

REPUBLIC OF CAMEROON
Peace - Work - Father Land

MINISTRY OF STATE PROPERTY
AND LAND TENURE

THE GUIDE FOR USERS

PRODUCED BY THE COMMUNICATION UNIT MINDAF





The Right to inform

The action of the Ministry of State Property and Land Tenure is always to consolidate the reforms that the Head of State signed since December 16, 2005.

In compliance to the directives of the Head of State that are relayed by the Prime Minister Head of Government and executed by the Minister of State Property and Land Tenure, an information and sensitization document called '**The Guide for users of Mindaf**' is put at the disposal of the public. This bilingual version published in French and English is destined to curb corruption which most users of Mindaf have always been victims. It will enable them have a mastery of the cost and value of procedures enforce.

The Ministry of State Property and Land Tenure within the limits of resources put at her disposal intends to pursue the production of this vital document with the support of some willing partners in respect to the expected target. For it is true that fraud that users are victims of emanates to a greater extent from their ignorance of texts and procedures relating to operations and procedures of land Tenure.

This document, contains everything that will considerably reduce corruption, sanitize the business climate and relaunch economic growth.

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I - GLOSSARY

- ◆ **Artificial public property:** any portion of the territory developed by man, reserved for public use and belonging to everyone (roads, ports, airports, railway, telephone lines, etc)**Certificate of ownership:** deed signed by the Land Registrar to acknowledge that someone is actually holder of rights on a piece of land.
- ◆ **Cooslands :** comprise the sea shore to the highest tide mark and a further zone of 50 meters measured from this side mark soil and sub-soil of the territorial sea, and the banks and estuaries of waterways subject to tidal influence and a further zone of 25 meters measured from this tide mark.
- ◆ **Compensation:** procedure through which victims of expropriation are given money or any other asset to compensate the loss of their property.
- ◆ **Concession:** procedure through which the State grants a piece of the 2nd category national land to a natural or corporate body in view of its development. **Consultative board:** official body presided at by the Divisional Officer which is in charge of assessing the effective occupation or development. **Co-ordinates:** all points serving as fix and final landmarks on an empty estate.
- ◆ **Council public articial land:** estate or infrastructure developed through council funds or granted by the State through a decree. **Declaration of public utility:** administrative deed identifying and reserving an estate of the National land for the achievement of a social or economic project.
- ◆ **Demarcation:** procedure in which a natural or corporate body has pillars planted on his estate by a land surveyor to mark its boundaries. **Direct registration:** procedure through which land rights are acknowledged to a physical or moral person on a property he has developed before 5 August 1974.

- ◆ **Division:** procedure through which a plot is issued a land title from the main land's land title
- ◆ **Estate:** portion of bare or built land which one may claim property rights.
- ◆ **Expropriation:** procedure through which the State alienates the rights of a person on a land on which the State intends to achieve a public utility project.
- ◆ **Fraud:** irregular action during the implementation of an operation or a procedure
- ◆ **Judicial prenotation:** deed by which the court judge suspends any transaction on or handling of a land title subject to pending litigation before the Court
- ◆ **Land registration fees:** conventional sum of money the user has to pay at the end of the land title procedure and which represents the fees for the occupation of the national land. .
- ◆ **Land Registrar:** official in charge of assessing the real estate rights , entering them in the Land Register and issuing a land title.
- ◆ **Land tenure:** all procedures concerning the management of private lands (registration, sale, division and any other transaction)
- ◆ **Lay-out:** development of an estate or any space by dividing it in plots for various uses (sale, accommodation, projects, etc); also refers to the developed area itself.
- ◆ **Long lease:** lease contract established on an estate for a period between 18 and 99 years.
- ◆ **Material error:** error or mistake noticed in one of the documents involved in the issuing of a land title.
- ◆ **Merging:** procedure through which many contiguous registered lands belonging to one individual are merged into land title.
- ◆ **National land:** lands which are not classed into the public or private property of the State and other public bodies, or other peoples' private property.

