

(National Coat-of-Arms)
KINGDOM OF CAMBODIA
Nation Religion King

Royal Government of Cambodia
No. 207 ANKr.BK

SUB-DECREE
ON
THE MANAGEMENT OF CAMDIGIKEY PLATFORM

ROYAL GOVERNMENT

- 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 the Kingdom of Cambodia;
- Having seen the Royal Decree No. NS/RKT/0320/421, dated 30 March 2020, on the Appointment and Modification to the Components of the Royal Government of the Kingdom 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 Minister;
- Having seen the Royal Kram No. NS/RKM/0196/18, dated 24 January 1996, promulgating the Law on the Establishment of Ministry of Economy and Finance;
- Having seen the Royal Kram No. NS/RKM/0323/001, dated 10 March 2023, promulgating the Law on Public Financial System;
- Having seen the Sub-Decree No. 43 ANKr.BK, dated 28 February 2022, on the Organization and Functioning of the Ministry of Economy and Finance;
- Having seen the Sub-Decree No. 246 ANKr.BK, dated 29 December 2017, on Digital Signature;
- Having seen the Sub-Decree No. 164 ANKr.BK, dated 24 August 2021, on Data Exchange through Cambodia Data Exchange Platform (CamDX);
- Having seen the Sub-Decree No. 253 ANKr.BK, dated 22 December 2021, on the Management, Usage, and Protection of Personal Identification Data;
- Having seen the Sub-Decree No. 84 ANKr.BK, dated 10 June 2020, on Business Registration through Information Technology System;
- Pursuant to the request of the Minister of Economy and Finance.

Hereby Decides
Chapter 1
General Provisions

Article 1:

This Sub-Decree determines the mechanisms, principles and procedures for the management of the Cambodia Digital Key or CamDigiKey in order to ensure security, accountability and transparency.

Article 2:

The scope of this Sub-Decree applies to ministries, institutions, similar public entities, sub-national administration, state-owned enterprise, public administrative establishments, legal entities benefitting from public finance, commercial companies or enterprises, and associations established in accordance with the law and other legal documents in force in the Kingdom of Cambodia, as well as natural persons of Khmer nationality and natural persons of foreign nationality that utilize the services and data of CamDigiKey, excluding the utilization of services and data in the fields of national defense, national security, and public order.

Article 3:

The key terms used in this Sub-Decree are defined in the glossary which is the annex of this Sub-Decree.

Chapter 2
Competent Institutions

Article 4:

The Ministry of Economy and Finance, acting as the executive body on behalf of the Royal Government of Cambodia in leading and managing CamDigiKey to promote the adoption, utilization, and transformation of the eKYC system in all social actors with the aim of accelerating the development of Cambodia's vibrant digital economy and society, has the following duties:

- Develop and implement policies and strategies related to orienting the implementation and the prosperity of CamDigiKey
- Collaborate in amending and implementing laws and other legal documents related to CamDigiKey
- Promote effective implementation, monitoring, and evaluation of the implementation of policies, strategies, laws, and other legal documents related to CamDigiKey
- Develop and innovate CamDigiKey further to respond to the constant needs of Cambodia's digital economy and society development as well as new trends related to digital transformation and eKYC systems in regional and global contexts
- Strengthen digital governance based on CamDigiKey in both the public and private sectors
- Lead, facilitate, and collaborate in developing frameworks and mechanisms to harmonize the functions and duties, as well as resolving various inter-ministerial/institution issues related to CamDigiKey in a responsible, cooperative, and effective manner with relevant competent ministries and institutions
- Enhance the security of CamDigiKey's information technology and eKYC data in order to build CamDigiKey's trustworthiness by collaborating with relevant competent ministries and institutions
- Prepare reports on work progress and achievements, challenges, and proposal of resolution measures to the Royal Government
- Perform duties as assigned by the Royal Government.

