ECONOMIC AND MONETARY COMMUNITY DIRECTIVE No. û 2 I11-UEAC-190-CM-22 OF CENTRAL AFRICA on the General Regulations on Public Accountability..- COUNCIL OF MINISTERS THE COUNCIL OF MINISTERS HAVING REGARD TO the Treaty establishing the Central African Economic and Monetary Community of 16 March 1994 and its Addenda dated 5 July 1996 and 25 April 2007 HAVING REGARD TO the Convention governing the Economic Union of Central Africa (UEAC) and in particular its Article 54, which provides for the harmonisation of budgetary legislation, national accounts and macroeconomic data of Member States;: HAVING REGARD TO Directive No. 02/08-UEAC-190-CM-17 of 20 June 2008 laying down General Regulations on public accounting; HAVING REGARD TO Directive No. 05/10-UEAC-190-CM-21 of 28 October 2010 on the establishment, remit and functioning of the Committee of Experts on Public Finance Management; HAVING REGARD TO the reports on the work of the Committee of Experts on Public Finance Management dated 25 February 2011 and 29 April 2011 respectively; CONVINCED of the need to further improve transparency in the management of public finances in the Member States; DESIRING to bring Community directives into line with international standards and best practice in the field of public finance management: ON the proposal of the CEMAC Commission: AFTER consulting the Inter-State Committee; AT its meeting on 1 December 2011 HAS ADOPTED THE FOLLOWING DIRECTIVE: Article 1: This Directive sets out: + The general principles of public accounting applicable to the Member States of the Economic and Monetary Community of Central Africa, and to local authorities

decentralised bodies and national and local public bodies of an administrative nature respectively; 'The specific rules applicable to central government accounts and to public bodies of an administrative nature attached to it. The legal entities referred to in this Article are, for the purposes of this Directive, referred to as 'public bodies'. Article 2: The fundamental principles of public accounting are set out in the first part of this Directive. The general rules for the application of these principles to Member States of the Central African Economic and Monetary Community and to their respective public bodies of an administrative nature are set out in the second and third parts of this Directive. The general rules for the application of these principles to decentralised local authorities and the public bodies attached to them are laid down in the national legislation governing them. They must be based on the general principles set out in this Directive. PART ONE: DEFINITIONS AND FUNDAMENTAL PRINCIPLES Article 3: The budget shall be drawn up, adopted, voted on and implemented in accordance with the provisions of the Directive on Finance Acts, the General Regulations on Public Accounting, the State Budget Classification, and the State Chart of Accounts. The accounts setting out budgetary, cash-flow and financing transactions shall be finalised, approved and audited under the same conditions. Article 4: The financial and accounting transactions arising from the implementation of the budgets of public bodies are the responsibility of authorising officers, financial controllers and public accountants. The transactions referred to above relate to revenue, expenditure, cash management and financing. They are recorded in accounts drawn up in accordance with accepted international standards and are subject to audit by the competent authorities. Funding granted to public bodies by international donors, foreign states or international financial institutions is, regardless of its purpose and nature, public funds subject to the general principles set out in the directive on finance laws. Article 5: The roles of authorising officer and accounting officer are incompatible. The spouses, ascendants and descendants of authorising officers may not act as accounting officers for the public bodies in which those authorising officers carry out their duties. These incompatibilities may be extended by national regulations. Article 6: No person without the requisite legal or regulatory authorisation shall be permitted to perform the duties of authorising officer or public accountant, on pain of prosecution as provided for by law.

The legal title arises from the appointment and accreditation of an authorising officer or a public accountant in accordance with the laws and regulations. Article 7: Accreditation is the obligation imposed on an official involved in the financial operations of public bodies to notify other officials designated by laws and regulations of either their letter of appointment or their specimen signature. Accreditation shall be carried out by the official themselves as soon as they take up their post and under their own responsibility. PART TWO: STATE TITLE 1: AUTHORISING OFFICERS AND ACCOUNTANTS Chapter 1: AUTHORISING OFFICERS Section 1: Definition of authorising officers Article 8: An authorising officer is any person authorised, on behalf of the State, to order the collection of revenue and the payment of expenditure entered in the State budget. They may delegate their powers as authorising officer to delegated authorising officers at the level of central government departments and to secondary authorising officers at the level of decentralised State services. Article 9: The Minister responsible for finance is the sole principal authorising officer for revenue in the general budget, the Treasury's special accounts, with the exception of the special-purpose accounts referred to in Article 37 of the Directive on Finance Acts, and all treasury and financing operations. He shall direct the collection of revenue, establish the State's entitlements, and calculate and issue the corresponding debt instruments. The Minister responsible for finance is the chief authorising officer for the appropriations of his ministry's programmes. The other ministers are the chief authorising officers for their ministries' programmes; the High authorities responsible for constitutional institutions are chief authorising officers for the budgets of their institutions, subject to the power to regulate budgetary appropriations and manage the State's cash resources vested in the Minister for Finance under Article 58 of the Directive on Finance Acts. Section 2: Rights and obligations of authorising officers Article 10: Authorising officers shall authorise the expenditure referred to in Title II of this Directive. | Subject to the provisions of Article 11 of this Directive, they shall carry out the commitment, validation and authorisation of expenditure entered in their budget. The validation and authorisation shall take place simultaneously and must occur immediately following certification of the service rendered. Authorising officers shall issue transfer orders relating to the State's property and materials.

