
DECREE N° 2018/S 233 IPM OF 06 JUL 2018

FIXING THE PROCEDURES FOR THE APPLICATION OF LAW N° 2010/002
OF 13 APRIL 2010 ON THE PROTECTION AND PROMOTION OF PERSONS WITH
DISABILITIES IN CAMEROON.

THE PRIME MINISTER, HEAD OF GOVERNMENT,

Mindful of the Constitution,

Mindful of Law N° 2010 / 002 of 13 April 2010 on the protection and promotion of persons with disabilities;

Mindful of Decree N°92/089 of May 4, 1992 specifying the attributions of the Prime Minister, modified and completed by Decree N°95/145 of August 4, 1995;

Mindful of Decree N°201 1/408 of December 9, 2011, organizing the Government, amended and supplemented by Decree N°. 2018/190 of March 02, 2018

Mindful of Decree N°201 1/409 of 09 December 2011 appointing a Prime Minister, Head of Government;

Mindful of Decree N°2017/383 of 18 July 2017 organizing the Ministry of Social Affairs,

DECREES :

CHAPTER I

GENERAL PROVISIONS

ARTICLE 1.- This decree lays down the procedures for the application of Law N°. 2010/002 of 13 April 2010 on the protection and promotion of persons with disabilities.

ARTICLE 2.- The provisions of this decree apply to persons with disabilities holding a National Disability Card and justifying a Permanent Potential Incapacity Rate (IPP) of at least fifty percent (50%).

CHAPTER II

EDUCATION AND VOCATIONAL TRAINING OF PERSONS WITH DISABILITIES

ARTICLE 3.- (1) Education and vocational training of persons with disabilities are provided either in traditional training institutions and centers or in specialized training centers created or subsidized by the State, depending on the nature or degree of disability.

(2) Disability is not, in any case, a reason for refusing the admission or registration of a student in a conventional institution or training center.

ARTICLE 4. The State promotes inclusive education and vocational training for people with disabilities through:

- Introduction to appropriate communication methods allowing them to access normal schooling and vocational training programs
- the development of standards in school, university and vocational training programs for teachers to learn sign language and braille
- the development of traditional public institutions to facilitate access for pupils and students with disabilities in classrooms
- the provision of specialized teachers and trainers in public schools and universities that receive pupils and students with disabilities;
- the assignment of qualified personnel in private special education institutions;
- initial and continuing training of specialized staff in the supervision of disable people,
- the provision of pupils and students with disabilities with educational materials appropriate to the nature of the disability;
- the use of interpreters for sign language in schools or universities;
- the introduction for the hearing impaired of the spell check test in place of the dictation test;
- the installation of pupils or students with disabilities in rooms located on the ground floor or near the board, depending on the nature of their handicaps, exempts them from age.

ARTICLE 5.- (1) At the beginning of each school and university year, public and private inclusive and special education schools draw up registration forms with data to make available statistics on the number of pupils or students with disabilities, as well as the nature and degree of disability of the latter.

(2) Each school head is required to draw up a detailed report outlining the specific material and financial needs of pupils or students with disabilities, two (02) months at most after the start of school and university year. The said report is sent to the Minister in charge of the education sector concerned and to the Minister

of Social Affairs, through the hierarchical chain of their territorially competent departmental delegations.

ARTICLE 6.- The State shall make appropriate arrangements for the equitable participation of persons with disabilities in official examinations and competitions. These include:

- the development of the conditions for the conduct of tests, such as to enable them to use teaching materials, technical aids, or to use human accompaniment adapted to the nature of their disability;
- the increase in the time allowed for one or more tests, which may not exceed one third of the time normally allowed for each one;
- the adaptation of the tests made necessary by certain situations of handicap or, exceptionally, exemptions of tests;
- Facilitating the accessibility of candidates with motor disabilities in the sites and rooms reserved for the conduct of the tests;
- the establishment of special examination centers or special examination rooms for disabled candidates with specific difficulties....