- ◆ **National land of first category:** lands occupied with houses forms and plantations, and grazing lands, manifesting human presence and development before August 5, 1974.
- ◆ **National land of second category:** lands free of any effective occupation on August 5, 1974.
- ◆ **Natural public property:** any portion of the territory not developed by man and belonging to everybody (rivers, sea, wetlands, etc)
- ◆ **Nullity:** state of a land document which has become null and void, without any effect.
- ◆ **Petition for reprieve:** application for a second security or cancellation of a decision to the authority having taken the decision
- ◆ **Petition to hierarchy:** application for a second security or cancellation of a decision to superior of the authority having taken the decision.
- ◆ **Private property:** any portion of the territory the rights of which have been acknowledged to a natural or corporate body through the issuance of a land title.
- ◆ **Public property:** any portion of the territory reserved for public use and belonging to everyone.
- ◆ **Registration:** procedure through which land rights of a natural or corporate body are entered in the register to make these rights opposable to third parties.
- ◆ **Retrocession:** possibility of giving back an estate declared of public utility to the initial rights holder of that estate. This procedure is available in no reregulation in force.
- ◆ **State land :** All estates managed and governed by the State.
- ◆ **State land fees:** conventional sum of money the user has to pay to the State on a defined basis for the occupation of the public land or the State's private land.
- ◆ **State private property:** a parcels of land belonging to the State, personal and real property acquired by the State, land supporting

buildings, structures and installation established and maintained by the State, property withdrawn from national land, etc.

- ◆ **State registration:** materialization of ownership rights of a State property through the issuance of a land title.
- ◆ **State Property:** all lands, material goods and assets belonging to the State.
- ◆ **Surveys:** technical services and procedures involved in the identification and delimitation of estates (planning, calculation of coordinates, planting pillars, etc) .
- ◆ **Topographic margin of error:** accepted margin of error for a survey while drawing a plan of on state and related to the area of the estate. This margin is 10%.
- ◆ **Transfer:** changing ownership rights from one individual to another.
- ◆ **Transfer by death:** transferring ownership rights of a deceased person to his entitled beneficiary.
- ◆ **Waterways :** comprise negative waterways within the limits determined by the highest water level and a further zone of 25 meters measured from this level, marshlands, lakes, ponds, lagoons, within the limites determined by high water level.

II - Private land Procedures

II-1 Direct registration : procedures

1. *What is direct registration?*

a) It is a procedure of acknowledgement of land rights on estates of the national land of first category, that is lands occupied, exploited or developed before 5 August 1974. **What are the various components of the application file?** Just one quadruplicate signed application form with the original being stamped. Mention in this application form: - first names, surnames, filiation, residence, profession, marriage regime, nationality and a detailed description of the estate. **Attention:** any estate crossed by a watercourse or a road is subject to as many applications as there are distinct plots. **3. Where should I collect the application form?** The application form for land registration is obtained at the divisional Office or the District office, or in the divisional services of MINDAF.

4. *How can I obtain my land title in six months?*

- a) Deposit the application at the Subdivisional or the District office. Wait until three (3) days before you ask for a receipt. Do keep your receipt very well, because the authority will forward your application file to our divisional land tenure services within a period of eight (8) days.
- b) The divisional Delegate for Land Tenure shall publish within the fifteen (15) days which follow, an excerpt of your application. Then in collaboration with the Divisional officer, he convenes the date for the assessment of the occupancy or exploitation by the Consultative board. After demarcation you'll have to pay the demarcation fees at the Divisional Land Revenue service and get a receipt.
- c) Within the thirty (30) days following the meeting of the Consultative board, the Divisional Delegate of MINDAF forwards your file to the Provincial Delegate to the attention of the Provincial service Head of Land Tenure who registers the application in the provincial follow-up Record book, gives it a number, makes sure the file is regular,

countersigns and draws up a notice of final demarcation which is published in the Provincial Bulletin of Land notices. Your file is therefore transmitted to the Land Registrar of location of the estate) Within the thirty (30) days following the publication of the notice of final demarcation of your parcel, and if any opposition or litigation is not recorded, the divisional Land Registrar registers your land in the Divisional Land Register and you are given a copy (duplicatum) of this land title, provided you have paid the land registration fees and stamps at the divisional Land Revenue service. **5. Is the Consultative commission a compulsory step?**

Absolutely. Only this commission comprising a swooned surveyor can ascertain the occupation or the development of the land.

6. At what time does the survey demarche the land?As soon as the commission ascertains that the occupation or the development at land is effective.

7. Can the survey demarcate a land alone?

Definitely not. He must always work within the Commission, and in presence of the neighbours. He cannot either demarcate lands on Saturdays and Sundays, by night or on public holidays.

8. Should I be running after my file so that the deadline could be respected ?Of curse not, because by doing so, put a lot pressure on the State employees in charge of the process. And this often gerates a lot of trafficking and swindling which may harm you. But make sure that you provide all necessary doculents, stamps and regular fees you are requested at stage of the process.

9. At the end of the process, which document should I collect from the land Register?

He should give you a copy (duplicatum) of the land title.

