

Law No. 90-53 of 19 December 1990

relating to freedom of association.

The National Assembly has deliberated and adopted,

The President of the Republic hereby enacts the law set out below

PART I

General provisions

Section 1: (1) Freedom *of* association proclaimed by the preamble of the Constitution shall be governed by the provisions of this law.

(2) It shall mean the right to set up an association and to be or not to be a member of **an** association.

(3) It shall be enjoyed by all natural persons and corporate bodies throughout the national territory.

Section 2: An association shall be the act of a number of persons pooling their knowledge or activities for purposes other than to share profits.

Section 3: Any member of an association may withdraw at any time after having paid the contributions due for the current year.

Section 4: Associations founded in support of a cause or in view of a purpose contrary to the Constitution, the law and public policy, as well as those whose purpose is to undermine especially security, the integrity of the national territory, national unity, national integration or the republican character of the State shall be null and void.

Section 5- (1) Associations shall fall under two systems:

- the declaration system ;
- the authorization system.

(2) Foreign and religious associations shall fall under the authorization system.

(3) All other forms of association shall fall under the declaration system. However, the systems provided for under Sub-section 1 above, shall not apply to de facto economic or socio-cultural associations.

Political parties and trade unions shall be governed by separate instruments.

PART II

System of declared associations

CHAPTER I

Formation

Section 6: Subject to the cases of nullity provided for under Section 4 above, associations shall be formed freely; however, they shall have no legal status until they have declared their

formation and furnished two copies of their constitutions.

Section 7: (1) the declaration provided for under Section 5 above shall be made by the founders of the association at the Divisional Office of the area where the association has its headquarters. A receipt shall be issued to them as soon as the file is complete if the said association is not considered null and void.

(2) The declaration shall indicate the name, object and headquarters of the association, as well as the names, occupations and addresses of those who, in whatever capacity, shall be responsible for running its business.

Any modification of or change in this information must be brought to the knowledge of the Senior Divisional Officer within two months.

(3) Silence on the part of Senior Divisional Officer within two months after submission of the declaration file shall be tantamount to acquiescence and shall imply acquisition of legal status.

Section 8: Any person shall have the right to take cognizance on the spot, at the Office of the Senior Divisional Officer, of the declaration and constitution of an association and of the changes that have taken place in its administration. He may cause to be issued to him, at his expense, copies and excerpts thereof.

CHAPTER II

Functioning

Section 9: Associations shall be administered freely in compliance with their constitution and the laws in force.

Section 10: (1) Any association declared under the conditions provided for by this law may freely:

institute legal proceedings;

- manage and use funds derived from contributions ;
purchase and own :

- (a) premises for its offices and meetings of its members ;
- (b) immovable property necessary for pursuing its aims.

(2) The stocks and shares of all associations shall be listed as registered securities.

Section 11: No declared associations, save those recognized as serving the public interest, may receive either grants from public bodies, or immovable property as gifts and legacies from private individuals.

CHAPTER III

Dissolution

Section 12.- Associations may be dissolved:

- voluntarily by their members in accordance with their constitutions ;
- by a court decision on the initiative of the Legal Department or at the request of any interested party, in case of nullity as provided for under Section 4 above. The judgment ordering the closure of the premises and/or prohibiting all meetings of the members of an association shall

become enforceable notwithstanding any appeal which may be lodged.

Section 13: 1) The minister in charge of Territorial Administration may, upon the reasoned recommendation of the Senior Divisional Officer, issue an order to suspend for a period not exceeding three months, the activities of any association, for disturbance of public order.

(2) The minister in charge of Territorial Administration may also issue an order to dissolve any association which departs from its original object or whose activities seriously undermine public order or the security of the State.

(3) Notwithstanding the provisions of Article 12 of Ordinance No. 72/6 of 26 August 1972 to organize the Supreme Court, the orders provided for under Section 13 (1) and (2) may be appealed against, by a mere application submitted to the President of the Administrative Bench.

Such appeal shall be lodged within 10 (ten) days following the date of service on the person running the association or at his residence.

The President shall by order make a ruling within 10 (ten) days.

(4) The filing of appeal shall not bar enforcement of the court order.

Section 14: The dissolution of an association shall not bar any legal proceedings which may be instituted against the officials of such association.

PART III

System of authorized associations

CHAPTER IV

Foreign associations

Section 15: Groups having the characteristics of an association, which have their registered office abroad or which, having their headquarters in Cameroon, are managed in fact by foreigners, or in which more than half of the members are foreigners, shall be deemed to be foreign associations, whatever the form they may assume.

Section 16: (1) Foreign associations may not carry out any activities within the country without prior authorization from the Minister in charge of Territorial Administration upon the recommendation of the Minister in charge of External Relations.

(2) The application for authorization to carry out activities, which shall be deposited at the Ministry in charge of External Relations by the founders or the representatives of a foreign association, shall spell out the activities to be undertaken, its locations in Cameroon, names, occupations and addresses of these who, in whatever capacity, are responsible for running its business.

(3) Foreign associations may not possess establishments in Cameroon without a separate authorization for each such establishment.

Applications for authorization to open each new establishment shall be submitted to the Minister in charge of External Relations who shall, after giving his opinion, forward them to the Minister in charge of Territorial Administration.