They are responsible, under their own authority, for maintaining the subsidiary accounts for materials, assets and government securities, and thus contribute to the maintenance of the general accounts of the State under the supervision of the accounting officer. Article 11: Authorising officers are accredited by registering their signatures with the public accountants responsible for the revenue and expenditure operations set out in the budget whose execution they direct. Article 12: The acts of authorising officers—commitment, validation and authorisation—are recorded in the budgetary accounts, enabling the progress of budgetary operations to be monitored and a reconciliation to be carried out with the entries of the public accountants. Section 3: Responsibility of Authorising Officers Article 13: In the event of a breach of the rules and procedures relating to the management of the revenue and expenditure of public administrations and their assets, or in the event of mismanagement, all authorising officers shall, by virtue of the exercise of their powers, the liabilities provided for in the Constitution of each State, without prejudice to any sanctions imposed by the Court of Auditors after hearing them. Article 14: Notwithstanding the provisions of the preceding article, any authorising officer shall be liable to liabilities which may be disciplinary, criminal or civil, without prejudice to any sanctions which may be imposed on them by the Court of Auditors on account of the mismanagement defined in Article 75 of the Directive on Finance Acts. Chapter 2: PUBLIC ACCOUNTANTS Section 1: Definition and categories of public accountants Article 15: A public accountant of the State is any public official duly authorised to carry out, exclusively and on behalf of the State, transactions relating to revenue, expenditure or the handling of securities, either by means of funds and assets in their custody, or by internal transfer of entries, or through other public accountants. The procedures for the appointment of public accountants are laid down by national regulations . A de facto accountant is any person who, without holding the status of a public accountant or without acting under the supervision and on behalf of a public accountant, interferes in the management of public funds and securities. Article 16: The various categories of public accountants are: - Cash and securities accountants; - Bookkeeping accountants. Cash and securities accountants are persons authorised to handle and safeguard public funds and securities, which include portfolio securities, certificates, bills of exchange, bonds, annuities and company shares.

Recording accountants are those who centralise and present, in their entries and accounts, the financial transactions carried out by other accountants. However, the duties of a recording accountant are not incompatible with those of a cash and securities accountant. Article 17: Each category of accountant defined above may be classified as a senior or subordinate accountant, a principal or secondary accountant, or a centralising or non-centralising accountant. A senior accountant is an accountant who has one or more subordinate accountants under their hierarchical authority. The principal accountant is the accountant who reports directly to the Court of Auditors; he or she is responsible for secondary accountants. The centralising accountant is the one who centralises the transactions of subordinate accountants who are not centralising accountants. Article 18: The functions of the accounting regulatory authority are incompatible with those of a public accountant. Article 19: The public accountant responsible for cash and securities referred to in Article 16 of this directive is solely authorised to carry out the transactions described below: 'The acceptance and collection of tax rolls, collection orders, settlement statements and non-tax revenue orders submitted to him by an authorising officer, claims established by a contract or a public procurement contract, a title deed or any other document or deed which he is responsible for safeguarding, as well as the collection of cash duties and revenue of any kind which public authorities are authorised to receive; 'The authorisation, commitment and payment of expenditure, either on the instructions of an accredited authorising officer, or on presentation of documents by creditors, or on its own initiative, as well as the action to be taken in response to objections and other notifications; + The safekeeping and custody of funds, securities, instruments and materials belonging to or entrusted to the State or other public authorities; . The handling of funds and movements in cash accounts; e The safekeeping of supporting documents for transactions and accounting records; . Without prejudice to the role of the authorising officer as provided for in Article 10 of this Directive, the keeping of accounts for expenditure and revenue for which he is responsible, as well as the keeping of accounts for dormant assets. Article 20: Under the authority of the Minister responsible for Finance, the direct Treasury accountants, whether principal or secondary, shall carry out all budgetary, treasury and financing operations relating to the State, the supplementary budgets and the special accounts of the Treasury. Article 21: The accountants of the tax and customs authorities are civil servants or officials acting as cash and assets accountants and are responsible in particular for the collection of taxes, duties, fees and miscellaneous revenue, as well as tax penalties and enforcement costs, in accordance with the conditions laid down in the General Tax Code, the Customs Code, the State Property Code, and other laws and regulations.

Accountants within financial administrations may be organised into networks of accounting posts comprising senior or junior accountants, whether principal or secondary, distinct from the Treasury network in accordance with the conditions laid down by national regulations. The transactions of the accountants in financial administrations are centralised in the Treasury's accounts. Article 22: Public accountants may have revenue and imprest administrators under their authority. These revenue and/or advance administrators are authorised to carry out collection or disbursement operations. They are personally and financially liable for their operations. The public accountant to whom they report is obliged to carry out checks, both on the basis of supporting documents and on site, of the transactions and accounts of the administrators. He is personally and financially liable for the transactions of the administrators within the limits of the checks for which he is responsible. The procedures for the establishment and operation of revenue and advance funds, as well as the conditions for the appointment of fund managers, are laid down by national regulations. Advance funds must be subject to a financial ceiling and be restricted to minor expenditure of a recurring and urgent nature. Section 2: Rights and obligations of public accountants Article 23: Public accountants are required to take an oath before the Court of Auditors and to provide guarantees. The wording of the oath is laid down by national regulations. An order issued by the Minister responsible for finance shall lay down the conditions for the provision, management and release of guarantees by public accountants. Article 24: Public accountants shall be accredited with authorising officers and, where applicable, with other public accountants with whom they have dealings, by lodging their letters of appointment. Article 25: Public accountants may delegate their powers to one or more authorised representatives who are empowered to act on their behalf and under their responsibility. Unless an exemption is authorised by the Minister of Finance, the authorised representative must be chosen from among the staff of the office.The authorised representative shall be accredited under the same conditions as the incumbent accounting officer. Article 26: The only controls that public accounting officers are required to carry out are the following: a. With regard to revenue, the control:

o authorisation to collect revenue, under the conditions laid down, on behalf of the State and each category of public administration, in accordance with laws and regulations; o the collection and settlement of claims, as well as the regularity of reductions and cancellations of revenue instruments. b. With regard to expenditure, the control covers: o the status of the authorising officer or their delegate, and the allocation of the expenditure o the validity of the claim, relating to: i.evidence of the service rendered, as evidenced by the certification issued by the authorising officer and confirmed by the financial controller, as well as the supporting documents produced; li the prior completion of checks, authorisations, approvals, opinions or statutory endorsements; il. the production of supporting documents and, where applicable, the certificate of entry into the inventory;: iv. the application of the rules on limitation periods and forfeiture; v. the discharging effect of payment, including verification of the possible existence of objections, in particular garnishments or assignments. c. With regard to assets, the verification of: o the inclusion in the inventory of acquired financial and non-financial assets; and the preservation of rights, charges and mortgages relating to intangible and tangible fixed assets. Article 27: Public accountants shall carry out periodic closing of their accounts in accordance with the conditions laid down by the accounting regulations in force. On 31 December of each year, they are required to carry out the closing of all public funds. On that date, a report shall be drawn up recording and detailing the status of cash on hand On that date, a report shall be drawn up recording and detailing the status of cash and securities, as well as that of deposit accounts, supported by a reconciliation statement. An order issued by the Minister responsible for finance shall lay down the procedures relating to the organisation, conduct, deadline for submission, analysis and publication of the reports on these audit operations. Article 28: The State accounts and the management accounts of the principal public accountants shall be submitted to the Court of Auditors no later than 30 June of the financial year following that for which they are drawn up. In the event of a delay, fines may be imposed on the accounting officers by the Court of Auditors. Where necessary, an accounting officer may be appointed ex officio by the Minister of Finance to produce the management accounts.

Section 3: Liability of public accountants Article 29: Public accountants shall be held liable in the event of: - the discovery of a cash deficit or a shortfall in cash or in value; + failure to collect revenue: irregular payment of an expenditure in breach of the control obligations set out in Article 26 of this Directive; + irregular payment of compensation charged to the State as a result of the public accountant’s conduct. The Court of Auditors, having heard the accountant concerned, shall issue a ruling setting the amount that the accountant must pay to the State, taking into account the amount of the loss as well as the circumstances of the offence. It may also, depending on the seriousness of the offence committed, impose a fine on the accounting officer at fault, subject to the dual limit of the amount referred to in the preceding paragraph and one year’s salary of the accounting officer concerned. Public accountants are neither personally nor financially liable for errors committed in the assessment and collection of the revenue they are responsible for recovering. De facto management entails, for the person declared by the Court of Auditors to be the de facto accountant, the same obligations and responsibilities as those of a public accountant in an official capacity, in accordance with the procedural arrangements set out in the national law governing the organisation and functioning of the said Court. The de facto accountant may also be ordered by the Court of Auditors to pay a fine on account of his or her interference in the functions of the public accountant. This fine shall be calculated according to the amount and duration of the retention or handling of the funds. Its amount may not exceed the total of the sums unduly retained or handled. Article 30: Public accountants are not obliged to comply with irregular orders which engage their personal and financial liability, unless a request is made by the chief authorising officer under the conditions set out in Article 54 of this Directive. In such cases, the liability of the principal authorising officer shall take the place of that of the accounting officer. Article 31: A public accounting officer may also be held financially liable by an administrative debit decision. Debit orders have the same effect and are subject to the same rules of enforcement as court decisions. They are subject to appeal. Section 4: Termination of the public accountant's office and the release of guarantees Article 32: The termination of a public accountant's office is effected in the same manner as their appointment. Except in the event of death or unauthorised absence, the termination of a public accountant's office gives rise to the drawing up of a handover report.

Subject to the conditions laid down by the regulations, the Minister responsible for finance or any other competent higher authority may appoint, pending the taking up of office by the permanent accountant, an acting accountant who shall have the same rights and obligations as the latter. The duration of the interim appointment may not exceed six (06) months. Article 33: The release of guarantees provided by a public accountant may only take place under the following conditions: + for chief accountants: following final discharge rulings issued by the Court of Auditors in respect of the various accounts for which they were responsible up to the date of their cessation of service, or through the operation of acquisitive prescription in accordance with the provisions of Article 77 of the Directive implementing the Finance Act; ° for assistant accountants: after obtaining the certificate of discharge issued by the Director responsible for public accounts, on the advice of the chief accountants to whom these assistant accountants are attached; . the certificate of discharge shall be issued within a time limit laid down by national regulations. It serves solely to authorise the release of guarantees, but has no consequences as regards the assessment of any liability on the part of the assistant accountant; . the release of guarantees shall be granted by decision of the Minister responsible for finance, on the recommendation of the Director of Public Accounts, following verification that the conditions set out above have been met. TITLE II: BUDGET IMPLEMENTATION OPERATIONS Chapter 1: REVENUE OPERATIONS Article 34: The State's budgetary revenue comprises: 1.Tax revenue, comprising taxes, duties, levies and other compulsory payments other than social security contributions; 2. Donations, bequests and grants 3. Social security contributions: 4. Other revenue, comprising income from property, sales of goods and services, fines, penalties and tax surcharges, voluntary transfers other than donations, and miscellaneous revenue. Article 35: The collection of revenue other than that provided for in the preceding article is strictly prohibited; any official who collects such revenue shall be liable to prosecution for extortion, without prejudice to an action for recovery, within three years, against any collector, accountant or official who has collected such revenue. Any official who has granted exemptions from the revenue defined in Article 36 of this directive or who has provided, free of charge, State goods or services for which a fee is normally payable shall also be liable to the same prosecution.