10. What if happen to loose this duplicatum can I have another one later?

Yes you can, but you must through the Court with a file composed of a certificate of ownership and a certificate of loss of your land certificate. The Court wil deliver you on ordinance which authorizes

the Land Register to issue another copy of the land title. When you have this ordinance, report to the Land Registrar.

II-2: Direct registration: who's who ?

11. What is the role of the Divisional Service of Land Tenure? He receives your application, issues a receipt, transmits the file to the divisional Service of Land Tenure, and presides at the proceedings of the Consultative Board.

12. What is the role of the Divisional service of land Tenure do?

He handles the files of direct registration, is the rapporteur of the Consultative Commission, sees that the posting of notices to the public is effective, participates to the settlement of litigation, and updates the administrative file.

13. What does the Provincial Service of Land Tenure do? It checks and endorses the regularity of files, gets them ready to be published in the provincial Bulletin of property and land notices, prepare the litigation file to be forward to the Governor of the Province.

14. What is the role of the Land Registrar ? He reports your land ownership rights in the Land Record , issues a copy of land title (duplicatum) to the applicant



15. What is the role of the Governor ? He scrutinizes and settles litigations generated by the registration. You can appeal against his decision to the Minister of State Property and Land Tenure .

16. What is the role of the Minister in charge of Lands? Scrutinizes and settles appeals against the Governor's decision.

17. What is the role of the Supreme Court ? Scrutinizes and settles appeals against the Minister's decision.

18. Can the land title be annulled ?

Once it is issued, this document becomes intangible, unimpeachable and definitive. However, its nullity can be ascertained by the Minister of State Property and Land Tenure if:

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1. various land titles have been established on the same piece of land
 2. the land title has been arbitrarily established without any regulatory procedure
 3. the land title has been established on the public property, on the State's or any other public community's private land.

II-3 Direct registration: the main steps

III – Private procedures

III- 1 The land title : peculiarities

- 19. Can the land title be withdrawn ?** A land title can be withdrawn by the Minister of State Property and Land Tenure only if he ascertains that a mistake has been committed by the administration during the procedure.
- 20. What can I do if my land rights have been alienated in a land registration process?** You can no longer make any appeal on the estate. If there has been fraud, all you can do is suing the defrauder for damages.
- 21. Can a land title be rectified?** Yes, in case of material error (see glossary) or omissions made inside the land title or in reporting in the Land Record by the Land Registrar. He is the only one to make these rectifications. However, if these rectifications have any impact on the rights of third parties, only the Prime minister is entitled to authorize this operation.
- 23. Can I oppose the registration of a land as soon I am aware of it through the advertisement made at the Divisional Office ?** Yes. If it before the descent of the Commission, you should immediately seize the Divisional officer who is the President of the Commission.
- 24. How can I oppose the registration of a land after the publication of the final demarcation notice?**
- You must seize the Land Register within a period of 30 days starting from the publication of the final demarcation notice which is made monthly by each Provincial Delegation.
- 25. How much should I pay for the Consultative Board to come and assess my land?** A regulation draft is under way to fix the tariffs. These fees take into account the distance between the land and the local MINDAF service, and transportation fees for men and equipment. For the time being, heads of Consultative commission are required to fix reasonable fees.

III – 2 The various charges

26. What are the other payable fees ?-

Opening of land registration file: 3000FCFA payable to the Land revenue collector-

Land fees: The various fees are:

Direct registration:

- 5F/m² in urban area (minimum to pay is 5000F);
- 1 F/m² in rural area (minimum to pay is 3000F).

Division of existing landed property:

- 2% of purchase price if land has been bought;
- 1% of market value stated by the notary if land has been granted free.

Transformation of a deed into a land certificate:

1% of the estate value calculated on the basis of the value of existing State lands in the area

Merging of Land titles:

- 1% of the actual value of the estates to be merged

Mortgages and charters:

- From FCFA 1 to FCFA 10 millions :
- 1%- From FCFA 10 millions to FCFA 100 millions: 0,75%-
- From FCFA 100 millions to FCFA 500 millions: 0,50%
- From FCFA 500 millions : 0,3%

Full transfers:

- through sale: 2% of sale price
- through death: 0,50% of market value of the estate
- through exchange: 1% of value stated by the notarized deed

- through share in society capital : 1% of the share value
- through donation inter vivos: 1% of value stated by notarized deed

Entry of leases:

- 1% of total amount of rent calculated on the duration of lease

Radiations, prenotations, commandments:

- 5000F per land title (lump sum)

Certificates of ownership, deposit of acquisition visa, etc:

- 3000F per file (physical persons); 5000F per file (moral person)

Estate reports:

- 5000 francs per land title

Entry or scrutiny of oppositions

3000F (natural persons); 5000F (corporate bodies)

IV – State land procedure

IV – 1 the Concession

27. What is concession?

It is a procedure through which the State authorizes any person who wishes to develop a project to achieve it within a period of five years on the second category national land (see glossary).

