



National Commercial Arbitration Centre

National Commercial Arbitration Centre (NCAC)

Presented by: Ms. Seng Vuoch Hun, Arbitrator

Vice President of the NCAC

*(Made to DICO For Supporting Request for Project Funding to
Strengthen the Operational Capacity of NCAC)*



National Commercial Arbitration Centre

Contents

- 1. History**
- 2. Vision, Mission and Goal**
- 3. Structure**
- 4. Services**
- 5. What NCAC has done**
- 6. Financial Resource and Financial Support**



National Commercial Arbitration Centre

1. History

NCAC was established in 2006 (by Roayal Kram No. NS/RKM/0506/010 dated 05 May 2006), and officially launched on 4 March 2013, which sets a framework for alternate disputes resolutions through arbitration regarding business disputes between locals or/and foreigners, to safeguard the legal rights and interests of the parties, and to promote the sound development of the economy.

Sub Decree No. 125 Or Nor Kror. Bor Kor dated 12 August 2009 on the Managment and Function of NCAC establishes the operational aspects of NAC, such as the role and functions of NAC, its management and membership.

There are 43 individual arbitrators who are selected through exam and 10 associated legal entities which are the founding members of NCAC. At its inaugural meeting, the General Assembly elected on 9 January 2013 a seven-member Executive Board of Directors recognized by Prakas No. 0514 MoC/SM 2013 dated 15/02/2013 are responsible for the general management of this Centre



National Commercial Arbitration Centre

2. Vision, Mission and Goal

2.1 Vision

To contribute to the development of a fair and credible business environment, conducive to economic growth and a prosperous society in Cambodia.

2.2 Mission

To provide impartial, independent, and effective mediation and arbitration services for commercial disputes expeditiously and inexpensively.

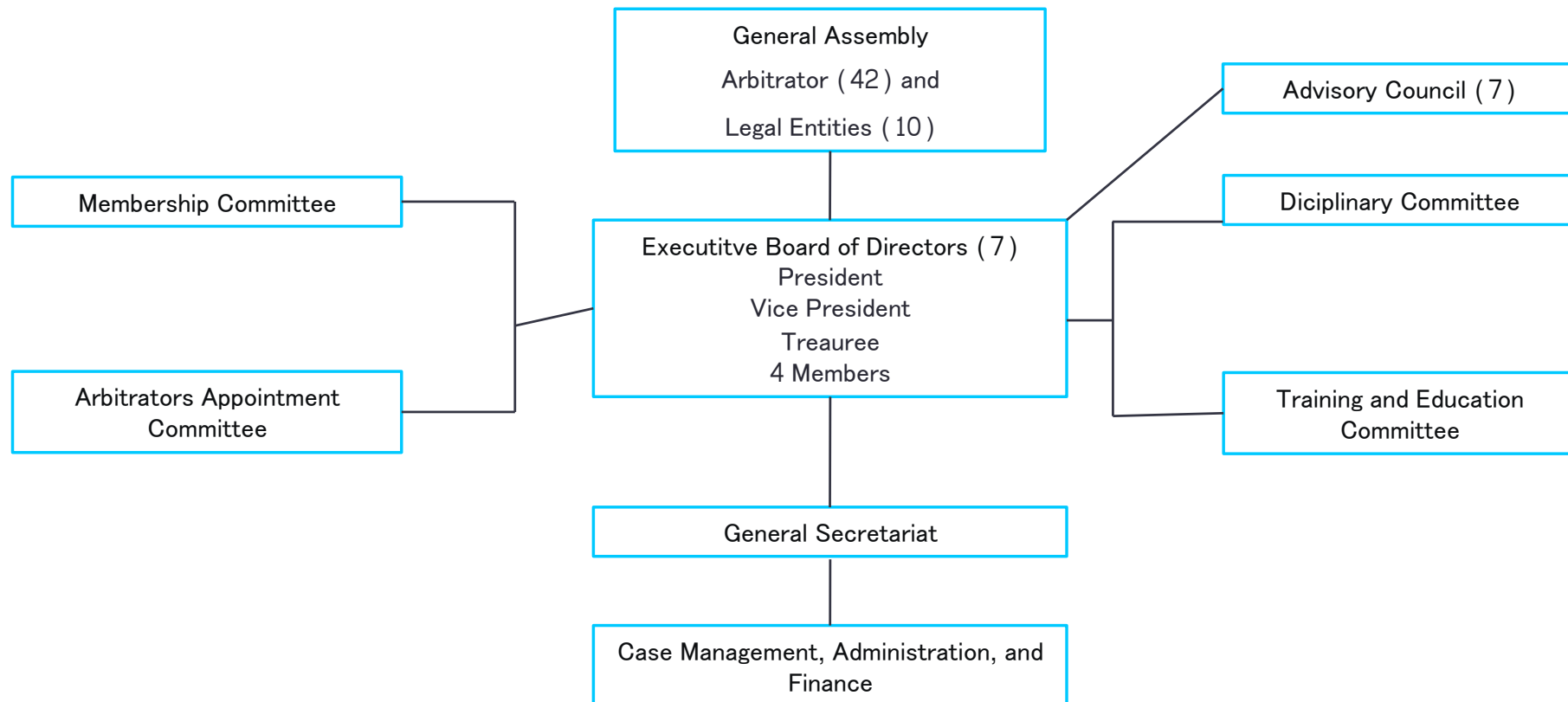
2.3 Goal

To develop a strong NCAC and to build the capacity of arbitrators, staffs and other stakeholders.
To sustain the development of a favorable environment for commercial ADR services in Cambodia, in which ADR proceedings are respected by the courts and other parties.



