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FEDERAL REPUBLIC OF CAMEROON

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PEACE - WORK - FATHERLAND

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Sec/Encls  
LAW No. 68/LF/4 of the 11th June 1968  
to organize the system of requisitions.

THE NATIONAL FEDERAL ASSEMBLY deliberated and adopted;

THE PRESIDENT OF THE FEDERAL REPUBLIC enacts the law  
set out below :

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In the event of natural calamities or very serious accidents, the Heads of Administrative Areas, Police Superintendents and Constabulary Officials shall be entitled to impress any persons and to requisition any means necessary for organizing relief.

#### 6. NATURAL PERSONS AND CORPORATE BODIES AFFECTED BY REQUISITIONING

Any natural person or corporate body may be affected by requisitions.

The requisitioning authorities must abide by the principle of equality for all in burdens imposed by Defence and ensure they are borne by all alike.

In cases of collective requisition, obligations shall be allotted by the Administrative Authorities save when this is absolutely impossible.

In cases of refusal to comply with requisition orders, the responsible authorities may have the requisition enforced, in which case they shall at once advise the Minister to whom they are responsible.

All Cameroon nationals may be affected by requisitions. Barring provisions to the contrary in international conventions, aliens:

- shall be liable only to civil impress in the case of natural persons;
- shall be subject to civil and military requisitions with regard to property.

#### 7. BENEFICIARIES

The requisitioning civil or military authority shall benefit by the requisition. The Civil Authorities, however, may requisition on behalf of a collective body (Council, Private Enterprise, etc.), or of a private individual.

There shall be no legal relationship between those subject to requisition and the beneficiary when the latter is not the requisitioning authority.

#### 8. CLAIMS CONNECTED WITH THE REQUISITION ORDER

Requisition orders are administrative acts and any disputes arising as to their purpose, scope and validity shall come within the competence of administrative claims and litigation.

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Any grounds for cancelling a requisition order may be invoked by persons subject thereto, in particular incompetence, faulty drafting, breach of the law and ultra vires.

No claim shall have a suspensive effect. The annulment of a requisition order shall put an end to any rights assumed by the military or civil authorities. Compensation based on the general principles of responsibility shall thereupon be due to the person affected by the requisition, and the requisitioned property shall be restored to him in kind or, failing this, in counterpart value.

When the irregular nature of a requisition order is flagrant and constitutes an unwarranted interference, the person responsible may be prosecuted before a competent criminal court.

#### 9. THE EFFECTS OF REQUISITION

Requisitioning is a unilateral administrative act which ignores both the willingness of persons subject to requisition and their assent to the price paid in return. Requisitioning gives rise to effects concerning the persons subject thereto, the requisitioning authority, the beneficiary and third parties.

#### 10. PENALTIES

1) Any Civil or Military Authority which makes improper use of the right to requisition or refuses to deliver a receipt to those affected by a requisition order shall be liable to a penalty of 6 months to 2 years' imprisonment and to a fine of 50,000 to 500,000 francs, or to either of these penalties.

2) Any unauthorized person who effects one or more requisitions shall be liable to 1 to 5 years' imprisonment and to a fine of 100,000 to 1 million francs. When force has been resorted to, imprisonment shall be from 2 to 10 years and the fine from 200,000 to 2 million francs.

3) Any person who refuses to perform, or refrains from performing, any act, mission, or duty imposed on him personally by the imperative needs of defence or community life under a regular requisition order, shall be liable to 1 month to 2 years' imprisonment and to a fine of 25,000 to 500,000 francs or to either of these penalties. The penalties shall be doubled when the act concerned affects the normal duties of the person impressed, or if such offence has been committed in time of war.

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4) Any person who refuses to comply with a regular requisition of real estate or goods shall be liable to a penalty of 1 to 6 months' imprisonment and to a fine equal to twice the <sup>market</sup> value of the requisitioned property. In time of war these penalties shall be doubled.

5) Any person who, by any means whatsoever, obstructs the implementation of a requisition order issued by the competent authority shall be punished with imprisonment from 1 to 6 months and with a fine of from 25,000 to 100,000 francs.

6) Any person who, by fraudulent practices, falsifies assessment operations shall be punished with a fine of 25,000 to 100,000 francs. If the offence is committed in time of war, the penalty shall be imprisonment from 15 days to 3 months and a fine of from 50,000 to 500,000 francs.

