

**Law No 2004/022 of 22 July 2004**  
**To lay down the rules governing the organization and functioning**  
**of private education in Cameroon**

The National Assembly deliberated and adopted,

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

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

**Section 1:** This law lays down the rules governing the organization and functioning of private education in Cameroon, pursuant to Law No. 98/4 of 14 April 1998 to lay down guidelines for education in Cameroon.

**Section 2:**

(1) Private education shall be a social service provided by private partners in the public interest, through curricular or training activities conducted within schools or training establishments, as the case may be, with support from the State and regional and local authorities.

(2) Private education shall be provided through nursery, primary, general secondary, technical secondary, vocational and teacher training institutions.

**Section 3:**

(1) Private schools or training institutions shall pursue the same objectives as those of public schools or training establishments, that is, providing civic, physical, moral, intellectual, vocational and technical training to young Cameroonians. In this respect, they shall implement the duly approved official or autonomous syllabuses and prepare the pupils and students for the corresponding certificate examinations.

(2) Only the State may confer diplomas.

(3) For private schools or training establishments whose courses prepare students for official diplomas, the State shall ensure that quality and pedagogic standards are respected.

**Section 4:** Any natural person or corporate body of Cameroonian or foreign nationality may carry out private educational activities, under conditions stipulated by regulation.

# **CHAPTER II**

## **PRIVATE SCHOOLS OR TRAINING ESTABLISHMENTS**

### **Section 5:**

(1) Provided that the school location map,. regulations on physical and mental health, on town planning and housing, as well as on the specific standards for the educational system are strictly adhered to, the opening and extension of private schools and training institutions shall be free.

(2) However, the Minister in charge of national education or the Minister in charge of technical education and vocational training, as the case may be, shall have a period of 60 (sixty) days within which to raise any objection to the setting up or opening of a private school or training establishment. Such period shall run from the date of transmission of the relevant declaration to the Minister concerned by the competent authority.

(3) The conditions for the application of the provisions of Section 5 (1) and (2) above shall be laid down by regulation.

### **Section 6:**

(1) Private schools or training establishments may be independent or under contract.

(2) In any case, the State shall ensure the application of official programmes and the smooth functioning of private curricular or training activities.

### **Section 7:**

(1) Any private school or training establishment that does not charge the school fees set by the State, but which offers duly approved official or autonomous programmes shall be deemed an independent private school or training establishment.

(2) The State shall decide on the application for approval of the above mentioned autonomous programmes under conditions laid down by regulation.

(3) Autonomous programmes may lead to the issue of internal attestations by the independent private school or training establishment.

**Section 8:**

- (1) Any independent private school or training establishment which, at the request of its proprietor, is approved by the State under conditions previously defined by the parties, shall be considered a school under contract.
- (2) Accession to the category of establishment under contract shall be contingent upon criteria of quality, viability, efficiency and conformity with official syllabuses, as well as location in priority education zones.
- (3) Private schools or training establishments under contract shall be required to comply with the official programmes and tuition fees fixed by the State, as well as quality requirements stipulated in the contract.
- (4) The State on its part shall honour all its contractual obligations.
- (5) The conditions of implementation of this section shall be laid down by regulation.

**Section 9:** Respect for law and order, good morals and freedom of worship, notwithstanding, private schools or training establishments may provide religious education specific to their denomination.

CHAPTER III  
PROPRIETORS, PROPRIETORS' ORGANIZATIONS AND PARTNERSHIP WITH THE STATE

**Section 10:**

- (1) Under this law, proprietor shall mean any natural person or corporate body enjoying their full civic rights who sets up and runs a private school or training establishment duly declared in accordance with the laws and regulations in force.
- (2) The proprietor of a private school or training establishment shall assume civil, administrative, financial and pedagogic responsibility therefore.
- (3) He shall therefore be bound to ensure its proper functioning.

**Section 11:**

- (1) Foreigners or foreign corporate bodies may, within the framework of bilateral cultural agreements or separate conventions, and subject to reciprocity, set up in Cameroon private schools or training establishments which apply programmes of their respective countries.
- (2) The conditions for the application of Section 11(1) above shall be specified as and when necessary by separate instruments.

**Section 12:**

(1) Proprietors shall be grouped in 4 (four) organizations, each of which shall be endowed with a legal status and placed under the supervision of the Minister in charge of national education or the Minister in charge of technical education and vocational training, as the case may be. These organizations shall be:

- the organization of proprietors of private Catholic schools or training establishments;
- the organization of proprietors of private Protestant schools or training establishments;
- the organization of proprietors of private Islamic schools or training establishments;
- the organization of proprietors of private lay schools or training establishments.

(2) Other proprietors' organizations may be created as and when necessary.

**Section 13:**

(1) Each organization shall be administered independently, in accordance with the laws and regulations of the Republic. It shall be the sole representative in relations with supervisory authorities.

(2) Each proprietor shall be bound to belong to one of these organizations.

(3) The conditions of application of this Section shall be specified by regulation.

