

**DECREE NO. 95-466-PM OF 20 JULY 1995**  
**TO LAY DOWN THE CONDITIONS FOR THE IMPLEMENTATION OF**  
**WILDLIFE REGULATIONS.**

**The Prime Minister, Head of Government**

Mindful of the Constitution,

Mindful of Law No. 94-1 of 20 January 1994 to lay down forestry, wildlife and fisheries regulations,

Mindful of Decree No. 92-89 of 4 May 1992 to define the duties of the Prime Minister,

Mindful of Decree No. 92-244 of 25 November 1992 to appoint the Prime Minister, Head of Government,

Mindful of Decree No. 92-245 of 26 November 1992 to organize the Government, and subsequent amendments thereto.

HEREBY DECREES AS FOLLOWS:

SECTION 1

This decree lays down the conditions for the implementation of Law No. 94-1 of 20 January 1994 to lay down forestry, wildlife and fisheries regulations, hereinafter referred to as the "Law", in particular Part IV thereof relating to wildlife.

SECTION 2

For the purposes of the implementation of the Law and of this decree, the following definitions shall be applicable:

1) **Protected area:** a zone geographically delimited and managed with a view to attaining the specific objective of conserving and realizing the sustainable harnessing of one or more given resources.

Any project, particularly industrial, mining and agro-sylvo-pastoral likely to affect the conservation of a protected area must be accompanied with an environmental impact survey.

The service in charge of wildlife shall be an ex-officio member of any commission or body responsible for conducting such a survey.

2) **Development plan:** a technical document drawn up by the service in charge of wildlife, or any natural person or corporate body commissioned by it, which determines in space and time the nature and programme of works and studies to be carried out in a protected area and which shall apply to the said area. However, development plans for protected areas managed by individuals may be drawn up by the individuals themselves and approved by the service in charge of wildlife.

3) **Management plan:** a technical document drawn up by the service in charge of wildlife, or by any natural person or corporate body commissioned by the service, for the purpose of planning in space and time all strategies to be implemented for the sustainable use of one or several given wildlife resources.

4) **Hunting plan:** a technical document drawn up by the service in charge of wildlife for the purpose of fixing - in time and space - the quotas of the various wildlife species authorized for hunting.

5) **Management convention:** a contract by which the service in charge of wildlife entrust a community with a hunting zone on national land for the purpose of ensuring the conservation and sustainable use of the wildlife resources therein in the interest of the community.

6) **Integral ecological reserve.** an area whose various resources are given full protection. Human activities of all kinds shall be strictly forbidden in such an area.

However, the minister in charge of wildlife may, for research purposes, exceptionally authorize access to, or low altitude flights over such reserve by competent persons or institutions, provided that they are accompanied by an employee of the service in charge of wildlife.

7) **Game reserve:** an area.

- set aside for the conservation, management and propagation of wildlife and for the protection and management of its habitat;

- wherein hunting is forbidden, except by authorization of the minister in charge of wildlife, as part of duly approved management operations;
- where dwelling and other human activities are regulated or forbidden.

8) **National park:** an uninterrupted area whose fauna, flora, soil, subsoil, atmosphere, waters and natural environment as a whole are of special interest and should be preserved from any natural deterioration and protected against any human interference likely to alter their outlook, composition and evolution.

a) In this respect, the following shall be taken into consideration:

- the preservation of endangered animal and plant species as well as habitat on all or parts of the national territory;
- the preservation or gradation of major migration routes of wildlife;
- the scientific or technical studies indispensable for the development of human knowledge.

b) The following shall be forbidden in national parks:

- hunting and fishing, except as part of a park management operation;
- industrial activities;
- extraction of materials;
- pollution of any nature;
- farming, grazing and forestry activities;
- stray domestic animals;
- aircraft flying at an attitude of less than 200 m;
- the introduction of local or imported animal and plant species, except for scientific purposes or as part of management operations authorized by the minister in charge of wildlife.

9) **Sanctuary:** an area within which only specially designated animal or plant species are given full protection.

The list of such species shall be drawn up by the minister in charge of wildlife.

10) **Zoological garden:** a site set up and managed around population centres for recreational, aesthetic, research or cultural purposes and containing fully protected wild, indigenous or exotic animals.

11) **Game-ranch:** an area protected and managed for the purpose of reproducing animals and their ultimate exploitation for food or for other purposes.

12) **Game-farming:** the breeding of specimens of wild animals in a controlled environment for commercial purposes.

13) **Buffer zone:** a protected belt around each national park, natural reserve or game reserve designed to mark a transition between the above-mentioned areas and the zones where cynegetic, agricultural and other activities are freely carried out.

Nevertheless, certain human activities may be regulated therein following a management plan duly approved by the minister in charge of wildlife.

The instrument setting up a protected area shall lay down the limits of its buffer zone.

14) **Participatory management:** any wildlife resource management approach which, at every stage in its design and implementation, involves the local population and all other stakeholders as much as possible.

15) **Battue:** the hunting of a specifically designated animal species ordered by the service in charge of wildlife for purposes of management or for the protection of persons and property.

16) **Communal zone:** a territory within national land wherein hunting is regulated.

17) **Settlement:** an instrument by which the author of a wildlife-related offence committed in a communal or cynegetic zone show its willingness to repair the damage by paying certain fees.

Acceptance of such a settlement by the service in charge of wildlife shall extinguish prosecution.

18) **Hunting grounds:** a zone where hunting activities are authorized and carried out in accordance with hunting regulations.

19) **Community hunting grounds:** a hunting ground in a non-permanent State forest that is the subject of a management convention between a local community and the service in charge of wildlife.

20) **Traditional hunting:** hunting carried out using weapons made from materials of plant origin.

