

Part IV

GENERAL TEXTS

Constitution of the Republic of Cameroon as in force from 18 January 1996 (includes all amendments up to November 2011)

Law No. 96-06 of 18 January 1996 to Amend the Constitution of 2 June 1972

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Law No. 96-06 of 18 January 1996 to Amend the Constitution of 2 June 1972

The National Assembly has deliberated and adopted;
The President of the Republic hereby enacts the law set out below:
CONSTITUTION of the Republic of Cameroon

Preamble

We, the people of Cameroon,
Proud of our linguistic and cultural diversity, an enriching feature of our national identity, but profoundly aware of the imperative need to further consolidate our unity, solemnly declare that we constitute one and the same Nation, bound by the same destiny, and assert our firm determination to build the Cameroonian Fatherland on the basis of the ideals of fraternity, justice and progress;

Jealous of our hard-won independence and resolved to preserve same;

Convinced that the salvation of Africa lies in forging ever-growing bonds of solidarity among African Peoples, affirm our desire to contribute to the advent of a united and free Africa, while maintaining peaceful and brotherly relations with the other nations of the World, in accordance with the principles enshrined in the Charter of the United Nations;

Resolved to harness our natural resources in order to ensure the well-being of every citizen without discrimination, by raising living standards, proclaim our right to development as well as our determination to devote all our efforts to that end and declare our readiness to co-operate with all States desirous of participating in this national endeavour with due respect for our sovereignty and the independence of the Cameroonian State.

We, the people of Cameroon, Declare that the human person, without distinction as to race, religion, sex or belief, possesses inalienable and sacred rights;

Affirm our attachment to the fundamental freedoms enshrined in the Universal Declaration of Human Rights, the Charter of United Nations and the African Charter on Human and Peoples' Rights, and all duly ratified international conventions relating thereto, in particular, to the following principles:

- 1) all persons shall have equal rights and obligations. The State shall provide all its citizens with the conditions necessary for their development;
- 2) the State shall ensure the protection of minorities and shall preserve the rights of indigenous populations in accordance with the law;
- 3) freedom and security shall be guaranteed each individual, subject to respect for the rights of others and the higher interests of the State;
- 4) every person shall have the right to settle in any place and to move about freely,

- 5) subject to the statutory provisions concerning public law and order, security and tranquility;
- 6) the home is inviolate. No search may be conducted except by virtue of the law;
- 7) the privacy of all correspondence is inviolate. No interference may be allowed except by virtue of decisions emanating from the Judicial power;
- 8) no person may be compelled to do what the law does not prescribe;
- 9) no person may be prosecuted, arrested or detained except in the cases and according to the manner determined by law;
- 10) the law may not have retrospective effect. No person may be judged and punished, except by virtue of a law enacted and published before the offence was committed;
- 11) the law shall ensure the right of every person to a fair hearing before the courts;
- 12) every accused person is presumed innocent until found guilty during a hearing conducted in strict compliance with the rights of defence;
- 13) every person has a right to life, to physical and moral integrity and to humane treatment in all circumstances. Under no circumstances shall any person be subjected to torture, to cruel, inhumane or degrading treatment;
- 14) no person shall be harassed on grounds of his origin, religious, philosophical or political opinions or beliefs, subject to respect for public policy;
- 15) the state shall be secular. The neutrality and independence of the State in respect of all religions shall be guaranteed;
- 16) freedom of religion and worship shall be guaranteed;
- 17) the freedom of communication, of expression, of the press, of assembly, of association, and of trade unionism, as well as the right to strike shall be guaranteed under the conditions fixed by law;
- 18) the Nation shall protect and promote the family which is the natural foundation of human society. It shall protect women, the young, the elderly and the disabled;
- 19) the State shall guarantee the child's right to education. Primary education shall be compulsory. The organization and supervision of education at all levels shall be the bounden duty of the State;
- 20) (19) ownership shall mean the right guaranteed every person by law to use, enjoy and dispose of property. No person shall be deprived thereof, save for public purposes and subject to the payment of compensation under conditions determined by law;
- 21) the right of ownership may not be exercised in violation of the public interest or in such a way as to be prejudicial to the security, freedom, existence or property of other persons;
- 22) every person shall have a right to a healthy environment. The protection of the environment shall be the duty of every citizen. The State shall ensure the protection and improvement of the environment;
- 23) every person shall have the right and the obligation to work;
- 24) every person shall share in the burden of public expenditure according to his financial resources;
- 25) all citizens shall contribute to the defence of the Fatherland; (25) the State shall guarantee all citizens of either sex the rights and freedoms set forth in the Preamble of the Constitution.