The full amount of all revenue provided for in the Finance Act shall be credited to the State budget, regardless of its source, and without any set-off against expenditure; collection and administration costs and other incidental expenses shall be charged as expenditure to the said budget. Section 1: Recognition, Assessment and Collection of Public Revenue Article 36: In accordance with the conditions laid down for each type of revenue, revenue shall be recognised and assessed, authorised before being recorded in the accounts and collected. The purpose of assessment is to determine the amount of the debt owed by taxpayers and must specify the basis on which it is carried out. Any error in the assessment shall give rise either to the issue of an order to cancel or reduce revenue, or to the issue of a supplementary order. Article 37: Any claim that has been recorded and settled shall be the subject of a document constituting a collection order issued by the authorising officer of the relevant budget, who alone has the power to initiate this. For revenue received from voluntary payments by debtors, adjustment documents shall be drawn up without delay by the authorising officer at the request of the public accountant. Article 38: The rules governing the enforceability of public claims are laid down by the regulations specific to each State. Article 39: Collection orders are notified to the accounting officers for entry into the accounts in accordance with procedures laid down by specific legislation. They are notified to debtors by means of a notice informing them of the due date and the terms of payment and setting out the procedures for contesting the claim and lodging an appeal. Section 2: The accounting phase of revenue collection Article 40: The standard procedure for collection is an amicable one. Unless there is an exception arising either from the nature or contentious nature of the claim, or from the need to take immediate protective measures, enforced recovery shall be preceded by an attempt at amicable recovery. Article 41: The enforcement of enforceable orders shall continue until the debtor lodges an objection before the competent court. Claims and objections of any kind relating to the assessment and calculation of duties shall not have suspensive effect on enforcement proceedings unless they are accompanied by guarantees accepted by the Treasury, in an amount equal to the sums in dispute. Article 42: Persons liable to the State shall settle their debts by payment in cash, by the presentation of cheques or bank or postal orders, or by deposit or transfer into one of the operating accounts held in the name of the public accountants. However, in the cases provided for by law, debtors may settle their debts by handing over securities.

They may also, under the conditions laid down in the legislation governing the State, settle their obligations by delivering commercial paper or guaranteed bonds. Article 43: A receipt shall be issued for any payment made in cash. For other methods of payment, revenue statements shall be issued to the parties once payment has been made. No receipt shall be issued where the payer receives, in exchange for their payment, revenue stamps, forms or tickets. Article 44: A debtor to the State is discharged if they present a valid receipt, if they invoke the benefit of a limitation period and that this is valid, or if they establish that a public accountant has actually cashed the bank or postal instruments issued in favour of the Treasury. Article 45: Public accountants are responsible for the recovery of all duties assessed by authorising officers from the moment they take charge of them. They must provide evidence of the clearance of these liabilities within the time limits and in the manner prescribed by the regulations in force. Settlement results either from actual recoveries, or from the reduction or cancellation of duties previously assessed, or from their write-off. Section 3: Set-off and the limitation period for public revenue Article 46: Persons liable to pay sums to the State may not invoke statutory set-off where they are at the same time creditors of the State. In such circumstances, prior to any payment, the public accountant must carry out statutory set-off in favour of the State between the debts and claims assigned to his account. Article 47: The rules specific to the State and, where applicable, to each category of claim, shall lay down the conditions under which the recovery of a claim may be suspended or waived, or under which a debt remission, a settlement or participation in a composition with creditors may take place. Chapter 2: EXPENDITURE TRANSACTIONS Article 48: Before being paid, expenditure must be committed, settled and authorised. However, certain categories of expenditure, exhaustively defined in advance in a decree issued by the Council of Ministers or an equivalent body, may be paid without prior authorisation and regularised after payment within a maximum period of sixty (60) days. Section 1: The commitment, validation and authorisation of public expenditure Article 49: A commitment is the act by which a public body creates or acknowledges an obligation on itself which will result in an expenditure. It must include the allocation

budgetary classification of the expenditure as defined in the directive on the State’s budgetary nomenclature . It shall take the forms provided for by the rules in force, in particular the Public Procurement Code. The commitment must remain within the limits of the budgetary authorisations and remain subject to the authorisations, opinions or endorsements provided for by the laws and regulations specific to the State. Article 50: The purpose of settlement is to verify the existence of the debt and to determine the amount of the expenditure. It may only be carried out on the basis of documents and supporting evidence proving the rights acquired by creditors. With regard, in particular, to supplies, services and works, these documents and supporting evidence consist of the contracts, original statements or invoices detailing the deliveries, services or works carried out, and the acceptance reports or certificates of service rendered signed by the authorising officers and, where applicable, by the heads of the technical departments in accordance with the regulations specific to the State. Article 51: Except in cases of advances or prepayments authorised by laws or regulations, the State's authorising officers may only settle creditors' claims, including in respect of instalments on contracts for works and supplies, after verification that the service has been performed. Article 52: Authorisation is the administrative act by which, in accordance with the results of the settlement, the accountant is instructed to pay the State's debt. This administrative act takes the form of an authorisation or a payment order. It must specify the budgetary allocation of the expenditure as defined in the directive on the State's budgetary nomenclature. Section 2: The accounting phase of public expenditure and the request for payment Article 53: Payment is the act by which the State discharges its debt. Subject to the exceptions provided for by laws and regulations, payments may not be made before either the due date of the debt, the performance of the service, or the individual decision to award a grant, allowance or advance. Article 54: Where, during the expenditure checks provided for in Articles 19 and 26 above, irregularities are identified by the public accountants, they are required to refuse to authorise the expenditure. The same applies where public accountants have been able to establish that the certifications issued by authorising officers or budget administrators are inaccurate. Accountants are required to send the authorising officers a written and reasoned statement of their refusal to authorise the expenditure, accompanied by the rejected documents. In the event of a persistent disagreement between the authorising officer and the accountant, the matter shall be referred to the Minister responsible for finance. If, despite this rejection, the Minister of Finance or the chief authorising officer instructs the accountant in writing to make the payment, and if the rejection is based solely on the omission or irregularity in the supporting documents, the accounting officer shall make the payment without further delay, and shall attach to the payment order a copy of his statement of rejection and the original of the request for payment which he has received. A

