

REPUBLIC OF CAMEROON

PEACE - WORK - FATHERLAND



2023/336 OF 08 AOUT 2023
DECREE No. 2023/336 OF 08 AOUT 2023
to reorganize the Small and Medium-sized
Enterprises Promotion Agency

THE PRESIDENT OF THE REPUBLIC,

- Mindful of** the Constitution;
- Mindful of** Law No. 2002/004 of 19 April 2002 to institute the Investment Charter of the Republic of Cameroon and subsequent amendments thereto;
- Mindful of** Law No. 2010/1 of 13 April 2010 to promote Small and Medium-sized Enterprises in Cameroon;
- Mindful of** Law No. 2013/4 of 18 April 2013 to lay down private investment incentives in the Republic of Cameroon;
- Mindful of** Law No. 2017/10 of 12 July 2017 to lay down the general rules and regulations governing public establishments;
- Mindful of** Law No. 2018/012 of 11 July 2018 relating to the fiscal regime of the State and other public entities;
- Mindful of** Decree No. 2011/408 of 9 December 2011 to organize the Government, as amended and supplemented by Decree No. 2018/190 of 2 March 2018,

HEREBY DECREES AS FOLLOWS:

CHAPTER I
GENERAL PROVISIONS

ARTICLE 1: This decree reorganizes the Small and Medium-sized Enterprises Promotion Agency, abbreviated "SMEPA" and hereinafter referred to as "the Agency".

ARTICLE 2: (1) The Agency shall be a public administrative and technical establishment with legal personality and financial autonomy.

(2) Its headquarters shall be in Yaounde.

(3) Branches of the Agency may be set up, where necessary, within the national territory by resolution of the Board of Directors.

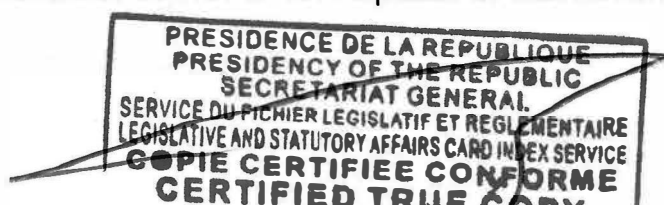
ARTICLE 3: (1) The Agency shall be responsible, in conjunction with the relevant government services, public and private bodies, for implementing the small- and medium-sized enterprises sector promotion and development strategy.

As such, it shall:

- strengthen the managerial skills of managers of small and medium-sized enterprises through information, training, sponsorship and mentoring;
- facilitate business creation formalities;
- establish a project data bank for to promoters of small- and medium-sized enterprises;
- promote technological innovation and the use of research findings and intellectual property assets by small- and medium-sized enterprises, in conjunction with the relevant institutions and bodies;
- establish an observatory for small- and medium-sized enterprises;
- partner with national and international organizations working to promote small- and medium-sized enterprises in Cameroon;
- facilitate access to financing for small- and medium-sized enterprises;
- conduct market surveys and make strategic choices for the development of small- and medium enterprises;
- facilitate the creation and development of networks of small- and medium-sized enterprises;
- promote public small- and medium-sized enterprises incubation bodies;
- assist small- and medium-sized enterprises in carrying out investments;
- facilitate access to markets for small- and medium-sized enterprises;
- facilitate partnerships between small- and medium-sized enterprises and large enterprises.

(2) The Agency shall discharge any other duty that may be entrusted to it by the Government.

ARTICLE 4: (1) The Agency shall ensure that local small- and medium-sized enterprises enjoy the public services to which businesses seeking to benefit or that are benefiting from one of the regimes of the Investment Charter and the law to lay down private investment incentives in the Republic of Cameroon are entitled.



As such, the Agency shall notably:

- receive applications for approval for one of the regimes provided for in the Investment Charter;
- review files received and forward same to the Minister in charge of finance for opinion, within the time limits provided for by the law;
- obtain the approvals required for implementing the investment programmes proposed by the company during the validity period of the approval document;
- obtain the required visas for foreign personnel during the validity period of the approval document;
- assist approved companies in the procedures required for implementing investment programmes, including access to related public facilities;
- establish simplified administrative procedures by type of activity, in conjunction with the relevant technical services.

(2) The Agency shall also ensure the implementation of programmes prepared with the assistance of donors, as well as the monitoring and control of small and medium-sized enterprises receiving funding or support from the government as part of business development.

