

REPUBLIC OF CAMEROON  
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PEACE – WORK – FATHERLAND  
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LAW No. 2005/002 OF 28 AVR 2005

RELATING TO THE ORGANIZATION AND PRACTICE OF  
THE PROFESSION OF RURAL ENGINEER

PRESIDENCE DE LA REPUBLIQUE  
PRESIDENCY OF THE REPUBLIC  
SECRETARIAT GENERAL  
SERVICE DU FICHIER LEGISLATIF ET REGLEMENTAIRE  
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The National Assembly deliberated and adopted,  
the President of the Republic hereby enacts the  
law set out below :

**PART I**  
**GENERAL PROVISIONS**

**Section 1:** This law shall govern the organization and practice of the profession of rural engineer, hereinafter referred to as the "engineer".

**Section 2:** Under this law, a rural engineer shall be any person who holds the diploma of engineer awarded by a university or recognized school, or any other diploma in one of the rural engineering specialties recognized as an equivalent by the National Commission on Equivalents and who, by virtue of his knowledge in the domain of rural engineering, can create, invent or design models or products in accordance with national and international rules and standards in force, while protecting the environment.

**Section 3:** (1) Practice of the profession of rural engineer shall concern any creative activity or work requiring training and experience in rural engineering specialties, with a view to ensuring that the said creative activity or work conforms to specifications and plans and complies with the rules of the trade. This applies to design works, installation works, and control and maintenance of equipment used in urban and rural milieus.

(2) Within his purview, a rural engineer may carry out consultancy, design, project implementation, control, research or training activities.

**PART II**  
**ORGANIZATION OF THE PROFESSION OF RURAL ENGINEER**

**CHAPTER I**  
**NATIONAL ASSOCIATION OF RURAL ENGINEERS**

**Section 4:** (1) A national association of rural engineers, hereinafter referred to as the "association", is hereby instituted.

(2) The association shall comprise all rural engineers entered on the roll of the Association.

**Section 5:** (1) The Association shall ensure compliance with the principles of morality and devotion which are indispensable for the practice of the profession of rural engineer, as well as with the rules laid down in the code of ethics.

(2) The Association shall ensure the promotion of the profession of rural engineer.

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(3) The Association shall also perform any duties assigned to it in accordance with this law or separate instruments.

(4) The Association shall be endowed with legal personality. Its head office shall be in Yaounde.

(5) It shall be placed under the supervisory authority of the minister in charge of rural engineering.

## CHAPTER II

### ORGANIZATION OF THE NATIONAL ASSOCIATION OF RURAL ENGINEERS

**Section 6:** The Association shall comprise the following organs:

- General Assembly;
- Council of the Association.

#### I. GENERAL ASSEMBLY

**Section 7:** (1) The General Assembly shall comprise all rural engineers entered on the roll of the Association.

(2) It shall meet each year in ordinary session when convened by the Chairman of the Council of the Association and, if need be, in extraordinary session at the request of an absolute majority of its members, the Council of the Association or the supervisory authority. It shall:

- elect the Chairman of the Council of the Association;
- elect the other members of the Council of the Association;
- elect an auditor;
- approve the progress report of the Chairman of the Council of the Association;
- lay down guidelines for the smooth running of the profession; and
- adopt the internal rules and regulations and a code of ethics for the Association which shall be submitted to the supervisory authority for approval.

(3) The proceedings of the General Assembly shall be conducted by a bureau elected at the beginning of the session comprising:

- a chairman;
- a vice-chairman;
- two reporters; and
- an auditor.

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(4) The General Assembly may, as and when necessary, create specialized sections of the Association, according to the different specialities of the profession of rural engineer.

(5) The auditor shall be elected for a renewable term of (4) four years.

**Section 8:** The General Assembly shall fix the amount of contributions to be made by members of the Association. Such contributions shall be compulsory and a member who fails to pay his contribution shall be struck off the roll of the Association.

**Section 9:** (1) The General Assembly may not validly conduct business unless at least one half of the registered members of the Association are present or represented.

(2) The decisions of the General Assembly shall be taken by a simple majority of the members of the Association present or represented and who have paid up their contributions. In the event of a tie, the President shall have the casting vote.

