



## CLIENT UPDATE

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**Clarification on Initial Work Permit for Foreign Employees  
and New Requirements regarding Qualification for  
Administration and Human Resources Officers**

**16-Jan-25**

## Notification No. 022/24 on the Procedure for the Legal Use of Foreign Labour in the Kingdom of Cambodia (“Notification 022/24”)

On 12 August 2024, the Ministry of Labor and Vocational Training (“MLVT”) issued Notification 022/24 to clarify the process for hiring foreign employees. Previously, foreign nationals were required to obtain a valid visa (including a regular visa type E) from a Cambodian Embassy abroad, through an online system, or upon arrival at an international airport before they could apply for a work permit. Notification 022/24 introduces a new process specifically for foreign employees requiring them to first obtain an initial work permit before applying for a visa to work legally in Cambodia.

Despite the issuance of Notification 022/24, to date, the MLVT still requires a foreign employee to have an initial visa as one of the required supporting documents when applying for an initial work permit and to obtain the work permit within the period of stay of the initial visa. That is, employers hiring prospective foreign

employees must prepare all necessary documents and obtain a work permit before the initial visa of the foreign employees (typically valid for 30 days) expires.

For completeness, in order to obtain a work permit, a prospective foreign employee is required by the MLVT to have, among other things, the following:

- (i) a Cambodian valid visa including regular visa type E (“**Visa E**”) or special visa type K;
- (ii) a health certificate issued by the Labour Medical Department of the MLVT or other valid health certificate certified by the Labour Medical Department of the MLVT. It takes three to seven working days to obtain such certificate from the MLVT;
- (iii) a fixed duration contract or an unspecified duration contract in Khmer certified by the MLVT. It takes 15 working days to obtain such certificate from the MLVT; and
- (iv) a residential certificate or letter issued by the local authority in Cambodia (if any).



For work permit renewals, the foreign employee must possess, among others, an extended visa, such as Visa EB with at least six months' validity.

In light of the above, businesses planning to hire foreign nationals are advised to plan ahead and obtain necessary supporting documents and ensure that the proper work permit is obtained before the foreign employees begin working in Cambodia or during the validity of the initial visa. This will help avoid penalties under the Labour Law and related regulations.

### **Prakas 259/24 on Qualifications of Administration and Human Resources Officers (“Prakas 259/24”)**

On 2 December 2024, the MLVT issued Prakas 259/24 aiming to improve compliance culture in employment and labour law aspects.

To qualify for the position of administration or human resources officer, an individual must hold a professional certificate in administration and human resources or a diploma in labour law issued by the National Institute of Labour (“NIL”) of the MLVT. Additionally, they are required to attend training organized by the NIL every three years.

We understand that this requirement applies to all enterprises hiring administration and human resources employees, including non-governmental organizations.

Based on a Notification dated 7 November 2024 from the MLVT regarding the available courses for years 2024-2025, the diploma in labour law takes two years to complete at a cost of 800 USD, while the professional certificate in Human Resources can be completed in eight months for 650 USD.

Prakas 259/24 also specifies that companies in the garment, textiles, footwear, travel goods, and bags sectors must send employees holding the position of head of administration or human resources who do not meet the required qualifications to undergo training in administration, human resources, or a higher-level degree in labour law, provided by the NIL. Employers are responsible for covering the training costs and ensuring that the employee's salary, seniority, and other benefits are maintained during the training period.

There is no penalty provision under Prakas 259/24 for hiring administration and human resources employees that do not meet the qualification requirements.

Given the novelty and stringent requirements of this regulation, the private sector will aim to propose revisions to this new requirement on points relating to the duration of the training as well as the cost burden imposed on the enterprises.

Should you need any further information or support, please contact us at [labor.kh@dfdl.com](mailto:labor.kh@dfdl.com).

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