28. What are the documents in the application file?

-A triplicate application on special form, plus a photocopy of your identity card or residence permit, the statutes of the company if case may be with the same of its representative, a quadruplicate plan of the land, the exploitation programme of the land with the

main stages to follow; a descriptive estimate of the works to be achieved, the file is to be deposited at the office of the Divisional State land service Head who will issue a receipt for it.

29. What are the documents in the application file? It is made in two steps, first on a provincial basis, then on a definitive basis.

30. How is made the provincial concession?

The divisional State lands service Head seizes the Prefect who summons the Consultative Board to work on the estate. The commission draws a report with a counsel's opinion on the status of the land and the feasibility of the project. The Commission then forwards the report to the Minister in charge of State lands file for the attribution of a provisional concession is prepared by the divisional service head for State.

31. What is entitled to grant a concession?

- For an area of less than 50 hectares: the minister in charge of State lands.

- For an area of more than 50 hectares: the President of the republic.

32. What is the duration of a provisional concession?

The applicant has life years to implement his project, according to the specifications.

33. At what time does the provincial concession end?

It ends as soon as the Commission, the ascertains that the project has been implemented or not in conformity with the specifications.

34. What it I have not respected the specification?

Respective of the report of the consultative Commission, the Prefect can propose on extension of the duration of the provincial concession or asks that you be withdrawn in the land.

35. When do I benefit from a definitive concession ?

As soon on the Commission ascertains that you have respect the clauses of the specification, the Prefect proposes a definitive concession if you are a national, or a long lease if you are a foreigner.

36. **Can I have a land title with a definitive concession?** Yes indeed
37. **What the price of the land or for concession on the national land?**
FCFA 1 (one) per square meter.

IV-2 The State Land layout

38. **What is a State land?**
It is a parcel of land obtained from the layout (see glossary) of a land belonging to the private estate or to the council private estate.
39. **Who is entitled to acquire it?**
Any natural or corporation body, foreigner or national, but foreigners are not allowed to acquire a State land plot in border region.
40. **What is the sale canvas of a State land plot?**
The 1974 legislation provides that it is a sale by auction
41. **How is it conducted?**
It is implemented by a commission prides at by the Perfect thirty days after the posting of a notice to the public which can states the details on this sale. The report of the sale is then approved by the Minister in charge of State lands.
42. **We also hear of a sale on natural agreement?**
It is exception to this rule can be used only when the sale by auction is liable to jeopardize the need of social equity.
43. **How is conducted the sale on natural agreement?**
1. first you ned to obtain an authorization from the Minister in charge of State lands forwarding on application of the Perfect. If the Minister agrees, he signs a decision to authorize the sale and fixes the sale price which is to be paid to the land revenue Collector.
2. After payment, the Minister signs on order to approve the sale. With this order, you are entitled to obtain a land title.

44. Is that land title a particular one?

In same way yes, because it included a termination clause, this means that you cannot fully enjoy the ownership of this land as long or as you have not developed it within a period of three years, in conformity with the specifications.

45. What are the documents for an application to a sale on natural agreement?

- A quadruplicate application form with the original being stamped
- A power of attorney if the applicant stands for someone else;- A copy of the statutes or the title deed if the applicant is a company;
- The quadruplicate plan of the plot -The notice of the competent SDO.

IV-3 Allocation on State land layout

46. And what if I don't develop my plot within a period of three years?

1. The senior Divisional Officer (SDO) ascertains the non development of the plot and reports it to the Minister in charge of State lands.
2. The Minister in charge of State lands declares your forfeiture on the plot.
3. From this time, the plot no longer belongs to you; it is withdraw and attributed to someone else who is likely to develop it.

47. Is there any possibility to appeal?

The forfeiture order is an administrative deed liable to petition or recourse within the condition fixed provided by the law.

48. What is the transfer?

The State may transfer part of its private land to public bodies. This transfer is ascertained through a decree.

49. What is the allotted leasehold?

The State may allot non allocated parts of its private land on leasehold to natural persons or corporate bodies who apply for it. This procedure generates the establishment of an ordinary lease or a long lease.

50. What are the documents for the application file? - A stamped application form;

- A copy of the National ID card;- A copy of statutes, in case of a company;- Four plans of the land;- A budgeted planning of the development works; This file shall be forwarded to the Minister in charge of State lands, c/o the competent Senior Divisional Officer.