**Section 10:** (1) The agenda of the General Assembly meeting shall comprise matters pertaining solely to the practice of the profession of rural engineer. It shall be drawn up by the Chairman of the Council of the Association who may be notified, one month before the meeting, of matters raised by the members of the Association or the supervisory authority.

(2) The agenda of the General Assembly meeting shall be notified at least 15 (fifteen) days before the date of the meeting to the supervisory authority.

**Section 11:** (1) The organization of the General Assembly shall be defined by internal rules and regulations.

(2) The first session of the General Assembly shall be convened by the supervisory authority.

## II. COUNCIL OF THE ASSOCIATION

**Section 12:** (1) The Council of the Association shall be the executive organ of the National Association of Rural Engineers.

(2) It shall comprise 10 (ten) members including the chairman, all of them elected for a term of 4 (four) years renewable once.

(3) All engineers practising in Cameroon and who are entered on the roll of the Association shall be eligible and shall have voting rights.

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(4) The practical conditions of organizing the election of Council members and the rules relating to their replacement in case of default shall be laid down in the internal rules and regulations.

**Section 13:** The Council of the Association shall comprise:

- a chairman;
- a senior vice- chairman;
- a second vice-chairman;
- a secretary-general;
- an assistant secretary-general;
- a treasurer;
- four advisers.

(2) The Chairman of the Council shall be the President of the Association. In this capacity, he shall represent the Association in all acts of public life and in courts.

**Section 14:** (1) Within eight days of each election, the Chairman-elect of the Council shall forward a report thereof to the supervisory authority.

(2) Election disputes may be referred to the Administrative Bench of the Supreme Court by any member with voting rights within 15 (fifteen) days following the election.

**Section 15:** Membership of the Council of the Association shall cease where:

- the term of office expires;
- a member is unjustifiably absent from 3 (three) consecutive meetings of the Council;
- a member is permanently disabled or deceased;
- resignation is duly established;
- a member is struck off the roll of the Association.

**Section 16:** The Council of the Association may not validly conduct business unless 2/3 (two-thirds) of its members are present. Such sessions shall be presided over by its Chairman or where he is unavailable, by one of the Vice-Chairmen, by order of precedence, or the oldest member present, where the latter is unable to attend the meeting. Where a quorum is not attained after 2 (two) convening notices, a simple majority shall be required for valid deliberations to take place.

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**Section 17:** (1) The Council of the Association shall meet twice a year in ordinary session when convened by its Chairman. It may, if need be, meet in extraordinary session on the Chairman's initiative, or at the request of no less than half of its members or of the supervisory authority.

- (2) The Chairman shall determine the date, venue and time of meetings.
- (3) Every member of the Council shall have the right to vote.
- (4) The decisions of the Council of the Association shall be made through a simple majority of the members present or represented.
- (5) Deliberations of the Council of the Association shall be held in camera. However, the Chairman may invite any person by virtue of his expertise to attend council meetings in an advisory capacity.

**Section 18:** (1) Pursuant to the provisions of Sections 5 and 6 above, the Council of the Association shall:

- rule on applications for entry or re-entry on the roll or on the election of its members;
- rule on applications for authorization to practise the profession on a private basis as well as applications to operate, temporary replacement, change of professional domicile or for resumption of activities following interruption as a result of disciplinary sanctions;
- exercise all the powers granted to it under this law or by separate instruments;
- ensure compliance with the laws and regulations governing the profession as well as professional discipline and retraining;
- ensure compliance with the morality and probity principles which are indispensable for practice of the profession by all members of the Association;
- promote scientific and technological excellence within the Association;
- promote studies or research activities likely to contribute to the development of scientific knowledge in rural engineering;
- as the institutional partner of public authorities, contribute to the formulation of strategies, to decision-making and to the implementation of policies in sectors needing rural engineering expertise;
- examine all matters referred to it by the supervisory authority;
- impose disciplinary sanctions on Council members, under the conditions laid down by this law.

(2) Under no circumstances shall the Council of the Association take into account the political or religious activities, attitudes or opinions of the members of the Association.



## CHAPTER II

### ENROLMENT IN THE ASSOCIATION

**Section 19:** (1) No one may exercise the profession of rural engineer in Cameroon unless he is enrolled in the Association.

(2) Enrolment in the Association shall be by chronological order of registration of applications.

(3) The roll shall be updated at the beginning of each year by the Council of the Association and shall be duly notified to the supervisory authority, legal departments of courts and council offices.