21) **Collection:** an act by which a natural person or corporate body acquires the skins and trophies of wild animals, exclusively from either holders of hunting documents, or from the competent authorities as part of an administrative battue or from an auction sale, or from a community set up for cynegetic activities.

### SECTION 3

Within the meaning of the Law and of this decree, the following terms shall mean:

1) **Cynegetic zone:** any protected area reserved for hunting and managed by the service in charge of wildlife, a natural person or corporate body, or local council and in which any hunting activity is subject to the payment of a fee determined by the Finance Law No. hunting activity shall be carried out therein involving fully protected species.

2) **Hunting guide:** any professional hunter approved by the service in charge of wildlife whose main activity is the organisation and guiding of hunting expeditions under s duly formed company whose registered office is located in his area of activity.

3) **Hunting:** any action which aims at:

- chasing, killing and capturing a wild animal or guiding expeditions for such purposes;

- photographing and filming wild animals for commercial purposes;

4) **Poaching:** any hunting activity without a licence, out of season, in reserved areas or with prohibited vehicles or weapons.

5) **Hunting weapons:** any non-prohibited gear designed for hunting.

#### SECTION 4

The under-mentioned terms shall have the following meanings:

1) **User rights:** the exploitation of forestry, wildlife and fishery produce by the local population for personal use. However, except for game reserves, sanctuaries and buffer zone where they may be authorized, such rights shall apply neither to integral ecological reserves, national parks, zoological gardens nor to game-ranches.

2) **Biodiversity:** the sum total of living organisms, land, marine and aquatic ecosystems and the ecological systems to which they belong, including diversity within and between species, as well as diversity of the ecosystems.

3) **Ecosystem:** the dynamic complex made up of plant, animal and micro-organism communities and their non-living environment which, by their interaction, constitute a functional unit.

4) **Reclassification:** the change in the status of a protected area.

5) **Exploitation licence** : an authorization granting access to the resource in State-owned protected areas.

#### SECTION 5

(1) The setting up, extension, classification or declassification of a national park, integral ecological reserve, game reserve, sanctuary, zoological garden or game ranch shall be by decree of the Prime Minister, Head of Government.

(2) The setting up or extension of a national park, integral ecological reserve, game ranch or game reserve may only be carried out after the persons whose rights are affected by the project have been compensated in accordance with the legislation in force.

(3) The setting up, extension, classification or declassification of a protected area shall entail the issuing of a land certificate covering the area in the name of the State, in accordance with the relevant rules and regulations.

## SECTION 6

(1) The setting up, extension, classification or declassification of a national park, integral ecological reserve, game reserve, game ranch, sanctuary or zoological garden shall be approved on the basis of a file presented by the minister in charge of wildlife and comprising:

- a site plan endorsed by the services in charge of surveys;
- a technical note prepared by the minister in charge of wildlife and setting out the objectives of the measure envisaged;
- the report of the commission provided for in Article 7 below.

(2) The public shall be informed of the project through a notice published in the *Official gazette*, by print or audio-visual media, or by any other appropriate means, and posted up for 30 (thirty) consecutive days in the chief towns of the administrative units, the council offices and traditional chiefdoms whose territories are included in the zone concerned.

(3) Claims shall be submitted to the heads of administrative units or to the local officials in charge of wildlife. After this deadline, all claims or objections shall be barred.

## SECTION 7

(1) A commission, herein referred to as "the Commission", shall be set up in each division to be responsible for:

- examining and giving its opinion on the possible claims and objections made by the populations or any concerned party regarding the setting up, extension, classification or declassification of a national park, integral ecological reserve, game ranch, game reserve, sanctuary or zoological garden;
- evaluating all property earmarked for exportation and drawing up an inventory thereof, in accordance with the relevant instruments in force.

(2) The meetings of the Commission shall be convened by its Chairman and shall hold whenever the need arises.

The Commission shall comprise the following:

Chairman:

- the Senior Divisional Officer or his representative

Members:

- the local official of the ministry in charge of agriculture;

- the local official of the ministry in charge of mines;

- the local official of the ministry in charge of lands;

- the local official of the ministry in charge of regional development;

- the local official of the ministry in charge of livestock;

- the local official of the ministry in charge of tourism;

- the member(s) of parliament of the division.

(3) The Chairman may call upon any person on account of his expertise in the matters to be examined.

(4) The official of the ministry in charge of wildlife shall act as rapporteur and carry out the secretarial duties of the Commission.

(5) The duties of Chairman, rapporteur or member of the commission shall be free of charge.

## SECTION 8

The total or partial declassification of a protected area shall be sanctioned by decree of the Prime Minister, Head of Government, on the basis of a file compiled by the service in charge of wildlife in accordance with Section 28 of the Law.



## SECTION 9

(1) The reclassification of a game reserve as a national park shall be ordered by decree of the Prime Minister, Head of Government, based on a draft initiated for that purpose by the services in charge of wildlife.

(2) The reclassification of a community forest as a cynegetic zone shall be in accordance with provisions of (1) above.

## SECTION 10

(1) The boundaries of protected areas must be as natural as possible by following, in particular, streams, watersheds or thalwegs.

(2) They must, in all cases, be identified in accordance with the rules and regulations in force.

## SECTION 11

(1) Development plans, as defined in Article 2 of this decree, shall be rendered enforceable by order of the minister in charge of wildlife.

(2) All development plans shall be prepared in accordance with directives issued by the ministry in charge of wildlife, and shall stipulate in particular:

- a general description of the protected area;
- the basic objectives to be achieved, taking into consideration the interests of the local populations and the necessity for the conservation of biodiversity;
- the works to be carried out and the schedule thereof;
- the cost of the project;
- indicators for its follow-up and assessment.

(3) AN order of the minister in charge of wildlife shall lay down the conditions for access to protected areas.