7) For the purposes of the above provisions, the state of emergency, partial or general mobilization and the state of exception shall be tantamount to time of war.

#### 11. INDEMNITY FOR REQUISITION

The requisitioning of services, chattels or property should give rise to suitable compensation. Nevertheless, authorities vested with the right to requisition may expect certain collective services of short duration to be supplied without compensation. This is the case of contributions to work on roadways, and or work connected with defence or civil protection, or again with missions defined by decree for the auxiliary forces.

Indemnity for requisition shall be assessed according to the rules common to civil and military requisitions. The beneficiary of compensation shall be the person affected by requisitions whatever his capacity may be (owner, tenant, regular holder). The debtor shall always be the State, never a benefiting third-party.

#### 12. COMPENSATION CLAIMS

1) The law courts shall be competent to deal with claims for compensation connected with quartering and accommodation as a result of theft, fire, looting, illegal damage, etc. Compensation shall be granted under conditions of ordinary law.

2) The rules governing administrative claims shall be applicable to any other claims for compensation.

#### 13. PURPOSE OF CALLING UP PERSONS

Once the right to requisition begins to operate, persons may be called up either collectively for National Service, under articles 28 et seq of the law of <sup>the</sup> 12th June 1967 to organize Defence, or individually.

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14. PERSONS LIABLE TO IMPRESS

Any Cameroon national of the male sex, provided he is more than 18 years of age, may be called up in the interest of the nation on temporary or permanent basis. Such impress may be for some isolated purpose or for duty in administrative or other undertakings of national interest or of direct value to Defence. Female Cameroon national of more than 18 years of age may likewise be called up to perform their usual duties in certain branches of the Defence Services or in keeping with their physical and occupational abilities.

Cameroon nationals of either sex may also be liable, regardless of age-limit, to remain at their posts or to proceed with their duties.

Any person benefiting under a pension scheme may also be recalled to activity until the age of 60.

Barring provisions to the contrary in international conventions, any alien may also be impressed by the civil authorities for the performance of civilian tasks.

15. BASIC CONDITIONS FOR REQUISITIONING REAL ESTATE

Property liable to requisition by the civil or military authorities shall consist of land built on and empty plots, land under cultivation, woodland, expanses of water, etc. Buildings need not be unoccupied but the persons affected by the requisition order shall not be evicted from the rooms occupied by themselves and their families without being previously rehoused.

Requisition shall solely affect right of use. When national requirements call for the acquisition of property, the administration shall resort to the normal procedure of expropriation in the public interest.

16. PUBLIC AND PRIVATE OBLIGATIONS IN THE REQUISITION OF REAL ESTATE

The administration shall be bound by the obligations which normally lie with tenants, and the property owner shall be bound by those incumbent on lessors.

When the owner fails to fulfil the commitments incumbent on him, the expenses entailed shall be met by the authorities subject to reimbursement by the owner, a corresponding deduction being made from the compensation due to him.

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17. EXEMPTION FROM ACCOMMODATION AND QUARTERING REQUISITIONS

Property occupied by persons or bodies enjoying diplomatic immunity, or housing public funds shall be exempt from requisition.

18. THE PRINCIPLE OF FIRM REQUISITIONS

Any industrial or commercial establishment may be requisitioned wholly or in part. The taking over shall entitle the State to use all means required for operating the establishment.

Manufacturing licences, patents and trade secrets may be used but the requisitioning authority shall be bound by professional secrecy.

Where the purpose of the requisition is to continue the industrial or commercial activity of the establishment, the requisition order may only be issued by the <sup>responsible</sup> Ministry, according to the provisions of Part III of the law of the 12th June 1967 relating to the General Organization of Defence.

19. REQUISITION ASSESSMENTS

The Civil and Military Authorities to whom the right to requisition has been delegated may be authorized by order of the Minister to whom they are responsible to assess all persons, resources, personal and real property which are of interest for defence and likely to be requisitioned.

The periodical updating of assessment returns shall also be authorized by order.

20. DETAILS OF APPLICATION

Decrees shall prescribe as need be the details of application of this Law.

21. This Law shall be registered, published in French and English in the Official Gazette and enforced as a law of the Federal Republic of Cameroon.

YAOUNDE, the 11th June 1968

EL HADJ AHMADOU AHIDJO