**Section 20:** The conditions for enrolment in the Association shall be as follows:

- (a) be of Cameroonian nationality and enjoy full rights as a citizen;
- (b) be at least 18 (eighteen) years old;
- (c) have the diploma of rural engineer or any other equivalent certificate, or the diploma of assistant rural engineer with 5 (five) years work experience or show proof of additional training in the field of rural engineering under the conditions laid down by statutory instruments.

**Section 21:** (1) The enrolment file shall be submitted in duplicate to the Council of the Association, against a receipt.

(2) The Council of the Association shall be bound to rule on applications within a period of 90 (ninety) days of the date of submission of the file.

(3) Beyond this period, failure to respond by the Council of the Association shall be tantamount to acceptance of the candidate's application and his automatic enrolment in the Association.

(4) Any decision taken by the Council of the Association on an application for enrolment shall be submitted to the supervisory authority within 15 (fifteen) days.

(5) The rejection of any application must be explained.

**Section 22:** (1) Decisions taken by the Council of the Association on applications for enrolment or re-enrolment may, within 15 (fifteen) days of their notification, be appealed against before the Appeals Board of the



Council of the Association by the applicant, in case of refusal of enrolment, or by any other member of the Association who is an interested party, in case of enrolment or re-enrolment.

(2) In either case, where the Appeals Board fails to make a decision on a matter within a period of 90 (ninety) days of referral, the applicant shall be enrolled in the Association.

(3) The appeal shall not have a suspensive effect save in the case of acceptance.

**Section 23:** A member who ceases practice shall make a declaration thereof within 15 (fifteen) days to the Council of the Association which shall strike his name off the roll.

**Section 24:** (1) The Secretary-General of the Council of the Association shall keep the roll of the Association.

(2) The roll of the Association shall indicate only the diplomas and professional qualifications recognized by the competent authority of the country in which they were obtained. It may also include titles and decorations awarded to the engineer by the State.

#### CHAPTER IV AUTHORIZATION

**Section 25:** (1) The application file for authorization to practise the profession of rural engineer on a private basis shall be submitted in two copies, against receipt, to the head office of the Council of the National Association of Rural Engineers.

(2) The Council shall be bound to take a decision on the application for enrolment within 60 (sixty) days of the date of its submission.

(3) Beyond such period, silence on the part of the Council of the Association shall be tantamount to acceptance of the application. The candidate may thus establish his practice.

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(4) The decision of the Council of the Association shall be submitted to the supervisory authority for prior approval on the first working day following such decision.

(5) Any rejection of an application must be explained.

**Section 26:** (1) Decisions taken by the Council of the National Association of Rural Engineers on applications for authorization may, within 30 (thirty) days of notification thereof, be appealed against before the Appeals Board of the Council by the Applicant, in case of rejection, or by any member of the Association with a stake in the matter, in the case of acceptance.

(2) The appeal shall not have a suspensive effect, save in the case of acceptance.

(3) The Appeals Board shall give a decision within 60 (sixty) days of the date of lodgement of the appeal. The decision of the Appeals Board shall be notified following the procedure laid down in this law.

(4) Beyond such period, silence on the part of the Appeals Board shall be tantamount to a favourable decision.

**Section 27:** (1) Without prejudice to the provisions of Sections 21 and 25 above, the decisions, deliberations and resolutions of the General Assembly or of the Council of the Association shall, to be valid, be submitted to the supervisory authority for approval on the first working day following their adoption.

(2) The supervisory authority shall be allowed 30 (thirty) days to take a decision. Beyond such period, the said instruments shall be enforceable as of right.

## CHAPTER V

### DISCIPLINARY PROCEDURE AND SANCTIONS

#### II. SANCTIONS

**Section 28:** (1) Within the framework of the responsibilities defined in Section 59 below and any infringement of this law, the Disciplinary Board may inflict the following disciplinary sanctions:

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- warning;
- reprimand;
- suspension from practice, from 3 (three) to 5 (five) years, depending on the gravity of the offence committed;
- striking off the roll of the Association.

(2) The first two sanctions shall entail ineligibility as member of the Council of the Association for a period of 2 (two) years from the date of notification of the sanction. The third sanction shall entail ineligibility for a period of 3 (three) years from the date of expiration of the sanction.