A copy of the requisition and a copy of the statement of rejections shall be forwarded to the financial court and to the Minister responsible for finance. Accountants may not comply with the Minister's payment order where the refusal to endorse is based on: . the absence of supporting documentation for the service rendered, except in the case of advances and grants, . the fact that the payment does not constitute full discharge of liability. Where the accounting officer complies, except in the cases referred to in the third paragraph of this article, with the authorising officer's order, they shall cease to be liable for the expenditure in question. This liability shall be transferred to the authorising officer concerned. Article 55: Any objections or other notices intended to halt a payment must be served, on pain of nullity, on the accounting officer responsible for the expenditure. Article 56: Payments shall be made either by cash or cheque, or by bank transfer or any other lawful means of payment in accordance with the conditions laid down by national regulations. However, such payments shall be made only subject to the provisions of Article 46 above, relating to statutory set-off. Article 57: The designated public accountants shall be solely responsible, under their own liability and in accordance with ordinary law, for verifying the rights and standing of the parties concerned and the regularity of their claims and, to this end, for requiring the production of all relevant supporting documents. Article 58: Where a creditor of the State refuses to accept payment, the corresponding sum shall be recorded in the Treasury's accounts pending the resolution of the dispute. Chapter 3: TREASURY AND FINANCING OPERATIONS Article 59: Cash and financing operations are defined as all movements of cash, liquid assets, deposit accounts, current accounts and accounts relating to short-, medium- and long-term receivables and payables. Cash and financing operations include . + cash receipts and disbursements; . the provision of and withdrawal of funds from public treasuries; the discounting and collection of bills of exchange and bonds issued for the benefit of the State in accordance with the regulations in force; 'the management of funds deposited by correspondents and transactions carried out on their behalf; drawdowns on external financing, the issue, conversion, management and repayment of short-, medium- and long-term public loans. The resources and treasury and financing costs relating to these transactions may not include any premiums or discounts on issue;

e) lending and advance operations granted by the State; . the collection of proceeds from the disposal of shares.

Article 60: Cash and financing transactions shall be carried out exclusively by public accountants, either on their own initiative, on the instructions of authorising officers, or at the request of authorised third parties. They shall be recorded without any consolidation and in their entirety. Article 61: Funds held by public accountants shall be managed in accordance with the principle of cash unity. Unless expressly authorised otherwise by the Minister responsible for Finance, a single cash account, a single current bank account opened with the Bank of the States of Central Africa (BEAC) or a single postal current account, regardless of the number of public bodies for which it is responsible. The cash unity principle is the principle whereby the Public Treasury has a single current account held with the BEAC, into which all funds held by all public accountants are deposited in the name of the State and from which all disbursements are made. Article 62: Authorising officers and other State officials who are not public accountants, revenue administrators or advance administrators may under no circumstances, in their official capacity, have a cash account opened in their name. Article 63: Apart from cash movements necessitated by the replenishment and withdrawal of funds from public accountants' cash offices, all settlements between public accountants shall be made by transfer account or by bank transfer. Public accountants shall encash the securities and bonds held by them. They shall present them for discount in accordance with the banking regulations in force. The maximum cash balances for public accountants, as well as the conditions and time limits for their release, are set by order of the Minister responsible for finance in respect of the Treasury accountants and the financial authorities of the Tax and Customs departments, and by resolution of the board of directors of national public institutions of an administrative, scientific, social and cultural nature. Article 64: All public funds, including external resources mobilised for projects, shall be deposited in a single Treasury account held with the BEAC. However, the Minister responsible for finance may authorise the opening of accounts: e within the national territory, at commercial banks situated in localities not served by BEAC branches: + abroad, at financial institutions authorised by the Minister responsible for finance. Article 65: Funds belonging to the Public Treasury are exempt from attachment. Article 66: The conversion of public debt may only be carried out in accordance with the authorisations granted by a Finance Act.

National regulations lay down the conditions under which government debt securities that have been damaged, lost or stolen may be declared invalid, replaced or reimbursed. Article 67: Treasury correspondents are the organisations and individuals who, either pursuant to laws and regulations or under agreements, deposit, on a mandatory or voluntary basis, funds with the Public Treasury or are authorised to carry out revenue and expenditure transactions through its accountants. The Minister responsible for finance shall lay down the conditions for the opening, operation and closure of accounts held in the name of correspondents, as well as the rate and method of payment of any interest that may be allocated to them. Unless authorised by the Minister responsible for finance, only one account may be opened per correspondent. Accounts opened in the name of correspondents may not be in debit. Chapter 4: SUPPORTING DOCUMENTATION FOR TRANSACTIONS Article 68: Revenue, expenditure, cash management and financing transactions, as described in Chapters 1 to 3 of Title II of this Directive, must be supported by the set out in a schedule drawn up by order of the Minister responsible for finance, following the opinion of the Court of Auditors. Article 69: The supporting documents for revenue, expenditure, cash management and financing transactions submitted in support of the accounts forwarded to the Court of Auditors shall be kept at its disposal for the entire duration of its investigations. Where they are retained by public accountants, the supporting documents for the transactions referred to in the preceding paragraph may not be destroyed before the relevant accounts have been examined or before the limitation period applicable to the transaction has expired. Supporting documents must be retained for ten years from the first day of the year following that in which the accounts are submitted to the Court of Auditors. This period may be extended by national regulations. Article 70: In the event of the loss, theft, destruction or damage of supporting documents submitted to accountants, the latter shall draw up a certificate of loss and forward it to the senior accountant, who may authorise the subordinate accountant to arrange for the replacement of the documents in the form of duplicates.

