

REPUBLIC OF CAMEROON

PEACE-WORK-FATHERLAND

DECREE NO. 2025/293 OF 10 JUL 2025

to reorganize the Road Fund

THE PRESIDENT OF THE REPUBLIC,

- Mindful of** the Constitution;
- Mindful of** Law No. 2017/010 of 12 July 2017 to lay down the general rules and regulations governing public establishments;
- Mindful of** Law No. 2018/012 of 11 July 2018 relating to the financial regime of the State and other public entities;
- Mindful of** Law No. 2019/024 of 24 December 2019 to institute the General Code of Regional and Local Authorities;
- Mindful of** Law No. 2022/007 of 27 July 2022 relating to the protection of national roads asset;
- Mindful of** Decree No. 2011/408 of 9 December 2011 to organize the Government, as amended and supplemented by Decree No. 2018/190 of 2 March 2018,

HEREBY DECREES AS FOLLOWS:

**CHAPTER I**  
**GENERAL PROVISIONS**

**ARTICLE 1:** This decree lays down the reorganization and functioning of the Road Fund.



**ARTICLE 2:** (1) The Road Fund, hereinafter referred to as “the Fund”, shall be a special public establishment.

(2) It shall have legal personality and financial autonomy.

(3) It shall be headquartered in Yaounde. However, the head office may be transferred to any other locality of the national territory by decree of the President of the Republic.

(4) Branches, offices or representations may be set up in other parts of the country by resolution of the Board of Directors, as and when necessary.

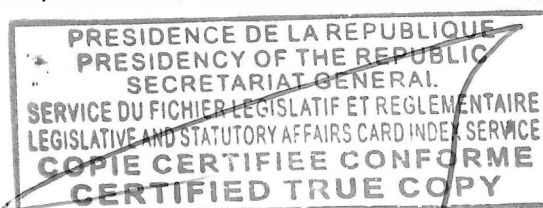
**ARTICLE 3:** The Fund shall carry out the following missions, in conjunction with the relevant government services:

- collect the required resources to finance road and motorway projects, study, compensation, investment and maintenance programmes;
- finance programmes for the protection of the national roads asset, road safety, and the construction, maintenance and rehabilitation of non-conceded roads and motorways;
- manage tolls on non-conceded roads and motorways;
- source and mobilize financing needed to implement the said programmes or projects on the domestic and international markets;
- pay for services and works eligible for funding.

To that end, it shall be responsible for:

**A. Resource mobilization and collection:**

- i. collecting directly, with the assistance of government services in charge of financial and tax issues or any other partner, the resources relating to:
  - proceeds from the transit tax;
  - the road toll fee or, in the case of a concession, the concession fee;
  - income from funds invested in banks or operations deemed profitable for the Fund;
- ii. mobilizing from government services in charge of financial and tax issues, the resources relating to:
  - the share of proceeds from fines for damage to road assets;
  - the share of the special tax on petroleum products;
  - grants and subsidies;



- funds from various sources directly related to road usage;
- iii. providing technical assistance to Government in setting up resource mobilization mechanisms to finance public-private partnership projects;
  - iv. collecting all the resources needed for road maintenance as identified by Government, as part of the user pays road marketing mechanism;
  - v. mobilizing resources needed to finance studies and investment programmes and road project compensation operations, including on financial markets;

#### **B. Programme funding:**

- i. notifying the Minister in charge of finance and authorizing officers of forecasts of resources collected directly, before the State budget is tabled before Parliament;

#### **C. Services and works payment:**

- i. paying Fund-financed services and works;
- ii. providing resources for services rendered under cost-plus contract and those for the payment of compensation operations.

**ARTICLE 4:** (1) The Fund shall pay for services eligible for its financing through the following 3 (three) windows:

- Maintenance window;
- Studies and Investment window;
- Compensation window.

(2) Resources earmarked to finance projects under the abovementioned windows shall be fungible.

**ARTICLE 5:** The Maintenance window shall ensure financing and payment of services and works relating to:

- routine and/or periodic maintenance of non-conceded motorways, national, regional and municipal roads and urban roads, as well as engineering and crossing structures on such roads;
- road safety;
- national road network protection;



- monitoring road network and managing the network information system under public or private management;
- design and technical supervision of work carried out under public or private management.