Article 5:

The operator of Cambodia Data Exchange, abbreviated as CamDX, acting on behalf of the Ministry of Economy and Finance as the operator of CamDigiKey, has the following duties:

- Facilitate requests to create CamDigiKey accounts as well as the correction and deletion of data from CamDigiKey
- Examine, authenticate, and create CamDigiKey accounts of natural persons of Khmer nationality and natural persons of foreign nationality
- Examine and decide on requests of applied members who wish to utilize CamDigiKey's eKYC authentication and data
- Collaborate with relevant ministries and institutions in providing and sharing data to automatic members and applied members in order to utilize for the purpose of conducting eKYC authentication on CamDigiKey based on the consent of the CamDigikey account owners
- Determine the processes, rules, and procedures of applying for applied membership who wish to utilize CamDigiKey's eKYC authentication and data
- Facilitate, review, and decide upon the procedures to discontinue the utilization of CamDigiKey's eKYC authentication and data
- Terminate the membership of an applied member in the case where the applied member does not adhere to Article 26 of this Sub-Decree
- Take measures to secure CamDigiKey's information technology and eKYC data in accordance with the provisions of this Sub-Decree and the laws and other legal documents in force
- Collaborate with automatic members and applied members that utilize CamDigiKey's eKYC authentication and data, to develop, monitor, inspect, and evaluate the security of CamDigiKey's information technology system by professional institutions, as necessary
- Implement in accordance with the monitoring, inspection, and evaluation reports as well as take necessary measures to improve deficiencies that pose or can pose any risks to the security of CamDigiKey's information technology system
- Collect service fees from the utilization of eKYC authentication and the sharing of personal data of CamDigiKey account owners
- Facilitate the resolution of disputes related to the utilization of eKYC authentication and the sharing of personal data of CamDigiKey account owners
- Perform duties as assigned by Minister of Economy and Finance.

Article 6:

The Ministry of Interior has the duty to partake in the provision of personal identification data to CamDigiKey for the purpose of verifying the creation of CamDigiKey accounts.

Chapter 3

Requesting to Create a CamDigiKey Account

Article 7:

Natural persons of Khmer nationality have the rights to request for the creation of a CamDigiKey account in order to access and utilize digital services that are operated through CamDX and linked to CamDigiKey through the process of creating an account on CamDigiKey and providing accurate personal data related to the face, facial liveliness, national identification number, name in Khmer, name in Latin, gender, date of birth, place of birth, telephone number,

and current address that are valid, to the CamDX operator to review, authenticate, and create a CamDigiKey account.

Article 8:

Natural persons of foreign nationality who wish to create a CamDigiKey account to access and utilize digital services that are operated through CamDX and linked to CamDigiKey through the process of creating an account on CamDigiKey, shall have a foreign passport and provide accurate personal data related to the face, facial liveliness, passport number, name in Latin, gender, date of birth, place of birth, telephone number, foreign nationality, and current address that are valid, to the CamDX operator to review, authenticate, and create a CamDigiKey account.

Article 9:

The request to create a CamDigiKey account by natural persons of Khmer nationality and natural persons of foreign nationality may be rejected in the case that the request does not adhere the requirements stipulated in Article 7 and Article 8 of this Sub-Decree.

Article 10:

CamDigiKey account owners who intend to correct or delete their personal identification data from CamDigiKey shall request to correct or delete their personal identification data through CamDigiKey to the CamDX operator.

The CamDX operator holds the discretion to accept or reject the request to correct or delete CamDigiKey's eKYC data through CamDigiKey system based on appropriate reason, at the request of the CamDigiKey account owners or a legal representative of the CamDigiKey account owners.

Article 11:

Following the request to create a CamDigiKey account, natural persons of Khmer nationality and natural persons of foreign nationality may submit additional personal data to CamDigiKey on a voluntary basis in order to facilitate the usage of data.

Article 12:

The account creation and the correction or deletion of eKYC data on/from CamDigiKey shall comply with the processes, rules, and procedures that are to be enforced by the Prakas of Minister of Economy and Finance.