(3) Suspension may be pronounced for misconduct resulting from defective work not prejudicial to the functioning or stability of the system or structure. In the event of a further offence, striking off the roll may be pronounced.

(4) Besides the other cases provided for by this law, striking off the roll may be pronounced for misconduct resulting from defective work likely to be prejudicial to the functioning of the system and entailing instability or destruction of the structure.

(5) Any sanction other than a warning inflicted on a member of the Council of the Association shall entail loss of membership of the Council.

(6) For the purpose of implementing this law, the term "defective work" shall have the meaning assigned to it in the field of rural engineering.

**Section 29:** The decision to suspend or strike off the roll shall be notified to the supervisory authority and inserted in the legal notices gazette at the behest of the President of the Council of the Association.

### **III. DISCIPLINARY PROCEDURE**

**Section 30:** (1) Within the profession, the Council of the Association shall be competent to conduct the first hearing in disciplinary matters.

(2) In this capacity, it shall seise the Disciplinary Board, which shall be presided over by the President of the Council of the Association or, where necessary, by the eldest of its members, of cases referred to it.

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(3) The Disciplinary Board shall comprise 4 (four) members elected from within the Council of the Association. A member of the Disciplinary Board may be replaced in case of objection or unavoidable absence.

**Section 31:** (1) The Disciplinary Board may be seized by the supervisory authority, the Legal Department or by any enrolled engineer of the Association with a stake in the matter.

(2) An engineer in the State's employ may not be brought before the Disciplinary Board in matters pertaining to the performance of his duties except by his ministry or the Council of the Association.

(3) The Disciplinary Board may not validly conduct business unless  $\frac{3}{5}$  (three-fifths) of its members are present.

**Section 32:** (1) The following matters, in particular, may be brought before the Disciplinary Board:

- any dereliction of professional duty;
- conviction for offences committed within the country or abroad, where such offences discredit or bring disrepute to the profession.

**Section 33:** The Disciplinary Board may, at the request of the parties or on its own initiative, order an investigation into facts, the establishment of which it deems useful in hearing the matter. The decision ordering such an investigation shall state the facts to be investigated and specify, as the case may be, if the said investigation shall be conducted by the Disciplinary Board or by one of its members who shall travel to the place for such purpose.

**Section 34:** (1) Any accused engineer may be assisted by a counsel of his choice.

(2) He may exercise the right of challenge as practised in ordinary law.

**Section 35:** (1) The Disciplinary Board shall keep a record of its proceedings.

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(2) A report shall be drawn up at the end of each session and signed by all members.

(3) Reports of hearings shall also be drawn up and signed by the parties involved.

**Section 36:** (1) No disciplinary sanction may be taken against an accused engineer unless he has been heard or summoned to appear within 30 (thirty) days of the receipt of the summons.

(2) The Disciplinary Board may rule on the matter, where the accused party fails to appear following a duly served summons.

**Section 37:** (1) The Disciplinary Board must state the grounds for its decisions.

(2) They shall be notified to the supervisory authority, the Legal Department and to the Senior Divisional Officer of the area of residence of the engineer concerned one working day following the date on which they were made. They shall also be notified to the engineer, against a receipt.

**Section 38:** (1) Where the decision is delivered by default, the accused may appeal within 10 (ten) days following the date of his notification, against a receipt.

(2) Where the accused was not notified, the time-limit for appeal shall be 30 (thirty) days with effect from the date of notification at his domicile.

(3) The appeal shall be lodged in the form of a simple declaration at the Secretariat of the Council of the Association, against a receipt.

**Section 39:** (1) In case of a full hearing, the accused engineer may file an appeal with the Appeals Board referred to under Section 40 below within 60 (sixty) days with effect from the date of notification of the decision of the Disciplinary Board.

(2) Beyond such period, the decision shall be deemed final and enforceable.



**Section 40:** The Appeals Board shall comprise the following:

President:

- a judge of the Supreme Court designated by the President of the said court.

Members:

- a rural engineer in a government service designated by the supervisory authority;
- three members of the association elected by the General Assembly and who were not involved in the first hearing of the case;

**Section 41:** Without prejudice to the provisions of Sections 21 and 25 above, appeals against decisions of the Council of the Association with respect to discipline shall be brought before the Appeals Board.

**Section 42:** (1) The appeals shall be made in the form of an explanatory motion lodged with the Secretariat of the Council of the Association against a receipt.