**ARTICLE 6:** The Studies and Investment window shall ensure financing and payment of services and works relating to the studies, construction and rehabilitation of non-conceded motorways, national, regional and municipal roads and urban roads, as well as civil engineering and crossing structures on such roads.

**ARTICLE 7:** The Compensation window shall ensure financing and payment of operations carried out to compensate road projects, in particular the Declaration of Public Utility, the demarcation and boundary marking of sites, the setting-up of assessment and evaluation Commissions, the census of affected people and property, and the payment of the related compensation.

**ARTICLE 8:** (1) The programmes of authorizing officers shall be established in accordance with government sector policy and in compliance with the relevant powers devolved to regional and local authorities.

(2) The programmes of regional and local authorities shall be consolidated by the ministries in charge of roads, urban roads and transport, each in his own sphere of competence.

(3) Annual services and works programmes submitted to the Fund's Board of Directors for its opinion, in accordance with its missions, shall be based on the programmes prepared by each authorizing officer, within the limits of the resources collected directly by the Fund and reported to the authorizing officers.

## **CHAPTER II**

### **SUPERVISION, MANAGEMENT AND PERFORMANCE MONITORING**

**ARTICLE 9:** (1) The Fund shall be under the technical supervisory authority of the ministry in charge of roads and under the financial supervisory authority of the ministry in charge of finance.

(2) The technical supervisory authority shall ensure that:

- the Fund carries out its activities in accordance with Government's public policy guidelines in the relevant sector, subject to the powers of the Board of Directors;



- Board decisions comply with laws and regulations, as well as sector policy guidelines.

(3) The financial supervisory authority shall ensure:

- compliance of the Fund's management operations having a financial impact with public finance regulations and the regularity of accounts;
- the regularity of Board decisions with a financial impact;
- sustainability of financial commitments and overall consistency of the Fund's performance plans with sector programmes.

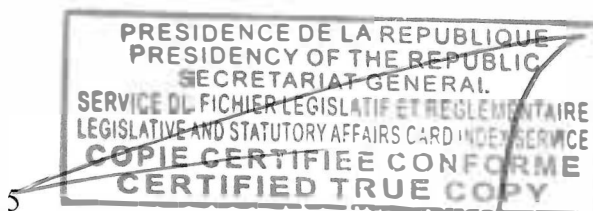
**ARTICLE 10:** (1) The Minister in charge of roads and the Minister in charge of finance, in conjunction with the Board of Directors, shall monitor the performance of the Fund, which shall forward to them all documents and information concerning the activities carried out, in particular performance projects, action plans, annual performance reports, certified financial statements, updated staffing status and salary scale.

(2) The Minister in charge of roads and the Minister in charge of finance shall, each in his own sphere, submit an annual report on the Fund's situation to the President of the Republic.

### **CHAPTER III** **AUTHORIZING OFFICER**

**ARTICLE 11:** Within the meaning of this decree, the following persons shall be recognized as authorizing officers of the Fund's expenditure:

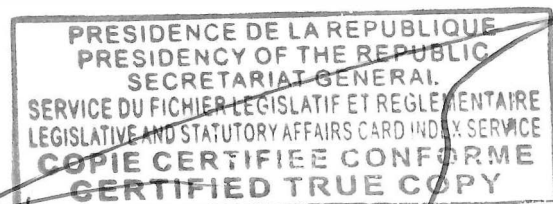
- **the Minister in charge of roads**, as regards routine and periodic maintenance, construction and rehabilitation of non-concession motorways and national roads, expropriation and compensation on the said roads, as well as services relating to the protection of road assets;
- **the Minister in charge of urban roads**, as regards maintenance, construction and rehabilitation of urban roads, as well as expropriation and compensation on the said roads;
- **the Minister in charge of transport**, as regards services relating to road safety and prevention;