## SECTION 12

- (1) Any battue shall require the prior authorization of the service in charge of wildlife.
- (2) It shall be organised, either at the initiative of the service in charge of wildlife in case of a threat, or as a preventive measure, or at the request of the population concerned.
- (3) All applications for a battue shall be addressed to the provincial official in charge of wildlife who, after carrying out an investigation, shall authorise the hunting, chasing away or killing of the animals having caused, or likely to cause damage, excluding those of class A which may not be killed without the authorization of the minister in charge of wildlife.
- (4) Battues shall be undertaken by officials of the services in charge of wildlife, which may solicit the assistance of volunteer hunters holding valid licences.

## SECTION 13

(1) In accordance with Section 83 of the Law, no person may be charged with hunting a protected animal if his act was dictated by the urgent need to defend himself, his livestock or crops.

Proof of lawful defence must be given within 72 (seventy-two) hours to the nearest official in charge of wildlife services.

- (2) Any person who has wounded an animal must take every endeavour to finish it off.
- (3) Where the wounded animal cannot be finished off, a declaration must, within 24 hours and under penalty of legal proceedings, be made to the nearest administrative authority who, in conjunction with the local official in charge of wildlife, shall take all necessary steps to finish off the animal.

## SECTION 14

The classification of animal species into classes A, B and C, as provided for in Section 78 of the Law, shall be up-dated at least once every 5 (five) years.

## SECTION 15

The animal species of class B and C, for which hunting is authorized under the conditions stipulated in Section 78 of the Law, shall, depending on their cynegetic interest, be divided into 3 (three) groups by order of the minister in charge of wildlife.

## SECTION 16

In accordance with Section 92 of the Law, cynegetic zones shall, as the case may be, be exploited by the Administration, or leased by any natural person or corporate body.

## SECTION 17

In accordance with Section 94 of the Law, hunting within a cynegetic zone exploited by the Administration shall be subject to the payment of a daily fee, the rate of which shall be fixed by the Finance Law.

## SECTION 18

- (1) In accordance with section 92 of the Law, cynegetic zones leased by the State to a corporate body shall be subject to specifications.
- (2) Certain zones of cynegetic interest shall be reserved exclusively for natural persons of Cameroonian nationality, or for enterprises in which all the registered capital and voting rights are held by nationals, in order to encourage and facilitate their access to the profession of hunting guide.

## SECTION 19

- (1) Any holder of a hunting permit who wishes to hunt in communal forests, community forests or private forests must first of all obtain authorization to do so from the said owners.
- (2) The wildlife in the forests referred to in paragraph (1) above shall be managed according to the management plans and conventions, as the case may be, drawn up in accordance with the Law.

## SECTION 20

- (1) Hunting in communal zones, with the exception of traditional hunting, shall be open to lawful holders of hunting permits.
- (2) In accordance with Section 94 of the Law, hunting in communal zones shall give rise to the payment of a daily tax whose rate shall be fixed by the Finance Law.

## SECTION 21

The animals in a hunting area shall be slaughtered or captured in compliance with the hunting plan drawn up by the minister in charge of wildlife. This plan shall specify:

- the number of the various species that may be slaughtered;

- the number that may be captured;
- the scope of harvesting per type of permit.

## SECTION 22

(1) Any management plan, as defined by this decree, shall be rendered enforceable by order of the minister in charge of wildlife.

(2) It shall specify:

- the studies to be carried out in order to obtain maximum information on the biology or ecological or socio-economic environment of the resources concerned;

- the method of management;

- the steps envisaged to include the populations in all the management phases;

- the measure envisaged to guarantee the sustainable exploitation of the resource(s) concerned, and

- the measures that are aimed at ensuring a fair and equitable distribution of the proceeds of the exploitation of such resource(s).

## SECTION 23

The management convention, as defined by this decree, shall specify:

- the boundaries of the hunting area in question;

- the rights and obligations of each party, especially:

- 1) the laws and regulations applicable;

- 2) the practical conditions for sustainable exploitation, and

- 3) the destination of, the products and/or proceeds from the exploitation

## SECTION 24

- (1) Traditional hunting shall be carried out freely throughout the national territory, except on the property of third parties and in protected areas where it shall be subject to special regulations defined in accordance with the management plan of the area.
- (2) Traditional hunting shall be authorized for rodents, small reptiles, birds and other class C animals whose list and quota shall be fixed by order of the minister in charge of wildlife.
- (3) The products of traditional hunting shall be used exclusively for food and shall, under no circumstances, be marketed.

## SECTION 25

- (1) In accordance with the Law, the ministry in charge of wildlife shall grant free technical assistance to the communities concerned regarding the definition and implementation of management conventions concerning community hunting grounds.
- (2) Forests which could be the subject of a management convention of a community hunting grounds shall be those situated on the periphery of or near one or more communities and in which the populations of these communities carryout not only agro-stylo-pastoral activities but more particularly hunting activities.
- (3) Any forest which is likely to become a community hunting ground shall be assigned as a priority to the nearest neighbouring community.
- (4) The management convention shall be approved as follows:
  - a) by the Senior Divisional Officer under whose area of jurisdiction the community hunting ground in question falls;
  - b) by the Governor, where the community hunting ground in question falls within two Divisions in his province;
  - c) by the minister in charge of wildlife, where the community hunting ground in question falls within two provinces.

## SECTION 26

- (1) The size of a community hunting ground shall be determined in accordance with the regulations governing the implementation of the forestry policy.
- (2) No licences shall be granted for the exploitation of such grounds.

## SECTION 27

(1) Any community wishing to manage a community hunting ground shall designate a manager of the said grounds at a meeting held by the members of the said community. The meeting, which shall be supervised by the local administrative authority, shall be attended by representatives of the technical ministries concerned.

The minutes of the meeting shall be signed by all the participants.