TITLE III: GOVERNMENT ACCOUNTING Chapter 1: PURPOSE AND SCOPE OF GOVERNMENT ACCOUNTING Article 71: The purpose of government accounting is to record and monitor transactions, as well as to provide information to the supervisory and management authorities. To this end, it is organised to enable: + the monitoring and control of budgetary transactions, cash management transactions and financing operations;

. an understanding of the state of assets and adjustment entries; . an analysis of the costs of the various measures undertaken under the programmes; . the determination of annual results: and the incorporation of transactions into the national economic accounts. Chapter 2: CONTENT OF THE STATE'S ACCOUNTS Article 72: The State's accounts comprise budgetary accounts and general accounts . The State also maintains accounts for analysing the costs of the various activities undertaken within the framework of the programmes, and accounts for materials, assets and securities. Section 1: Budgetary accounts Article 73: The purpose of budgetary accounting is to record, for the financial year in question, the transactions relating to the implementation of the State budget in terms of revenue and expenditure, in accordance with the budget classification for presentation and voting. It enables the monitoring of settlements, issues, recognition of revenue, recoveries and amounts outstanding in respect of revenue, on the one hand, and commitments, settlements, authorisations, payments and amounts outstanding in respect of expenditure, on the other. The budgetary accounts show a net result corresponding to the difference between revenue received and expenditure paid out from the general budget and the special accounts for the year in question. Article 74: The budgetary accounts are updated during the administrative phase by the authorising officers and during the accounting phase by the public accountants responsible for revenue and expenditure transactions. They must provide a picture of the budget implementation by ministry and by programme. The budgetary accounts are kept on a single-entry basis. The period covered by the budgetary accounts is the financial year corresponding to the calendar year. However, budgetary expenditure committed and authorised during the financial year may be paid after the end of that financial year, during an additional period the duration of which may not exceed thirty days. Furthermore, where an amending Finance Act is enacted during the last month of the calendar year, the revenue and expenditure transactions provided for therein may be carried out during this additional period. Article 75: The accounts generated by the budgetary accounting system consist of the administrative accounts drawn up by the authorising officers and consolidated by the Minister responsible for finance, supported by statements of budgetary revenue and statements of of budgetary expenditure drawn up by the chief accountants and consolidated by the Central Treasury Accountant or the competent senior accountant.

Section 2: General Government Accounts Article 76: The organisation of the general accounts of the State is based on the following principles: 'the decentralisation of the general accounts, with a view to bringing them closer to the transaction and to the authorising officers and their managing departments; the recording in the State's balance sheet of all operational flows relating to non-financial assets, liabilities and receivables, with a view to providing an overview of public assets and thereby of the State's ability to meet its commitments. Article 77: The purpose of the State's general accounts is to describe the State's assets and their development. They are based on the principle of recognising rights and obligations. Transactions are recognised in the financial year to which they relate, irrespective of their date of payment or receipt. It is maintained on a double-entry basis in accordance with the general chart of accounts . The rules applicable to the State's general accounts are based on internationally recognised accounting standards. Public accountants are responsible for maintaining and preparing the State's accounts in accordance with the principles and rules of the accounting profession. In particular, they ensure that accounting entries are accurate and that procedures are followed. Article 78: The general balance sheet is drawn up quarterly under the responsibility of the Minister responsible for finance. At the end of each year, the General Account of the State comprises the general balance sheet of the State's accounts and the financial statements, in particular: e the balance sheet; e the profit and loss account; e the cash flow statement; e the supplementary statement in accordance with the conditions set out in the directive on the State's chart of accounts. The General Account of the State is submitted to the Court of Auditors in support of the draft Finance Act, which is forwarded to it annually. The Court of Auditors certifies that the financial statements are in order, true and fair, and give a true and fair view of the State's financial position. Section 3: Accounting for materials, assets and securities Article 79: The accounting for materials, assets and securities is a system of permanent inventory accounting designed to describe existing assets, movable and immovable property, stocks and inactive assets other than cash and administrative records belonging to the State and other public bodies.

It enables the receipt, recording, tracking and monitoring – in terms of both quantity and quality – of the various items possessing physical and material properties. The accounts for materials, assets and securities are subsidiary accounts kept either in single-entry or double-entry format. They record the current holdings and all incoming and outgoing movements relating to: ‘intangible and tangible fixed assets; ‘stocks of goods and supplies; . registered, bearer or order securities, and various assets belonging to or entrusted to the State, as well as items placed in its custody; e forms, securities, tickets and stickers intended for issue or sale. Inventories and statements of use shall be drawn up on fixed dates and on the occasion of audits carried out by the authorised bodies. Article 80: Tangible and intangible assets acquired prior to the date of entry into force of this Directive shall be inventoried, registered, valued and recorded in the books in accordance with the procedures, methods and techniques to be defined in a harmonised framework for use by the Member States of the Central African Economic and Monetary Community. New acquisitions shall be recorded as and when certificates are issued by the authorising officers and as the accountants allocate them to the appropriate accounts. Periodic cross-checks shall be carried out between the data in the inventory accounts and those in the general government accounts. Article 81: The inventory accounts shall be maintained by staff authorised by the authorising officer. These staff members are responsible for the movements they authorise in respect of assets. The organisation and accounting system applicable to inventory accounting are defined by national regulations. Section 4: Cost Analysis Accounting Article 82: The purpose of cost analysis accounting is to identify the cost components of actions undertaken as part of programmes for the implementation of public policies . It enables the justifying of the appropriations essential for carrying out these actions and highlights the elements necessary for measuring performance within the programmes. Finally, it is intended to provide comparative data across different geographical areas and over time and, where appropriate, between different administrative bodies. TITLE IV: CONTROL OF BUDGET IMPLEMENTATION Chapter 1: CONTROL Article 83: Without prejudice to the powers of Parliament, the implementation of the State budget is subject to dual oversight: administrative and judicial.