PART I.
THE STATE AND SOVEREIGNTY

Article 1.

- 1) The United Republic of Cameroon shall, with effect from the date of entry into force of this law, be known as Republic of Cameroon (Law No 84-1 of 4 February 1984).
- 2) The Republic of Cameroon shall be a decentralized unitary State. It shall be one and indivisible, secular, democratic and dedicated to social service. It shall recognize and

protect traditional values that conform to democratic principles, human rights and the law. It shall ensure the equality of all citizens before the law.

- 3) (3)The Official languages of the Republic of Cameroon shall be English and French, both languages having the same status. The State shall guarantee the promotion of bilingualism throughout the country. It shall endeavour to protect and promote national languages.
- 4) Its motto shall be 'Peace – Work – Fatherland'.
- 5) Its flag shall be three equal vertical stripes of green, red and yellow charged with one gold star in the centre of the red stripe.
- 6) Its national anthem shall be 'O Cameroon, Cradle of our Forefathers'.
- 7) The seal of the Republic of Cameroon shall be a circular medallion in bas-relief, 46 millimetres in diameter, bearing on the obverse and in the centre the head of a girl in profile turned to the dexter towards a coffee branch with two leaves and flanked on the sinister by five cocoa pods, with the French words 'Republique du Cameroun' inscribed below the upper edge and the national motto 'Paix – Travail – Patrie' inscribed above the lower edge; on the reverse and in the center the coat of arms of the Republic of Cameroon, with the English words 'Republic of Cameroon' inscribed beneath the upper edge and the national motto 'Peace – Work – Fatherland' inscribed above the lower edge. The coat of arms of the Republic of Cameroon shall be an escutcheon surmounted chief by the legend 'Republic of Cameroon' and supported by two crossed fasces with the motto 'Peace – Work – Fatherland' base. The escutcheon shall be composed of a star on a field vent and triangle gules, charged with the geographical outline of Cameroon azure, and surcharged the sword and scales of justice sable.
- 8) The Capital of the Republic of Cameroon shall be Yaounde.

Article 2.

- 1) National sovereignty shall be vested in the people of Cameroon who shall exercise same either through the President of the Republic and Members of Parliament or by way of referendum. No section of the people or any individual shall arrogate to itself or to himself the exercise thereof.
- 2) The authorities responsible for the management of the state shall derive their powers from the people through election by direct or indirect universal suffrage, unless otherwise provided for in this Constitution.
- 3) (3)The vote shall be equal and secret, and every citizen aged twenty years and above shall be entitled to vote.

Article 3.

Political parties and groups shall help the electorate in the making of voting decisions. They shall be bound to respect the principles of democracy, national sovereignty and unity. They shall be formed and shall exercise their activities in accordance with the law.

Article 4.

State power shall be exercised by: The President of the Republic; Parliament.

PART II. **EXECUTIVE POWER**

CHAPTER 1. **THE PRESIDENT OF THE REPUBLIC**

Article 5.