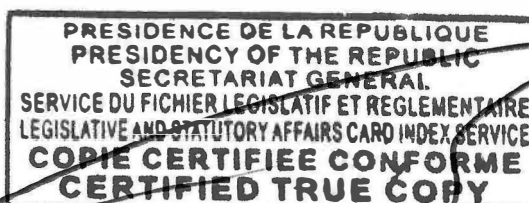
(3) To discharge the duties referred to in (1) above, the Agency shall have a one-stop shop, the organization, functioning and business creation procedures of which shall be laid down by an instrument of the Prime Minister.

ARTICLE 5: (1) The Agency shall specifically discharge the duties of facilitating, simplifying and standardizing activities related to business creation, which it shall coordinate.

(2) It shall assist business promoters in completing the legal and administrative formalities for business creation.

(3) To discharge the duties referred to in (1) above, the Agency shall have Business Creation Formalities Centres, abbreviated "BCFCs", the organization, functioning and business creation procedures of which shall be laid down by decree of the Prime Minister.

ARTICLE 6: (1) The Agency shall provide technical assistance and advice to business creation idea and project initiators, as well as support businesses in implementing the management tools suited to their organizational, financial, commercial and technological needs.



(2) To this end, the Agency shall, as and when necessary, set up small- and medium-sized enterprises support centres (CA-PME) nationwide, after approval by its Board of Directors.

ARTICLE 7: The Agency may, as and when necessary, and upon approval by its Board of Directors, establish other specific operational units nationwide to meet a specific need expressed by business project initiators or by established enterprises.

ARTICLE 8: (1) The Agency may, in accordance with the regulations in force, ensure the online publication of business creation notices in national newspapers and dailies authorized to receive and publish legal and judicial notices.

(2) The business creation notices shall be published at the request of the promoter.

ARTICLE 9: The Agency shall publish the annual report on businesses creation and the development of small- and medium-sized enterprises eligible for one of the regimes provided for by the Investment Charter and the law to lay down private investment incentives in the Republic of Cameroon, as well as those that have received support through any other regime existing within the Agency.

CHAPTER II

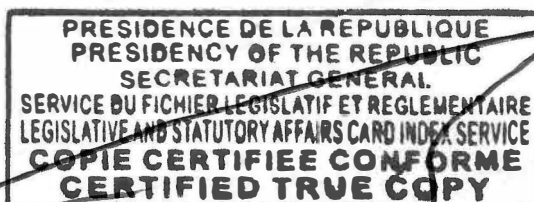
OVERSIGHT AND MANAGEMENT AND PERFORMANCE CONTROL

ARTICLE 10: The Agency shall be under the technical supervisory authority of the Ministry in charge of small- and medium-sized enterprises. As such, the technical supervisory authority shall ensure that:

- the activities carried out by the Agency comply with the Government's public policy guidelines in the sector concerned, subject to the powers of the Board of Directors;
- the resolutions of the Board of Directors comply with laws and regulations, as well as with sector policy guidelines.

ARTICLE 11: The Agency shall be under the financial supervisory authority of the Ministry in charge of finance. As such, the financial supervisory authority shall ensure:

- the compliance of the Agency's financial management operations with public finance regulations, and the regularity of accounts;
- the regularity of the Board of Directors' resolutions with financial impact, the sustainability of financial commitments and the overall consistency of the Agency's performance plans with sector programmes.



ARTICLE 12: (1) The Minister in charge of small- and medium-sized enterprises and the Minister in charge of finance shall, in conjunction with the Board of Directors, assist in monitoring the performance of the Agency which shall forward to them all documents and information relating to its activities.

(2) The documents and information referred to in (1) above shall include performance plans, action plans, annual progress reports, the financial controller's report, administrative and management accounts, the updated staff situation and the salary scale.

(3) The Ministers concerned shall, each in his/her own sphere, forward to the President of the Republic an annual report on the situation of the Agency.

CHAPTER III **ORGANIZATION AND FUNCTIONING**

ARTICLE 13: The Agency shall be administered by the following management organs:

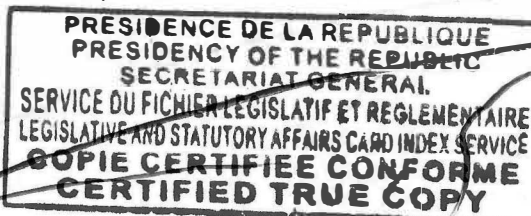
- the Board of Directors;
- Management.