ARTICLE 7.- The State, the Decentralized Territorial Communities, the civil society and, possibly, the international organizations, put in place:

- training centers for trainers adapted to people with disabilities;
- Workforce Support Centers for Persons with Disabilities to enable them to undertake apprenticeship training with programs to stabilize their social behavior and to prepare them to be able to operate a business or work in a professional environment.

ARTICLE 8.- Persons with disabilities benefit from learning a profession suited to their physical or mental condition. To this effect, the following measures can be taken:

- setting up and arranging, within the traditional vocational training structures, specialized vocational trainings or courses;
- the creation of appropriate specific vocational training structures.

ARTICLE 9.- (1) Indigent people with disabilities receive support for education and vocational training. It is:

- total or partial exemption from school and university fees
- the granting of scholarships;

- the granting of subsidies for the purchase of didactic equipment for the supervision of disabled people with special educational needs.

(2) The assistance referred to in paragraph 1 above extends to pupils and students born to indigent disabled parents.

ARTICLE 10.- People with disabilities benefit from educational and teaching support in schools or universities.

ARTICLE 11.- The didactic support provided for in Article 10 above consists of:

- strengthening the capacity of teachers and pedagogical inspectors to design adapted tests;
- the equipment of the multimedia rooms of the special examination centers for the visually impaired with voice screen review system by standardizing the methods of rendering official examination by type of disability

ARTICLE 12.- (1) The pedagogical support provided for in article 10 above consists in the appointment, if necessary, of a tutor or specialized supervisor responsible for the follow-up of one or more indigent disabled pupils

(2) The supervisor or the trainer must have undergone specialized training in the area of disability of the person to be supervised.

(3) The coach or trainer takes care of no more than five (05) students with the same type of disability according to the problem approach.

(4) The list of specialized supervisors is drawn up by the departmental delegate of the competent ministerial department, on the proposal of the School heads.

(5) The appointment as a tutor or specialized supervisor is entitled to a monthly tax-free bonus per student supervised, paid by each institution over a period of nine (09) months per academic year.

CHAPTER III

EMPLOYMENT FOR PERSONS WITH DESABILITIES

ARTICLE 13.- (1) Disabled people justifying a professional or academic training benefit from preferential measures, including age waiver in recruitment to public and private employment compared to those valid when the post is compatible with their condition.

(2) The age exemption referred to in paragraph 1 above shall be granted may be, by the Minister in charge of the public service for the presentation of administrative exams, and by the Prime Minister for integration into the public service.

In any case, this exemption can only be granted for a maximum limit of five (05) years above the statutory age limit.

(3) Modalities for granting the age exemption provided for in paragraphs 1 and 2 above shall be determined by regulation.

ARTICLE 14.- (1) With equal qualifications, the priority of recruitment is granted to the disabled person. To this end, the application forms in recruitment to public employment must include specific statements to distinguish those candidates with disabilities. However, candidates with disabilities can only be subject to tests that are compatible with their condition.

(2) In any case, the disability cannot be a reason for rejecting the candidacy of a job seeker or for discriminating after recruitment.

ARTICLE 15.- Any worker in the public or private sector, who suffers from a disability that may hinder the continuation of his or her usual work, whatever the cause, cannot be dismissed from his / her workstation because of his disability. The employer shall, if necessary, reassign him to a workstation compatible with his disability or the adaptation of his workstation.

ARTICLE 16.- (1) The State, the Decentralized Territorial Communities and, where appropriate, civil society and international organizations, create sheltered jobs for the benefit of disabled people.

(2) A workstation is deemed to be a sheltered job, taking into account the functional possibilities and performance capabilities of persons with disability.

(3) On the proposal of the Minister for Social Affairs, tax relief measures may be granted by the Minister of Finance to private promoters of the structures provided for in paragraph 1 above.

ARTICLE 17.- (1) The State encourages the creation of individual enterprises, production cooperatives or small and medium-sized enterprises by persons with disabilities through:

a) the provision of technical supervisors

(b) the granting of installation aid, in particular by financing credits for the purchase of production equipment

(c) tax and customs facilities, granted in proportion to the degree of disability, on the proposal of the Minister of Social Affairs after a social inquiry

d) credit guarantees and technical support from public development aid agencies, particularly projects study, monitoring and financing.

