

Decree No. 2019/322 of 19 June 2019 to lay down categories of public establishments and the remuneration, allowances and benefits of their managers

THE PRESIDENT OF THE REPUBLIC,

Mindful of the Constitution;

Mindful of Law No. 2017/10 of 12 July 2017 to lay down the General Rules and Regulations governing public establishments;

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 lays down categories of public establishments as wells as the remuneration, allowances and benefits of their managers.

ARTICLE 2: The managers of the public establishments referred to in Article 1 above shall be the Chairperson and Members of the Board of Directors or of any other body acting in their stead, the General Manager and Deputy General Manager or any other official acting in their stead in a public establishment.

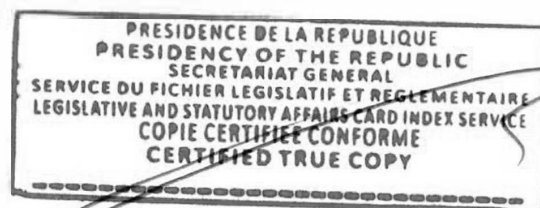
ARTICLE 3: The provisions of this decree shall apply to special public establishments, excluding those operating as public corporations.

CHAPTER II
CATEGORIES OF PUBLIC ESTABLISHMENTS

ARTICLE 4: Public establishments shall be classified by category based on actual budget.

ARTICLE 5: Public establishments shall be classified under the following 5 (five) categories:

- Category 1 public establishments;
- Category 2 public establishments;
- Category 3 public establishments;



- Category 4 public establishments;
- Category 5 public establishments.

ARTICLE 6: Category 1 public establishments shall be those whose average budget over the last three financial years is more than CFAF 100 000 000 000 (one hundred billion).

ARTICLE 7: Category 2 public establishments shall be those whose average budget over the last three financial years is less than CFAF 100 000 000 000 (one hundred billion) and more than or equal to CFAF 50 000 000 000 (fifty billion).

ARTICLE 8: Category 3 public establishments shall be those whose average budget over the last three financial years is less than CFAF 50 000 000 000 (fifty billion) and more than or equal to CFAF 10 000 000 000 (ten billion).

ARTICLE 9: Category 4 public establishments shall be those whose average budget over the last three financial years is less than CFAF 10 000 000 000 (ten billion) and more than or equal to CFAF 5 000 000 000 (five billion).

ARTICLE 10: Category 5 public establishments shall be those whose average budget over the last three financial years is less than CFAF 5 000 000 000 (five billion).

ARTICLE 11: (1) Public establishments shall be categorized every 3 (three) years by order of the Minister in charge of finance between 1 July and 31 August, with effect from the first day of the next financial year.

(2) Newly established public establishments shall automatically fall under category 5.

CHAPTER III

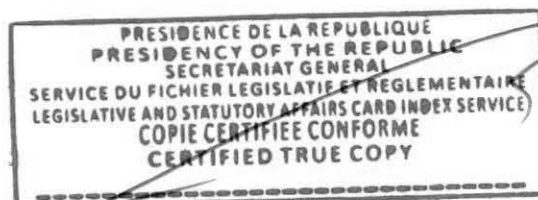
MONTHLY EMOLUMENTS, ALLOWANCES AND BENEFITS OF THE CHAIRPERSON AND MEMBERS OF THE BOARD OF DIRECTORS

SECTION I

MONTHLY EMOLUMENTS OF THE BOARD CHAIRPERSON

ARTICLE 12: (1) The Board Chairperson of public establishments shall be entitled to a monthly emolument whose amount shall be fixed by the Board of Directors, based on the category of the public establishment.

(2) For category 1 public establishments, the amount of the monthly emolument referred to in (1) above shall be set at 0.001% of the lower limit of the said category.



(3) For category 2 public establishments, the amount of the monthly emolument referred to in (1) above shall be set at 0.0016% of the lower limit of the said category.

(4) For category 3 public establishments, the amount of the monthly emolument referred to in (1) above shall be set at 0.006% of the lower limit of the said category.