SECTION I **BOARD OF DIRECTORS**

ARTICLE 14: (1) The Board of Directors of the Agency shall be composed of 12 (twelve) members.

(2) Besides the Chairperson, the Agency's Board shall comprise:

- one (1) representative of the Presidency of the Republic;
- one (1) representative of the Prime Minister's Office;
- one (1) representative of the Ministry in charge of small- and medium-sized enterprises;
- one (1) representative of the Ministry in charge of finance;
- one (1) representative of the Ministry in charge of decentralization and local development;
- one (1) representative of the Ministry in charge of agriculture;
- one (1) representative of the Ministry in charge of trade;
- one (1) representative of the Ministry in charge of planning;
- one (1) representative of the Ministry in charge of industry;
- one (1) representative of professional associations of small and medium-sized enterprises;



- one (1) peer-elected staff representative.

ARTICLE 15: (1) The Board Chairperson of the Agency shall be appointed by decree of the President of the Republic for a three-year term of office, renewable once.

(2) The Board members of the Agency shall be appointed by decree of the President of the Republic for a three-year term of office, renewable once, on the proposal of the government services they represent.

(3) In accordance with (1) and (2) above, the instrument appointing the Board Chairperson of the Agency shall automatically confer on him the status of Board member.

ARTICLE 16: (1) The term of office of a Board member shall be terminated:

- by loss of the capacity that warranted the appointment ;
- by dismissal as a result of misconduct or activities inconsistent with the duty of Board member;
- at the normal expiry of the term of office;
- by death or resignation.

(2) In the cases provided for in paragraph 1 above, the member concerned shall be replaced under the same conditions as those of his/her appointment.

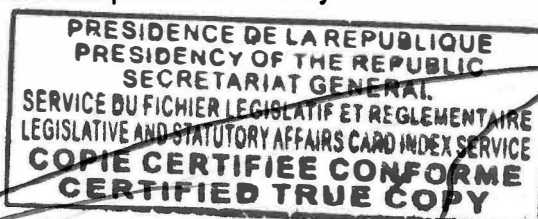
ARTICLE 17: (1) Six (6) months to the end of the term of office of a Board member, the Board Chairperson shall inform the body which he/she represents for his/her replacement.

(2) No member shall be allowed to sit on the Board beyond the expiry of his/her term of office.

(3) In case of expiry of the term of office of the Board Chairperson, the Minister in charge of small- and medium-sized enterprises shall inform the appointing authority.

(4) In case of death during the term of office or in all cases where a Board member is no longer able to carry out his duties, the institution he/she represents shall appoint another Board member for the remainder of the term of office.

ARTICLE 18: (1) The Board Chair and all Board members shall be subject to the restrictions and incompatibilities provided for by the laws in force.



(2) The Board Chair and all Board members, as well as all other persons invited to take part in Board sessions, shall be bound to maintain confidentiality with regard to all information, facts and acts to which they have become privy in the performance of their duties.

ARTICLE 19: (1) The Board Chair shall be entitled to a monthly allowance and benefits. The amount of such monthly allowance and benefits shall be fixed by the Board of Directors, in accordance with the regulations in force.

(2) Board members shall be entitled to a session allowance fixed by a resolution of the Board of Directors, within the limits laid down by the regulations in force. They may claim a refund of expenses incurred as a result of Board meetings, upon presentation of supporting documents.

(3) The Board may grant special payments to its members for duties and assignments entrusted to them, or authorize the refund of travel and other expenses incurred in the interests of the Agency.