Section 1: Administrative Oversight Article 84: Administrative oversight is the oversight exercised by the administration over its officials, including ex ante, concurrent and ex post internal oversight. It is exercised by the internal oversight bodies . Administrative control is exercised either in the form of hierarchical control or in the form of functional control through specialised control bodies and organs. Article 85: Ex-ante controls carried out by financial controllers relate to budgetary transactions. All acts of authorising officers involving the commitment of expenditure, in particular public procurement contracts, orders, measures or decisions issued by an authorising officer, are subject to the prior approval of the Financial Controller. These acts are examined with regard to the allocation of the expenditure, the availability of appropriations, the application of financial provisions, laws and regulations, their compliance with parliamentary authorisations, and the consequences that the proposed measures may have on public finances. Article 86: The Financial Controller may, under the conditions laid down by decree, adapt the procedures for carrying out his controls, having regard to the quality and effectiveness of the internal control and management control implemented by the authorising officer. These procedures shall take account of the risks associated with each category of expenditure. Article 87: The Financial Controller or his delegate shall keep accounts of expenditure committed, in order to monitor the utilisation of appropriations and determine whether or not sufficient appropriations are available for new expenditure commitments. Article 88: Ex-post controls, whether unannounced or otherwise, and whether based on documents or carried out on the spot, shall be conducted on the transactions of authorising officers and accounting officers. The purpose of these audits is to verify the correct application of the rules laid down in the directives relating to the Finance Acts and the General Regulations on Public Accounts. They are carried out by the inspectorates and bodies responsible for ex-post internal audit. The ex-post internal control bodies are responsible, in particular, on behalf of and for the account of the Government, for monitoring the sound management of public funds across all public administrations as well as in any private body receiving public funds. They carry out their inspection, verification and audit tasks, conduct their investigations and draw up their reports in accordance with the legislation governing them and with current international standards. They also assess the quality of the management, organisation and operation of public administrations, as well as the economy, efficiency and effectiveness of the management of public funds, and make any recommendations in this regard. They also assess the results and performance of programmes in the light of the objectives set, the resources made available, the resources used and the organisation of the authorising officers' departments. The reports of the ex-post audit bodies shall be forwarded to the Minister responsible for finance, after the official(s) concerned have had the opportunity to examine them and to submit, in writing, their comments on the draft report.

Once finalised, these reports are forwarded to Parliament and the Court of Auditors by the Minister for Finance, who may also make them public. Article 89: Sectoral ministries are required to establish internal control and audit mechanisms enabling them to ensure the legality and security of the use of their appropriations as well as the economy, effectiveness and efficiency of the management of their expenditure. Section 2: The responsibilities of the Financial Controller Article 90: The Financial Controller is personally responsible for checks relating to the availability of appropriations, the verification of prices against the current price list and, with regard to the validity of the claim, the accuracy of the calculations for the settlement of expenditure. If the proposed measures appear to him to be marred by irregularities in the light of the foregoing provisions, the Financial Controller shall refuse to give his approval. In the event of a persistent disagreement, he shall refer the matter to the Minister responsible for finance. The refusal to endorse may only be overridden with the written authorisation of the Minister responsible for finance. In such cases, the responsibility of the Minister of Finance shall take the place of that of the Financial Controller. The authorisation from the Minister of Finance shall be attached to the payment file sent to the Public Accountant, and a copy shall be immediately forwarded to the Court of Auditors. Chapter 2: JUDICIAL REVIEW Article 91: Each year, the Court of Auditors shall be provided with all information and documents from the departments responsible for implementing the Finance Acts, in particular the management accounts of public accountants, accompanied by supporting documents. The Minister responsible for finance shall send it, every quarter, a statement of the implementation of the State's revenue and expenditure. It shall be kept regularly informed of the conditions for the application of Article 61 of the Organic Directive on Finance Acts concerning the control of expenditure commitments. It may request the provision of any information or documents from the departments responsible for the implementation of the budgets of public authorities other than the State. It may carry out any investigation, based on documents or on-site, of any legal person, whether public or private, receiving public funds. Any person, in the course of their duties, is required to provide the Court of Auditors with any document or information it requests and to comply with any summons it deems necessary pursuant to this Directive. Any act of obstructing, in any way whatsoever, the exercise of these powers shall be punishable by a fine, in accordance with the conditions laid down by national legislation. Under no circumstances may confidentiality be invoked to refuse to provide the Court with any document or information it requests. Any person questioned by the Court of Auditors is released from professional secrecy. The Court of Auditors shall take all necessary measures to ensure the confidentiality of its investigations. Article 92: The Court of Auditors shall submit to Parliament the opinions, findings and reports containing the analyses and recommendations it makes in the course of its duties. The President of the Court of Auditors may decide to make some of these opinions, findings and reports public.

Article 93: The report which the Court of Auditors submits to Parliament on the draft appropriation bill shall include, in particular, an assessment of the conformity of the implemented budget with the approved budget. The Court of Auditors certifies the regularity, accuracy and fairness of the financial statements. It assesses the overall budgetary management and results, as well as the reports on programme implementation. Finally, the Court of Auditors may issue opinions and recommendations on the management of ministries and, where appropriate, on their programmes. PART THREE: NATIONAL PUBLIC BODIES OF AN ADMINISTRATIVE NATURE TITLE |: AUTHORISING OFFICERS AND ACCOUNTANTS Chapter 1: AUTHORISING OFFICERS Article 94: The directors of national public bodies of an administrative nature shall be the principal authorising officers for the budgets and programmes of their bodies. Secondary authorising officers may be appointed in accordance with the procedures laid down in the legislation governing the bodies. Subject to the provisions of paragraph 2 of Article 96 below, the authorising officer may, in writing and on his own responsibility, instruct the accounting officer to make a payment where the latter has suspended payment of the expenditure. Chapter 2: Accountants Article 95: The accounting officers of national public bodies of an administrative nature shall be chief accountants. Deputy accountants may be appointed in accordance with the procedures laid down in the legislation governing the bodies. The authorised representatives of the accounting officer and the deputy accounting officer must be approved by the authorising officers. The accounting officer shall attend meetings of the Board of Directors of the institution in an advisory capacity. Article 96: Where, pursuant to Article 94 above, the authorising officer has instructed the accounting officer to make a payment, the latter shall comply with the instruction and report to the Minister responsible for finance. In such cases, the authorising officer’s liability shall take the place of that of the accounting officer. The payment order shall be forwarded to the Court of Auditors by the Minister responsible for finance. Notwithstanding the provisions of the first paragraph above, the accounting officer must refuse to comply with the payment order where the suspension of payment is justified by: the unavailability of funds; . the absence of proof of service rendered; . the fact that the payment does not constitute full discharge of liability; - a lack of available funds; . the absence of the financial controller’s endorsement where such endorsement is mandatory.