(5) For category 4 public establishments, the amount of the monthly emolument referred to in (1) above shall be set at 0.01% of the lower limit of the said category.

(6) For category 5 public establishments, the amount of the monthly emolument referred to in (1) above shall be set at 0.008% of the lower limit of the said category.

(7) The monthly emolument referred to in (1 to 6) above shall be subject to the applicable taxes and levies.

SECTION II

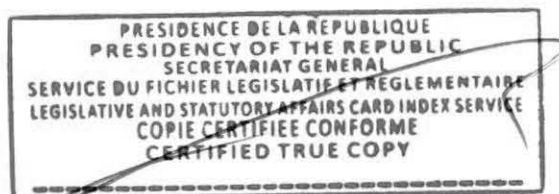
SESSION ALLOWANCE OF THE BOARD CHAIRPERSON AND MEMBERS

ARTICLE 13: The Board Chairperson and Members of a public establishment shall be entitled to a session allowance whose amount shall be fixed by the Board of Directors, within the limit of ceilings set on the basis of the corresponding category of the public establishment, as follows:

- For category 1 public establishments, the session allowance shall be capped at 0.0008% of the lower limit of the said category;
- For category 2 public establishments, the session allowance shall be capped at 0.0014% of the lower limit of the said category;
- For category 3 public establishments, the session allowance shall be capped at 0.006% of the lower limit of the said category;
- For category 4 public establishments, the session allowance shall be capped at 0.01% of the lower limit of the said category;
- For category 5 public establishments, the session allowance shall be capped at 0.008% of the lower limit of the said category.

ARTICLE 14: (1) The session allowance referred to in Article 13 above shall be fixed based on the budget sustainability and performance objectives of the public establishment.

(2) The session allowance shall be liable to the applicable taxes and levies.



ARTICLE 15: (1) The Board of Directors may grant its members remuneration, exceptional allowances or special bonuses for duties assigned to them. It may also authorize the refund of travel and transport expenses, as well as other expenses incurred in the interests of the public establishment.

(2) For any given financial year, the total amount paid as exceptional remuneration or special bonus to a Board member, as provided for in (1) above, may not exceed twice the amount of his session allowance.

(3) All decisions taken on the basis of (1) above shall be subject to a resolution of the Board of Directors.

ARTICLE 16: The Board of Directors may grant its members an end-of-tenure bonus, the amount of which shall be capped at twice the session allowance granted to the Chairperson or members of the said Board.

SECTION III **BENEFITS OF THE BOARD CHAIRPERSON**

ARTICLE 17: (1) The Board Chairperson of a public establishment shall be entitled to the following benefits in kind or the equivalent:

- one official vehicle with a maximum engine rating of 15 HP;
- a monthly flat rate fuel allowance;
- a monthly flat rate water and electricity allowance;
- a monthly flat rate allowance for domestic staff;
- a monthly flat rate telephone allowance;
- one day watchman and one night watchman.

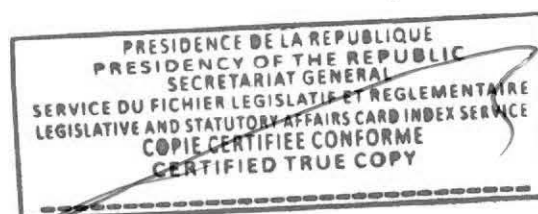
(2) The benefits in kind or equivalent referred to in (1) above shall be fixed by the Board of Directors, based on the budget sustainability and performance objectives of the public establishment.

(3) The benefits in kind or the equivalent referred to in (1) above shall not be received cumulatively with any other benefit granted for another similar public office.

(4) The monthly flat rate allowances referred to in (1) above may not exceed the amount of the gross monthly emolument granted to the person concerned.

(5) The benefits in kind or equivalent referred to in (1) above shall be fixed by resolution of the Board of Directors.

ARTICLE 18: (1) The Board Chairperson of a public establishment shall be entitled to a private entertainment allowance for receptions.