ARTICLE 20: (1) The Board of Directors shall formulate and steer the general policy of the Agency, and assess its management, within the limits of its duties and in accordance with the regulations in force. As such, it shall:

- set the objectives and approve the performance plans of the Agency in accordance with sector objectives;
- adopt the Agency's budget and performance plans, and approve its final accounts;
- approve the annual performance reports;
- adopt the organization chart and the internal rules and regulations;
- authorize the recruitment of all staff, in accordance with the recruitment plan proposed by the Director-General;
- authorize the dismissal of staff on the proposal of the Director-General;
- appoint to the positions of Sub-Director, Director and similar positions, on the proposal of the Director-General,
- accept all donations, legacies and subsidies;
- approve performance contracts or all other agreements, including loan agreements prepared by the Director-General and having an impact on the budget;
- authorize the disposal of any movable or immovable, tangible or intangible property, in accordance with the regulations in force
- ensure compliance with governance rules and order the conduct of audits to guarantee the sound management of the Agency;

- fix staff remuneration and benefits, in compliance with the laws and regulations in force, the internal rules and budget forecasts;
- fix the amount of the allowance and benefits of the Board Chairperson, as well as those of Board members, in accordance with the regulations in force;
- fix the monthly remuneration and benefits of the Director-General and Deputy Director-General, in accordance with applicable laws and regulations and budget forecasts.

(2) The Board of Directors may delegate some of its powers to the Director-General.

ARTICLE 21: (1) The Board Chairperson shall convene and chair Board meetings. He shall ensure the implementation of Board resolutions.

(2) The Board Chair may invite any natural or legal person, on account of their expertise on any agenda item, to take part in the proceedings of the Board of Directors in an advisory capacity.

ARTICLE 22: (1) Where the position of Board Chairperson becomes vacant as a result of death, resignation or failure of the Board Chairperson, Board meetings shall be convened by the Minister in charge of finance at the request of the Director-General, or of two thirds (2/3) of Board members.

(2) Board meetings convened in accordance with (1) above shall be chaired by a Board member elected by his/her peers.

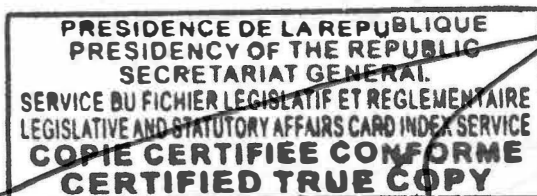
ARTICLE 23: (1) When convened by its Chairperson, the Board of Directors shall meet at least twice a year in ordinary session as follows:

- one (1) session to consider the performance plan and adopt the budget;
- one (1) session to close accounts.

(2) The Board Chairperson shall be found wanting if he/she fails to convene at least 2 (two) Board meetings per year.

(3) In case of refusal to convene a Board meeting in accordance with (1) above, 2/3 (two thirds) of the members shall refer the matter to the Minister in charge of finance who shall convene the Board.

(4) The provisions of (3) above shall also apply the event of silence on the part of the Chairperson, due to permanent incapacity established by the Board of Directors.



(5) The Board of Directors may be convened in extraordinary session, at the request of its Chairperson or of 2/3 (two thirds) of its members, on a specific agenda.

ARTICLE 24: (1) Convening notices, together with the files to be considered, shall be forwarded to Board members by any means leaving written trace at least 15 (fifteen) days prior the scheduled date of the session. In case of emergency, this period shall be reduced to 5 (five) days.

(2) The convening notices shall specify the agenda, date, venue and time of the meeting.

ARTICLE 25: (1) Any Board member who is unable to attend a meeting may be represented by another member.

(2) However, no Board member may represent more than one member at the same session.

(3) Any member present or represented at a Board meeting shall be deemed to have been duly convened.

(4) Where the Chairperson is unavoidably absent, the Board of Directors shall elect a Pro-tem Chairperson from among its members, by a simple majority of the members present or represented.

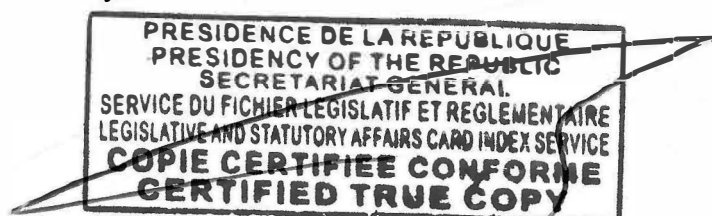
ARTICLE 26: The Board of Directors shall examine any item included on the agenda either by the Chairperson or at the request of two thirds (2/3) of Board members.

ARTICLE 27: The Director-General shall provide secretariat services for Board sessions.

ARTICLE 28: (1) The Board of Directors shall validly deliberate on any agenda item only if at least two-thirds (2/3) of its members are present or represented. Where the quorum is not attained on a first sitting, another sitting shall be convened where the quorum shall be reduced to half of the members.

