

# Notification No. 008 on the Registration to Implement the Obligations of the Private Sectors under the Law on the Protection and Promotion of the Rights of Persons with Disabilities dated 26 August 2021

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On 26 August 2021, the Ministry of Social Affairs, Veterans and Youth Rehabilitation (the “Ministry”) issued Notification No. 008 on the Registration to Implement the Obligations of the Private Sectors under the Law on the Protection and Promotion of the Rights of Persons with Disabilities to remind all the employers or owners of the private enterprises, having 100 or more workers/employees, to register with the Ministry or Municipal/Provincial Department of Social Affairs, Veterans and Youth Rehabilitation in accordance with the Law on the Protection and Promotion of the Rights of Persons with Disabilities dated 3 July 2009 (the “Law”) and Sub-Decree No. 108 on the Determination of Quota and Formality for Recruitment of Disabled Persons dated 30 August 2010 (“SD No. 108”) with the following deadline registration:

1. Private enterprises which are in operation shall register by the end of September 2021.
2. Private enterprises which are newly established shall register within 30 (thirty) days after the date of opening.

According to the Articles 33 and Article 34 of the Law, private enterprises that recruit employees shall accept persons with disabilities who have the required qualifications and competence to carry out the duties, role and responsibilities of a particular position in accordance with the appropriate set quota. Also, SD No. 108 requires private enterprises having 100 or more employees to have persons with disabilities comprise at least 1% of the total employees. If a private enterprise cannot fulfill this requirement, it is required to pay a monthly contribution to the Persons with Disabilities Foundation equal to 40% of the minimum monthly wage that would have been paid to per disabled employee required to be hired. Private enterprises are required to submit an annual notification to the Ministry in writing and a recruitment plan for persons with disabilities before December of each year.

Any private enterprise that fails to fulfill the foregoing obligations will be liable to a transactional fine from 100,000 riels to 1,000,000 riels (approximately US\$25 to US\$250).

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