

LAW No. 2021/015 OF 09 JUL 2021

BILL TO ORGANIZE AND PROMOTE VOLUNTEERING IN CAMEROON

The Parliament deliberated and adopted, the President of the Republic hereby enacts the law set out below:

CHAPTER I GENERAL PROVISIONS

I. PURPOSE AND SCOPE OF APPLICATION

SECTION 1: (1) This law relates to the organization and promotion of volunteering in Cameroon.

(2) This law shall apply to volunteering activities undertaken by Cameroonian nationals residing within the national territory or abroad in the framework of reciprocal volunteering activities, without prejudice to the laws and regulations governing volunteering activities in the third party State.

(3) Volunteering activities undertaken by foreign or international organizations based in Cameroon shall be governed by specific conventions and the regulations of the organizations concerned.

SECTION 2: (1) Volunteering shall seek the social mobilization and enhancement of skills and human resources for general interest work and introduction to public affairs management in the public and private sectors, in particular for economic, social, health, educational, cultural, sporting and tourist development and sustainable development.

(2) Volunteering activities shall be organized within non-profit associations and organizations recognized in accordance with the laws in force.

(3) The following shall be excluded from the scope of this law:

- charity work;
- activities of the compulsory period of national civic service for participation in development.

SECTION 3: Volunteering activities shall be carried out in accordance with the principle of solidarity between the various components of society, to promote the values of peace, citizenship, humanitarian cooperation and the performance of public utility works.

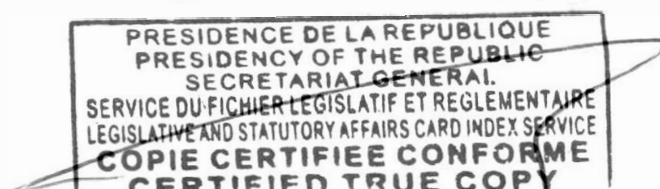
SECTION 4: Volunteering must be inclusive, to ensure gender equality and that of people living with disabilities, indigenous peoples and socially vulnerable people.

II. DEFINITIONS

SECTION 5: Under this law and its implementing instruments, the following definitions shall apply:

Charity work: non-contractual activity carried out freely and on a part-time basis by a natural person, outside of his or her professional or family occupations, for the benefit of others and which cannot entitle him or her to compensation;

Volunteering contract: a written agreement for a fixed term, organizing the relationship between the volunteer and his or her host entity, in accordance with the provisions of this law;



Volunteering assignment: a set of activities to be carried out by the volunteer, duly stipulated in the volunteering contract;

Organization: legal person of public or private law carrying out a general interest mission, in accordance with the provisions of this law;

Civic service: compulsory or voluntary commitment of the youth aimed at mobilizing them to contribute to the economic and social progress of the State or its constituent parts and to develop civic values in them;

Host entity: a legal entity carrying out a general interest mission and receiving the support of national volunteers;

Dispatching entity: legal entity of Cameroon public law in charge of information, preparation, support and follow-up of volunteering missions;

Volunteering: contractual, unpaid activity, carried out freely, selflessly, on a full-time basis or according to a predefined schedule, by a natural person, for the common good or for a social cause, and which may give rise to regular or occasional lump-sum allowances for subsistence needs;

Volunteer: a natural person who freely and selflessly carries out a contractual, unpaid activity, either on a full-time basis or according to a predefined schedule, for the common good or for a social cause, and may receive regular or occasional lump-sum allowances for subsistence purposes.

CHAPTER II PROMOTION OF VOLUNTEERING

SECTION 6: The State shall promote volunteering, in partnership with regional and local authorities as well as other public and private entities.

As such, they shall provide information, education and communication about volunteering.

SECTION 7: Volunteering may be included as a teaching module in education and training programmes.

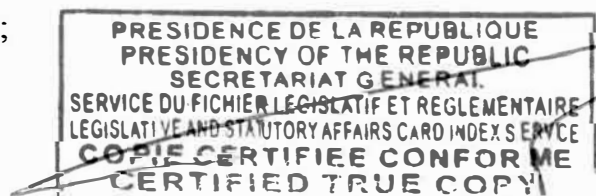
SECTION 8: The promotion of volunteering may be supported by civil society, inter-governmental organizations and other public and private legal entities.

CHAPTER III CONDITIONS GOVERNING VOLUNTEERING

I- CONDITIONS GOVERNING VOLUNTEERING

SECTION 9: (1) Any person may be a volunteer under the following conditions:

- be of Cameroonian nationality;
- be of good character;



- be at least 18 (eighteen) years of age;
- enjoy all civic rights;
- fulfil the conditions required for persons engaged in like activities within the host entity;
- agree to carry out the volunteering assignment anywhere on national territory in accordance with the provisions of the volunteering contract.

(2) Candidates between the ages of 18 (eighteen) and 21 (twenty-one) must show proof of a parental authorization.

SECTION 10: (1) The volunteering contract shall be a fixed-term contract not to be considered a contract of employment, a service delivery contract, or a professional job of any kind whatsoever.