- 1) The President of the Republic shall be the Head of State.
- 2) Elected by the whole Nation, he shall be the symbol of national unity. He shall define the policy of the Nation. He shall ensure respect for the Constitution. He

shall, through his arbitration, ensure the proper functioning of public authorities. He shall be the guarantor of the independence of the Nation and of its territorial integrity, of the permanency and continuity of the State and of the respect of international treaties and agreements.

Article 6.

- 1) The President of the Republic shall be elected by a majority of the votes cast through direct, equal and secret universal suffrage.
- 2) **(new)** The President of the Republic shall be elected for a term of office of 7 (seven) years. He shall be eligible for re-election.
- 3) (3)The election shall be held not less than 20 (twenty) days and not more than 50 (fifty) days before the expiry of the term of the President of the Republic in office.
- 4) (new) Where the office of President of the Republic becomes vacant as a result of death, resignation or permanent incapacity duly ascertained by the Constitutional Council, the polls for the election of the new President of the Republic must be held not less than 20 (twenty) days and not more than 120 (one hundred and twenty) days after the office becomes vacant.
- 5) The President of the Senate shall as of right act as interim President of the Republic until the new President of the Republic is elected. Where the President of the Senate is unable to exercise these powers, they shall be exercised by his Vice, following the order of precedence.
- 6) The interim President of the Republic – the President of the Senate or his Vice – may neither amend the Constitution nor the composition of the Government. He may not organize a referendum or run for the office of President of the Republic.
- 7) However, where the organization of the presidential election requires, the interim President of the Republic may, after consultation with the Constitutional Council, amend the composition of the government
- 8) Candidates for the office of President of the Republic must be Cameroonian by birth, enjoy their civic and political rights and must have attained the age of 35 (thirty-five) by the date of the election.
- 9) The conditions for electing the President of the Republic shall be laid down by law.

Article 7.

- 1) The President-elect shall assume office once he has been sworn in.
- 2) He shall take the oath of office before the Cameroonian people, in the presence of the members of Parliament, the Constitutional council and the Supreme Court meeting in solemn session. He shall be sworn in by the President of the National Assembly.
- 3) The wording of the oath and the procedure for implementing the provisions of paragraphs (1) and (2) above shall be laid down by law.
- 4) The office of President of the Republic shall be incompatible with any other elective public office or professional activity.

Article 8.

1. The President of the Republic shall represent the State in all acts of public life.
2. He shall be Head of the Armed Forces.
3. He shall ensure the internal and external security of the Republic.
4. He shall accredit ambassadors and envoys extraordinary to foreign powers. The ambassadors and envoys extraordinary of foreign powers shall be accredited to him.
5. The President of the Republic shall enact laws as provided for in Article 31 below.
6. The President of the Republic shall refer matters to the Constitutional Council under the conditions laid down by the Constitution.
7. He shall exercise the right of clemency, after consultation with the Higher Judicial

Council.

8. He shall exercise statutory authority.
9. (9)He shall set up and organize the administrative services of the State.
- 10.(10)He shall appoint to civil and military posts of the State.
- 11.(11)He shall confer the decorations and honorary distinctions of the Republic.
- 12.(12)The President of the Republic may, if necessary and after consultation with the Government, the Bureaux of the National Assembly and the Senate dissolve the National Assembly. The election of a new Assembly shall take place in accordance with the provisions of Article 15(4) below.

Article 9.

- 1) The President of the Republic may, where the circumstances so warrant, declare by decree a state of emergency which shall confer upon him such special powers as may be provided for by law.
- 2) In the event of a serious threat to the nation's territorial integrity or to its existence, its independence or institutions, the President of the Republic may declare a state of siege by decree and take any measures as he may deem necessary. He shall inform the Nation of his decision by message.

Article 10.

1. The President of the Republic shall appoint the Prime Minister and, on the proposal of the latter, the other members of Government. He shall define their duties. He shall terminate their appointment. He shall preside over the Council of Ministers.
2. The President of the Republic may delegate some of his powers to the Prime Minister, other members of Government and any other senior administrative officials of the State, within the framework of their respective duties.
3. Where the President of the Republic is temporarily unable to perform his duties, he shall delegate the Prime Minister and, should the latter also be unavailable, any other member of Government to discharge his duties within the framework of an express delegation of some of his powers.

