

MEMORANDUM OF AGREEMENT
BETWEEN
THE GENERAL DEPARTMENT OF LABOUR,
THE MINISTRY OF LABOUR AND VOCATIONAL TRAINING, KINGDOM OF CAMBODIA
AND
THE CAMBODIAN HUMAN RESOURCE DEVELOPMENT ASSOCIATION OF HONG KONG,
THE HONG KONG SPECIAL ADMINISTRATIVE REGION

Party A: The General Department of Labour, the Ministry of Labour and Vocational Training of the Government of Kingdom of Cambodia, legally represented by **H.E. Seng Sakda**, Director General of Labour, Address: #3, Russian Federation Blvd, Teuk Laak 1, Toul Kok, Phnom Penh, Cambodia, Contact telephone: (855) 23 884 753.

Party B: The Cambodian Human Resource Development Association of Hong Kong, a Society registered under the Societies Ordinance of Hong Kong Special Administrative Region (HKCAMHR; REF.CP/LIC/SO/19/58460 on the 13th day of April 2017), legally represented by **Mr. Liu Wing Hing**, Chairman of the Society, Address: Flat D, 2/F., Mai Tak Building., 221, Wai Yip Street, Kwun Tong, Kowloon, Hong Kong, Telephone: (852) 9279 1688

- Respecting the announcement of the Immigration Department of Hong Kong, SAR, dated February 27, 2017 concerning the relaxation of Visa requirements for nationals of Cambodia;
- Respecting the need of a facilitation society to promote Cambodian domestic helpers to the Hong Kong employers and enterprise;
- Calling upon the sense of responsibility to provide better protection service and supporting service to Cambodian domestic helpers in Hong Kong, Party A and Party B through mutually beneficial discussion and cooperation have agreed as follows:

Article 1: Forms of Cooperation

(1) Cooperate together to provide necessary supporting services to Cambodian citizens who are legally employed in Hong Kong especially the Cambodian domestic helpers.

(2) Cooperate together to supervise industry malpractice to protect the interest of the Cambodian domestic helpers.

(3) Cooperate together to collect employment agency industry opinions and report it to the Hong Kong Special Administrative Region (Hong Kong), and the Ministry of Labour and Vocational Training (MLVT) for reviewing and improving the employment policies of the Cambodian domestic helpers.

(4) Cooperate together to monitor and give instruction to members and their owned companies to comply with the relevant government regulations in both Cambodia and Hong Kong in order to create a better working condition for the Cambodian domestic helpers.

(5) Cooperate together to manage database of Hong Kong employers and agencies.

Article 2: Term of Cooperation

(1) The term of cooperation is 5 years commencing from 24th April 2017 to 23rd April 2022.

(2) In case of necessary to revise certain term of this Agreement, the amended Agreement shall go into effect only with the signature of the both parties.

(3) The parties hereto gives the other party at least three (3) months prior written notice either to extend or amend this Agreement.

(4) Party B will apply to change the nature of organization from registered under the Societies Ordinance Section 5A(1), Chapter 151, Laws of Hong Kong, to company limited by guarantee under the Companies Ordinance of Hong Kong (Chapter 32) and Party A should recognise the new nature of organization and the new nature of organization will enjoy the same rights under this Memorandum of Agreement.

Article 3: Rights and Obligation

(1) Party A authorizes Party B as the one and only association to work on behalf of MLVT in Hong Kong to perform duties as set forth in Article 1 of this agreement; and recognize and authorize only agencies which are members of Party B to legally apply for Cambodian domestic helpers to work in Hong Kong.

(2) Party B shall fulfill the following obligations:

(2-1) Closely work with the General Department of Labour of the Ministry of Labour and Vocational Training, and formulate regular base communication mechanism.

(2-2) Smoothly work with Hong Kong employment agencies and Hong Kong employment association and place necessary monitoring for screening out the malpractice employment agencies.

(2-3) Provide two days of ability of adaptation enhancement training for the first time arrival domestic helpers in Hong Kong.

(2-4) Provide a smartphone with a contact number; and bargain with Hong Kong mobile service providers to provide a better smart mobile internet service package for Cambodian domestic helpers in Hong Kong.

(2-5) Coordinate with HKCAMHR's members to provide temporary accommodations to Cambodian domestic helpers who are in need.

(2-6) Set up Supporting Center in Cambodia, and provide online real time translation service for Cambodian domestic helpers in Hong Kong; employers in Hong Kong and agencies in Hong Kong.