(2) The objectives of the community hunting ground requested, as well as the boundaries of such ground, must be defined.

## SECTION 28

Any application for a community hunting ground shall comprise the following:

- the name and rules and regulations of the community;
- a plan of the hunting ground requested and a list of its objectives which shall be exhaustive as possible;
- a certified copy of the minutes of the meeting referred to in Article 27 above, and
- copies of documents in proof of the competence of the manager designated.

## SECTION 29

Sports hunting shall be hunting practised on foot, with a modern weapon authorized in accordance with the instruments in force, and carried out according to the norms defined by the ministry in charge of wildlife.

## SECTION 30

(1) Sports hunting using any of the following means shall be prohibited:

a) war arms or ammunition used as regular armament by the armed forces or the national police force;

b) firearms capable of firing more than one cartridge at a single pull of the trigger;

c) shells containing explosives, and

d) ditches, dane guns and home-made guns.

(2) The following shall also be forbidden:

a) pursuing, approaching and shooting game from a motor vehicle;

b) night hunting especially with headlights, caplamps or in general with any lighting equipment whether or not designed for cynegetic purposes;

c) hunting with drugs, poisoned baits, tranquilliser guns and explosives;

d) hunting with fire;

e) the importation, sale and circulation of hunting lamps;

f) hunting with a modern net, and

g) hunting with all types of poisonous substances.

(3) However, the ministry in charge of wildlife may, where necessary, use some of the means and methods referred to in paragraph (1) and (2) above.

## SECTION 31

(1) Sports hunting shall be opened and closed in part or all the national territory by order of the minister in charge of wildlife. He may set different opening and closing dates depending on the type of game, the hunting method and ecological zones.

(2) The order referred to in paragraph (1) above may prohibit the hunting of one or more species of specially designated game.

## SECTION 32

(1) Any natural person or corporate body wishing to carryout a wildlife activity shall be granted approval in one of the following fields:

- wildlife inventory;
- wildlife exploitation in the capacity of a hunting guide or a capturer;
- exploitation of protected areas as a hunting guide;
- management of protected areas and hunting zones.

(2) Any natural person or corporate body wishing to be granted approval to carry out any of the above activities shall furnish proof of his technical and professional knowledge in the field concerned.

(3) The approval referred to in this article shall be personal. It shall not be transferable.

## SECTION 33

The approval for one of the activities referred to in Article 32 above shall be granted by order of the minister in charge of wildlife, on the recommendation of a technical advisory board and based on a file comprising:

i) *For natural persons*

- an application bearing a fiscal stamp at the required rate and stating the full name, nationality occupation and address of the applicant;
- a curriculum vitae;
- a copy of the police record les than 3 (three) months;
- an information sheet;
- 2 (two) passport size photographs.

ii) *For corporate bodies*



- an application stamped at the required rate and stating the name and address of the company;

- a copy of the articles of association of the company;

- a copy of the police record of the manager of the company less than 3 (three) months old;

- the curriculum vitae of the manager of the company;

- the current or past activities of the manager of the company;

- 2 (two) passport-size photographs of the manager of the company.

iii) *In both cases*

- a copy of the business licence

- documents showing proof of professional experience and technical knowledge in the field requested;

- an authorization to buy and carry fire-arms and, if necessary tranquilliser gun;

- a list of the means to be used;

- a receipt showing paying of the arms tax;

- a receipt showing payment into the public treasury of file-processing charges the amount of which shall be fixed in accordance with the Finance law.

#### SECTION 34

(1) The exploitation of wildlife or protected areas other than those provided for above shall be subject to obtain one of the following licences or permits:

- a) a hunting licence;

- b) a licence to capture wild animals;

- c) a collection licence;

- d) a hunting guide licence;
- e) a licence to keep wildlife products;
- f) a scientific research permit;
- g) a game-ranching or game-farming licence; and
- h) a cinecamera and photographic hunting permit and licence.

(2) Persons who hold the licences and permits referred to in Article 34 (1) above shall be authorized to carry out their activities in all part of the national territory.

(3) Pursuant to Section 87 of the Law, the above licences and permit shall be personal and non-transferable.

(4) They shall not be issued to:

- a) persons being prosecuted for hunting offences;
- b) minors under 20 (twenty) years of age or majors under guardianship;
- c) persons convicted for hunting offences committed in a national park or in an integral ecological reserve;
- d) persons prohibited from residing in Cameroon; and
- e) peons forbidden on a temporary or permanent basis from holding a wildlife exploitation licence by a court of law.

#### SECTION 35

(1) A hunting licence shall be issued for purposes of sports.

(2) There shall be 3 (three) types of sports hunting licences;

- a) sports hunting licence for small game;
- b) sports hunting licence for medium game; and

c) sports hunting licence for big game.

(3) Each type of licence shall confer the right to hunt the types of animals listed by order of the minister in charge of wildlife.

#### SECTION 36

(1) Sports hunting licence shall confer for small game shall be issued by the provincial or divisional official in charge of wildlife service to lawful holders of less than 9 mm.

(2) Sports hunting licences for medium game shall be issued by the minister in charge of wildlife to lawful holders of rifles with a bore of over 6 mm but less than 9 mm.

(3) Sports hunting licences for big games shall be issued by the minister in charge of wildlife to lawful holders of rifles with a bore of over 9 mm.

(4) The conditions for hunting with a bow shall be laid down by order of the minister in charge of wildlife.

#### SECTION 37

Without prejudice to the provisions of Article 27 above, the Minister in charge of wildlife may authorize the provincial delegates of the services in charge of wildlife to issue sports licences for medium and big games to tourists wishing to hunt in the cynegetic zones of their area of jurisdiction.