CHAPTER 2. **THE GOVERNMENT**

Article 11.

The Government shall implement the policy of the Nation as defined by the President of the Republic. It shall be responsible to the National Assembly under the conditions and procedures provided for in Article 34 below.

Article 12.

1. The Prime Minister shall be the Head of Government and shall direct its action.
2. He shall be responsible for the enforcement of the laws.
3. He shall exercise statutory authority and appoint to civil posts, subject to the prerogatives of the President of the Republic in such areas.
4. He shall direct all the government services required for the accomplishment of his duties.
5. He may delegate some of his powers to members of Government and to senior State officials.

Article 13.

The office of member of Government and any office ranking as such shall be incompatible with that of Member of Parliament, Chairman of the Executive or Assembly of a local or regional authority, leader of a national professional association, or with any other employment or

professional activity.

PART III. **LEGISLATIVE POWER**

Article 14.

1. Legislative power shall be exercised by the Parliament which shall comprise 2 (two) Houses:
 - a. The National Assembly;
 - b. The Senate.
2. Parliament shall legislate and control Government action.
3. (New) Both Houses of Parliament shall meet on the same dates:
 - a. (New) in ordinary session during the months of March, June, and November each year, when convened by the Bureaux of the National Assembly and the Senate, after consultation with the President of the Republic;
 - b. in extraordinary session, at the request of the President of the Republic or of one-third of the members of both Houses. However, the Houses shall be convened simultaneously only if the business of the day concerns both of them.
4. The two Houses of Parliament shall meet in congress at the request of the President of the Republic in order to:
 - be addressed by or receive a message from the President of the Republic;
 - receive the oath of members of the Constitutional Council;
 - take a decision on a draft or proposed constitutional amendment.

When Parliament meets in congress, the Bureau of the National Assembly shall preside over the proceedings.

5. No person shall be member of both the National Assembly and the Senate.
6. The conditions for the election of members of the National Assembly and of the Senate, as well as the immunities, ineligibilities, incompatibilities, allowances and privileges of the members of Parliament shall be determined by law.

CHAPTER 1. **THE NATIONAL ASSEMBLY**

Article 15.

1. The National Assembly shall comprise 180 (one hundred and eighty) members elected by direct and secret universal suffrage for a five-year term of office. The number of members of the National Assembly may be modified by law.
2. Each member of the National Assembly shall represent the entire Nation.
3. Any imposed mandate shall be null and void.
4. (new) In case of serious crisis or where circumstances so warrant, the President the Republic may, after consultation with the President of the Constitutional Council and Bureaux of the National Assembly and the Senate, request the National Assembly to decide, by law, to extend or abridge its term of office. In this case, the election of a new Assembly shall take place not less than 40 (forty) days and not more than 120 (one hundred and twenty) days following the expiry of the extension or abridgement period.

Article 16.

1. At the beginning of each legislative year, the National Assembly shall meet as of right in ordinary session under the conditions laid down by law.
2. Each year, the National Assembly shall hold 3 (three) ordinary sessions, each lasting not more than 30 (thirty) days.
 - a. At the opening of its first ordinary session, the National Assembly shall elect its President and Bureau members.

- b. The National Assembly shall, during one of its sessions, adopt the State budget. Where such budget is not adopted before the end of the current financial year, the President of the Republic shall be empowered to extend the previous budget by one-twelfth until a new one is passed.
3. (3) The National Assembly shall meet in extraordinary session for not more than 15 (fifteen) days on a specific agenda and at the request of the President of the Republic or one-third of its members.

The extraordinary session shall wind up as soon as the agenda for which it was convened is exhausted.