51. What are the characteristics of an ordinary lease?

Maximum duration: 18 years
Termination clauses : Rent paid in advance with possibility of reviewing the terms of the lease; compulsory payment of land fees and other taxes; possibility for agents of MINDAF to control the works; prohibition of transferring the lease or sub-renting it without an authorization; possibility for the State to get back the estate on termination of lease with pre-emption rights on investments made on it.

52. What are the characteristics of a long lease?

Maximum duration: from 18 to 99 years
Termination clauses: Rent paid in advance with possibility of reviewing the terms of the lease; compulsory payment of land fees and other taxes; possibility for agents of MINDAF to control the works; prohibition of transferring the lease or sub-renting it without an authorization; possibility for the State to get back the estate on termination of lease with pre-emption rights on investments made on it

53. Are international bodies and diplomatic missions entitled to be allocated State land leasehold or freehold?

Yes, international bodies of which Cameroon is a member as well as diplomatic and consular missions based in Cameroon can become owners or leaseholders of State lands (article 12, Ordonnance 74-2 of 6 July 1974).

54. **Under which conditions?** For diplomatic missions, the Government of the concerned country must have already granted such an advantage to Cameroon or is willing to do so.
55. **What are the documents for the application file ?** The body or the mission forwards to the Minister in charge of State lands: - an application stating the object of the operation;- a plan of the concerned land.
56. **Who is in capacity of granting leasehold or a freehold?** The Cameroonian decided by decree

IV-3 The public land

57. **Can one develop the public land?** By definition, nobody can occupy the public land (see glossary) because it is the property of the public, and the property belonging to this land “cannot be a private property”.
58. **Why then do we hear of fees for public land occupation?** In its capacity as manager of this land, the State may grant a provisional authorization of occupation. Then we may talk of provisional and precarious occupation of the natural or artificial public land. The occupant thus pays fees for occupying temporarily the part of public land, and must use only provisional material which can be dismantled.
59. **Can the State resort to another person to help manage this public land?** Definitely yes; Article 8 of Ordonnance 74/2 of 6 July 1974 provides that this management «may be carried out, under the control of the State by other public bodies or by public service concessionaries ».

IV – 4 Expropriation and compensations

60. **What’s the decree of expropriation ?** The decree of expropriation confirms that your property rights have been transferred to the State

and if you have a land title, it is automatically transferred on behalf of the State.

- 61. Is the State entitled to expropriate me whereas I am holder of a land title?** Yes. If your estate is declared of public utility by the State, the State is entitled to expropriate you and repair this prejudice by a compensation in cash or in kind.
- 62. Has the declaration of public utility a period of validity?**

According to the law, it has a period of validity of 2 years renewable once. Then the estate recovers its previous status.
- 63. What is the object of the declaration of public utility?** It warns the public that the State has launched the procedure of expropriation, and that all transaction should be stopped on the concerned estate.
- 64. Am I then entitled to get back my estate if the State has not developed it after this period?** No, What you must know is that the State does not have a time-limit to achieve a project on the estate concerned by the declaration of public utility. Besides, some major reasons might cause the delay in the achievement of a project.
- 65. The retrocession procedure is thus illegal, isn't it?**

Anyway, this procedure does not ground on any legal basis, in spite of some longtime habits
- 66. In case I am expropriated and compensated, what becomes the copy of the land title that I possess?**

This copy of land title or duplicatum is already invalid and should be handed back to the assessment and evaluation commission. In any case, I should not keep it with me or use it for further land transactions.
- 67. When shall I be compensated?**

The law provides that compensation must be prior to the evacuation from the concerned land, except in case of emergency.
- 68. Who decides of the amount of compensation in cash ?** A decree fixes the amount of compensation, as proposed by assessment and

valuation commission presided by the concerned Senior Divisional Officer which assesses the damages and proposes the amount to be paid according to tariffs in force (see decree) and the findings of the commission.

69. Are the concerned populations entitled to take part to the proceedings of this commission? Absolutely yes; the Senior Divisional Officer is compelled to inform these populations at least fifteen days beforehand, and they must take part in all steps of the inquiry.

70. What if I am not satisfied with the amount of my compensation?

You should seize the court within a period of one month starting from the date you are notified of the decision confirming the amount of compensation.

71. On which standard are undeveloped lands assessed?

There are many cases:-

City land obtained from a State private estate: the compensation cannot go beyond the official price rates of State lands located in this area.

- ***Private land bought from a private owner:*** the compensation is equal to the purchase price added various acquisition and registration fees.