- **the presidents of regional councils and the presidents of regional executive councils**, as regards the construction, rehabilitation, routine and periodic maintenance of regional roads, expropriation and compensation operations on the aforementioned roads, services relating to the protection of road assets, as well as those relating to road prevention and safety falling within the remit of the regions;
- **City mayors**, as regards the construction, rehabilitation, routine and periodic maintenance, expropriation and management of primary and secondary roads, expropriation and compensation operations on the aforementioned roads, services relating to the protection of road assets, as well as those relating to road prevention and safety falling within the remit of city councils;
- **Council mayors**, as regards the construction, rehabilitation, routine and periodic maintenance of municipal roads and municipal motorways, expropriation and compensation operations on the aforementioned roads, services relating to the protection of road assets, as well as those relating to road prevention and safety falling within the remit of councils;
- **the Director-General of the Fund and his accredited authorizing officers**, as regards the Fund's operating and capital expenditure budget;
- **the Director-General of the Fund**, with the assent of the Board of Directors, as regards the Fund's technical, accounting and financial auditing services.

**ARTICLE 12:** Within the scope of their line of business and in accordance with the provisions of this decree, each authorizing officer shall, in particular, be responsible for:

- studying and developing annual and multi-year programmes for services and works receiving financial support from the Fund;
- the physical and financial evaluation of programmes for inclusion of the corresponding expenditure into the budget;
- awarding contracts, in accordance with the regulations in force;
- following up the execution and acceptance of works and services;
- authorizing expenditure.



**CHAPTER IV**  
**FUND ADMINISTRATION**

**ARTICLE 13:** The Fund shall be administered by the following management organs:

- Board of Directors;
- Management.

**SECTION I**  
**BOARD OF DIRECTORS**

**ARTICLE 14:** (1) The Board of Directors of the Fund shall be composed as follows:

**Chairperson:** a personality appointed by decree of the President of the Republic for a three-year term, renewable once;

**Members:**

- one representative of the Presidency of the Republic;
- one representative of the Prime Minister's Office;
- one representative of the Ministry in charge of roads;
- one representative of the Ministry in charge of finance;
- one representative of the Ministry in charge of urban road networks;
- one representative of the Ministry in charge of transport;
- one representative of the Ministry in charge of decentralization;
- one representative of the Association of Regions;
- one representative of the Association of Councils;
- one peer-elected staff representative.

(2) The Board Chairperson may invite any other natural or legal person, by virtue of their expertise, to take part in Board meetings in an advisory capacity.

(3) The Director-General of the Fund shall provide secretarial services during Board meetings.

**ARTICLE 15:** (1) Members of the Fund's Board of Directors shall be appointed by decree of the President of the Republic, on the recommendation of the government



services and associations they represent, at the behest of the technical supervisory Minister, for a three-year term, renewable once.

(2) Where a Board member is no longer able to exercise his mandate, he shall be replaced under the same conditions as those of his appointment.

(3) All other provisions relating to the exercise, loss of capacity and replacement of the Chairperson and members of the Board of Directors, provided for in the regulations governing public establishments, shall apply *mutatis mutandis* to the Fund.

**ARTICLE 16:** The Board Chairperson and members, as well as persons invited to Board meetings, shall be subject to restrictions and incompatibilities provided for by the regulations in force.

**ARTICLE 17:** (1) The Board of Directors shall define and direct the general policy of the Fund and evaluate the management thereof within the limits set by its duties and in accordance with the regulations in force.

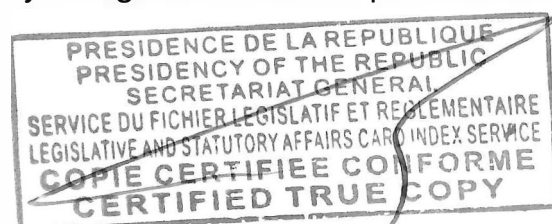
To that end, it shall:

- set the objectives and approve the Fund's action programmes, performance projects, annual performance reports and activity reports;
- adopt the Fund's organization chart and internal rules and regulations, administrative, financial and accounting procedures manual, staff recruitment and accounting plan, on the recommendation of the Director-General;
- adopt staff rules and regulations, remuneration plan and benefits;
- adopt the Fund's budget;
- ensure that the Fund's own resources are collected by the Fund or other competent government services and bodies, and that they are paid directly and in full into the Fund's accounts opened with the Central Bank or commercial banks;
- ensure that other resources collected by tax authorities or other partners are mobilized and that their share is paid into the Fund's accounts opened with the Central Bank or commercial banks;
- ensure that invoices for services rendered are processed and paid promptly, and that the resources required for compensation are made available;



