

TOM 5:
REGULATION FOR THE CO-
PROPRIETORSHIP ON THE LAYOUT
IN MBUNG RESETTLEMENT SITE

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A. PREAMBLE

The co-proprietorship regulation of the resettlement layout of the gradual upgrading operation of the Sisia quarter of Bamenda is established on the consideration of the various beneficiaries of a parcel on the site. This co- proprietorship regulation is a notarial act that is legally binding and taxable to the third party occupying a lot in the said layout.

The common parts for its smooth running are:

- the beneficiaries of the parcel;
- **The unit of co- proprietorship living in a building;**
- Certified Responsible manager etc.

The different components of a common part especially co- proprietors of the same building will create a union of co- proprietors in order to facilitate the management of their buildings. This Union will take into account all the proprietors concerned in the building and put in place management regulation applicable to all and opposing third parties.

The syndicate of the Purchaser- proprietors and co- proprietors of the operation of relocation of the development of the Quarter of Sisia is an Association declared under the regime of Associations in Cameroon.

Article 1: Constitution and denomination

It shall be established between the members of these statutes, a union governed by the law, called:

« SYNDICATE OF CO- PROPRIETORS OF A BUILDING AND PROPRIETORS OF NEW LAYOUTS».

Article 2: Subject

This syndicate's aim is to defend the subjects of the purchasers and proprietors of the residences and of the fitted lots, especially towards the population or responsible for the exploitation of lots and acquired lodgings.

The Union can go to court at the benefit of its members.

Article 3: Headquarters

The syndicate's seat is set at the level of the Bamenda City Council more specifically in the Bamenda 3 council.

It can be transferred to any other place by decision of the Board of Directors which must then inform all the members. For this, a syndicate's office can be created in each building or a lot.

Article 4: Duration

The duration of the trustee is undetermined.

Article 5: Access

In order to be part of the syndicate of coproprietors, it is necessary to:

- be a co- coproprietor or proprietor purchaser of a lot or parcel of the layout, or even of a lodging for buildings with collective lodgings;
- Subscribe to the Membership form;
- pay its annual dues;
- Accept the statutes and rules of the coproprietors

Article 6: Contribution

An annual fee must be paid by the members. Its amount is set by the General Assembly.

Article 7: Struck off

The quality of membership is lost by:

- Death;
- resignation which must be sent to the board of Directors;
- Non-payment of the annual dues within three months of its due date;
- Non-payment of specific calls for funds, within three months of its due date (see article 8).

Article 8: Ressources

The resources decided in the ordinary or extraordinary general meeting of the trustee include:

- The amount of the contributions;
- various in flows authorized by law (organization of so-called "lucrative" activities);
- Special requests for funds from members for specific actions (legal action, consultation with lawyers, notaries, experts, etc.).

Article 9: Board of Directors

The syndicate is governed by a board of directors of at least eight (8) members, including, if possible, at least one representative of each group of buildings in co-proprietorship or proprietors, elected for 2 years by the general assembly.

These members are eligible for a maximum of three mandates.

The Board of Directors elects:

- The President: representing the syndicate in all acts of civil life. He is qualified to go to court on behalf of the syndicate. He can be assisted by a Vice president.
- The Secretary: responsible for correspondence, communication with the members and the management of the archives. He writes the Minutes of meetings and assemblies. He keeps the syndicate's records. He ensures the execution of the formalities prescribed by the articles. He may be assisted by a Deputy Secretary.
- The Treasurer: responsible for holding the syndicate's accounts under his control. He makes all payments and receives, under the supervision of the President, all sums owed to the syndicate. He/she can only dispose of the reserve funds with the permission of the board of Directors. He keeps a regular account of all the transactions he/she carries out and reports to the annual general meeting which approves its management. He/she may be assisted by an assistant treasurer.

In case of vacancy, the Board of Directors provisionally provides for the replacement of its members until the next general assembly.

Article 10: Meeting of the Board of Directors

The Board of directors meets at least once every six months.

Decisions are made by simple majority.

The meetings are subject of a report circulated to all the members of the syndicate.

Article 11: Reimbursement of mission allowance

Any member of the syndicate's is entitled to reimbursement of the undertaken expenditure in carrying out missions defined by the Board of Directors, on the following bases:

- Travel costs (car, train or airplane): reimbursement on the basis of the land transport tariff at 10 FCFA per km, CAMRAIL 2nd class, travel by air class business and on presentation of proofs;

- Meal and hotel expenses: reimbursement on the basis of a consumption of less than 20,000 CFA at least the day and on presentation of proofs;
- Telephone costs: reimbursement on the basis of the actual costs and on presentation of proofs.

Article 12: Ordinary General Assembly

The General Assembly meets annually. It includes all current members up to date with membership fee. At least fifteen days before the scheduled date, the members of the syndicate shall be summoned by the secretary. The agenda shall be mentioned on the invitation.

Decisions are made by simple majority of the Members present or represented (use of mandates: each member may hold only a maximum of three mandates).

Decisions are taken by hand or secret ballot.

- The President, assisted by the members of the Council, presides over the assembly and sets out the syndicate's legal situation.
- The Treasurer shall report on its management and submit the balance sheet to the assembly for approval. An auditor appointed by the members at the general assembly may review the accounts. He will report on his phase to the Assembly.
- The Assembly shall elect every two years the members of the syndicate's board of directors.

Minutes of the meeting shall be prepared by the Secretary and signed by the president.

Article 13: Extraordinary General Assembly

The extraordinary general Assembly is competent to amend the statutes, decide the dissolution or melting of the syndicate. It shall be called by the President in accordance with the terms of article 12.

It also meets at the request of at least one third of the members or at the request of the Board of Directors.

In the case of an exceptional situation which may condition the syndicate's existence (dissolution, amendments to the statutes), decisions shall be taken by a majority of 2/3 of the Members present or represented (use of the terms of reference). Each member can hold only a maximum of three mandates.

Decisions are taken by hand or secret ballot. A meeting minute is drawn up. The President and the Secretary-sign it

Article 14: Rules of Procedure

The Board of directors may decide on the establishment of the rules of Procedure which will be submitted for approval to the General Assembly.

When it exists, all members of the syndicate must abide.

Article 15: Dissolution

The dissolution is pronounced by the extraordinary General Assembly, which appoints a liquidator. The assets will be vested in accordance with the laws in force on the associations, to a syndicate pursuing an identical purpose.

Bamenda, the

THE PRESIDENT

THE SECRETARY