(2) The appeal may be filed by the engineer concerned, the supervisory authority, the Legal department or any member of the Association with a stake in the matter within 30 (thirty) days of notification by the Disciplinary Board.

(3) The appeal shall not have a suspensive effect.

**Section 43:** (1) The Appeals Board shall give a decision within 60 (sixty) days of lodgement of the appeal. Its decision may be given and notified in the form provided for under Section 31 above.

(2) Beyond such period, the decision taken in the first instance shall be upheld as of right.

(3) The Appeals Board shall take the final decision.

**Section 44:** The disciplinary action defined above shall be taken without prejudice to:

- any legal action the Legal Department, private individuals or the Association may take before the law courts under ordinary law; and
- any disciplinary action the administration may take against engineers in its service.

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## PART II

### PRACTICE OF THE PROFESSION OF RURAL ENGINEER

#### CHAPTER I

#### GENERAL CONDITIONS

**Section 45:** (1) No person may practise the profession of rural engineer unless he holds the diploma of rural engineer and is enrolled in the National Association of Rural Engineers.

(2) However, an engineer of foreign nationality who has not been struck off the roll of engineers in his country of origin or in any other country where he worked before, may practise as rural engineer in Cameroon, subject to fulfilling the following additional conditions:

- be a national of a country which has signed a reciprocity agreement with Cameroon;
- be recruited on a contract basis or by virtue of a cooperation agreement to work solely with a government service;
- work for an approved establishment.

(3) Rural engineers in service in the Armed Forces shall also be governed by the provisions of this law.

#### CHAPTER II

### PRACTISING THE PROFESSION ON A PRIVATE BASIS

#### I- CONDITIONS OF PRACTICE

**Section 46:** Practice of the profession of rural engineer on a private basis shall be conditional on the issuance of an authorization by the council of the National Association of Rural Engineers under the terms and conditions laid down by this law.

**Section 47:** A rural engineer in private practice equips and uses, on his own account, an office or firm wherein he shall receive his clients for the purpose of providing his professional services.

**Section 48:** No person may practise the profession of rural engineer on a private basis unless he fulfils the following conditions:

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- be of Cameroonian nationality, enjoy his civic rights and must not have been sentenced for malpractice;
- be enrolled in the Association;
- show proof of three years of effective practice of the profession of rural engineer in a government service, a private organization or an engineering firm in Cameroon or abroad;
- produce a letter of release, where the applicant is a salaried worker or assists an engineer in private practice;
- be of good moral conduct;
- produce an insurance policy covering occupational hazards;
- be in good standing with the taxation authorities and the National Association of Rural Engineers as concerns payment of taxes and dues;
- not have been declared bankrupt or in forced liquidation.

**Section 49:** (1) An engineer of foreign extraction may not, except on the basis of a reciprocity agreement, practice on a private basis unless he is in partnership with a colleague of Cameroonian nationality who fulfils the conditions stipulated in Section 48 above.

(2) In such case, he shall attach to his application a certified true copy of the partnership agreement.

## II - LEAVE, DEPUTIZATION AND DEATH

**Section 50:** (1) Where an engineer is absent by reason of leave or unavailability, he shall inform the Council of the Association and appoint a colleague to deputize for him for a period not exceeding 12 (twelve) months. In case of force majeure, such period shall be extended to 2 (two) years renewable once.

(2) Where such time-limit expires and no measures are taken by his rightful claimants to continue his activities, a report of cessation of activity shall be prepared by the Council of the Association.

(3) Where an engineer is absent for a period of 12 (twelve) months without previously informing the Council of the Association and without appointing someone to deputize for him, a report of cessation of activity shall be prepared by the Council of the Association.

(4) Without prejudice to civil or criminal penalties, the report on the cessation of activity shall be notified to the supervisory authority and

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published in a newspaper carrying legal notices at the behest of the Council of the Association.

**Section 51:** (1) In case of permanent disability of an engineer, his rightful claimants or the Council of the Association shall, where necessary, propose a replacement to finish pending business.

(2) In case of death of an engineer, his replacement shall be appointed by his rightful claimants or by the Council of the Association, where necessary.

(3) The conditions for replacement stipulated in paragraphs (1) and (2) above shall be the same as those for the authorization to go into private practice.