Article 13:

All CamDigiKey's eKYC data are guaranteed security, privacy, confidentiality, integrity, and accuracy, as well as recorded as timestamps of CamDigiKey account creation and eKYC authentication of CamDigiKey.

Article 14:

All data that are entered into CamDigiKey by the owner of a CamDigiKey account are stored in the information technology system of CamDigiKey.

Chapter 4

Authentication and Usage of CamDigiKey's eKYC Data

Article 15:

Ministries, institutions, similar public entities, sub-national administration, state-owned enterprise, public administrative establishments, legal entities benefitting from public finance,

commercial companies or enterprises, and associations that wish to utilize eKYC authentication and data through CamDigiKey, shall be a member of CamDX. The types of CamDX membership include automatic membership and applied membership.

Automatic membership is applicable to ministries, institutions, similar public entities, sub-national administration, state-owned enterprise, public administrative establishments, and legal entities benefitting from public finance. Applied membership is applicable to commercial companies or enterprises and associations which are legally registered in the Kingdom of Cambodia.

Conditions to become automatic members and applied members shall be determined by the relevant sub-decree related data exchange through Cambodia Data Exchange platform.

Article 16:

Applied members of CamDX that wish to utilize CamDigiKey's eKYC authentication can request for permission from the CamDX operator to utilize CamDigiKey's eKYC authentication through the electronic system by using CamDigiKey's authentication system to provide digital services and services of legitimate interests.

Article 17:

Applied members of CamDX that request for permission from the CamDX operator to utilize CamDigiKey's eKYC authentication, can access and utilize data as stipulated in Article 7, Article 8, and Article 11 of this Sub-Decree.

Article 18:

Data usage as stipulated in Article 7, Article 8, and Article 11 of this Sub-Decree shall be consented to by a CamDigiKey account owner each time the data is used through CamDigiKey.

Natural persons who are CamDigiKey account owners have the rights to know how their identification and personal data are being used.

Article 19:

The request to authenticate and use CamDigiKey's eKYC data is subject to service fees as stipulated in Article 32 and Article 33 of this Sub-Decree.

Article 20:

In order to be qualified to utilize CamDigiKey's eKYC authentication and data, applied members of CamDX shall meet the minimum requirements as follows:

- Shall use CamDigiKey's eKYC data which have been authenticated in accordance with the purpose of providing digital services and serving legitimate interests that are in accordance to the memorandum of understanding with the CamDX operator as well as laws and other legal documents in force
- Shall have information technology system that ensures quality and security
- Shall have network infrastructure and information technology equipment to prepare for operation in order to ensure security, safety, accuracy, and quality of the system
- Shall install security servers for the information technology network system
- Shall collaborate with relevant competent ministries and institutions in establishing measures to respond to attacks on information technology system
- Shall prepare and provide reports on the utilization of CamDigiKey's eKYC authentication and data usage on a monthly, quarterly, semi-annual, and annual basis to the CamDX operator as a basis for taking measures in accordance with the laws and other legal documents in force.

Article 21:

Automatic members and applied members of CamDX shall adhere to the processes, rules, and procedures of utilizing CamDigiKey's eKYC authentication and data that shall be enforced by Prakas of Minister of Economy and Finance.

Article 22:

The eKYC authentication through CamDigiKey cannot be used as substitute for Cambodian national identification cards and foreign passports, which are governed by laws and other legal documents in force.

The utilization of CamDigiKey's eKYC authentication and data is not proof of the customers' citizenship or residence.

Article 23:

Applied members of CamDX that wish to discontinue using CamDigiKey's eKYC data as stipulated in Article 7, Article 8, and Article 11 of this Sub-Decree, shall fill an application to discontinue the use of the data by submitting the application to the CamDX operator.

The CamDX operator shall facilitate the procedural process of the request to discontinue using CamDigiKey's eKYC data and notify other CamDX members of this request.

The discontinuation of utilizing CamDigiKey's eKYC authentication and data shall be effective from the date of notification of disqualification to utilize CamDigiKey's eKYC authentication and data, which is issued by the CamDX operator.