#### SECTION 38

Any natural person wishing to obtain a sports hunting licence shall forward to the competent officials of the services in charge of wildlife, against a receipt, a file comprising the following documents:

- (a) a duly stamped application;
- (b) a stamped information sheet containing a statement to the effect that the applicant is aware of the hunting laws and regulations in force and undertakes to comply therewith;
- (c) a certified true copy of the permit(s) to carry arms;
- (d) a receipt showing payment of the arms tax;

- (e) two passport-size photographs;
- (f) a certified copy of the national, identity card or residence permit for residents;
- (g) a medical certificate showing the applicant's physical and mental fitness;
- (h) in the case of renewal, a receipt showing payment of the taxes of the previous season and
- (i) a receipt showing payment of the licence fees and stamp duties, the amounts of which shall be fixed by the Finance Law.

#### SECTION 39

(1) Any person holding a sports hunting licence shall be bound to keep a hunting log book of the prescribed format.

2) The hunting log book and the hunting licence must within 15 (fifteen) days following the killing of game, be submitted along with the receipts showing payment of the hunting tax to the nearest services in charge of wildlife.

#### SECTION 40

### **III. CAPTURE PERMIT**

Any natural person wishing to capture wild animals for scientific, commercial or breeding purposes or keep them in captivity shall hold a licence to capture wild animal issued by local official in charge of wildlife service, on the basis of a file comprising the following documents;

- a) a duly stamped application;
- b) a copy of the approval as capturer of wild animals;
- c) a certified copy of the hunting licence corresponding to the species of animals to be captured;

- d) a receipt showing payment of the licence fees, the amount of which shall be fixed by the Financial Law;
- e) a business licence;
- f) a list of appropriate equipment which shall be checked by the official in charge of the provincial wildlife service; and
- g) land ownership certificate or lease of appropriate land for the future zoo.

#### SECTION 41

(1) A licence to capture wild animals for scientific purposes of exploring wildlife shall be issued by the minister in charge of wildlife, on the basis of a file comprising the following documents:

- (a) a duly stamped application, specifying the species to be captured;
- (b) a certified true copy of the research permit issued by the competent ministry;
- (c) the terms of reference of the research subject;
- (d) taxes on the licence to hunt and capture the specified species of wild animals;
- (e) two passport-size photographs;
- (f) a curriculum vitae
- (g) a list of the means to be used for capture; and
- (h) receipts showing payment of duties, taxes and the hunting and capture of the specified species of wildlife animals, the amounts of which shall be fixed by the Finance Law.

(2) A licence to capture wild animals shall be issued along with specifications which shall require its holder to:

- a) respect or preserve the knowledge, innovations or practices of the local community;

- b) comply with the local traditional life styles which promote the conservation and sustainable use of biodiversity; and
  - c) undertake to share equitably with the Republic of Cameroon all the benefits derived from the use of animals captured for commercial and other purposes.
- (3) The economic and financial benefits resulting from the use of the knowledge and practices of the local community and the findings of research on the genetic resources exploited for commercial purposes shall give rise to payment to the State of royalties calculated in accordance with the specifications of Section 12 of the Law.
- (4) A capturer who fails to comply with the specifications given him shall be subject to the penalties provided for by the Law.

#### SECTION 42

Special authorization from the minister in charge of wildlife must be obtained prior to the capture of class A animals.

#### SECTION 43

- (1) The export of wild animals, their carcass and processed or unprocessed trophies shall be subject to the presentation of a certificate of origin prescribed by the regulations, issued by the minister in charge of wildlife.
- (2) Anybody wishing to keep wild animals, their carcass and trophies shall be required to obtain a certificate of origin issued by the services in charge of wildlife.
- (3) Wild animals, their carcass and trophies shall be transferred along with their certificate of origin.
- (4) An exporter must present a certificate of registration as exporter of wildlife products and a health certificate issued by the services in charge of trade and of livestock respectively.

#### SECTION 44

- (1) Any person or corporate body wishing to set up a zoological garden must first obtain authorization issued jointly by the minister in charge of wildlife and livestock.

(2) The management of a zoological garden may be sub-contracted to any natural person or corporate body.

The charges and fees for the granting of sub-contracts shall be fixed by the Finance Law.

#### SECTION 45

(1) The collection licence for the trophies of classes B and C game or the collection licence for the carcasses of classes B and C game used for commercial purposes or otherwise or the licence to possess worked ivory for commercial purposes shall be issued by the minister in charge of wildlife, upon the submission, against a receipt, of a complete file comprising the following documents:

- a duly stamped application;
- a statement by the applicant on his honour and to the effect that he is aware of the hunting laws and regulations in force and undertakes to observe them;
- two passport-size photographs;
- a copy of the national identity card or residence permit for residents;
- an extract of the applicant's police record, less than 3 (three) months old.

(2) The signing of the licence shall be subject to the presentation of a receipt showing payment of the fees for the licence concerned, the amount of which shall be fixed by the financial law.

(3) Collection licences referred to in Article 45(1) above shall be personal and non-transferable.

(4) No person shall possess more than one collection licence.

(5) Holders of collection licence shall freely dispose of their products throughout the national territory.

#### SECTION 46

(1) Collection licence shall be issued by the minister in charge of wildlife.

(2) However, provincial delegates of wildlife services may receive express delegation from the minister in charge of wildlife to issue collection licences, according to a quota fixed by the said minister for each province.

On such case, the file referred to in Section 45 above shall be submitted, against a receipt, to the competent provincial delegate who must decide thereon within 30 (thirty) days from the date the file was submitted.

Beyond the date line prescribed above, the licence shall be deemed to have been granted and the receipt issued at the time the file was submitted shall serve as a licence.

(3) Collection licences issued under the conditions led down in paragraph two above shall be valid only in the province where they were issued.

(4) The licence shall not exempt its holder from complying with the law and /or the regulations on commerce, hygiene and public health.

