

EXTRACT OF THE CAMEROON PENAL CODE ON CORRUPTION

Section 134 — (Law No 77-23 of 6 December 1977.) - *Corruption*

(1) Any public servant or government employee who, for himself or for a third party, solicits, accepts or receives any offer, promise, gift or present in order to perform, refrain from performing or postpone any act of his office shall be punished with imprisonment for from five to ten years and with fine of from two hundred thousand to two million francs.

(2) The term of imprisonment shall be from one to five years and the fine from one hundred thousand to one million francs where the act does not lie within the competence of the person corrupted but was facilitated by his office.

(3) Any public servant or government employee who solicits or accepts any reward in money or find for himself or for a third party as remuneration for having already performed or refrained from any such act shall be punished in like manner as under the foregoing subsection (2).

Section 134 (a) (Law No. 77-23 of 6 December 1977.)

(1) Whoever makes promises, offers, gifts and presents or yields to request liable to results in corruption in order to obtain either the performance, postponement or abstention from an act or one of the favours or benefits defined in the foregoing Section shall be punished in like manner as under the foregoing Section 134 (1) whether the corruption produced its effort or not.

(2) Whoever makes gifts and presents or yields, to requests for the remuneration of an act which has not been performed shall be punished in like manner as under the foregoing Section 134 (2).

Section 135. (Law No.77-23 of 6 December 1977.) - *Interest in grant*

(1) Any public servant or government employee who takes or accepts any interests, direct or indirect:

- (a) In any grant, contract or selection of tenders subject to his opinion or which he supervised, controlled, administered or drew up;
- (b) In any private concern, cooperative, semi-public cooperation or corporation in which the State has shares, in any authority or concession subject to his supervision or control;
- (c) In contracts or agreements signed on behalf of the State or local authority with a natural person or body corporate;
- (d) In any business for which it is his duty authorize payment or liquidation.

(2) The provision of this Section shall be applicable to former public servants as defined in Section 131 of this Code who, within five years from cessation of duties as a result of resignation, dismissal, leave, placement on reserve or retirement or for any other reason shall take any kind of interest in any grant, operation, or concern mentioned above and

previously subject to their supervision, control and administration or for whose payment or liquidation they were responsible.

Section 137. – *Indulgence*

Any public servant who grants exemption from any fee, due, duty, tax or contribution, or who delivers at a lesser price than that prescribed any produce of a government department, of a cooperative, or of any authority or corporation either public or subject to the administrative control of the State, or in which the State holds directly or indirectly the majority of the shares shall be punished with imprisonment for from two to ten years and with fine of from twenty thousand to two million francs.

Section 140 – *Oppression*

- (1) any public servant who takes advantages of his position to infringe any private right or interest shall be punished with imprisonment for from three months to one year, or with fine of from five thousand to fifty thousand francs, or with both such imprisonment and fine.
- (2) Where the offence is committed with intent to procure for the offender or for another any gain of any kind, the imprisonment shall be from three months to three years, and the fine of from fifty thousand to one million francs.

Section 142 – *Undue Demand*

Any public servant, notary, public auctioneer, bailiff or process-server or representative of any such, who demands any fee, due, duty or tax which is not due, or any material benefit otherwise than on payment of the proper price, shall be punished with imprisonment for from two to ten years and with fine of from twenty thousand to two million francs.

Section 160 – *Compulsion of Public Servant*

Whoever by interference or threat procures a public servant improperly to perform or to refrain from any act of his office, shall be punished with imprisonment for from two to ten years and with fine of from twenty thousand to one million francs.

Section 161. (Law No. 77-23 of the 6 December 1977). – *Procuring Influence*

- (1) Whoever by assault or threat or by gift or promise corrupts a person having any influence, real or supposed, with interest to procure any advantage from any public authority, shall be punished in like manner as under Section 160.
- (2) Any public servant who for himself or a third party solicits, receives or accepts any offer, promise or gift to procure any advantage from any public authority or body placed under the control of the public authority, any contract, operation or other benefit arising from agreements concluded with public authority and in this way taking undue advantage of the

real or supposed influence that his status or office has conferred upon him shall be punished in like manner as under Section 160 of this Code.

Section 184, - *Misappropriation of Public Funds*

- (1) Whoever by any means takes or keeps dishonestly any property, moveable or immoveable, belonging to, in transmission to or entrusted to the United State, or to any authority or corporation either public or subject to the administrative control of the State, or in which the State holds directly or indirectly the majority of shares, shall be punished:
 - (a) Where the value of the property is more than half a million francs with imprisonment for life; and
 - (b) Where the said value is half a million francs or less, but over one hundred thousand francs with imprisonment for from fifteen to twenty years;
 - (c) Where the said value is one hundred thousand francs or less with imprisonment for from five to ten years and with fine of from fifty thousand to five hundred thousand francs.
- (2) The foregoing punishment may not be reduced, whatever the mitigating circumstances, below ten, five or two years as the case may be nor may its execution be suspended.
- (3) Where Section 87 (2) of this Code is applicable, the punishment may not be reduced below five years, two years or one year, as the case may be, and execution may not be suspended except in case of diminished responsibility for infancy.
- (4) Confiscation under section 35 of this code shall be ordered in every case, and the forfeitures described in section 30 shall be imposed from five to ten years
- (5) Publication of the judgement shall be ordered.
- (6) This section shall not apply to misappropriation and receiving of military property covered by the Military Justice Codes.

Section 312 – *Corruption of Employee.*

Any employee in receipt of any form of emolument who without the permission of his employer receives any gift or accepts any promise for doing or omitting any act of his employment shall be punished with imprisonment for from one to three years or with fine of from fifty thousand to five hundred thousand francs or with both such imprisonment and fine.