National Commercial Arbitration Centre

3. Structure





National Commercial Arbitration Centre

4. Services

NCAC shall play very important role in providing the following services:

- 4.1 Arbitration:** NCAC's core business is the provision of arbitration services to the users who is operating their businesses in Cambodia or those who opted this service by their agreement.
- 4.2 Mediation:** Although the Law does not emphasize mediation, the NCAC shall provide mediation services as a way to facilitate the voluntary settlement of disputes by the parties.
- 4.3 Continuing Education/ Training:** NCAC has provided and shall provide trainings to arbitrators and others in are involved. It also develop training services and publications targeted at potential future arbitrators, legal practitioners and others interested in commercial arbitration.
- 4.4 Resource Centre:** NCAC shall develop as an important resource and knowledge centre on issues relating to commercial arbitration and ADR including a library with manuals, study books and reference materials that would be helpful to and needed by students, researchers, legal practitioners, and others.



National Commercial Arbitration Centre

5. What NCAC Has Done?

General Assembly

06/04/2015: 2nd Annual General Assembly: approved Code of Ethic of Arbitrators; Nominated Mr. Vong Muneath to vacant seat of BoD's member.

11/07/2014: 1st Annual General Assembly: approved Internal Rule, Arbitration Rule, Annual Budget Plan and Financial Policies.

Workshops and Trainings

26/02/2015: Presentation to Lawyer Students of the 13rd generation

27-30/01/2015: Presentation to Lawyer Students of the 13rd generation

09/12/2014: Presentation at RULES, 300 law students participated

27/12/2014: Workshop on Introduction to Acceptance of Nomination as Arbitrator (at Cambodiana Hotel)

14/11/2014: National Workshop on Relation between Judiciary and Commercial Arbitration (Le Royal)



5. What NCAC Has Done? (Con't)

BOD Activities

Meetings and discussion on
Set up Committee of Arbitrators Nomination and Committee of Training
Daily works and making decision

Office Management and Arrangement

1. Head Office: Half first front floor of Building No. 65-67-69, St. 136, Sangkat Phsar Kandal I, Khan Daun Penh, Phnom Penh, Kingdom of Cambodia, offered by Ministry of Commerce for three years. The office space is used for:
 - Room for Secretariat / Administration / Front Desk:
 - Meeting Room and Hearing Room
 - President Room:
 - Arbitrators Room
2. Materials: Computers, Printers, Projector, Office phones, Air-conditioners, other office supplies donated by BoD members, arbitrators and others members.
3. Staff: Currently NCAC has only one staff, with a limited low salary, who play multiple role as Administrative staff, secretary, case registrar and other works upon needed.



5. What NCAC Has Done? (Con't)

Publication and Website

- Arbitration Rules: 4,970 copies
- Law on Commercial Arbitration: 1,000 copies
- Books for Case registration, Case Management, and other Forms
- Website: www.ncac.org.kh
- Facebook:



National Commercial Arbitration Centre

6. Financial Resources and Financial Support

6.1 Financial Resources

- IFC (expired), mostly applied to technical assistance only such as hiring international experts for arbitrators trainings, workshops and senior officer who are indirectly provide assistance in administration to the NCAC at the early stage
- Membership Fee of Arbitrators and Legal Entities (very limited amount, has been used for daily expenses including salary for staff, office supplies, electricity, phone, internet, hiring intentional experts for trainings to Arbitrators, internal meetings, General Assembly, and other activities)
- Charity Donation (very limited amount and has been expended for office renovation, supporting office materials and supplies, and other activities)



6. Financial Resource and Financial Support (Con't)

6.2 Financial Support

NCAC is under urgent need of financial support from donors for institutional operation and strengthening its services with high quality and effective that is being needed by local and foreign users.

6.2.1 Expected granted fund from DICO

- NCAC is looking for financial supports from different international donors.
- DICO is a potential Funder that the NCAC expects to be granted the requested sum as described in their Request for Project Funding to Strengthen the Operational Capacity of NCAC dated 12 May 2015.



6. Financial Resource and Financial Support (Con't)

6.2.2 Reasons for Fund Granted from DICO

- Main fund support from IFC expires.
- Limited budget from membership fee and charity
- NCAC still severely lack operational capacity and do not yet have budget to purchase basic office equipments and case management software, and to hire necessary staffs such as Secretary General, Case Manager, Admin and Finance Manager, some more support staffs and interns, and mentors for the initial stage of their operation commencement.
- NCAC needs to do more public outreach, promotional activities and stakeholders engagement to general greater awareness and collaborative support for recognition and practical enforcement of arbitral awards.



Thanks!