#### SECTION 47

(1) Collection licences shall be renewable pursuant to the provisions of this decree on the basis of the quotas fixed by order of the minister in charge of wildlife.

(2) They shall be valid for 1 (one) year for class C species, and one hunting season for class B species.

#### SECTION 48

Without prejudice to the provisions of article 74 of this decree, a collection licence may be withdrawn for any of the following reasons:

- a) non-observance of quotas;
- b) transfer of licence; and
- c) infringement of the clauses of the licence.

#### SECTION 49

(1) The hunter guide licence shall be granted by the minister in charge of wildlife.

(2) It shall be valid for a period of 5 (five) years renewable.



## SECTION 50

(1) Hunter guide shall be classified in the following two groups:

- a) permanent guides; and
- b) Assistant guides

(2) Permanent guides shall be approved pursuant to the provisions of this decree. They shall be legally responsible before the competent services and third parties.

(3) Assistant guides shall be recognized by the service in charge of wildlife. They shall work under the supervision and responsibility of a permanent guide.

## SECTION 51

(1) The exploitation of a hunting zone by a hunter guide shall be subject to the observance of the clauses of the specifications. Any non-fulfilment or violation of these clauses shall be punished according to the law or this decree.

(2) The specifications shall specify, *inter alia* :

- a. The contribution to the construction of socio-economic infrastructure for the local population, as agreed upon with these communities and the wildlife services :
- b. The fees, duties and taxes whose rates or amounts shall be fixed by the Finance Law.

(3) All hunter guides shall be obliged to contribute to the protection of wildlife and the environment.

## SECTION 52

Notwithstanding the provisions of Article 74 of this decree, a hunter guide licence may be withdrawn for any one the following reasons :

- a) non-fulfilment of the clauses in the specifications ;
- b) transfer of licence ;
- c) hunting in a protected area ;

d) committing up to five offences during the period of validity of the licence.

#### SECTION 53

(1) The exploitation of a game-ranch shall be subject to obtaining a licence issued to applicant by the Minister in charge of wildlife, upon the submission of a file comprising the following documents :

- a duly stamped application ;
- a site plan ;
- a curriculum vitae ;
- an extract of the applicant's police record, less the 3 (three) months old ;
- a copy of the national identity card or residence permit for residents ;
- a list of the applicant's working equipment ;
- two passport-size photographs ;
- a copy of the land certificate or the licence to exploit the area concerned or any other document considered as such.

(2) Game-farming shall be a subject to obtaining an authorization issued by the local official of the service in charge of wildlife, upon the submission of a complete file comprising the documents listed in Article 53 (1) above.

(3) The signing of the licence or authorization issued by the local be subject to the presentation of a receipt showing payment of the appropriate taxes and duties, the amount of which shall be fixed by the Finance Law.

#### SECTION 54

- (1) The holder of a game-ranch or game-farming licence must comply with the specifications.  
(2) The specifications shall comprise general and specific clauses laid down by order of the Minister in charge of wildlife.

#### SECTION 55

(1) Without prejudice to the separate provisions concerning cinecamera and photographic filming, any person wishing to film or photograph wildlife scenes shall be required to obtain a cinecamera or photographic hunting licence issued under conditions laid down by order of the minister in charge of wildlife.

(2) In any case the applicant shall specify the purpose for the pictures taken, as well as the reference and types of apparatus used.

(3) The issuing of a cinecamera or photographic hunting licence shall be subject to the payment of a fee the amount of which shall be fixed by the Finance Law.

#### SECTION 56

(1) The permits or licences provided for by this decree shall be renewed under the same conditions as those governing the issue of such permits licences.

(2) However, the applicant must, in addition, and as the case may be, submit the following documents:

*(a) For big and medium game sport and hunting licences :*

- the previous hunting licence ; and
- the receipts showing payment of the kill tax.

*(b) For the licence to capture wild animals ;*

- the previous licence to capture wild animals ;
- the receipt showing payment of the relevant taxes ; and
- the progress reports for the previous season.

*(c) For a hunter guide o game-ranching licence :*

- a progress report ;
- an attestation certifying that the terms of the specifications have been fulfilled. The attestation is issued by a commission, the composition and working conditions of which shall be defined by order of the Minister in charge of wildlife.

*(d) For a collection certificate :*

- a verification certificate issued by the official in charge of wildlife services of the collection area.

#### SECTION 57

(1) The loss of a licence shall be reported to the nearest competent authority who shall issue a certificate of loss to the person concerned.

(2) The certificate of loss referred to in (1) above shall be attached to the application forwarded to the competent authority for the issue of a duplicate of the licence.

The following documents shall be attached to the application :

- a receipt showing payment of the fees charged for issuing a duplicate ;
- an attestation from the local official in charge of wildlife indicating the number of animals killed or captured, as well as the receipts showing payment of the kill or capture tax.

(3) No person may engage in the activities permitted him by a lost instrument before obtaining a duplicate of the said instrument.

#### SECTION 58

At the expiry of an exploitation permit the holder who still has a stock of meat and trophies shall declare it to the services in charge of wildlife failing which he shall be deemed to be keeping them illegally.

#### SECTION 59

(1) The Technical Advisory Commission provided for in Section 33 of this decree to approve the activities stipulated in Section 32 above, and hereinafter referred to as the "Commission," shall comprise the following :

*chairman* : the representative of the minister in charge of wildlife.

*Members* :

- the Director of Forestry ;
- the Director of the Environment ;
- the Head of the Legal Affairs Division ;
- a representative of the ministry in charge of tourism ;
- a representative of the ministry in charge of territorial administration ;
- a representative of the ministry in charge of scientific and technical research ;
- a representative of the ministry in charge of fisheries.

(2) The chairman may call on any person, on account of his competence in the matters on the agenda, to participate in advisory capacity in the deliberations of the Commission.