- express an opinion on the authorizing officers' programmes drawn up on the basis of the Fund's own resources and corresponding draft budgets, taking into account the State budget preparation cycle;
- check the compliance of authorizing officers' programmes with the operations eligible at the Fund's counters;
- ensure compliance with the Fund's expenditure caps;
- close and publish the Fund's accounts at the end of the financial year;
- control the regularity of contracts and the execution of works and services financed by the Fund;
- monitor the Fund's administrative, financial and accounting management through external audits;
- approve the external audit and internal management control reports;
- determine the amount of allowance and benefits of the Board Chairperson, as well as the amount of the allowances of Board members, in accordance with the regulations in force;
- determine the monthly remuneration and benefits of the Director-General and Deputy Director-General, in compliance with the laws and regulations in force and budget forecasts;
- approve recruitment recommendations and dismissal of the Fund's management staff;
- appoint and dismiss officials with at least the rank of Sub-Director, on the recommendation of the Director-General;
- accept all donations, grants and subsidies;
- authorize any disposal of movable or immovable, tangible or intangible assets, in accordance with the regulations in force;
- lay down conditions for budgetary allocations under the emergency fund;
- approve agreements to be concluded with the State, regional and local authorities or any other partner, prepared by the Director-General and having an impact on the Fund's budget.

(2) The Board of Directors may delegate some of its powers to the Director-General.



**ARTICLE 18:** (1) Management shall provide secretarial services during Board meetings.

(2) The minutes of Board Meetings shall be entered in a special register kept at the head office and signed by the session Chairperson and the secretary. The said minutes shall mention the names of members present or represented. They shall be read and approved by the Board of Directors during the next Board meeting.

**ARTICLE 19:** (1) The Board of Directors shall meet at least twice a year in ordinary session, when convened by its Chairperson, as follows:

- one session to consider the performance project and adopt the budget, which must be held before the beginning of the next financial year;
- one session to close the accounts, which must be held no later than 30 June.

(2) The Board of Directors may be convened in extraordinary session at the request of its Chairperson or 2/3 (two thirds) of its members, on a specific agenda.

(3) Any Board member who is unable to attend a Board meeting may be represented by another member. However, no Board member may represent more than one other member at the same meeting.

(4) The Board of Directors may validly deliberate only when at least 2/3 (two thirds) of its members are present or represented. Where the quorum is not reached at the first convening, it shall be reduced to half of the Board members for the subsequent one.

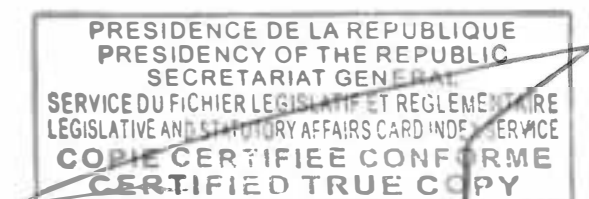
(5) Each Board member shall have one vote.

(6) Board decisions shall be taken by a 2/3 (two-thirds) majority of members present or represented.

**ARTICLE 20:** (1) Convening notices shall be sent to Board members by mail, fax, telegram or any other means in writing at least 15 (fifteen) days to the date of the meeting.

(2) Convening notices shall state the agenda, date, venue and time of the Board meeting.

(3) In case of an emergency, the period referred to in (1) above may be reduced to 5 (five) days.



(4) The Board of Directors shall consider all items entered on the agenda either by the Chairperson or at the request of Board members.

**ARTICLE 21:** (1) Where the position of Board Chairperson becomes vacant as a result of death, resignation or failure, the financial supervisory minister shall convene Board meetings at the behest of the Director-General, or 2/3 (two thirds) of the Board members.

(2) The Board meetings convened in accordance with (1) above shall be chaired by a peer-elected Board member.

**ARTICLE 22:** (1) Board resolutions and minutes shall be sent, for information purposes, to the ministers and bodies represented on the Board, no later than 7 (seven) days after the meeting.

(2) Board resolutions shall be published in the press within the period referred to in (1) above.

