេស (សមត្ថភាព គ្រប់គ្រង គ្រឹះស្ថាន) ក្រុមហ៊ុនស្រាវជ្រាវ (ក្រុមហ៊ុនស្រាវជ្រាវ...)

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Annex 2: Results from participants' event assessment

1. Learning points	2. Improvement points	3. Proposed topics
updated labor law (23)	Need more Q&A (8)	Annual tax declaration form
Work permit & foreign visa (4)	Need Khmer document (2)	Additional accounting audit
Seniority fund payment (9)	Limit time for member sharing	Auditing
CSO trend and work options	The speakers seem limit technical knowledge for tax and law compliance	CCC works as representative
VAT	Lack of document distribution	Financial management
NGO register at MOF, MOI, GDT, MLVT, NSSF	Present too fast (taxation)	Financial report (template) and budgeting
CCC members' satisfaction survey	IT technical (4)	Financial sustainability
Tax exemption letter to GDT	Need GDT representative (3)	How many CCC members register at MOLVT?
The difference between UDC & FDC (4)	Need group facilitation to clarify questions	How to calculate seniority fund (8)
Annual tax declaration	Need more discuss on taxation	How to calculate withholding tax
Updated taxation (23)	Topic is not so clear and interesting	How to process MoU of MoFA
Payroll twice a month	Need expert from MOLVT (2)	How to process Quota (supporting doc.)
Salary payment	Description of speaker (8)	How to process work permit
Priority and roadmap	Need more flexible MC	Income tax and Pension scheme in 2019
Withholding tax	Time management (12)	Law & practice of Taxation and Labour law
How to solve and respond with penalty		National accounting audit
Future context of NGO (4)		National accounting standard to NAC (2)
Income tax exemption		Need more clarification on the article 443
Work permit		Need representative from GDT & MoLVT
Increase of CCC members and member sharing (8)		New prakas
New prakas (3)		Official visa
Session 2 & 3		Payroll twice a month (2)
General knowledge		Penalty of taxation law (late payment, wrong calculation of annual declaration)
Research of law compliance among members		Law compliance of CSO