(3) The Director of Wildlife shall provide secretarial services for the commission.

#### SECTION 60

(1) The Technical Commission shall meet when convened by its Chairman as and when necessary. It shall meet at least once a year.

(2) It may not validity conduct business unless at least two-thirds of its members are present.

(3) Its decisions shall be taken by a simple majority of votes cast. In case of a tie, the Chairman shall have the casting vote.

(4) The duties of Commissioners shall be honorary.

#### SECTION 61

(1) In accordance with Section 96 of the Law, persons who hold hunting permits and who have paid the prescribed fees and / or taxes may freely dispose of the skins and trophies of animals lawfully killed by them.

(2) However, they shall take all necessary measures to ensure that no remains are abandoned in the bush.

#### SECTION 62

(1) Meat from animals killed during official battues or for safety reasons shall belong, in part, to the affected population and in part to the voluntary hunters.

(2) The trophies of the animals referred to in Article 62 (1) above shall belong to the services in charge of wildlife. However, if the animals are killed by a voluntary hunter with a hunting permit, he may own the trophies on condition that he pays the related fees.

#### SECTION 63

(1) Any person processing wildlife products must be registered with the services in charge of wildlife.

(2) The registration shall be renewable each year and shall entail the payment of a fee the amount of which shall be fixed in accordance with the Finance Law of the State.

#### SECTION 64

In accordance with Section 98 of the law :

(1) The possession and circulation of live protected animals, their hides and skins or trophies within the national territory shall be subject to obtainment of a certificate of origin issued by the services in charge of wildlife.

(2) The exportation of wild animals, their hides and skins or trophies whether processed or not, shall be subject to the presentation of a certificate of origin and an export permit issued by the services in charge of wildlife in accordance with the Law and related international conventions in force.

#### SECTION 65

(1) The re-exportation of wild animals, their hides and skins or their trophies whether processed or not, shall comply with the conditions stipulated in Section 64 (2) above.

(2) Any person wishing to re-export wild animals, their hides and skins or their trophies shall, in addition, produce :

-a treasury receipt showing payment of any export tax stipulated by the laws in force ;

-an attestation issued by the services in charge of wildlife, that the wild animal, its hide and skins and its trophy have been quarantined.

#### SECTION 66

No person may bring a wild animal or a part thereof into the national territory without the prior authorization of the minister in charge of wildlife.

#### SECTION 67

(1) The marketing of products of collection permits shall be carried out in accordance with the laws and / or regulations in force.

(2) Persons keeping collection products must justify their origins whenever required by the services in charge of wildlife or by the forces of law and order.

#### SECTION 68

(1) The control and follow up of wildlife activities shall be carried out by the services in charge of wildlife under conditions fixed by order of the minister in charge of wildlife.

(2) Wildlife officials responsible for the control and follow up of wildlife activities must be armed and in uniform. They shall comply with the rules of discipline fixed by special instruments.

#### SECTION 69

(1) In accordance with the provisions of Sections 141 and 142 of the law, the sworn officials shall be empowered to act as judicial police officers having special jurisdiction.

(2) They shall take an oath in accordance with the laws and regulations in force.

#### SECTION 70

1) Any report on a wildlife related offence shall contain the following information :

- the date of the report in words ;
- the complete identity of the sworn official drawing up the report and his capacity, post and place of work ;
- the date, the time and place of the offence ;
- the complete identity of the offender and a detailed description of the means he used ;
- a detailed description of witnesses and accomplices, their statements and signatures or, where applicable, mention of their refusal to sign ;
- references to the Sections of laws regulations forbidding the act and / or prosecuting the offence committed ;
- the nature of the offence ;
- a list of the products and equipment seized and their place of custody ;
- any other useful information.

(2) The concluded report shall be entered in a special register of the local services concerned. It shall be forwarded to the competent official of the services in charge of wildlife within 48 (forty-eight) hours.

#### SECTION 71

(1) Without prejudice to the sanctions stipulated by the laws and regulations in force, the approval provided for in Section 32 above may be suspended or withdrawn under the conditions stipulated by this decree.

(2) The suspension or withdrawal of an approval shall be carried out by the minister in charge of wildlife.

(3) The suspension or withdrawal shall be justified and notified to the offender.

#### SECTION 72

(1) Without prejudice to the penalties provided for Section 162 of the Law, suspension may be ordered if there is a previous offence which is punishable with a fine of at least 3.000.000 F CFA.

(2) There shall be a previous offence where during the twelve months preceding the violation of the laws and / or regulations on wildlife, the offender has been accused of the same offence.

(3) The suspension order shall specify its duration which shall not exceed 6 (six) months.

#### SECTION 73

(1) A suspension shall entail :

- the withdrawal of the approval and the statutory documents ;
- the stoppage of the activities of the offender.

(2) It shall be lifted only after the cessation of its cause and / or the payment of all the owed or payable taxes and expenses.

#### SECTION 74

(1) Withdrawal shall be ordered as of right where the suspension is not lifted during the period stipulated in Article 71 (3) above or in any of the following cases :

- a) continuation of activities after the notification of the suspension ;



- b) commission of a further offence by the offender during the twelve months following the offence which caused the suspension ;
- c) any other reasons defined, as the case may be, by this decree.

(2) It shall entail :

- a) loss of approval ;
- b) permanent stoppage of all activities under the approval ; and
- c) payment of all duties, taxes and royalties owed. Such duties, taxes and royalties may, if necessary, be collected by force.

#### SECTION 75

- (1) Perishable products shall be sold immediately by public auction in accordance with the regulation in force.
- (2) With the exception of those considered rare and desirable to be conserved by the service in charge of wildlife, confiscated non-perishable products shall be sold by private contract or public auction in accordance with the regulations in force.