(2) The private entertainment allowance shall be included in the budget of the public establishment and, in a year, may not exceed twice the gross monthly emolument granted to the person concerned.

CHAPTER IV
REMUNERATION AND BENEFITS OF THE
GENERAL MANAGER AND DEPUTY GENERAL MANAGER

SECTION I
REMUNERATION

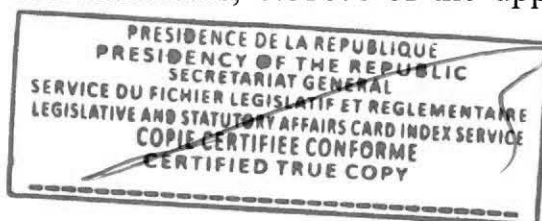
ARTICLE 19: The General Manager and Deputy General Manager of a public establishment shall be granted a gross monthly remuneration comprising a basic monthly salary, a monthly duty allowance and a monthly representation allowance.

ARTICLE 20: The monthly basic salary granted to General Managers, referred to in Article 19(1) above, shall be fixed as follows:

- For category 1 public establishments, 0.003% of the lower limit of the said category;
- For category 2 public establishments, 0.005% of the lower limit of the said category;
- For category 3 public establishments, 0.02% of the lower limit of the said category;
- For category 4 public establishments, 0.03% of the lower limit of the said category;
- For category 5 public establishments, 0.02% of the lower limit of the said category.

ARTICLE 21: The monthly basic salary granted to the Deputy General Managers referred to in Article 19(1) above, shall be fixed as follows:

- For category 1 public establishments, 0.0025% of the lower limit of the said category;
- For category 2 public establishments, 0.004% of the lower limit of the said category;
- For category 3 public establishments, 0.015% of the lower limit of the said category;
- For category 4 public establishments, 0.02% of the lower limit of the said category;
- For category 5 public establishments, 0.016% of the upper limit of the said category.



ARTICLE 22: The monthly duty allowance granted to the General Manager and Deputy General Manager of a public establishment shall be fixed at 1/5 (one fifth) of their respective gross monthly basic salaries.

ARTICLE 23: The monthly representation allowance granted to the General Manager and Deputy General Manager of a public establishment shall be fixed at 1/7 (one seventh) of their respective gross monthly basic salaries.

ARTICLE 24: The monthly basic salary, monthly duty allowance and monthly representation allowance shall be liable to applicable taxes and duties.

ARTICLE 25: Where they are appointed Coordinator or Member of working groups, committees or commissions set up within public establishments, General Managers and Deputy General Managers may not, in such capacities, be entitled to any remuneration whatsoever.

SECTION II

BENEFITS OF THE GENERAL MANAGER AND DEPUTY GENERAL MANAGER

ARTICLE 26: (1) The General Manager and Deputy General Manager of a public establishment shall be entitled to an official residence.

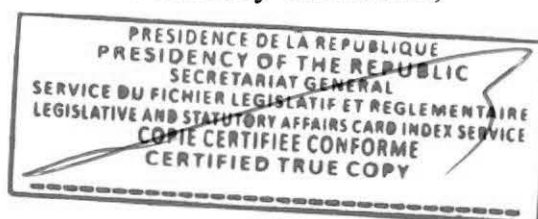
(2) Where the official residence is rented from an individual, the monthly amount of such rent may not exceed $\frac{1}{4}$ (one quarter) of the gross monthly basic salary of the concerned.

(3) Where the General Manager or Deputy General Manager uses his personal residence for service purposes, he shall be entitled to a housing allowance capped at $\frac{1}{4}$ (one quarter) of his gross monthly basic salary.