(2) The volunteering contract shall not be used:

- by a host entity of private law having laid off staff for economic reasons within the 6 (six) months preceding the effective date of the contract;
- if the assignment entrusted to the volunteer were previously performed by an employee who was dismissed or who resigned within the 6 (six) months preceding the effective date of the contract.

II- INCOMPATIBILITIES AND RESTRICTIONS IN RESPECT OF VOLUNTEERING

SECTION 11: Volunteering shall be incompatible with any other concurrently remunerated duties in the public or private sector.

SECTION 12: Volunteering shall not be incompatible with the pursuance of academic studies or vocational training. However, these must in no way hinder the proper performance of the volunteer assignment.

CHAPTER IV CONDITIONS GOVERNING THE PRACTICE OF VOLUNTEERING

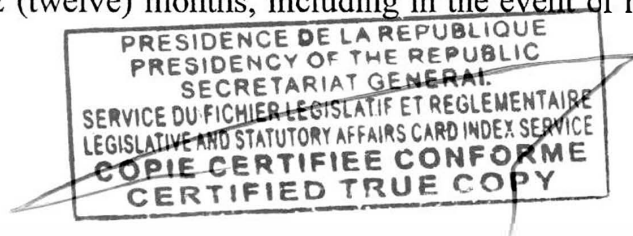
I. COMMON PROVISIONS

SECTION 13: (1) Volunteering shall be subject to the signing, between the volunteer and the host entity, of a volunteering contract approved by the dispatching entity.

(2) The approval provided for in paragraph (1) above shall, under penalty of nullity, consist in affixing the prior visa of the dispatching entity.

(3) The volunteering contract shall be concluded for a maximum period of 12 (twelve) months, renewable twice.

(4) However, in the case of public and semi-public bodies, the overall duration of volunteer service may not exceed 12 (twelve) months, including in the event of renewal of the volunteering contract.



(5) The same volunteer shall not conclude several concurrent volunteering contracts with one or more host entities.

(6) The volunteer shall not exercise any other full-time activity of any type whatsoever in the course of his or her service.

(7) The volunteer shall be bound to professional secrecy and confidentiality for the facts, confidential information or documents to which he is privy in the exercise of his duties, and whose disclosure to the public may harm the beneficiaries of his volunteer assignment or hamper the interests of the host entity.

SECTION 14: (1) The volunteer shall be entitled to the following lump sum allowances:

- a monthly lump sum allowance;
- an end-of-service lump sum allowance.

(2) The end-of-service lump sum allowance referred to in paragraph (1) above, payable at the end of the volunteer assignment period, shall be proportional to the duration of the said period.

(3) The lump sum allowances referred to in paragraph (1) above, as provided for in the contract or in the document appended thereto, may be cumulative.

(4) The methods of calculation and payment of the volunteer service lump sum allowances referred to in paragraph (1) above shall be fixed by regulation.

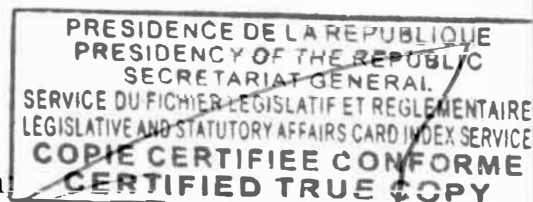
SECTION 15: The volunteering contract may be suspended, in the event of:

- justified incapacity of the volunteer;
- failure to comply with non-substantive contractual obligations;
- mutual consent of the parties;
- force majeure.

SECTION 16: (1) The volunteering contract shall end upon completion of the volunteer assignment.

(2) The volunteering contract may also end in the event of:

- closure or cessation of activities of the host entity;
- mutual consent of the contracting parties;
- force majeure duly established by the parties;
- serious misconduct attributable to the volunteer;
- expiry of the maximum period of contract suspension;
- resignation of the volunteer;
- death of the volunteer.



SECTION 17: (1) Disputes arising from the volunteering contract shall first be brought before the dispatching entity for conciliation.

(2) The procedures for summoning and appearance of the parties shall be fixed by order of the minister in charge of civic education.

(3) In the event of an agreement, a conciliation report, drawn up and signed by the 2 (two) parties and by the official in charge of volunteering within the dispatching entity, shall establish the amicable settlement of the dispute. It shall be applicable once validated and rendered enforceable by the President of the competent court.

(4) In the event of partial conciliation, the report shall state the items on which an agreement has been reached and those on which disagreement persists.

(5) In the event of failure to achieve conciliation, the official in charge of volunteering shall draw up a non-conciliation report.

(6) In all the cases referred to in paragraphs (1) to (5) above, a copy of the report signed by the above-mentioned official and the parties, shall be forwarded to the President of the competent court, as well as to the parties.

(7) In the event of failure to settle the dispute, it shall be brought before the competent national court by the most diligent party. In such case, the appeal, under pain of inadmissibility, shall bear a copy of the non-conciliation or partial conciliation report.