**ARTICLE 23:** (1) In the discharge of its duties, the Board of Directors may set up a maximum of 4 (four) internal committees and commissions, as and where necessary, with specific missions.

(2) The Committees provided for in (1) above must include a Committee responsible for considering the technical and financial eligibility of projects submitted for financing by the Fund, chaired by a Board member.

(3) Committee or Commission members shall be entitled to working facilities and allowances within the limits of the ceilings set under the regulations in force.

**ARTICLE 24:** (1) The Board Chairperson shall be entitled to a monthly allowance and benefits. The amount of the monthly allowance and benefits shall be fixed by the Board of Directors, in accordance with the regulations in force.

(2) Board members shall receive a session allowance fixed by a resolution of the Board of Directors, within the limits of the ceilings set by the regulations in force. They may claim a refund of expenses incurred as a result of Board meetings, upon presentation of supporting documents.

(3) The Board of Directors may grant special remunerations to its members for duties and assignments entrusted to them, or authorize the refund of travel and other expenses incurred in the interests of the Fund.

**ARTICLE 25:** (1) The term of office of Board members shall end through:



- loss of the capacity that warranted the appointment;
- dismissal as a result of gross misconduct or actions incompatible with the duty of Board member;
- the normal expiry of the term of office;
- death or resignation.

(2) In the cases provided for in (1) above, the Board member shall be replaced under the same conditions as those of his/her appointment.

**ARTICLE 26:** (1) Six (6) months prior to the expiry of a Board member's term of office, the Board Chairperson shall inform the body which he/she represents for his/her replacement.

(2) No Board member shall be allowed to sit on the Board beyond the expiry of his/her term of office.

(3) In case of expiry of the Board Chairperson's term of office, the Minister in charge of roads shall inform the appointing authority.

**ARTICLE 27:** (1) The Chairperson and members of the Board of Directors shall be subject to the restrictions and incompatibilities provided for by the regulations in force.

(2) The Chairperson and members of the Board of Directors shall be bound by a duty of confidentiality with regard to all information, facts and deeds to which they have become privy in the performance of their duties.

## SECTION II MANAGEMENT

**ARTICLE 28:** (1) Management of the Fund shall be under the authority of a Director-General, who may be assisted by a Deputy Director-General, both appointed by decree of the President of the Republic for a 3 (three)-year term of office, renewable twice.

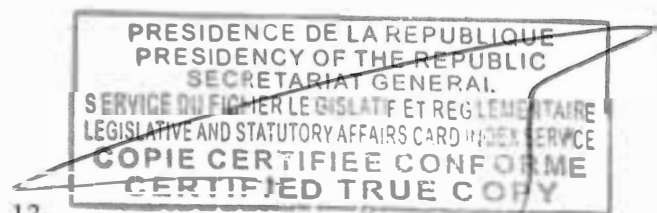
(2) The renewal provided for in (1) above shall be tacit.

**ARTICLE 29:** (1) Under the authority and control of the Board of Directors to which he/she is answerable, the Director-General shall ensure the day-to-day technical, administrative and financial management of the Fund.

To this end, he/she shall:



- monitor the mobilization, collection and transfer of resources to the Fund's accounts at the Central Bank or in commercial banks;
- initial contracts signed by the authorizing officer to ensure their compliance with the Fund's missions, resource availability and expenditure eligibility;
- pay services under the Fund;
- control the regularity of the Fund's expenditure;
- ensure the availability of resources for compensation, as well as the payment of services and works;
- prepare and submit to the Board of Directors the Fund's performance project, performance report and budget;
- manage the Fund's operating and investment budget;
- implement the decisions of the Board of Directors and report thereto on the Fund's financial situation and activities;
- submit a monthly report to the Board Chairperson, other Board members, supervisory authority ministers and the Ministers in charge of roads, transport and decentralization, clearly showing the resources mobilized and collected, and the expenditure incurred by the Fund;
- periodically provide the various authorizing officers, each in his own sphere, at least quarterly, with information on the monitoring of their financial transactions, making the link between programming and implementation;
- propose a staff recruitment plan to the Board of Directors;
- appoint staff, subject to the prerogatives of the Board of Directors;
- recruit and terminate occasional, seasonal and temporary staff on fixed-term contracts, required for the functioning of the Fund, within the limits of funds included in the operating budget;
- manage the resources for all the Fund's operations;
- requisition the technical, financial and accounting audits to be conducted by independent consultants on behalf of and under the supervision of the Board of Directors, without prejudice to the audit conducted by the Statutory Auditor;



- manage the Fund's movable and immovable, tangible and intangible assets, in compliance with its corporate purpose and the powers of the Board of Directors;
- represent the Fund in all acts of civil life and in court.