(2) The procedures for granting the facilities aid in paragraph 1 above are defined by a special text of the Minister of Finance, after consulting the Minister of Social Affairs.

CHAPTER IV

ACCESS FOR PERSONS WITH DISABILITIES TO INFRASTRUCTURE, HOUSING, TRANSPORT AND COMMUNICATION

ARTICLE 18.- (1) The State; Decentralized Territorial Communities, public and private bodies take all necessary measures to facilitate the accessibility of people with disabilities to public and private buildings and institutions open to the public.

(2) At the time of renovation or maintenance, existing buildings and facilities, public or private, open to the public, shall be re-designed to facilitate access and use by persons with disabilities.

(3) Authorization to build or operate is subject to compliance with the provisions of paragraphs 1 and 2 above.

(4) The construction of communication routes must take into account facilities for people with disabilities.

(5) In the case of the availability of two (02) social housing units located at different levels in a built-up building, the person with a disability is allocated the dwelling on the lowest floor.

ARTICLE 19.- (1) People with disabilities benefit from preferential measures to social housing.

(2) The housing aid provided for in paragraph 1 above consists of:

- lower rents in public housing;
- the reduction of interest rates for loans granted by public bodies and intended for the purchase of undeveloped buildings or the construction of individual houses;
- priority allocation of social housing, when there is competition between a disabled person and a valid person.

(3) The modalities of application of the provisions of this article are fixed by a specific text of the Minister of Housing, after opinion of the Minister in charge of Social Affairs.

ARTICLE 20.- (1) People with disabilities receive transportation assistance in public or private public transport companies.

(2) The transport assistance referred to in paragraph 1 above includes:

- the acquisition of public transport equipment adapted to people with reduced mobility
- the development of access ramps for public transport vehicles or premises intended to receive passengers
- priority to the acquisition of tickets and registration
- priority to embarkation and disembarkation
- the provision of technical aids to facilitate the mobility of people with disabilities
- the reduction of transport rates in proportion to the rate of Permanent Potential Incapacity carried on the National Disability Card;
- sign language support for people with hearing disabilities
- provision of Braille information for persons with visual impairment
- the materialisation of reserved places in mass transit vehicles and in public or private car parks open to the public
- any other measures to facilitate the entry and exit of persons with disabilities in using public transport.

(2) When the mobility of the disabled person requires the presence of an escort, the latter also benefits from a reduction on fares.

(3) The modalities of application of the provisions of this article are fixed by a special text of the Minister in charge of the transports, after opinion of the Minister in charge of Social Affairs.

ARTICLE 21.- (1) People with disabilities benefit from tax and customs facilities for the importation of vehicles adapted to their disability.

(2) The modalities of application of the paragraph 1 above are fixed by a particular text of the Minister in charge of finances, after opinion of the Minister in charge of social affairs.

ARTICLE 22.- (1) The State, the Decentralized Territorial Collectivities and their dismemberments facilitate access of disabled people to communication and information means, particularly through audiovisual equipment, telecommunications and various media.

(2) Access to the communication and information referred to in paragraph 1 above is done through:

- labeling in Braille and large print on consumer products;
- Sensitization about the language of white cane and sign language
- equipment of large public rooms in magnetic loops
- sign language interpretation of television programs and spots;

- full and quality subtitling on television or all audiovisual works.

(3) The modalities of application of the provisions of the present article are fixed by specific texts of the Ministers in charge of the trade and the communication, after opinion of the Minister in charge of Social Affairs.

CHAPTER V

ACCESS OF PERSONS WITH DISABILITIES TO POLITICAL, SPORT, ARTISTIC, CULTURAL AND LEISURE ACTIVITIES

ARTICLE 23.- The State and the Decentralized Territorial Communities encourage the participation and presence of people with disabilities in the various levels of political and social life. As such :

- People with disabilities receive support and capacity building for participation in the decision-making process;
- the procedures, equipment and electoral materials must be appropriate and likely to ensure a good understanding and easy use for people with disabilities.