(2) Each member shall have 1 (one) vote. Board decisions shall be taken by a simple majority of the votes of members present or represented. In the event of a tie, the Chairperson shall have the casting vote.

ARTICLE 29: Decisions of the Board of Directors shall be taken by way of resolutions. They shall be signed during the meeting by the Board Chairperson or the Pro-tem Chairperson, as the case may be, and a Board member.



ARTICLE 30: (1) Board deliberations shall entered in a report signed by the Board Chairperson or the Pro-tem Chairperson, and the secretary. The report shall also list the names of members present or represented as well as those of persons invited in an advisory capacity. The report shall be read and approved by the Board of Directors at a Board meeting.

(2) Session reports shall be entered in a special register kept at the headquarters of the Agency.

ARTICLE 31: (1) To discharge its duties, the Board of Directors may, as and when necessary, set up internal committees and commissions.

(2) Members of the committees or commissions shall be entitled to working facilities and allowances within the ceilings laid down by the regulations in force.

SECTION II MANAGEMENT

ARTICLE 32: (1) Management of the Agency shall be placed under the authority of a Director-General, assisted by a Deputy Director-General.

(2) The Director-General and the Deputy Director-General shall be appointed by decree of the President of the Republic.

ARTICLE 33: (1) The Director-General and the Deputy Director-General shall be appointed by decree of the President of the Republic for a three-year term of office, renewable twice.

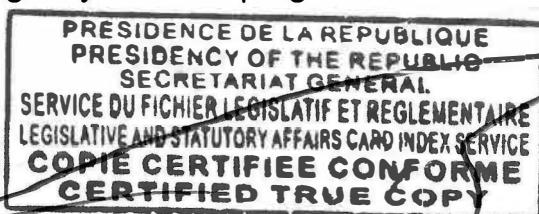
(2) The renewal provided for in (1) above shall be tacit.

(3) In any case, the cumulated term of office of the Director-General or the Deputy Director-General may not exceed 9 (nine) years.

(4) The Director-General and the Deputy Director-General shall be subject to the restrictive and incompatibility measures provided for by the legislation in force.

ARTICLE 34: (1) Under the supervision of the Board of Directors, the Director-General shall be responsible for implementing the general policy and management of the Agency. In that capacity, he shall be responsible in particular for:

- ensuring the technical, administrative and financial management of the Agency;
- preparing the Agency's annual programme of activities;



- preparing the draft budget and performance plan;
- preparing the administrative account and the annual performance report;
- providing secretarial services for the proceedings of the Board of Directors, in which he/she takes part in an advisory capacity;
- preparing the resolutions of the Board of Directors and ensuring their implementation;
- proposing a staff recruitment plan to the Board of Directors;
- appointing staff, subject to the prerogatives of the Board of Directors;
- managing the Agency's movable, immovable, tangible and intangible assets, in compliance with its duties and under the supervision of the Board of Directors.

(2) The Director-General may delegate some of his/her powers.

ARTICLE 35: The General Manager shall represent the Agency in all acts of civil life and in court.

ARTICLE 36: (1) The General Manager or his Deputy, as the case may be, shall be accountable to the Board of Directors, which may sanction him in case of serious mismanagement or misconduct that may undermine the smooth functioning or tarnish image of the Agency.

(2) In the cases provided for in 1 above, the Chairperson of the Board of Directors shall be bound to convene an extraordinary session during which the Director-General or his Deputy shall be heard.

(3) The file containing the grievances shall be submitted to the Director-General or his Deputy at least 10 (ten) days prior to the date of the extraordinary session.

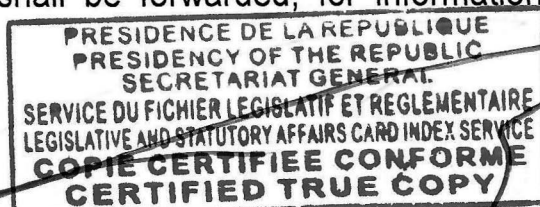
(4) Debate before the Board of Directors shall be adversarial.

(5) The Board of Directors may validly deliberate when at least two thirds (2/3) of its members are present. No proxy shall be allowed in this case.