## **CHAPTER V** **STAFF**

**ARTICLE 30:** The following may form part of the Fund's staff:

- staff recruited by the Fund;
- civil servants on secondment;
- State employees governed by the Labour Code placed at the disposal of the Fund;
- seasonal, occasional and temporary staff.

**ARTICLE 31:** Civil servants on secondment and State employees governed by the Labour Code placed at the disposal of the Fund shall, throughout their employment, be subject to labour laws, subject to the provisions of the General Rules and Regulations governing the Public Service and special regulations relating to retirement, promotion, end of secondment, end of placement on secondment and payment of pension benefits.

**ARTICLE 32:** (1) Civil servants on secondment and State employees governed by the Labour Code placed at the disposal of the Fund shall, regardless of their status of origin, be entirely managed by the Fund.

(2) The management referred to in (1) above shall concern the payment of salaries, salary incidentals, allowances, bonuses and other benefits paid by the Fund.

**ARTICLE 33:** (1) The civil and/or criminal liability of Fund staff shall be subject to ordinary law rules.

(2) Under no circumstances should the Fund's staff be entitled to salary or remuneration in any form whatsoever, or have a direct or indirect interest in a corporation involved in the road maintenance sector in Cameroon.

(3) Conflicts between staff and the Fund shall fall under the jurisdiction of ordinary law courts.



## CHAPTER VI FINANCIAL PROVISIONS

### SECTION I BUDGET

**ARTICLE 34:** (1) The Fund's budget shall provide for revenue and expenditure. The Fund shall determine the nature and amount of the revenue and expenditure, and must be balanced in revenue and expenditure.

(2) The Fund's budget shall be backed by its own resources, collected directly by the Fund or any other partner, and by other mobilized resources. It shall be intended to finance:

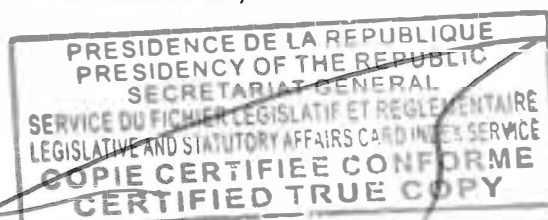
- the Fund's operation and investment;
- the Fund's audits;
- the Maintenance window;
- the Studies and Investment window;
- the Compensation window.

(3) The Fund's budget shall be executed in accordance with the procedures laid down in the Fund's procedures manual.

### SECTION II RESOURCES

**SECTION 35:** (1) The Fund's resources shall comprise:

- (a) the share of the proceeds from fines for damage to the roads asset;
- (b) the share of the special tax on petroleum products;
- (c) proceeds from the transit tax;
- (d) road toll collections or, in the case of a toll concession, the concession royalties;
- (e) direct budget allocations from ministries;
- (f) income from funds invested in banks or operations deemed profitable for the Fund;
- (g) grants, legacies and subsidies;
- (h) funds from various sources directly related to road use, including:
  - resources from the road maintenance concession;



- public resources generated from the operation of road infrastructure and/or concession facilities;
- investment income;
- any direct road taxes and royalties;
- any other resources allocated thereto by the State.

(2) The Fund's resources shall be distributed to windows for payment of eligible expenditure.

(3) The rates of the shares referred to in (1) above shall be fixed by the Finance Law.

**ARTICLE 36:** The Fund's resources shall be public funds.

**ARTICLE 37:** (1) The Fund's resources shall be paid directly and in full into the Fund's account opened with the Central Bank.

(2) The budgetary resources of the ministries allocated by the State or by each of Cameroon's financial partners must first be allocated to one of the Maintenance, Studies and Investment or Compensation windows and the related cash transfers shall be made to the Road Fund account opened with the Central Bank.