- ***Traditional lands having generated a land title:*** the compensation cannot go beyond the amount of fees paid for the establishment of the land title.

V – Cadastral procedures

V-1 Concerning demarcation

72. What is the demarcation procedure? It is the procedure you have to go through when pillars are to be planted on a plot of land.

73. What is simple demarcation?

It is when the pillars are planted by a Surveyor irrespective of the co-ordinates.

74. What is demarcation on arbitrary co-ordinates?

It is when the pillars of a plot are planted with a reference to a local system of demarcation which does not guarantee the rebuilding of pillars in case of incident.

75. Whom should I report to if I want to have my land demarcated? –

For the direct registration: the Divisional Officer or the District Head;- For land division: the Divisional Delegate of MINDAF;- For definitive concession: the Senior Divisional Officer.

76. Is any surveyor entitled to demarcate a land?

Yes. However, State surveyors working with the administration are the only one entitled to demarcate a land when direct registration and definitive concession are concerned. Private surveyors can also demarcate lands subject to division.

77. Must works done by private surveyors be approved by State surveyors?

Private surveyors work under the control of the Surveys administration.

78. Can I have my land demarcated with the lone surveyor?

Never, as far as direct registration is concerned. Demarcation is always made within the Consultative board and in presence of neighboring landowners. The land cannot be demarcated on weekends or by night.

79. Even in case of land division?

Even in this case, it is advised that neighboring landowners be associated in order to avoid future and useless conflicts.

80. Is there any particular model of pillar that is required for demarcation?

No. However you should have pillars which are big and solid enough to resist to wear and tear.

81. How many pillars should be confined to a plot?

There is not a fixed number of terminals for a plot. It all depends on the shape and size of the plot.

82. Can I replace a pillar myself if it has been damaged or unearthed?

No. Any intervention on a pillar must always be made with the assistance of a surveyor, who is the only one capable of rebuilding its original position.

83. Can I move a pillar of my property if my neighbor agrees to cede and to me?

No. It is a transaction relating to the surveys services. Moving a pillar is a crime punishable by law.

84. Do I pay the topographical fees to the surveyor ?

No. The Surveys service will give you a state of assignment to go and pay money to the Land Revenue service.

85. Surveyors often require that fees be increased by 10% which they keep for themselves. Is this normal? Yes. The 10% increase on all topographical work are set by the Finance Law in force and are actually allocated to staff who performed the work.

86. Do I also pay the costs of writing the minutes?

No. Fees set for the plan metric work include the costs of drafting minutes.

V-2 Topographic fees

87. How much do I pay for a simple demarcation if my land is located in the urban perimeter?

27500CFA/m² for an area d•5000m²

550FCFA/additional acre > 5000 m²

88. How much do I pay for a simple demarcation if my land is located outside the urban perimeter?

- 27500CFA/m² for area d•5 hectares;
- 50000FCFA for an area between 5 and 20 ha;
- 10000FCFA/additional hectares beyond 20 ha.

89. How much do I pay for the plan metric works (updating plans, implementation, checking of boundaries, land expertise, etc.)?

Fixed costs 27500 F before descending on the plot;- 5500FCFA per reconstituted, corrected or implemented pillar.

90. How much do I pay for the altimetry works (layout and location maps for building permits, sketches with level curves and side points level, etc.) ?

- 38500CFA/m² for an area d•1000 m²;
- 770FCFA/additional acre for an area >1000 m²

91. How much do I pay for a demarcation plan ?

It depends on the format. A printing costs: - 21x31: 150F; 26x37: 250Fslt
- 37x52: 300F; 52x105: 1000F

92. How much do I pay for special plans?

- Sheet of cadastral map (105x75): 10,000 F;
- Excerpt of Geodetic point on the national canvas: 3000F;
- Sheet of local triangulation point: 1000F;
- Counter-layer of a sheet of cadastral map: 50000F;
- Location map for off-licenses: 10.000F

93. Shall I pay all these sum to the surveyor?

Definitely not; All payments are made at the Land Revenue Collector's office, with a state of assignment signed and delivered by the surveys service Head.

VI – The State property

VI-1 Definitions

a) The State housing

94. What is referred to as the State property?

These are all movable and immovable property belonging to the State (public buildings, government office furniture, land of the State's private estate, administrative vehicles, administrative properties, private buildings leased by the State, etc.)

95. Who is in charge of the State property?

The ministry of State property and Land tenure is responsible for the management of the State assets.

96. What is the State's movable?

This is all State's transportable and mobile property, like office furniture, office equipment, etc.