ARTICLE 27: (1) The General Manager and Deputy General Manager of a public establishment shall be entitled to the following benefits in kind or equivalent:

(a) General Manager:

- one official vehicle with a maximum engine rating of 15 HP and a private errand vehicle with a maximum engine rating of 11 HP;
- a furniture and equipment allowance that may not exceed twice the gross monthly salary granted to the persons concerned, renewable every 5 (five) years;
- a monthly flat-rate fuel allowance;
- a monthly flat-rate water and electricity allowance;



- a monthly flat-rate allowance for domestic staff;
- a monthly flat-rate telephone allowance;
- one day watchman and one night watchman.

(b) Deputy General Manager:

- one official vehicle with a maximum engine rating of 13 HP and a private errand vehicle with a maximum engine rating of 9 HP;
- a furniture and equipment allowance that may not exceed twice the gross monthly salary granted to the persons concerned, renewable every 5 (five) years;
- a monthly flat-rate fuel allowance;
- a monthly flat-rate water and electricity allowance;
- a monthly flat-rate allowance for domestic staff;
- a monthly flat-rate telephone allowance;
- one day watchman and one night watchman.

(2) The General Manager and Deputy General Manager of a public establishment shall be entitled to medical care within the country. However, where the medical condition requires evacuation abroad, the Board of Directors shall adopt a resolution to that effect.

(3) The benefits in kind or equivalent referred to in (1) above shall be fixed by the Board of Directors, based on the budget sustainability and performance objectives of the public establishment.

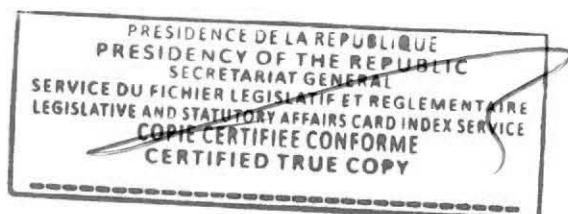
(4) The flat-rate allowances referred to in (1) above may not exceed ½ (half) of the gross monthly basic salary of the concerned.

ARTICLE 28: (1) The General Manager and Deputy General Manager of a public establishment shall be entitled to a private entertainment allowance for expenses they incur for receptions.

(2) The entertainment allowances referred to in (1) above shall be included in the budget of the public establishment and, in a year, may not exceed thrice the gross monthly salary of the persons concerned.

ARTICLE 29: (1) After one year of effective service, the General Manager and Deputy General Manager of a public establishments shall be entitled to a leave of 3 (three) consecutive weeks.

To this end, they shall each be entitled to a leave allowance equivalent to 1 (one) month of their gross monthly basic salary.



(2) Leave accrual shall not be authorized. Leave due for one period of effective service may not be carried forward to the next period.

ARTICLE 30: (1) The Board of Directors may grant an end-of-tenure bonus to the General Manager and Deputy General Manager, the amount of which shall be equal to twice their respective gross monthly basic salary.

(2) The bonus referred to in (1) above shall be granted solely on the basis of the financial situation of the public establishment.

CHAPTER V **TRAVEL**

ARTICLE 31: (1) While on mission for the entity, a Board Member, the General Manager and Deputy General Manager of a public establishment shall be entitled to a daily travel allowance fixed as follows:

(a) For missions within the national territory:

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| - Board Member | CFAF 150 000; |
| - General Manager | CFAF 150 000; |
| - Deputy General Manager | CFAF 150 000. |

(b) For missions abroad:

- Zone I (Africa, excluding the Republic of South Africa and North African countries)

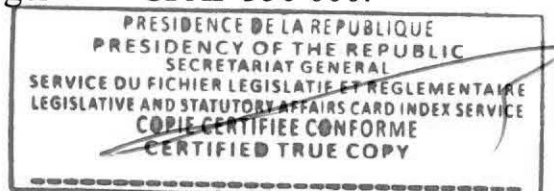
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|--------------------------|---------------|
| - Board Member | CFAF 250 000; |
| - General Manager | CFAF 250 000; |
| - Deputy General Manager | CFAF 250 000. |

- Zone II (Republic of South Africa, North African countries, Middle East, Near East, Europe excluding Germany, Austria, Switzerland and former USSR countries)

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|--------------------------|---------------|
| - Board Member | CFAF 300 000; |
| - General Manager | CFAF 300 000; |
| - Deputy General Manager | CFAF 300 000. |

- Zone III (America, Asia, Oceania, Pacific, Germany, Austria, Switzerland and former USSR countries).