ARTICLE 37: (1) The Board of Directors may impose the following sanctions on the Director-General or Deputy Director-General:

- suspension from some powers;
- suspension from duty for a limited period, with immediate effect;
- suspension from duty, with immediate effect, accompanied by a letter seeking his dismissal addressed to the appointing authority.

(2) Decisions shall be forwarded, for information, to the Minister in



charge of small- and medium-sized enterprises and to the Minister in charge of finance, at the behest of the Chairman of the Board of Directors.

ARTICLE 38: In the event of suspension from duty of the Director-General or Deputy Director-General, the Board of Directors shall take the necessary measures to ensure the smooth functioning of the Agency.

ARTICLE 39: (1) In the event of temporary incapacity of the Director-General, his Deputy shall deputize.

(2) Where Management of the Agency does not include the position of a Deputy Director-General, an officer ranking at least as Director designated by the Director-General shall deputize.

(3) In the event of vacancy of the position of Director-General as a result of death, resignation or expiry of term of office, the Board of Directors shall take all necessary measures to ensure the proper functioning of the Board, pending the appointment of a new Director-General..

CHAPTER IV **STAFF**

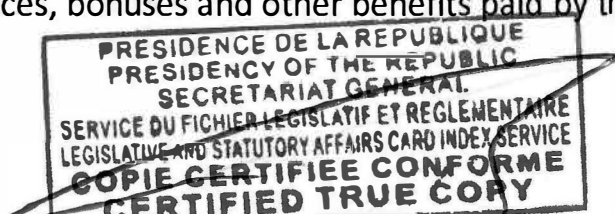
ARTICLE 40: The staff of the Agency shall comprise:

- staff recruited by the Agency;
- civil servants on secondment;
- State employees governed by the Labour Code placed at the disposal of the Agency;
- occasional, seasonal and temporary workers whose recruitment, remuneration and contract termination conditions shall be laid down in the staff regulations.

ARTICLE 41: Civil servants on secondment and State employees governed by the Labour Code and placed at the disposal of the Agency shall, throughout their employment, be governed by labour laws, subject to the provisions of the General Rules and Regulations of the Public Service and special regulations relating to retirement, advancement and end of secondment.

ARTICLE 42: (1) Civil servants on secondment and State employees governed by the Labour Code placed at the disposal of the Agency, irrespective of their original status, shall be fully paid by the Agency.

(2) The payment referred to in (1) above shall concern salaries and salary incidentals, allowances, bonuses and other benefits paid by the Agency.



ARTICLE 43: (1) The civil and/or penal liability of the Agency staff shall be governed by ordinary law rules.

(2) Conflicts between staff and the Agency shall fall under the jurisdiction of ordinary law courts.

ARTICLE 44: The instrument appointing the Director-General and Deputy Director-General shall not confer on them the status of employee of the Agency, unless they were previously in a contractual relationship with the Agency.

CHAPTER V **FINANCIAL PROVISIONS**

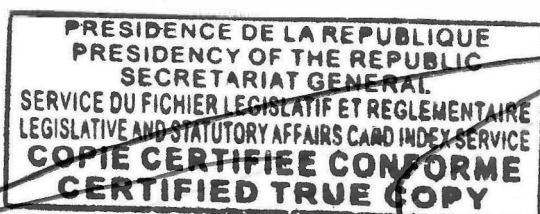
SECTION I **RESOURCES**

ARTICLE 45: (1) The Agency's resources shall consist of:

- subsidies and contributions from the State;
- allocations from the SMEs promotion fund;
- service delivery fees, in particular fees paid for accompanying SMEs;
- fees for processing business creation files;
- fees for the publication business creation notices;
- fees for the authentication of private deeds for the creation of limited companies;
- a share of the annual fees paid by the companies approved under the investment incentives regime;
- a share of the resources from contribution to the National Employment Fund;
- a share of the registration fees for the trade names of SMEs;
- funds from international cooperation and development partners;
- donations and legacies;
- all other resources provided for by the legislations in force.

(2) The amounts of proceeds from service delivery by the Agency shall be fixed by the Board of Directors.

(3) The terms and conditions for distributing and transferring some of the resources referred to in Section 1 above shall be laid down by a separate instrument of the Prime Minister.



ARTICLE 46: (1) The Agency's financial resources shall be public funds. They shall be managed in accordance with the rules provided for by the financial regime of the State and other public entities. However, resources from international conventions and agreements shall be managed in accordance with the conditions set forth in such conventions and agreements.

