

DECREE No. 2010/0243/PM OF 26 FEB 2010

to lay down conditions for the exercise of some powers transferred by the State to councils relating to the granting of aid and relief to the destitute and the needy

THE PRIME MINISTER, HEAD OF GOVERNMENT,

Mindful	of	the Constitution;
Mindful	of	the Law No 83/013 of 21 July 1994 on the protection of disabled people;
Mindful	of	law No 2004/017 of 22 July 2004 on the orientation of decentralization;
Mindful	of	law No 2004/018 of 22 July 2004 to lay down rules applicable to councils ;
Mindful	of	Law No 2009/011 of 10 July 2009 on the financial regime of regional and local authorities;
Mindful	of	Law No 2009/018 of 15 December on the finance law of the Republic of Cameroon for the 2010 financial year;
Mindful	of	Decree No 82/ 412 of 9 September 1982 to lay down conditions for the granting of State relief to the destitute and the needy;
Mindful	of	Decree No 90/1516 of 26 November 1990 to lay down conditions for the application of Law No.83/013 of 21 July 1983 on the protection of disabled persons;
Mindful	of	Decree No 92/089 of 4 May 1992 to specify the powers of the Prime Minister, as amended and supplemented by Decree No. 95/145 of 4 August 1995 ;
Mindful	of	Decree No 2004/320 of 8 December 2004 to organize the Government, as amended and supplemented by Decree No. 2007/268 of 07 September 2007;
Mindful	of	Decree No 2005/160 of 25 May 2005 to organize and the Ministry of Social Affairs;
Mindful	of	Decree No 2008/013 of 17 January 2008 on the organization and functioning of the National Decentralization Council
Mindful	of	Decree No 2008/014 of 17 January 2008 on the organization and functioning of the Inter-ministerial Committee for Local Services;
Mindful	of	Decree No 2009/222 of 30 June 2009 to appoint a Prime Minister, Head of Government,

HEREBY DECREES AS FOLLOWS:

CHAPTER 1

GENERAL PROVISIONS

1. - This decree lays down the conditions for councils to exercise as from the 2010 budgetary year, the powers transferred by the State relating to the granting of aid and relief to the destitute and the needy.

2. - Councils shall exercise the powers transferred relating to the granting of aid and relief to the destitute and needy without prejudice to the following State responsibilities and prerogatives:

- The determination of the terms and the conditions for the granting of aid and relief;
- The definition of the criteria for the granting of aid and relief to the destitute and the needy;
- The definition of the most vulnerable target population and national solidarity priority actions;
- The granting of aid and relief to destitute and needy foreigners;
- The designing and updating of the national social map.

3. - (1) The power transferred by the State relating to the granting of aid and relief to the destitute and needy, shall be exercised by the Councils, within the strict respect of statutory and regulatory instruments in force.

(2) The execution of related expenses shall be subject to the provisions of the Public Contracts Code.

CHAPTER II

ON THE GRANTING OF AID AND RELIEF TO THE DESTITUTE AND THE NEEDY

Article 4 - (1) The granting of aid and relief to the destitute and the needy by the council is subject to a prior social inquiry established by a social worker of the residence social centre or the social action service located within the council jurisdiction.

(2) The following are considered destitute or needy:

- Physical, mental and visual handicaps, the deaf and the dumb;
- Multiple handicap people;

- Minors born of handicapped, destitute or needy parents;
- Persons who, due to their state, cannot participate in the revenue-generating productive effort;
- Persons rendered temporarily invalid due to unforeseen circumstances.

Article 5 -The Council shall grant, as the case may be, 2 (two) categories of aid and relief.

(1) Prime emergency aid and relief related to the satisfaction of needs emanating from any social case demanding immediate or selective public assistance.

(2) Sustainable aid and relief relating to social cases that require sustained public assistance.

6. - (1) Aid and relief for the destitute and the needy are essentially in kind, in the form of gifts or service provision, and exceptionally in cash.

(2) The aid and relief are mainly comprised of:

- appliances and equipment adapted to the destitute and the needy namely, amongst others, tricycles, white sticks, prosthesis, manual or electric wheel chairs, crutches, Canadian crutches, English sticks, audio-phones, walkers, Braille machines, orthosis, orthopaedic shoes, sets of teeth, wrist watches for the blind;
- the provision of school supplies and didactic material;
- the supply of some foods and clothing;
- legal assistance;
- subsidies or financial assistance to support socio-economic insertion or re-insertion.

CHAPTER III

ON THE TRANSFER OF RESOURCES

Article 7 - The transfer by the State of power relating to the granting of aid and relief to the destitute and the needy, is accompanied by the concomitant transfer of resources necessary for their normal exercise by the councils.

Article 8 - The finance law of the State shall each year provide for the resources necessary for the exercise of the powers transferred to the councils relating to the granting of aid and relief to the destitute and the needy.

Article 9 - Besides resources transferred by the State, the Council may benefit from support by partners for the exercise of powers transferred relating to the granting of aid and relief to the needy.

Article 10 - (1) The financial resources transferred by the State shall be exclusively reserved for the exercise of the powers transferred relating to the granting of aid and relief to the needy.

(2) The said resources shall be recorded in the council budgets.

(3) Their management shall respect the budget and accounting principles in force.

CHAPTER IV

FINAL AND MISCELLANEOUS PROVISIONS

Article 11 -The State shall ensure the monitoring, control and evaluation of the exercise of the powers transferred to councils relating to the granting of aid and relief to the destitute and the needy.

Article 12 - (1) The council and the competent deconcentrated services of the State shall prepare a quarterly report on the state of implementation of the powers transferred relating to the granting of aid and relief to the destitute and the needy.

(2) The said report shall be addressed to the Minister in charge of Decentralization and the Minister in charge of Social Affairs.

Article 13 - The Minister in-charge of Decentralization, the Minister in-charge of Social Affairs and the Minister in-charge of Finance are each, in its own sphere, charged with the implementation of this decree which shall be registered, published according to the procedure of urgency, and inserted in the Official Gazette in English and French.

Yaounde, 26 February 2010

Philemon Yang
Prime Minister,
Head of Government,