In the event of a refusal to approve the request, the accounting officer shall immediately report the matter to the Minister responsible for finance. TITLE II: TRANSACTIONS Article 97: Revenue, expenditure, cash management and financing transactions shall be authorised by the board of directors or the decision-making body of the institution. Chapter 1: Revenue Transactions Article 98: Revenue is settled by the authorising officer in accordance with the legislative and regulatory provisions in force. Article 99: Revenue vouchers shall be drawn up by the authorising officer and submitted, together with the supporting documents, to the accounting officer, who shall record them and notify the parties liable for payment. Article 100: The accounting officer shall ensure the collection of revenue in accordance with the collection procedures laid down by national legislation. Chapter 2: EXPENDITURE OPERATIONS Article 101: The authorising officer alone is empowered to commit, settle and authorise the institution’s expenditure within the limits of the authorised appropriations. Article 102: Expenditure orders issued by the authorising officer shall be forwarded, together with the supporting documents, to the accounting officer, who shall record them and arrange for their payment. Chapter 3: Cash Management and Financing Operations Article 103: The public institution’s funds shall be deposited with the public treasury accountant or in an account opened with the BEAC, subject to authorisation by the Minister responsible for finance. Chapter 4: SUPPORTING DOCUMENTATION FOR TRANSACTIONS Article 104: The list of supporting documents for revenue and expenditure transactions shall be set out in general schedules established by the Minister responsible for finance. In the event of the loss, destruction or theft of supporting documents submitted to the accounting officer, the Minister of Finance may authorise the latter to arrange for their reimbursement. TITLE III: ACCOUNTING Chapter 1: BUDGETARY ACCOUNTING Article 105: The budgetary accounts of public bodies of an administrative nature shall be recorded, at the administrative stage, by the authorising officers and, at the accounting stage, by the public accountants responsible for revenue and expenditure transactions. Article 106: The accounts generated by the budgetary accounting of public administrative bodies consist of the administrative accounts drawn up by the authorising officer.

The administrative account is signed by the authorising officer, who approves the amounts of the expenditure and revenue orders processed by the accounting officer. Chapter 2: GENERAL ACCOUNTING Article 107: The accounting officer shall maintain the general accounts of the institution. The institution's accounting framework is based on the State's chart of accounts. It is drawn up by the authorising officer and the accounting officer and submitted for approval to the Minister responsible for finance and the national authorities responsible for accounting standards in public administrations. Article 108: At the end of each financial year, the accounting officer shall prepare the institution's management accounts for the past financial year. These management accounts shall comprise: . the balance sheet; + a breakdown of budgetary expenditure and revenue: 'the institution's financial statements, comprising the balance sheet, the profit and loss account, the cash flow statement, the notes to the accounts and the balance sheet for dormant assets' . Article 109: The administrative account and the management account drawn up by the accounting officer are subject to approval by the board of directors in accordance with the conditions laid down by national regulations governing such institutions. The approved accounts are forwarded to the Court of Auditors for assessment. TITLE IV: AUDIT Article 110: Accounting officers are subject to the administrative and judicial audits provided for by national legislation or regulations. PART FOUR: TRANSITIONAL AND FINAL PROVISIONS Article 111: The provisions of this Directive shall be transposed into the national law of the Member States within twenty-four months of its adoption by the Central African Economic and Monetary Community. At the end of this period, the requirements of the Directive shall be effectively applied by the Member States, with the exception of the following provisions, the effective application of which may be deferred until the end of a period of eight years: 'the decentralisation of the function of chief authorising officer provided for in Article 9 of this Directive; . the gradual extension of the Treasury's accounting function to the sectoral ministry in accordance with Article 76 of this Directive;

. the full application of the rules and procedures arising from the accrual principle governing general accounting, as defined in Article 77 of this Directive; e) the implementation of cost accounting (Article 72); - The Court of Auditors' report on the certification of the financial statements and the adjustment of audits (Articles 78 and 86). Furthermore, Member States which so wish shall have an additional period of two (2) years for the full implementation of the rules and procedures referred to in the third indent of this Article. During the period specified above, the national rules currently in force shall continue to apply to matters relating to the provisions set out above, the application of which has been deferred. The Court of Auditors shall, during this period, continue to assess the conformity of the General State Accounts with the management accounts of the principal public accountants and the administrative accounts of the principal authorising officers. Article 112: Member States shall submit to the CEMAC Commission, for its opinion, the draft national text transposing the provisions of this Directive prior to its adoption. They shall then forward to the Commission the text of the provisions of domestic law adopted in the matters governed by this Directive. The provisions of domestic law must cite this Directive. Article 113: Subject to the provisions of Article 111 above, this Directive repeals all previous provisions to the contrary, in particular Directive No. 02/08-UFAC-190- CM-17 on the General Regulations on Public Accounts of 20 June 2008. Article 114: This Directive, which shall enter into force on the date of its signature, shall be published in the Official Bulletin of the Community and, at the discretion of the national authorities, in the Official Journals of the Member States. BRAZZAVILLE, 19 DEC 2011 THE PRESIDENT Pierre USSA