



**OBSERVATOIRE AFRICAIN DE LA PRATIQUE DES AFFAIRES**  
**AFRICAN BUSINESS CLIMATE SURVEY**  
 Indice du climat des Affaires  
**Business Climate Index**

Récépissé N° 00001211 /RDA/J06/SAAJP/BAPP du 13/10/2016

## OHADA SERVING THE ECONOMY AND BUSINESSES: EFFICACY AND COMPETITIVENESS



### TRAINING PROGRAMS

	TRAINING MODULES	CONTENTS	TARGET	SPECIFIC MODULES
1.	Generalities on OHADA (Treaty)	<ul style="list-style-type: none"> <li>• Genesis</li> <li>• Spirit</li> <li>• Objectives</li> <li>• Methods</li> <li>• Community Law</li> <li>• Scope</li> <li>• Organs</li> <li>• Uniform Acts (existing Acts but also those that are still in preparation including their characteristics)</li> </ul>	<ul style="list-style-type: none"> <li>a) Judges</li> <li>b) Court registrars</li> <li>c) Lawyer and commercial agents Sheriffs – Bailiffs</li> <li>d) Notaries</li> <li>e) Corporate lawyers/In-house Lawyers</li> <li>f) Financial lawyers</li> <li>g) Administrators</li> <li>h) Judicial Experts</li> <li>i) Businessmen</li> </ul>	No entry



2.	General Commercial Law and Law of Commercial Activities / Commercial undertakings	<ul style="list-style-type: none"> <li>• Status of trader small scale entrepreneur</li> <li>• Small scale entrepreneur (farmers, fishermen, trader)</li> <li>• The Trade and Personal Property Register</li> <li>• Commercial lease</li> <li>• Goodwill</li> <li>• Commercial Sale of Goods</li> <li>• Intermediaries</li> <li>• Digitalisation and simplification of procedures</li> <li>• Electronic Commerce Contracts</li> <li>• Electronic Payment systems</li> </ul>	<ol style="list-style-type: none"> <li>a) Magistrats</li> <li>b) Court registrars</li> <li>c) Lawyers and commercial agents</li> <li>d) Sheriffs bailiffs</li> <li>e) Notaries</li> <li>f) Corporate lawyers</li> <li>g) Financial lawyers</li> <li>h) Administrators</li> <li>i) Judicial Experts</li> <li>j) Businessmen</li> </ol>	<p>14. The Trade and Personal Property Register in practice <b>Court registrars</b></p>
3.	Law of Simplified Recovery Procedures and Enforcement Measures	<ul style="list-style-type: none"> <li>• Injunction to pay</li> <li>• Restitution of Personal Property</li> <li>• Sequestration</li> <li>• Attachment and Sale Garnishee Proceedings</li> </ul>	<ol style="list-style-type: none"> <li>a) Court registrars</li> <li>b) Lawyers and Commercial agents</li> <li>c) Sheriffs –Bailiffs</li> <li>d) Businessmen Corporate lawyers/ In-house lawyers</li> </ol>	<p>15. Seizure of revenue, promissory notes and bank accounts in practice <b>Financial lawyers and court clerks</b></p> <p>16. Attachment of tangible property in practice <b>Notaries</b></p>





4.	Law of Commercial Companies And Economic Interest Groups	<ul style="list-style-type: none"> <li>• Formation of Companies</li> <li>• Types of Commercial companies (Private Companies, companies with shares, Dual companies)</li> <li>• Forms of companies</li> <li>• Private companies</li> <li>• Public Limited companies (with a Board of Directors/MD)</li> <li>• Private Limited Companies</li> <li>• Public Limited Company with sole shareholder</li> <li>• Economic Interest Group</li> <li>• Groups of companies</li> <li>• Joint ventures and holdings</li> <li>• Distribution channels</li> <li>• Company Management</li> </ul>	<ul style="list-style-type: none"> <li>a) Judges</li> <li>b) Court registrars</li> <li>c) Lawyers and commercial agents</li> <li>d) Sheriffs bailiffs</li> <li>e) Notaries</li> <li>f) Corporate lawyers</li> <li>g) Financial lawyers</li> <li>h) Administrators</li> <li>i) Judicial Experts</li> <li>j) Businessmen</li> </ul>	<p>17. Formation of Companies in Practice <b>Notaries</b></p> <p>18. Public calls for capital <b>Corporate Lawyers</b> <b>Financial Lawyers</b></p> <p>19. Forms of Companies and their characteristics <b>Businessmen</b></p>
5.	Law of Securities	<ul style="list-style-type: none"> <li>• Personal securities (Surety bonds and autonomous guarantee)</li> <li>• Valuable securities (Mortgages, Pledges, collaterals and liens)</li> </ul>	<ul style="list-style-type: none"> <li>a) Judges</li> <li>b) Court registrars</li> <li>c) Lawyers and commercial agents</li> <li>d) Financial lawyers Businessmen</li> </ul>	<p>20. Banking securities as per the OHADA Law of Guaranties <b>Financial lawyers</b></p>