Article 24:

The CamDX operator has the rights to terminate any applied membership in the case that the applied member does not adhere to Article 26 of this Sub-Decree.

Chapter 5

Securing CamDigiKey's Information Technology And eKYC Data

Article 25:

Attacks on information technology and eKYC data security, which requires measures to secure CamDigiKey's information technology and eKYC data security, include the followings:

- Infiltrating or attempting to infiltrate in all manners into CamDigiKey and the information technology system of automatic members and applied members that request to utilize CamDigiKey's eKYC authentication and data
- Attacking or attempting to attack that creates disruption to the operation of CamDigiKey and the information technology system of automatic members and applied members that request to utilize CamDigiKey's eKYC authentication and data
- Collecting, copying, modifying, utilizing, disclosing, transferring, disseminating, and/or leaking CamDigiKey's eKYC data without permission
- Stealing, destroying, deleting, or damaging CamDigiKey's eKYC data accidentally or intentionally
- Falsifying or attempting to falsify the identification data of another person by providing false information
- Infecting, sending threatening messages, ransoming, and/or undermining the digital economic and social security

- Conspiring or providing of any means or methods to attack CamDigiKey's operating system and the information technology system of automatic members and applied members that request to utilize CamDigiKey's eKYC authentication and data and eKYC data
- Other types of attack on information technology system that pose a risk to the security of the interoperability system and the security of CamDigiKey's eKYC data.

Article 26:

The CamDX operator shall take measures to secure CamDigiKey's information technology and eKYC data in accordance with the provisions of this Sub-Decree as well as laws and other legal documents in force as follows:

- Requiring automatic members and applied members to prepare and provide reports of the utilization of CamDigiKey's eKYC authentication and data as the basis for taking actions against money laundering, terrorist financing, financing of the proliferation of weapons of mass destruction, and other security and safety measures
- Searching for, collecting, copying, and storing necessary computer data to serve as an evidential basis or a basis for authenticating the attacker's identity for the benefits of monitoring, investigating, inspecting, and searching for acts that constitute as security attacks to CamDigiKey's information technology and data security, as well as monitoring the security of CamDigiKey's information technology and data
- Monitoring, investigating, inspecting, and searching for the acts of security attack to CamDigiKey's information technology and data security
- Monitoring CamDigiKey's information technology and eKYC data security
- Taking other security and safety measures in accordance with the laws and other legal documents in force.

In taking measures to secure CamDigiKey's information technology and eKYC data security, the CamDX operator can collaborate with other relevant competent ministries and institutions as necessary.

Article 27:

Automatic members and applied members shall have their own security measures in their respective information technology system to prevent the attack on information technology system that affect or may affect CamDigiKey's information technology and eKYC data security which are protected by laws and other legal documents in force.

Automatic members and applied members shall report to the CamDX operator regarding the risks that affect or may affect CamDigiKey's information technology and eKYC data security, and collaborate with the CamDX operator in taking actions to address the risks.

Article 28:

CamDigiKey account owners shall ensure the security of their own data in the case which data owner allows other people to manage and use their data on their behalf or for any other reasons.

Article 29:

The CamDX operator as well as automatic members and applied members shall collaborate in monitoring and evaluating the security of CamDigiKey's information technology systems by professional institutions as necessary. The CamDX operator shall take actions in accordance with monitoring, inspection, and evaluation reports, and take other necessary actions to improve

deficiencies that threaten or can threaten the security of CamDigiKey's information technology system.

Article 30:

The processes, rules, procedures, and technical conditions of securing CamDigiKey's information technology and eKYC data security shall be determined by Prakas from the Minister of Economy and Finance.

**Chapter 6
Service Fees**

Article 31:

Automatic members and applied members that request to utilize CamDigiKey's eKYC authentication and data shall bare the operational costs for connecting their information technology system with CamDigiKey, including infrastructures, networks, electronic equipment, and human resources.

Article 32:

The request to utilize CamDigiKey's eKYC authentication for the purposes that are in accordance with the provisions of this Sub-Decree shall be counted as number of transactions.