II. SPECIFIC PROVISIONS FOR DISPATCHING A VOLUNTEER

SECTION 18: (1) Volunteers shall be dispatched following a positive examination of the application of the host entity by the dispatching entity.

(2) The dispatching entity referred to in paragraph (1) above shall be the ministry in charge of civic education.

(3) The volunteer shall be placed at the disposal of the host entity for deployment.

SECTION 19: The dispatching entity shall have the following responsibilities:

- promoting and managing volunteering;
- recruiting the volunteer and preparing his placement;
- dispatching the volunteer and ensuring his monitoring and evaluation;
- ensuring the monitoring and evaluation of host entities;
- conducting diagnostic and prospective studies on volunteering-related issues.

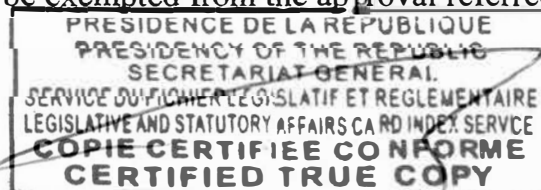
SECTION 20: At the end of the assignment, the dispatching entity shall be required to issue a volunteering certificate to the volunteer stating the nature of voluntary work done, the duration, the training received and the skill or experience acquired.

III. SPECIFIC PROVISIONS FOR VOLUNTEER HOSTING

SECTION 21: (1) Volunteer hosting shall be open to legal entities of public or private law.

(2) Volunteer hosting shall be subject to prior approval by the ministry in charge of civic education for a period of 3 (three) years renewable.

(3) The following shall be exempted from the approval referred to in paragraph (2) above:



- ministries;
- regional and local authorities;
- public establishments;
- public corporations;
- consular chambers;
- recognized public utility associations;
- public interest groups;
- inter-governmental organizations represented in Cameroon;
- council unions.

(4) The procedures for obtaining the approval referred to in paragraph (2) above shall be laid down by regulation.

SECTION 22: The host entity shall be required to provide social protection for work-related accidents and illnesses under conditions set out in the law relating to the social security system applicable to wage earners and similar persons.

SECTION 23: (1) The host entity shall organize the work of the volunteer in accordance with the laws and regulations governing volunteering.

(2) The host entity shall provide the volunteer with all the necessary means and tools for the performance of his/her assignment.

SECTION 24: The volunteer shall be subject to the same rules as those applicable to the host entity staff.

SECTION 25: (1) The host entity may be held liable, in accordance with the current legislation, for damages caused by the volunteer to third parties in the performance of his/her assignment.

(2) The host entity may, after compensation for damage suffered by a third party, take recourse action against the volunteer when the fault is attributable to the latter.

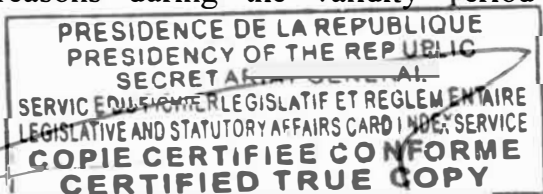
CHAPTER V **PENALTIES**

SECTION 26: The volunteer and the host entity shall be liable to civil and criminal penalties provided for by the laws and regulations in force.

I. HOST ENTITY PENALTIES

SECTION 27: (1) Without prejudice to public authority prerogatives conferred on administrative authorities in the event of a breach of public order, the host entity found guilty of the following acts and facts shall be liable to the suspension of approval for a period of 3(three) months, renewable once:

- use of the volunteer for purposes other than those specified in the volunteering contract;
- lay-off of personnel for economic reasons during the validity period of volunteering contracts within the entity;



- misappropriation of State subsidies granted for the purpose of volunteering;
- non-compliance with contractual commitments.

(2) In the event of re-offence or acts that seriously undermine public order and morals, the approval may be withdrawn from the host entity.

SECTION 28: The management of a host entity guilty of misappropriation of subsidies shall be liable to the penalties provided for in Section 225 of the Penal Code.

II. VOLUNTEER PENALTIES

SECTION 29: A volunteer guilty of the following acts shall liable to suspension of the volunteering contract by the host entity for a period of 3 (three) months, renewable once:

- carrying out of dangerous activities duly established within the host entity;
- indiscipline.

SECTION 30: (1) The conviction of a volunteer for a crime shall be deemed to entail his or her automatic dismissal.

(2) Where the volunteer is convicted for an offence, the manager of the dispatching entity may, on the basis of the report of the host entity, declare the volunteer dismissed.

(3) Dismissal may also be pronounced in cases of corruption and forgery as provided for in the Penal Code.

(4) The dismissal provided for in (1) to (3) above shall automatically entail ineligibility for volunteering for a period of 10 (ten) years.

CHAPTER VI MISCELLANEOUS AND FINAL PROVISIONS

SECTION 31: The conditions governing the implementation of this law shall be laid down, as and when necessary, by separate instruments.

SECTION 32: All previous provisions repugnant hereto are hereby repealed.

SECTION 33: This law shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French./-