**ARTICLE 38:** Fund's resources shall be collected as follows:

- the share of proceeds from fines for damage of the roads asset, collected by the competent State services and paid directly into the Road Fund special account opened with a commercial bank;
- grants and subsidies paid directly into the Road Fund account opened with the Central Bank;
- the share of the special tax on petroleum products collected by companies responsible for oil deposits and refining, for supplies to distribution companies and legal or natural persons respectively, other than the said companies, no later than the 20<sup>th</sup> of every month for transactions that took place the previous month, and paid directly by the persons liable by bank transfer into the Road Fund account opened with the Central Bank;
- the proceeds of the transit tax collected by the competent State services and paid directly into the account opened for this purpose by the Road Fund;

- road toll or royalties or, in the event of a toll concession, the concession royalties collected by the Road Fund or any other partner assigned for that purpose and paid directly into the account opened by the Road Fund with a commercial bank;
- budgetary allocations from ministries as public investment budget committed to the sub-account of the Road Fund in authorizing officers' specialized revenue offices;
- proceeds from the concession of road maintenance paid in the account of the Road Fund opened with the Central Bank;
- funds from various sources directly linked to road usage, paid into specific accounts opened by the Road Fund;
- any other resources exceptionally allocated to the Fund by the State.

**ARTICLE 39:** (1) When authorized by the Board, and under conditions provided by the State' s financial regime, the Fund may open bank accounts with commercial banks to mobilize and collect the resources referred to in Article 38 above.

(2) The Fund may receive resources from loans contracted by Government to finance and manage road projects, in accordance with the regulations in force.

(3) The Fund may open accounts with commercial banks to pay for services rendered under its control by contractors, as well as those for its functioning.

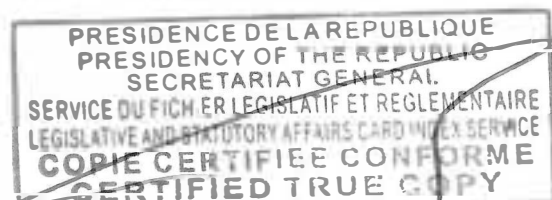
### SECTION III EXPENDITURE

**ARTICLE 40:** Road Fund resources shall be used to:

- finance survey, compensation, investment, road and motorway maintenance, national road asset protection, road prevention and safety, non-concession road and motorway rehabilitation and construction programmes;
- conduct technical, financial and accounting audits;
- run the Road Fund.

**ARTICLE 41:** Road Fund expenditures shall be allocated as follows:

- 95% of the budget to finance Maintenance, Surveys and Investment and Compensation operations;



- 5% of the budget for Fund's functioning, equipment and various audits.

**ARTICLE 42:** Investment projects designed by authorizing officers based on direct allocations, grants and subsidies shall be subject to specific agreements clearly stating the funds transfer method, contractor and type of works to be executed.

## **CHAPTER VII** **ACCOUNTS, MANAGEMENT CONTROL AND EXTERNAL AUDITS**

### **SECTION I** **ACCOUNTS AND MANAGEMENT CONTROL**

**ARTICLE 43:** (1) The Fund's accounts shall be kept by the Director-General.

(2) The Director-General shall present an internal management control report to the Board of Directors.

**ARTICLE 44:** (1) The Fund's accounts shall be kept in accordance with private accounting rules.

(2) Certified annual accounts shall be published in a legal announcement journal and in newspapers.

(3) Every year, the Director-General shall present an annual financial statement of the previous financial year to the Board of Directors for approval, no later than 31 March.

**ARTICLE 45:** (1) The Fund shall keep three (3) accounting systems:

- an income and expenditure budgetary accounting;
- a general accounting;
- an analytical accounting.

(2) The Fund may add other types of accounting systems.

### **SECTION II** **EXTERNAL AUDITS**

**ARTICLE 46:** (1) The Fund shall be subject to ex post controls by the State's competent bodies in compliance with the private accounting system applicable thereto, under conditions laid down by the laws and regulations in force.

(2) Without prejudice to controls by the authorities referred to in (1) above, the Fund's accounts shall be audited annually by an auditor appointed by the Board of Directors for a 3 (three)-year term, following a selection process by call for applications conducted by the Director-General.