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|--------------------------|---------------|
| - Board Member | CFAF 350 000; |
| - General Manager | CFAF 350 000; |
| - Deputy General Manager | CFAF 350 000. |



(2) Where travel is by air, Board Members, the General Manager and Deputy General Manager of a public establishment shall travel business class.

(3) Where travel is by train, Board members, the General Manager and Deputy General Manager of a public establishment shall travel in the highest class.

ARTICLE 32: (1) The mission order of a Board Member, General Manager and Deputy General Manager for travel abroad shall be signed by the Board Chairperson, upon authorization of the Prime Minister or the Secretary-General of the Presidency of the Republic for establishments under the supervisory authority of the Presidency of the Republic. It shall specify the departure and return dates.

(2) The mission order referred to in (1) above shall serve as exit authorization.

(3) None of the officials referred to in this decree may undertake more than 60 (sixty) mission days abroad in the same financial year.

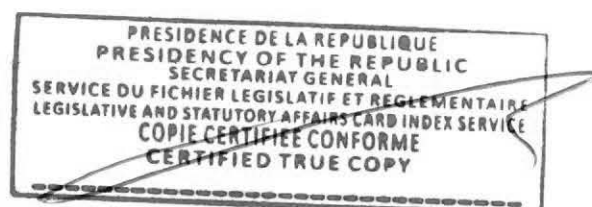
(4) In case of absolute need warranted by the interest of the public establishment or in case of emergency relating to mission time constraints, the Board Chairperson may issue a mission order for a Board Member, General Manager and Deputy General Manager and report thereon forthwith to the Prime Minister or the Secretary-General of the Presidency of the Republic, as the case may be.

ARTICLE 33: (1) The mission order of a Board Chairperson for travel abroad shall be issued by the technical supervisory Minister, upon authorization of the Prime Minister or the Secretary-General of the Presidency of the Republic for establishments under the supervisory authority of the Presidency of the Republic.

(2) The mission order referred to in (1) above shall serve as exit authorization.

(3) However, where the Board Chairperson is a Member of Government or a personality ranking as such, the relevant regulations governing travel abroad by Members of Government shall apply.

(4) In case of absolute need warranted by the interest of the public establishment or in case of emergency relating to mission time constraints, the technical supervisory Minister may issue a mission order for a Board Chairperson and report thereon forthwith to the Prime Minister, subject to the provisions of (3) above.



(5) The daily travel allowance granted to a Board Member for missions within the national territory or abroad shall equally apply to the Board Chairperson.

CHAPTER VI MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

ARTICLE 34: Upon the reasoned proposal of the Minister in charge of finance, the President of the Republic may exceptionally authorize a waiver with respect to remuneration of managers of some public establishments.

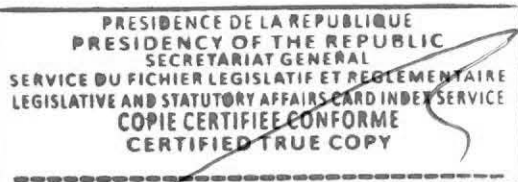
ARTICLE 35: (1) The Chairperson and members of working groups, committees and commissions set up within the Board of Directors shall be entitled to a session allowance fixed by the Board of Directors.

(2) The session allowance referred to in (1) above may not exceed ½ (half) the session allowance of a Board Member.

ARTICLE 36: Public establishments must comply with the provisions of this decree within 3 (three) months of its publication.

ARTICLE 37: The provisions relating to public establishments under Decree No. 78/462 of 24 October 1978 to harmonize the rates of allowances granted to Board Chairpersons and Members of public establishments and public corporations and the subsequent amendments thereto are hereby repealed.

ARTICLE 38: This decree shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.



Yaounde, 19 June 2019