(2-7) Employ legal counselor to provide legal counseling service related to Cambodian domestic helpers in Hong Kong and to assist the Cambodian domestic helpers to resolve the dispute with the employer and handle their criminal cases if in case.

(2-8) Design and install two information data base systems (system 1: to link MLVT, Royal Consulate General of Cambodia in Hong Kong & Macau, and Hong Kong Agencies; system 2: to link training center in Cambodia and Hong Kong Agencies)

(2-9) Cooperate with employers of foreign domestic helper associations in Hong Kong to get better understanding about employer's requirements.

(2-10) Closely work with nominated employment agencies in Cambodia to provide smoothly connecting service with Hong Kong agencies.

(2-11) Bargain with insurance companies in Hong Kong to provide better protection insurance terms for Cambodian domestic helpers in Hong Kong.

(2-12) Cooperate with Vocational Training Council of Hong Kong and Caritas Institute of Community Education in Hong Kong and other similar vocational training organizations in Hong Kong to provide Chinese cuisine cooking and housekeeping enhancement training for Cambodian domestic helpers in Hong Kong.

(2-13) Bargain with banks in Hong Kong such as Bank of China of Hong Kong and Public Bank of Hong Kong to provide better banking service such as remittance and payroll payments for Cambodian helpers and allows Cambodian domestic helpers to open one account with for two places: in Hong Kong and Cambodia etc.

(2-14) Cooperate with Smile of Angkor in Cambodia to provide Chinese cuisine cooking training for Cambodian domestic helpers who apply to work in Hong Kong.

(2-15) Cooperate with First Center Polyclinic in Cambodia to provide baby and elderly caring training and physical examination for Cambodian domestic helpers who apply to work in Hong Kong.

(2-16) Write, edit and publish the Cantonese textbook for Cambodian domestic helpers who apply to work in Hong Kong.

(2-17) Formulate curriculum and recruit teachers in Cambodia to teach Cantonese language for Cambodian domestic helpers who apply to work in Hong Kong.

Article 4: Liability for Breach of Contract

(1) It shall be considered as a breach of Agreement if any side cannot implement this Agreement and perform its own duties or responsibilities in accordance with the time, manner and requirements stipulated.

(2) If the breach behavior or improper behavior of the breach side violates the legal rights or interests of Cambodian workers who legally work in Hong Kong or the relevant legal rights or the laws of Hong Kong, or the laws or government decrees of the Kingdom of Cambodia, the breach side shall undertake the related legal duties independently and the observant party has the right to terminate this Agreement.


Article 5: Dispute Settlement

Any dispute in the implementation of this Agreement shall be resolved through negotiation amicably by the both Parties.

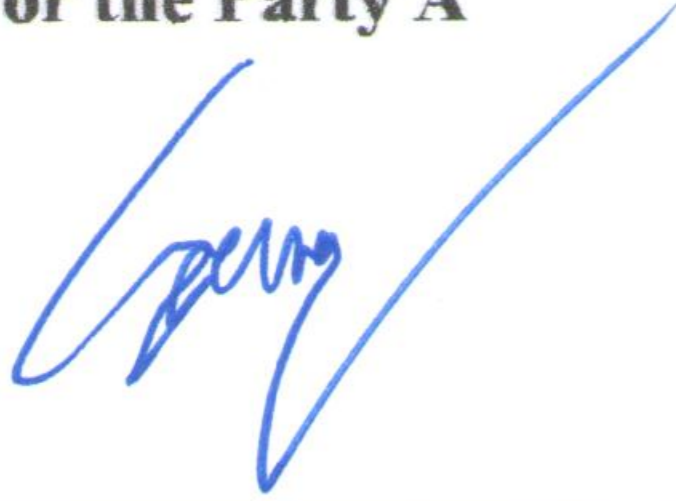
Article 6: Other Matters

(1) Both parties shall renew this Agreement on its expiry through mutual consultation to extend this Agreement or to sign a new Agreement.

(2) This Agreement is in quadruplicate; each of the Parties has two (2) copies and shall come into force after signing.

(3) Done in Hong Kong on 24th of April 2017. 

For the Party A



H.E. Seng Sakda
Director General
General Department of Labour,
Ministry of Labour and Vocational Training,
Kingdom of Cambodia

For the Party B



Mr. Liu Wing Hing
Chairman
Cambodian Human Resource Development
Association of Hong Kong,
Hong Kong Special Administrative Region