SECTION II
BUDGET AND ACCOUNTS

ARTICLE 47: The financial year of the Agency shall begin on 1 January and end on 31 December of each year.

ARTICLE 48: (1) The Agency's draft annual budget, performance plan and investment plans shall be prepared by the Director-General and adopted by the Board of Directors.

(2) The budget shall be presented in the form of coherent sub-programmes, with national and sector policy objectives.

(3) The Agency's budget shall be balanced in revenue and expenditure.

(4) The Agency's revenue and expenditure shall be included in the budget adopted by the Board of Directors.

ARTICLE 49: (1) The sums required to cover recurrent costs and the Agency's resources, in general, may be deposited in an account opened in a bank account, after the prior approval of the Minister in charge of finance.

(2) The resources deposited in the account referred to in (1) above shall be committed, calculated, ordered for payment and paid out in accordance with the rules of public accounting.

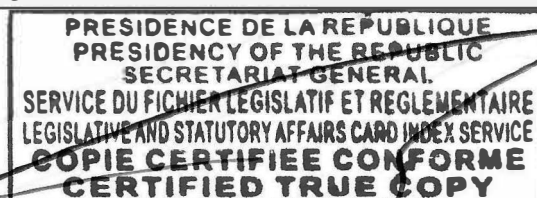
ARTICLE 50: The Agency's accounts must be regular and accurate, and present a true and fair view of its assets and financial position.

ARTICLE 51: (1) The Agency shall keep the following 3 (three) types of accounting:

- budget income and expenditure accounting;
- general accounting;
- cost accounting.

(2) The Agency may also have other types of accounting.

ARTICLE 52: (1) The budget adopted by the Board of Directors shall be submitted to



the Minister in charge of small and medium-sized enterprise for information, and to the Minister in charge of finance for approval.

(2) The budget shall become enforceable as soon as it is adopted by the Board of Directors, subjected to the provisions of the laws and regulations in force repugnant hereto.

ARTICLE 53: (1) The Director-General shall be the main authorizing officer of the Agency's budget.

(2) On the proposal of the Director-General, delegated authorizing officers may be appointed by the Board of Directors.

SECTION III MANAGEMENT CONTROL AND MONITORING

ARTICLE 54: (1) An accounting officer and a specialized finance controller shall be appointed to the Agency by order of the Minister in charge of finance.

(2) The accounting officer and the specialized finance controller shall discharge their duties in accordance with the laws and regulations in force, unless otherwise provided for in international agreements duly ratified by Cameroon and published.

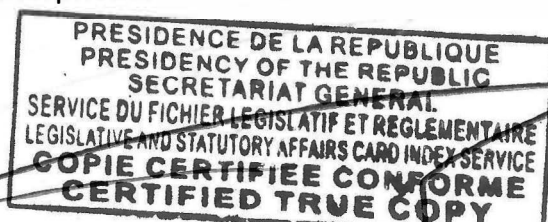
ARTICLE 55: (1) The accounting officer shall collect and record all Agency revenue and expenditure. He/she shall ensure the regularity of revenue collection, payment order and payment authorizations issued by the Director-General.

(2) The accounting officer alone shall pay the Agency's authorized expenditure.

ARTICLE 56: The Specialized Finance Controller shall control all income- and expenditure-generating documents issued either by the Director-General or delegated authorizing officers. In general, he/she shall be responsible for controlling budget execution.

ARTICLE 57: (1) At the close of each financial year, the Director-General shall prepare statements of all bank, deposit and portfolio accounts. He/she shall also draw up inventories and the statement of claims and debts.

(2) Within six months of the close of the financial year, the Director-General shall submit administrative and operating accounts as well as annual performance reports to the Board of Directors or, as appropriate, to the Minister in charge of small- and medium-sized enterprises.



ARTICLE 58: (1) The specialized finance controller and the accounting officer shall submit to the Board of Directors their respective reports on the implementation of the Agency's budget.

(2) Copies of the reports shall be forwarded to the Minister in charge of finance, the Minister in charge of small and medium-sized enterprises and the Director-General of the Agency.

ARTICLE 59: (1) The Minister in charge of finance shall monitor the Agency's management and performance.