6.	Accounting law	<ul style="list-style-type: none"> <li>• Accounting organisation</li> <li>• Legal aspects of accounting (Principles, duty to keep a logbook, accounting penal law)</li> <li>• Accounting practice (Accounts, Accounting documents)</li> <li>• Personal Accounts</li> <li>• Annual balance sheets</li> <li>• Accounts audits</li> <li>• Consolidated accounts</li> </ul>	<ol style="list-style-type: none"> <li>a) Court registrars</li> <li>b) Judges</li> <li>c) Lawyers and commercial agents</li> <li>d) Sheriffs-Bailiffs</li> <li>e) Notaries</li> <li>f) Corporate lawyers</li> <li>g) Financial lawyers</li> <li>h) Administrators</li> <li>i) Judicial Experts Businessmen</li> </ol>	No entry
7.	Collective proceedings For Clearings of Debts	<ul style="list-style-type: none"> <li>• Bankruptcy trustees</li> <li>• Preventive settlement (composition with creditors, conciliation)</li> <li>• Judicial redress</li> <li>• Receivership and liquidation</li> <li>• Forms and templates</li> </ul>	<ol style="list-style-type: none"> <li>a) Administrators</li> <li>b) Judges</li> <li>c) Lawyers and commercial agents</li> <li>d) Corporate lawyers</li> <li>e) Financial lawyers</li> <li>f) Judicial Experts Businessmen</li> </ol>	21. Rights and Duties of liquidators





8.	Arbitration law	<ul style="list-style-type: none"> <li>• Arbitration and court system</li> <li>• Who is an arbitrator?</li> <li>• Arbitration organ</li> <li>• Arbitral judgment</li> <li>• Appeals</li> <li>• Arbitration at the OHADA Common Court of Justice and arbitration</li> </ul>	<ul style="list-style-type: none"> <li>a) Businessmen</li> <li>b) Lawyers and commercial agents</li> <li>c) Judges</li> <li>d) Corporate lawyers</li> <li>e) Financial lawyers</li> </ul>	No entry
9.	Law of Carriage of Goods by Road	<ul style="list-style-type: none"> <li>• Formation of contract</li> <li>• Contract Performance</li> <li>Duties of carriers, Sellers, and buyers</li> </ul>	<ul style="list-style-type: none"> <li>a) Businessmen</li> <li>b) Lawyers and commercial agents</li> <li>c) Judges</li> <li>d) Corporate lawyers</li> <li>Financial lawyers</li> </ul>	22. Protection and securisation of goods under OHADA <b>Businessmen</b>
10.	Law of Coopérative Compagnies	<ul style="list-style-type: none"> <li>• Formation of cooperative companies</li> <li>• The Cooperative Spirit</li> <li>• The functioning of Cooperative companies</li> <li>• Simplified Cooperative companies</li> <li>Cooperative companies with a Board of Directors</li> </ul>	<ul style="list-style-type: none"> <li>a) Business men</li> <li>b) Lawyers and commercial agents</li> <li>c) Judges</li> <li>d) Corporate lawyers</li> <li>Financial lawyers</li> </ul>	23. Formation of Cooperative companies in Practice <b>Dealers in the informal sector</b>





11.	Business- related Criminal Law	<ul style="list-style-type: none"> <li>• Corporate governance and ethics</li> <li>• Commercial activities, Commercial companies, Economic Interest Groups and Cooperative companies related Offences</li> <li>• Collective procedures related Offences</li> <li>• Enforcement of judgments and Accounting related Offences</li> </ul>	<ul style="list-style-type: none"> <li>a) Businessmen</li> <li>b) Lawyers andn commercial agents</li> <li>c) Judges</li> <li>d) Corporate lawyers</li> <li>Financial lawyers</li> </ul>	No entry
12.	Corporate Tax Law	<ul style="list-style-type: none"> <li>• Basic principles of corporate tax</li> <li>• Finance Law and corporate governance</li> <li>• Tax redress</li> </ul>	<ul style="list-style-type: none"> <li>a) Businessmen</li> <li>b) Lawyers and commercial agents</li> <li>c) Corporate lawyers</li> <li>d) Chartered accountants</li> <li>e) Auditors</li> </ul>	24. Specificities of corporate tax management rules <b>Businessmen (TP and SMEs)</b>
13.	Investment Financing Law	<ul style="list-style-type: none"> <li>• Forms of investment financing</li> <li>• Financing contracts: Forms and samples</li> </ul>	<ul style="list-style-type: none"> <li>• Businessmen</li> <li>• Lawyers and commercial agents</li> <li>Corporate lawyers</li> </ul>	On demand



Forms can be downloaded from [www.oapa-abcs.org](http://www.oapa-abcs.org)