**Section 14:**

(1) A structure for consultation and promotion of partnership between the State and private education, known as the National Private Education Board, is hereby established.

(2) The organization and functioning of the National Private Education Board shall be specified by regulation.

**CHAPTER IV**  
**PERSONNEL AND QUALITY OF TEACHERS**

**Section 15:**

(1) Administrative and pedagogic officials in private schools and training establishments shall be education professionals.

(2) They shall be responsible for ensuring quality in the courses offered.

(3) They shall be full-time staff and be approved by the State.

**Section 16:**

(1) The teaching staff of private schools and training establishments shall be recruited from among holders of requisite professional or academic diplomas.

(2) They shall, where necessary, be authorized by the State.

(3) They may be full-time or part-time staff.

(4) Under no circumstances may any private school or training establishment operate with a quota of part-time teaching staff above 40% of the overall staff strength, under pain of one of the sanctions stipulated under Section 24 below.

**Section 17:**

(1) Teachers of private schools or training establishments shall be responsible for the quality of teaching they provide.

(2) They shall be entitled to continuing education, a regular salary, as well as social welfare benefits as stipulated by the regulation in force.

(3) They shall be duty bound to teach and objectively assess learners.

**Section 18:** The duties and conditions for approving managerial staff, as well as the conditions for granting authorizations to staff of private schools or training establishments shall be laid down by regulation.

**Section 19:**

(1) Except for those seconded by the State, personnel of private schools or training establishments shall be governed, during their entire period of employment, by the provisions of the Labour Code.

(2) All teaching or non-teaching staff of private schools or training establishments shall be bound to respect the rules and regulations of the Organization to which they belong, to respect the laws and regulations, and to uphold good morals and professional ethics.

CHAPTER V  
RESOURCES

**Section 20:** The resources of a private school or training establishment shall be derived from the following sources:

- the proprietor's own contribution;
- school fees or boarding fees;
- any assistance from the parents/teachers association;
- proceeds of various activities of the establishment or the organization;
- donations, legacies and loans obtained in accordance with the laws in force;
- possible State assistance;
- contributions from regional and local authorities.

**Section 21:**

(1) School fees for independent establishments shall be fixed by the proprietor.

(2) Tuition fees for private schools or training establishments under contract shall be fixed by the State, upon consultation with Private Education Organizations.

**Section 22:**

(1) Depending on available resources, the State may grant private schools or training establishments under contract assistance which may comprise the following:

- a financial subsidy;
- secondment of teachers;
- educational equipment and teaching aids.

(2) The criteria and modalities for granting the assistance provided for in subsection (1) above shall be defined by regulation.

**Section 23:** Any assistance from the State to organizations and private schools or training establishments as well as the resources mentioned in Section 20 above, except the proprietor's own contribution and students' school fees, shall be public funds and property.

## CHAPTER VI OFFENCES MEASURES AND PENALTIES

### **Section 24:**

(1) In the event of any shortcomings, serious breach of law and order or failure to comply with the provisions of this law duly ascertained by the competent authorities, the officials of the private schools or training institutions concerned may forfeit their rights or be suspended from their duties.

(2) In addition, the establishment concerned may be:

- provisionally administered by the State for a specified period;
- sealed;
- taken over by the State; or
- closed-down.

(3) The conditions of implementation of this Section shall be defined by regulation.

**Section 25:** The organizations referred to in Section 12 of this law may be provisionally administered by the State or sealed under the same conditions as laid down in Section 24 above.

**Section 26:**

(1) Whoever infringes Section 9 above shall be punished with imprisonment for from one to five years or with fine of from one million to five million francs, or with both such imprisonment and fine.

(2) In the event of sentence to a prison term of not less than 6 (six) months, the Court may prohibit the offender from performing any duties in a private school or training establishment or in an organization of proprietors of private schools or establishments for a period of from one to five years.

(3) Where a proprietor is sentenced to a prison term of not less than six months the State may enforce the measures provided for in Section 24 of this law.

**Section 27:** Whoever, without having declared the existence of his establishment, receives for this purpose school fees, donations and legacies or assistance from parents of students shall be punished with the penalties provided for in Section 321 (c) of the Penal Code.

CHAPTER VII  
MISCELLANEOUS AND FINAL PROVISIONS

**Section 28 :**

(1) In the event of the death of a proprietor, the State may provisionally administer or seal his establishment.

(2) Such measures shall be lifted in keeping with the procedures laid down by the regulations in force.



**Section 29:** Private schools and training establishments as well as private education organizations in existence at the date of entry into force of this law shall be afforded a period of one year to comply with these provisions.

**Section 30:** All previous provisions repugnant thereto, in particular those of Law No. 87/22 of 17 December 1987 to lay down the rules governing the activities of private schools and training establishments in Cameroon, are hereby repealed.

**Section 31:** This law shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

Yaounde, 22<sup>nd</sup> July 2004

(d) Paul Biya,

President of the Republic