Section 17: (1) an authorization may be issued on a temporary basis or may be subject to periodical renewal.

(2) It may be subject to certain conditions.

(3) It may be withdrawn at any time.

Foreign associations which are refused an authorization or whose authorization has been withdrawn must cease their activities forthwith and must liquidate their properties within three months of the date of notification of the decision.

(4) Withdrawal of an authorization shall under no circumstances entail compensation for damages.

Section 18: Senior Divisional Officers may at any time request the officials of any association or establishment operating in their divisions to furnish, within fifteen days, written information which will enable the determination of its headquarters, its object, the nationalities of its members, board members or real officials.

Section 19: Foreign associations, whatever their form, which do not apply for an authorization under the conditions laid down above, shall be automatically void.

Section 20: (1) Whoever, in whatever capacity, administers or continues to administer a foreign association or an establishment which operates without authorization shall be punished with imprisonment for from fifteen days to six months or with fine of from 100,000 to 1,000,000 francs, or with both such imprisonment and fine.

(2) Any other person who participates in the functioning of such association or its establishment shall be punished with imprisonment for from ten days to three months or with fine of from 50,000 to 500,000 francs, or with both such imprisonment and fine.

(3) Officials, board members and persons participating in the activities of an association or establishment which, without fulfilling the conditions stipulated by the order granting authorization, operate beyond the time-limits set by the order, shall be liable to punishment with the penalties provided for under Section 20 (2) above.

Section 21- Foreign associations may be recognized as serving the public interest.

CHAPTER V

Religious congregations

Section 22: The following shall be deemed to be religious congregations:

- any group of natural persons or corporate bodies whose vocation is divine worship,
- any group of persons living in a community in accordance with a religious doctrine.

Section 23: The existence of all religious congregations must be authorized. The same shall apply to all congregational establishments.

Section 24: The authorization of a religious congregation or a congregational establishment shall be granted by a decree of the President of the Republic upon the reasoned recommendation of the Minister in charge of Territorial Administration.

Section 25: (1) Religious congregations may not receive public grants or immovable property as gifts or legacies.

(2) However, they may receive immovable property as gifts and legacies needed for the exercise of their activities.

Section 26: Religious congregations shall keep an account of their revenue and expenditure and draw up an annual financial account for the past year and an inventory of their movable and immovable property.

Section 27: Officials of religious congregations shall present, upon request by the Minister in charge of Territorial Administration or his representative, the accounts and inventories referred to in the preceding Section as well as the complete list of their leaders.

Section 28: (1) Any deeds of gift inter vivo or by virtue of wills, whether or not subject to payment, made directly, through an intermediary or by any indirect way, whose purpose is to enable legally or illegally founded religious congregations to avoid the obligations of Section 27 above shall be declared null and void.

(2) Such nullity shall be declared either by the Legal Department upon receipt of a report from the Minister in charge of Territorial Administration or at the request of any person concerned.

Section 29: Representatives or officials of a religious congregation who issue false statements or who refuse to comply with the instructions of the Minister in charge of Territorial Administration or his representative within the limits of the provisions of Section 27 above shall be punished under Sections 314 and 129 of the Penal Code.

Section 30: Any religions congregation guilty of disturbance against public order may be suspended by an order of the Minister in charge of Territorial Administration. Such suspension shall be ordered in compliance with Section 13 above.

Section 31: Where a two-month notice served upon a duly authorized religions association which has altered its original purpose subsequently remains unheeded, such congregation may be dissolved by a decree of the President of the Republic.

PART IV

Final miscellaneous and transitional provisions

Section 32: (1) Any association which makes an effective and decisive contribution towards the realization of government's priority objectives may, upon request and upon the reasoned recommendation of the Minister in charge of Territorial Administration, be recognized, by a decree of the President of the Republic, as serving the public interest.

(2) Consequently, the association may:

- perform all civil acts not forbidden by its constitution, but it may not own or acquire buildings other than those necessary for the achievement of its objectives;
- receive all types of gifts and legacies, subject to an authorization from the minister in charge of Territorial Administration, for gifts and legacies consisting of immovable property ;
- receive State and local council grants, in which case the State shall ensure that the grants are properly used.

Section 33: (1) Founders or board members of an association which continues operations or which is reestablished illegally after a judgment or decision has been issued for its dissolution, shall be punished with fine of from 100,000 to 1,000,000 francs or with imprisonment for three months to on year, or with both such fine and imprisonment.

(2) Where the decision to dissolve has been motivated by armed demonstration, an attempt against the internal or external security of the State, the maximum penalties provided for in the preceding Sub-section shall be doubled.

(3) Any person who encourages meetings of members of a dissolved association by allowing them the use of his premises shall be liable to the same penalties.

Section 34: Associations which can provide evidence of possession of deeds of declaration or recognition, or authorization issued in accordance with the legislation in force at the time of publication of this law shall be expected to show proof of such deeds within 12 months by furnishing a copy thereof to the Minister in charge of Territorial Administration.

Section 35: Law No. 67/LF/19 of 12 June 1967 relating to freedom of association is hereby repealed and replaced by the provisions of this law.

Section 36: This law shall be registered published in accordance with the procedure of urgency and inserted in the Official Gazette in English and French.

Yaoundé, 19 December 1990.

Paul Biya
President of the Republic