To that end, the Agency shall submit to the Minister all documents and information relating to the life of the institution. By virtue of common law provisions, the documents, particularly activity reports, the specialized finance controller's reports and annual financial statements, shall also be made available to Board members.

(2) Each year, the Agency shall publish, in a legal notices newspaper and in the national press journal, an information note presenting the Agency's assets and liabilities and summarizing its annual accounts in a.

ARTICLE 60: (1) The Minister in charge of finance may request the production of financial statements covering a period of less than 1 (one) year.

(2) The Board of Directors, the Minister in charge of finance and the Minister in charge of small- and medium-sized enterprises may request the conduct of independent audits.

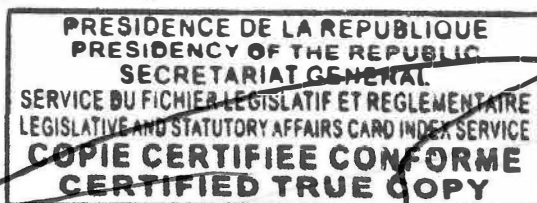
CHAPTER VI

PRECAUTIONARY MEASURES

ARTICLE 61: (1) Notwithstanding the provisions of this decree, in the event of any serious crisis that may jeopardize the Agency's general interest duties, its corporate purpose or the Government's sector objectives, a provisional administrator may be appointed by decree of the President of the Republic, in lieu of the Agency's governing bodies.

(2) The instrument appointing the provisional administrator shall lay down his/her duties and the duration of his/her term of office which, in any event, shall not exceed one 1 (one) month.

(3) At the end of his/her term of office, the provisional administrator shall produce an activity report presenting all his/her management actions.



CHAPTER VII

MANAGEMENT OF PROPERTY

ARTICLE 62: (1) The Agency's assets shall comprise movable and immovable property transferred to it by the State.

(2) The public property, national and private property of the State transferred for use to the Agency, in accordance with the land tenure legislation, shall maintain their original status.

(3) The private property of the State transferred to the Agency shall be definitively integrated into its assets.

(4) The private property of the Agency shall be managed in accordance with ordinary law.

ARTICLE 63: (1) The Director-General shall be responsible for managing the Agency's property, under the supervision of the Board of Directors.

(2) The management of property referred to in (1) above shall concern the acquisition and disposal of property.

ARTICLE 64: (1) In the event of disposal of an Agency property, the Director-General shall seek the prior authorization of the Board of Directors. He shall keep the Board of Directors informed of the status of assets which shall be examined at one of its meetings.

(2) The authorization of the Board of Directors shall be granted through a resolution adopted by at least 2/3 of its members.

CHAPTER VIII

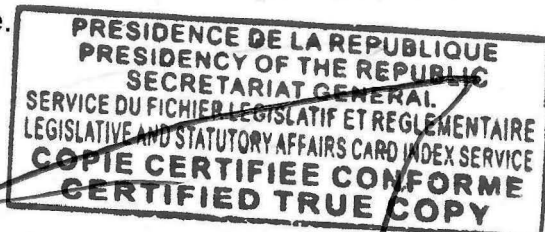
MISCELLANEOUS AND FINAL PROVISIONS

ARTICLE 65: (1) The Agency shall be subjected to the provisions of the Public Contracts Code.

(2) The Director-General shall be the contracting authority for all public contracts.

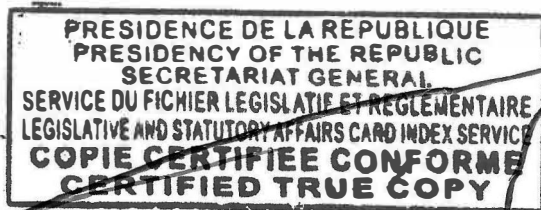
ARTICLE 66: The Internal Tenders board set up within the Agency shall ensure compliance with the rules of transparency, competition and fair pricing.

ARTICLE 67: The Agency shall be dissolved and liquidated, where necessary, in accordance with the legislation in force.



ARTICLE 68: All previous provisions repugnant to this decree are hereby repealed, in particular Decree No. 2018/629 of 5 October 2018 to lay down the reorganization of the Small and Medium-Sized Enterprises Promotion Agency.

ARTICLE 69: This decree shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.



Yaounde, 08 AOUT 2023



PAUL BIYA

PRESIDENT OF THE REPUBLIC