#### SECTION 76

- (1) Subject to confiscation by the competent court of law in the event of criminal proceedings, the Minister in charge of wildlife may request the Minister of Territorial Administration to withdraw the firearms seized following an infringement of the law.
- (2) The period of the withdrawal shall be fixed in accordance with the regulations in force governing the possession of firearms.
- (3) Notwithstanding the provisions of 76 (2) above, such period may be extended to 10 (ten) years if the offence has been committed in a protected area or the animal killed is of the class A species.
- (4) Authorization for the purchase of cartridges may be granted by the competent authority only upon presentation of a hunting permit duly issued in accordance with the provisions of this decree.

## SECTION 77

(1) Pursuant to Section 146 (1) of the Law, infringements of laws and / or regulations on wildlife may entail settlement, without prejudice to legal proceedings by the Legal Department.

(2) Only the Minister in charge of wildlife as well as his provincial representatives shall be authorized to conclude settlements under the conditions laid down by the Minister in charge of wildlife.

The provincial representatives may not conclude any settlement involving amounts of more than 500,000 francs.

(3) Under no circumstances shall the value of the settlement be less than the stipulated minimum fine, to which may be added fines for damages.

## SECTION 78

(1) Settlement shall be solicited by the offender.

(2) The settlement shall be jointly signed by the competent authority representing the service in charge of wildlife and the offender.

It shall be registered at the offender's expense and shall fix the conditions and deadline for payment. Under no circumstances shall this period exceed three (3) months.

Any settlement, even when it has already been implemented, concluded in violation of the provisions provided for in Section 77 above shall be automatically rendered null and void. The Minister in charge of wildlife shall, at any time, notify the offender of nullification.

(3) The Minister in charge of wildlife may unilaterally propose the amendment of some clauses of the settlement.

(4) No settlement shall be authorized :

(1) for an offence committed in protected areas ;

(2) in case of the killing of an animal belonging to totally protected species ;

(3) in case of a further offence ;

(4) in case of water pollution by poisoning.

#### SECTION 79

Amounts paid as deposit shall as of right be deducted from the total sum of the settlement.

#### SECTION 80

The acquisition and transfer of shares of wildlife companies shall conform to the following rules :

- a) Where the company is set up by Cameroonian nationals, the share capital and / or voting rights of foreigners, as a result of either transfer of shares or increases in capital, shall not exceed 30 % of the authorized capital and / or of the voting rights.
- b) Where the company is a joint-venture between Cameroonian national and foreigners, subsequent changes in the capital and / or voting rights in the company, due either to transfers of shares or voting rights, or as a result of increases in capital, shall not reduce the percentage of share or voting rights held by Cameroonian nationals, as laid down in the initial authorized capital and / or voting rights.
- c) Where the company is owned by foreign nationals, subsequent changes in the capital and / or voting rights in the company in favour of foreigners who are not authorized to carry out a wildlife activity either individually or in partnership, due either to transfer of shares and / or voting rights, or as a result of increases in capital, shall not involve more than 15 % of the initial authorized capital.

#### SECTION 81

(1) Any acquisition and transfer of shares of wildlife company shall be subject to prior approval by the minister in charge of wildlife, on the basis of a file comprising the following documents :

- a) a stamped application stating the purpose of the acquisition of shares ;
- b) an information form to filled out by the transferee ;
- c) a comprehensive report on activities drawn up by the transferor ;

d) two copies of the valid articles of association of the company as well as the current and envisaged share-out of the authorized capital and / or voting rights ;

e) a copy of the minutes of the general assembly during which the acquisition of new shares was approved.

(2) The Minister in charge of wildlife shall give his opinion within 45 (forty-five) days with effect from the date of receipt of the file mentioned in Article 81 (1) above. After this period, his approval shall be granted.

(3) Any rejection must be justified and notified within the time-limit provided for in Article 81 (1) above.

## SECTION 82

(1) Any holder of a wildlife exploitation deed wishing to subcontract some of his activities shall obtain the prior approval of the Minister in charge of wildlife on presentation of a file comprising the following documents :

a) a stamped application stating the purpose of the acquisition of shares ,

b) an information form to be filled by the subcontractor ;

c) the activities to be carried out by the subcontractor ;

d) a draft subcontracting agreement.

(2) Where the authorization is granted, the holder of the wildlife exploitation deed shall forward to the provincial service in charge of wildlife a copy of the subcontracting agreement duly signed and registered by the persons concerned.

(3) The subcontractor may not commence the execution of his contract until he has complied with the provisions of Article 82 (2) above.

(4) The holder of the wildlife exploitation deed shall be solely answerable to the service in charge of wildlife as regards the proper performance of his duties.

## SECTION 83

A separate decree shall lay down provisions relating to the Special Fund for the Development and Equipment of Wildlife Conservation and Protection Areas as provided for in Section 105 of the Law.

#### SECTION 84

Permits and licences issued before the date of publication of this decree, which are still valid and in order with legal obligations, shall remain valid until their expiry.

#### SECTION 85

(1) Permits and licences issued before the date of publication of this decree, the holders of which are not active and / or are not in order with legal obligations governing such permits and licences, shall be automatically nullified.

(2) The Minister in charge of wildlife shall notify holders of such permits and licences of the nullification and take measures to recover outstanding debts where applicable.

#### SECTION 86

Ongoing procedures for obtaining the approval or grant of wildlife exploitation deeds shall be pursued in accordance with the provisions of the decree.

#### SECTION 87

All previous provisions repugnant hereto, particularly those of Decree No. 83-170 of 12 April 1983 to lay down wildlife regulations, are hereby repealed.

#### SECTION 88

The Minister of the Environment and Forest and the Minister of the Economy and Finance are responsible, each in his own sphere, for 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, 20 July 1995**

**SIMON ACHIDI ACHU**

**Prime Minister**