97. What is the landed property of the State?

The landed property of the State is composed of lands of the State's private estate, houses built or acquired by the State (administrative properties), private houses rented by the State (administrative renting), etc.

98. Can all employees claim a State accommodation?

In Principle, yes; but given the impossibility for the State to have so many houses, priority is given to some situations.

99. According to those priorities, who may therefore benefit from a State accommodation?

The decree of July 9, 1991 states that there are two categories of people likely to be accommodated: those who are entitled to free accommodation, and those who qualify by virtue of their functions and subject to availability.

100. Who should be housed for free?

Members of Government and officials ranking as such; Governors of Provinces, Secretaries General of provinces, prefects, sub-prefects, heads of districts, and assistant Prefects; President of the Supreme Court and the Attorney General near the Supreme Court, Magistrates holding positions of responsibility to the Supreme Court; Presidents of the Court of Appeal, the Prosecutors General near the Courts of Appeal, the Presidents of courts, prosecutors , the personal of the Technical Assistance in compliance with the treaty provisions, persons accommodated in pursuant to the provisions of international conventions..

101. Who should be housed because of their functions?

The Technical Advisers, Special Duties Officers, Attachés, Directors and assimilated of the Presidency of the Republic and the Prime Minister, the Secretaries General of the ministries and officials ranking as such, the Secretary General, the Chief of Cabinet, the Technical Advisors, Attachés of the Economic and Social Council, the State Inspectors and Consultants in Administrative Organization; directors of the central services and assimilated, Provincial Delegates and assimilated. .

102. Can those housed still enjoy their non-housing allowance?

In principle not; on the contrary, the Finance Law provides that the government retains a certain amount on their salary for maintenance of these dwellings.

103. Several other officials are accommodated, aren't they?

Indeed, once the rights holders are accommodated, other officials can be accommodated, depending on availability.

104. What shall I do to obtain a State's accommodation?

I forward a stamped an application to the Department of State Property, with a pay slip, and a detailed form duly filled and signed by my employer.

105. Am I allowed to make adjustments in the house assigned to me ?

In principle, no! It is the duty of the MINDAF administration to take care of State houses. . But given the scarcity of resources, you can be authorized to make these adjustments, by mutual agreement with the MINDAF. These adjustments are made in this case at your expense, and you can not send a bill to the State.

106. When leaving the house, am I entitled to disassemble adjustments made in the house?

The State accommodates you for free, and taking care of the house should be some kind of counterpart. However, an inventory of fixtures is made when you enter the house and another one when you go out. You can take away only what belongs to you.

b) The State accomodation

107. In case I am transferred in another city, am I allowed to leave my family in this house?

The house is attributed intuite personae, and not to the family. When you are transferred, the attribution order is no longer valid.

108. I am retired, can I continue to occupy the house until I find a personal home?

No. A State house is assigned exclusively to State agents in activity. You must leave the house as soon as you go on retirement.

c) Scrapping of State's property

109. What is scrapping State assets?

This is an operation which is to decommission, demolish or sell by public auction, State sustainable assets which have become unusable due to dilapidation, obsolescence or very extended normal use .

110. Which assets can be scrapped?

In general, furniture and office equipment, administrative vehicles, motorcycles, or any object or equipment, as soon as wear and tear is ascertained.

111. Concerning vehicles for instance, can they be scrapped at any time?

No. With the exception of wrecks of accidented vehicles, no vehicle can be scrapped before the age of 5.

112. Who can buy scrapped State goods?

Anyone can participate in the acquisition of such property, since public auction is the rule in this procedure.

113. What is the full procedure to follow?

The concerned stock manager makes a request to the Minister in charge of the State property.

The Minister in charge of the State property sets up an ad hoc Committee chaired at the central level by the Sub-Director in charge of scrapping and at the provincial level by the Provincial Delegate, at the divisional level by the Divisional Delegate, and abroad by the head of diplomatic mission.

In case of admissibility of the application, the Chairman of the ad hoc Committee convenes the Committee to decide on whether to scrap, on the basis of a technical expertise.

