



Memorandum of Understanding (MoU)
Between
The Ministry of Labour and Vocational Training of Cambodia
And
The Fair Work Commission of Australia

The Ministry of Labour and Vocational Training of Cambodia (MLVT) and the Fair Work Commission of Australia (hereinafter referred to as the “Parties”).

HAVING SOUGHT to strengthen the cooperation between the Ministry of Labour and Vocational Training of Cambodia and the Fair Work Commission of Australia;

RECOGNIZING that the close collaboration and sharing good practices between the Parties are the significant element in promoting and facilitating capacity and institutional building to create a harmonious workplace;

HAVE AGREED as follows:

OBJECTIVE

Article 1:

The Parties agree to work closely to develop and deliver technical cooperation programs for the mutual benefits. Such program will be carried out with a view to:

- (a) Develop a strong foundation for ongoing relations between the Ministry of Labour and Vocational Training of Cambodia and the Fair Work Commission of Australia;
- (b) Promote mutual understanding of each other's laws and workplace cultures and of common international labour standards;
- (c) Keep each other informed about regional developments and relevant emerging issues; and
- (d) Enhance the capacity of the Parties.

FORMS OF COOPERATION

Article 2:

1. The Parties will discuss and determine the forms of future cooperation, with particular emphasis upon:
 - (a) Ongoing technical assistance and cooperation between tribunal members and the Ministry of Labour and Vocational Training of Cambodia;
 - (b) Meetings/Seminars or study tour;
 - (c) Capacity building of minimum wage calculation, survey, negotiation skills, and minimum wage enforcement mechanism for MLVT officials; and
 - (d) Exchanging materials on conflict resolution, minimum wage setting mechanism and other resources concerning to the minimum wage.
2. The Parties agree, at any time, to revise the possible forms of development cooperation stated within this Memorandum.

MANAGEMENT AND IMPLEMENTATION ARRANGEMENT

Article 3:

1. The Minister of Labour and Vocational Training of Cambodia and the President of the Fair Work Commission of Australia (or their nominated delegates) will endeavor to meet annually to review progress in the implementation of assistance under this Memorandum.
2. The Parties acknowledge that implementation of the Program will take place in cooperation with any donor coordination processes.
3. All activities will be developed through consultation between the Parties and by agreement. Before implementing the activities, the Parties will assist with the preparation of detailed activity designs including the development of activity objectives, work plans and budgets.
4. The Parties acknowledge that the implementation of activities may involve a combination of Australian and Cambodian expertise.
5. Cooperation under this Memorandum may include actively seeking support and cooperation with, and between, other government agencies and non-government institutions.

REVIEW AND AMENDMENT

Article 4:

1. The operation and implementation of this Memorandum will be subject to periodic review when agreed between the Parties.
2. Any amendment will be made in writing as agreed by the Parties and will come into effect on a date determined by the Parties.

COMMENCEMENT AND TERMINATION

Article 5:

1. Memorandum will come into effect of the date of its signing.
2. This Memorandum may be terminated early by either party giving written notice to the other party, and such termination will take effect three months after the date of written notice.
3. The termination of this Memorandum will not prejudice the completion, in accordance with their terms, of any ongoing projects or activities under this Memorandum.
4. The Memorandum will terminate in five years after the date of signing, upon which time the Parties may enter into a further agreement.

FUNDING

Article 6:

All cooperative activities under this Memorandum will be subject to the availability of funds and nothing in this Memorandum commits the parties to the expenditure of funds.

Done at Phnom Penh on June 17, 2015.

For
The Ministry of Labour and Vocational
Training of Cambodia 



ITH SAMHENG
Minister

For
The Fair Work Commission of Australia 



Justice IJK Ross AO
President