The utilization of CamDigiKey's eKYC authentication and data within the public sector is free of charge.

The processes, rules, and procedures for determining and charging the service to utilize CamDigiKey's eKYC authentication and data, shall be determined by Prakas from the Minister of Economy and Finance. On another hand, the processes, rules, and procedures for determining and charging the service to directly verify with the personal identification data of the Ministry of Interior, shall be determined by Prakas from the Minister of Interior and the Minister of Economy and Finance.

Article 33:

Service fees from CamDigiKey's eKYC authentication and other related revenues of the CamDX operator, shall be considered as non-tax revenue managed in accordance with the laws and other legal documents in force related to the management of non-tax revenue.

**Chapter 7
Dispute Resolutions**

Article 34:

With the exception of criminal cases, all disputes related to the management and eKYC authentication of CamDigiKey as stipulated in the provisions of this Sub-Decree can be addressed by the CamDX operator through mediations.

The mediation procedures and fees related to the resolution of disputes shall be determined by Prakas from the Minister of Economy and Finance.

In the case of unsuccessful mediations, the disputing parties may file the case to resolve the matter with competent courts in accordance with the procedures set forth in the laws and other legal documents in force.

Chapter 8 Final Provisions

Article 35:

Any provisions contrary to this Sub-Decree shall be abrogated.

Article 36:

Minister in charge of the Council of Ministers, Minister of Economy and Finance, Minister of Civil Service, ministers of all relevant ministries, and heads of all relevant institutions shall be responsible for the implementation of this Sub-Decree in accordance with their respective duties from the date of signature.

Phnom Penh, 26 July 2023

Prime Minister

(Official Signature and Seal)

Samdech Akka Moha Sena Padei Techo HUN Sen

Respectfully submitted to
Samdech Akka Moha Sena Padei Techo Prime Minister, for signature
Deputy Prime Minister and Minister of Economy and Finance

(Official Signature and Seal)

Akka Pundit Sopheacha AUN Pornmoniroth

Recipients:

- Ministry of the Royal Palace
- General Secretariat of the Constitutional Council
- General Secretariat of the Senate
- General Secretariat of the National Assembly
- Cabinet of Samdech Akka Moha Sena Padei Techo Prime Minister
- Cabinet of Samdech, His Excellencies and Her Excellencies Deputy Prime Ministers
- As stipulated in Article 36
- Royal Gazette
- Document-Archive

Annex
Of the Sub-Decree No. 207 ANKr.BK, dated 26 July, 2023
On the Management of CamDigiKey Platform

Glossary

Timestamp refers to the records that have been created, linked, received, stored or processed in an electronic system or for transmission from one electronic system to another.

Number of transactions refers to the number of requests for utilizing CamDigiKey's eKYC authentication and data to the CamDX operator, in which one transaction is defined when the CamDX operator successfully responds to the needs of the request.

Cambodia Digital Key – CamDigiKey refers to the eKYC system operated by the CamDX Operator.

Legal entity refers to a group of individuals who are natural persons or legal entities with common interests. Legal entities have legal personalities. As a legal principle, the legal entity has rights and obligations in accordance with the laws and other legal documents in force in the Kingdom of Cambodia.

Electronic Know Your Customer (eKYC) refers to the use of digital technology to create and authenticate customers in the digital world through an electronic system based on identification documents that are recognized by the Royal Government.

eKYC authentication refers to the verification of the accuracy and trustworthiness of digital customer identification.

Physical person/Natural person refers to an individual who has a legal personality in accordance with the laws and other legal documents in force. Physical person/Natural person includes natural person of Khmer nationality and natural person of foreign nationality.

Physical person/Natural person of Khmer nationality refers to an individual of Khmer nationality who has a legal personality in accordance with the laws and other legal documents in force in the Kingdom of Cambodia.

Physical person/Natural person of foreign nationality refers to an individual with foreign nationality who has a legal personality in accordance with the laws and other legal documents in force.

(Official Seal)