**Section 52:** (1) Where several engineers carry out the same mission, they shall share the tasks and fees amongst themselves in accordance with the agreement or contract binding them.

(2) In case of death or permanent unavailability of one of them, the other engineers shall be bound to pursue and complete the mission assigned to them while protecting the interests of the deceased or unavailable colleague.

### III - INCOMPATIBILITY

**Section 53:** Private practice of the profession of rural engineer shall be incompatible with the status of civil servant, contract employee in active employment or wage earner in general.

### IV - RURAL ENGINEERS IN PROFESSIONAL PARTNERSHIP

**Section 54:** Engineers in private practice may enter into professional partnerships. The organization and functioning of such professional partnerships shall be determined by separate instruments.



### CHAPTER III

#### OBLIGATIONS

Section 55: Any engineer working in the public or private sector, or in private practice shall be subject to:

- professional secrecy;
- the code of ethics adopted by the National Association of Rural Engineers, and approved by the supervisory authority;
- the statutory provisions of the National Association of Rural Engineers.

Section 56: (1) Any engineer practising on a private basis and any professional partnership must take out an insurance policy with a recognized national insurance company to cover his or its occupational risks. A receipt thereof shall be presented to the Council of the National Association of Rural Engineers at the beginning of each calendar year.

(2) Failure to take out an insurance policy shall lead to the temporary closure of the consultancy or enterprise at the request of the Council of the Association. The consultancy or enterprise may be reopened only upon presentation of the receipt showing payment of the insurance premium.

Section 57: All works requiring coverage by an insurance policy must be approved, signed and executed by an engineer entered on the roll of the National Association of Rural Engineers.

Section 58: In practising his profession and, in particular, in rendering services, a rural engineer shall be bound to comply with the standards in force.

### CHAPTER IV

#### RESPONSIBILITIES

Section 59: In the course of practising his profession, an engineer shall be responsible for:

- conducting studies;
- implementing the results of studies;
- validating experts' findings;



- conducting quality and compliance controls of works;
- applying and complying with standards.

**Section 60:** Without prejudice to any civil or criminal penalties, the responsibilities defined in Section 59 above may lead to disciplinary sanctions.

## CHAPTER V

### ILLEGAL PRACTICE OF THE PROFESSION

#### OF CIVIL ENGINEER

**Section 61:** Any person who practises the profession of rural engineer in violation of the provisions of this Law shall be considered as practising the profession of rural engineer illegally, in particular where he:

- works without being a qualified rural engineer;
- works without an authorization granted by the Association;
- works under an assumed name;
- offers assistance to any person not authorized to practise;
- practises without a valid insurance policy;
- practises in spite of a temporary or permanent ban;
- practises in a field other than that for which he is qualified;
- practises in violation of the provisions of Section 53 above.

**Section 62:** (1) Without prejudice to administrative, disciplinary or criminal sanctions, any person found guilty of illegal practice of the profession of rural engineer shall be punished with the sanctions stipulated in Section 219 of the Penal Code.

(2) The court may, where necessary, declare the confiscation of the equipment used to commit the offence and the closure of the consultancy or enterprise.

(3) Any person found guilty of contravening this law shall cease his activity forthwith. The Council of the Association shall order the closure of his consultancy irrespective of any court ruling.



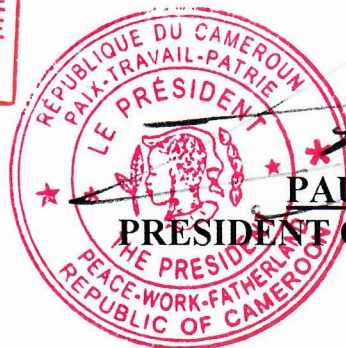
**Section 63:** The National Association of Rural Engineers may refer a matter to a competent court or, where necessary stand as plaintiff in any case brought before the court by the legal department against any person accused of illegal practice of the profession of rural engineer.

**PART IV**  
**TRANSITIONAL AND FINAL PROVISIONS**

**Section 64:** In accordance with the provisions of this law, all the rural engineers in government service, enterprises or private practice shall, on the date of enactment of this law, be eligible for enrolment in the association.

**Section 65:** This law shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

YAOUNDE, 28 AVR 2005



*Paul Biya*  
**PAUL BIYA**  
**PRESIDENT OF THE REPUBLIC**