At the end of this process, the minutes of the scrapping are forwarded to the Director of the State property for approval, to the person concerned for information and to the local Land revenue Collector for further proceedings.

d) The State's Rolling Stock

114. Is the State rolling stock part of the State property? Of course; the vehicles of this stock belong to the Cameroonian administration and are registered CA (Cameroon Administration). **115. Are all the State vehicles registered CA?** Not always. For some peculiar needs, the State may register some of its vehicles under the civil registration, like those assigned to some projects, but those vehicles still keep their administrative identity. **116. What is the procedure to be followed by an administration acquiring a vehicle for its use?** The vehicle is first of all received and registered by a commission at the administrative garage. It is given a certificate of registration (special registration

card), a three-month renewable authorization to be driven by the user. **117. Is the user entitled to go with the car anywhere at any time?**The vehicle is referred to as a “service vehicle”, and not a personal vehicle. The driving authorization clearly states the hours of use and the area. You need a mission order to drive outside this framework. However, some security services enjoy a permanent and nationwide driving authorization. **118. Is the administrative garage open to the public?**In principle, as indicated by its name, the administrative garage is reserved for Administration services. Nevertheless, with the new vision of the garage as a fund generating unit, the garage is open to the public who may benefit from a good expertise and quality equipment. **119. Should I pay directly to the garage head after service?** No. The garage head will give you an assignment statement to go and pay at the local Land revenue collection service. **120. Is there any administrative garage in my province?**Except the main administrative garage, there also exist administrative garages in provincial chief towns.

VII – Litigations and conflicts

VII-1 Recoursable deeds and petitions

- 121. What are the official deeds that I may contest if my rights have been alienated?**- Registration of lands in the Land Register (issuing of land titles)- Orders of withdrawal of land titles;- Orders ascertaining the nullity for public order of a land title;
- Decrees to authorize rectification of land titles;- Orders to approve land sales on mutual agreement or by auction;- Order to attribute lands in provisional or definitive concession;- Orders to authorize the establishment of ordinary or long leases on the State’s private estate;- Decrees to authorize the establishment of long leases;- Decisions to authorize the sale on mutual agreement of State lands;- Decisions to settle oppositions and other land litigations;- Decisions stating the termination of land rights on State lands;- Order of declaration of public utility.

122. What are the various possible petitions? *Petition for withdrawal of land title:*

when some irregularity has been committed during the procedure for obtaining a land title. Time-limit: two months starting from the date of issuing of land title ***Petition for assessment of nullity for public order of land title:***

- When several land certificates are issued over the same parcel of land;
- When the land certificate is arbitrarily issued without respect for any procedure or when the procedure is not provided for by the law;
- When the land certificate covers entirely or partially a parcel of the public property;
- when the land certificate is partially or entirely issued on a parcel of State public or private lands, or of that of a moral person of public law, thus violating the regulations in force.

VII-2 Petitions

Petition for rectification of land title: regularization of oversights committed in the ownership title or in the registrations.

Time-limit: same time-limit as for the legal recourse.

Hierarchical petition against the decisions concerning the settling of litigations by governors:

Time-limit: same time-limit as for the legal recourse.

Legal recourse: opportunity given to any person victim of alienation by an administrative deed, to report to a Court and request cancellation and/or redress.

Time-limit: 60 days after the petition for reprieve to the Minister has been rejected.

Petition for reprieve addressed to the competent authority in order to redress an irregularity committed before reporting to court.

Time-limit: 2 months following the publication of the concerned deed; within the next 6 months in case of petition for compensation; within

the next 4 years in case of abstention of an authority with related competence.

123. What are the competences of the judge? You can report to Court:- In case of fraud;

- For the resolution of a sale;- For disputes arising from real estate transactions on registered private lands;- For action for compensation following a measure of expropriation for public; utility - For damage to land;

- For recourse for administrative assault;- For the validity of all civil and judicial documents used to establish the land title;- For precautionary measures such as judicial prenotation;**124. What are the competences of the administration?** *You can report to the Ministry of State property and Land tenure:-* in the event of abuse or excessive power;- in case of directed liability in the taking of a deed of management concerning land tenure and State lands, before reporting to Court - For any other situation outside the scope of competence of the court as described in question 111.

VII-3 Administrative or justice: who does what?

125. What do I need before reporting my case to the Ministry of State Property and Land Tenure? *You must:-* make available the counterfile files of the disputed land certificate to help check the conformity of document with the legal and regulatory provision in force.

- Have a situation plan of the concerned land parcels in case of encroachment or in order to verify whether the disputed land certificates concern the same piece of land.

126. How does the administration proceed to settle litigations on a land?

The authority may create ad hoc committees for administrative processing of appeals regarding private and State estate. **127. Is it the consultative board?** No. This commission is different from the Consultative board whose composition is determined by texts. It is dissolved as of right as soon as the report is forwarded to the Minister in charge of Lands. **128. What is the body in charge of examining petitions for reprieve at the Ministry of State property and Land Tenure?** It is the Division of Legal Affairs.**129. Should I report directly**



to this structure? No. The petition must be addressed to the Minister of State Property and Land Tenure.