**ARTICLE 47:** With the assent of the Board of Directors, the Director-General shall requisition technical, financial and accounting audits at least twice a year by an independent firm recruited through a call for tender.

**Article 48:** The annual accounts auditing may be assigned to the independent firm referred to in Article 47 above to certify the regularity and accuracy of the financial statements and information presented by the Director-General for closure of the accounts by the Board.

## **CHAPTER VIII** **PROPERTY OF THE FUND**

**ARTICLE 49:** (1) The Fund's property shall comprise movable and immovable property allocated thereto by the State and own property.

(2) Public property and private property of the State transferred for use to the Fund, in accordance with the land tenure legislation, shall maintain their original status.

(3) Private property of the State transferred to the Fund for ownership shall be permanently included in the Fund's property.

(4) The Fund's own property shall be managed in accordance with ordinary law.

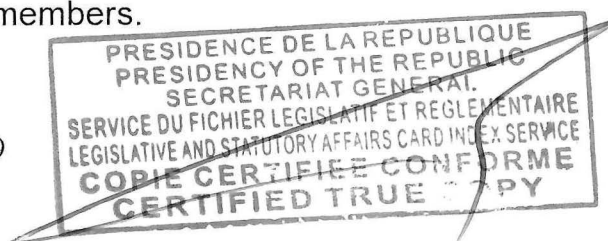
(5) The Fund's own property and allocated property shall be used to achieve its corporate purpose.

**ARTICLE 50:** (1) The Director-General shall manage the Fund's property under the control of the Board of Directors.

(2) The property management referred to in (1) above shall concern the acquisition and disposal thereof.

**ARTICLE 51:** (1) The Director-General shall seek the Board's authorization before any disposal of Fund property. He shall keep an update thereof which shall be considered by the Board of Directors during a Board meeting.

(2) The Board's authorization shall be in the form of a resolution adopted by at least 2/3 (two thirds) of its members.



**CHAPTER IX**  
**MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS**

**ARTICLE 52:** The Fund shall be subject to the provisions of the Public Contracts Code.

**ARTICLE 53:** The Fund's commitments shall not exceed the total amount of its resources.

**ARTICLE 54:** (1) Where the Fund's resources exceed commitments by the end of a financial year, the surplus shall be carried forward to the Fund's budget for the following financial year, without prejudice to its quotas.

(2) At the end of a financial year, unmet commitments and unused budget appropriations shall be carried over to the following financial year, without any impact on the budgetary resources of the said financial year.

**ARTICLE 55:** Administrative, financial and accounting procedures governing Fund relationships with authorizing officers, service providers and government services responsible for collection, shall be laid down in a procedures code adopted by the Board of Directors and approved by the financial supervisory authority.

**ARTICLE 56:** The Road Revenue Security Programme is hereby dissolved.

**ARTICLE 57:** (1) Property of the defunct Road Revenue Security Programme shall be transferred to the Road Fund.

(2) Civil servants in service at the Road Revenue Security Programme at the time this decree is signed shall be returned to their services of origin. However, some of them may be placed on secondment to the Road Fund based on the needs expressed by the latter.

(3) In the event of recruitment by the Road Fund, non-civil servant staff in service at the Road Revenue Security Programme at the time this decree is signed shall have priority, subject to their technical skills and moral rectitude.

(4) The Road Fund and the Road Revenue Security Programme shall continue to carry out their respective activities until the effective establishment of the Road Fund's management bodies, as provided for under this decree.

**ARTICLE 58:** All previous provisions repugnant hereto are repealed and shall so remain, in particular:

- Decree No. 2005/669 of 14 March 2005 to institute the Road Revenue Security Programme;



- Decree No. 2005/670 of 14 March 2005 to specify tax base, control and collection rules applied by the Road Revenue Security Programme;
- Decree No. 2005/239 of 24 June 2005 to lay down the organization and conditions for the functioning of the Road Fund, as amended and supplemented by Decree No. 2012/173 of 29 March 2012;
- Decree No. 2013/7696 of 27 August 2013 to modify the allocation of resources to the Road Fund.

**ARTICLE 59:** This decree shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