ARTICLE 24.- The State and the Decentralized Territorial Communities promote the participation of persons with disabilities in sports, cultural, artistic and leisure activities, as well as national and international competitions. As such, they ensure, with the assistance of private institutions:

- the development of services and infrastructures specific to the needs of disabled people;
- the development of sport, cultural and leisure institutions, including cinemas and theaters, cultural and sport complexes, tourist sites, artistic centers, stadiums, public spaces and playgrounds, specific equipment, suitable passageways and reserved places enabling persons with disabilities to easily access them and benefit from the activities and services of those institutions;
- coaching sport associations and clubs representing people with disabilities, by providing financial, material, logistical, technical and human support
- the reduction of the tariffs of sporting, tourism, arts and cultural events in favor of persons with disabilities.

ARTICLE 25.- (1) The State and the Decentralized Communities set up, within the public sports training centers, branches specialized in sports for the disabled.

(2) physical education and sports program for pupils and students with disabilities is established

(3) The physical education and sports program provided for in paragraph 2 above shall be fixed by order of the Minister of Physical Education, after consulting the Ministers responsible for Secondary Education, Higher Education and Social Affairs

CHAPTER VI
MEDICAL MANAGEMENT AND DISABILITY ALLOCATION FOR PERSONS WITH DISABILITIES

ARTICLE 26.- Indigent people with disabilities receive disability allocation and medical care.

ARTICLE 27.- (1) The disability allowance provided for in Article 26 above shall be granted to indigent persons with disabilities whose Permanent Impairment Incapacity rate is at least ninety-five (95) percent and whose state of health requires constant medical supervision and care based on the expert report of a specialist physician.

(2) The indigence mentioned in paragraph 1 above is established based on a social survey conducted by the relevant departments of the Ministry of Social Affairs.

(3) The allocation of the invalidity allowance to the disabled person is subject to:

- the non-perception of any public support for installation or self-employment purposes;
- the non-enjoyment of social benefits in respect of occupational risks, old-age or invalidity pension, or any other form of life pension;
- the absence of any preferential measures for employment granted by the public authorities;
- the non-enjoyment of a monthly salary equivalent to at least the Guaranteed Minimum Interprofessional Salary (SMIG).

(4) Amounts and methods of granting the invalidity allowance are set by joint order of the Ministers for Social Affairs and Finance.

ARTICLE 28.- The medical care of indigent disabled persons consists of the reduction or exemption of fees, in proportion to their Permanent Potential Incapacity (PPI) rate for:

- Consultation;
- laboratory examinations;
- radiography or medical imaging;
- hospitalization;
- medical evacuation;
- purchase of certain medicines, in specialized institutions and public or private health facilities,

ARTICLE 29.- (1) The State subsidizes certain products and materials intended for the treatment of specific pathologies or functional rehabilitation.

(2) The list of products and materials provided for in paragraph 1 above is laid down in a special joint text of the Ministers for Social Affairs and Health.

(3) Public and private institutions of functional rehabilitation and medical rehabilitation of persons with disabilities may be eligible for grants whose conditions and procedures are fixed by a specific text of the Minister of Finance, after consulting the Ministers in charge of Social Affairs and Health.

ARTICLE 30.- (1) The State ensures medical evacuation of indigent people with disabilities, when medical follow-up or functional rehabilitation can only be done by a foreign health facility.

(2) The medical evacuation referred to in paragraph 1 above is granted based on a social inquiry conducted by the Minister in charge of Social Affairs.

(3) The terms of the medical evacuation provided for in this article are those applicable to the medical evacuation of civil servants in accordance with the regulations in force.

CHAPTER VII **FINAL PROVISIONS**


ARTICLE 31.- Special texts are issued, as necessary, for the application of the provisions of this decree

ARTICLE 32.- All previous contrary provisions are repealed, particularly those of Decree N°. 90/1516 of 26 November 1990 laying down the procedures for the application of the Law N°. 83/013 of 21 July 1983 on the protection of persons with disabilities.

ARTICLE 33.- This decree will be registered, published according to the urgency procedure, then inserted in the Official Journal in French and in English.

Yaoundé, 26 JUL 2018

THE PRIME MINISTER,
HEAD OF GOVERNMENT,


Philemon YANG