Article 17.

1. Sittings of the National Assembly shall be public. Exceptionally, the National Assembly may hold sittings in camera at the request of the President of the Republic or of an absolute majority of its members.
2. The National Assembly shall, in a law, draw up its standing orders.

Article 18.

1. The agenda of the National Assembly shall be drawn up by the Chairmen's conference.
2. The Chairmen's conference shall be composed of Presidents of Parliamentary Groups, Chairmen of Committees and members of the Bureau of the National Assembly. A member of Government shall participate in the conference meeting.
3. Only bills falling within its area of jurisdiction by virtue of Article 26 below may be included in the agenda of the National Assembly.
 - a. All private members' bills and amendments which, if passed, would result in the reduction of public funds or in an increase of public charges without a corresponding reduction in other expenditure or the grant of equivalent new supply of funds, shall be inadmissible.
 - b. Any doubt or dispute on the admissibility of a bill shall be referred by the President of the Republic, the President of the National Assembly or by one-third
4. The agenda shall give priority, and in the order decided by the Government, to the considerations of the government bills and private members' bills accepted by it. The other private members' bills admitted by the Chairmen's conference shall be considered subsequently. Where a private members' bill has not been considered during two successive ordinary sessions, it shall automatically be considered at the very next ordinary session.
5. Any item on the agenda shall, at the request of the Government, be treated as a matter of urgency.

Article 19.

1. Laws shall be passed by a simple majority of the members of the National Assembly.
2. Bills submitted to the National Assembly for reconsideration by the Senate shall either be passed or rejected in accordance with Article 30 below. (3)The President of the Republic may, before enacting any law, ask for a second reading. In such case, bills shall be passed by an absolute majority of the members of the National Assembly.

CHAPTER 2. **THE SENATE**

Article 20.

- 1) The Senate shall represent the regional and local authorities.
- 2) Each region shall be represented in the Senate by 10 (ten) Senators of whom 7 (seven) shall be elected by indirect universal suffrage on a regional basis and 3 (three) appointed by the President of the Republic.
- 3) Candidates for the post of Senator and personalities appointed to the post of Senator by the President of the Republic must have attained the age of 40 (forty) by the date of

the election or appointment.

- 4) Senators shall serve a term of 5 (five) years.

Article 21.

- 1) At the beginning of each legislative year, the Senate shall meet as of right in ordinary session under the conditions laid down by law.
- 2) Each year, the Senate shall hold 3 (three) ordinary sessions, each lasting not more than 30 (thirty) days.
- 3) The Senate shall meet in extraordinary session for not more than 15 (fifteen) days on a specific agenda and at the request of the President of the Republic or of one-third of its members. The extraordinary session shall wind up as soon as the agenda for which it was convened is exhausted.

Article 22.

1. Sittings of the Senate shall be public. Exceptionally, the Senate may hold sittings in camera at the request of the President of the Republic or of an absolute majority of its members.
2. The Senate shall, in a law, draw up its standing orders.

Article 23.

- 1) The agenda of the Senate shall be drawn up by the Chairmen's conference.
- 2) The Chairmen's conference shall be composed of Presidents of Parliamentary Groups, Chairmen of Committees and members of the Bureau of the Senate.
- 3) A member of Government shall participate in the conference meeting.
- 4) Only bills falling within its area of jurisdiction by virtue of Article 26 below may be included in the agenda of Senate.
 - a. All private members' bills and amendments which, if passed, would result in the reduction of public funds or in an increase of public charges without a corresponding reduction in other expenditure or the grant of equivalent new supply of funds, shall be inadmissible.
 - b. Any doubt or dispute on the admissibility of a bill shall be referred by the President of the Republic, President of the Senate or one-third of the Senators to the Constitutional Council for a ruling.
- 5) The agenda shall give priority, and in the order decided by the Government, to the consideration of the government bills and private members' bills accepted by it. The other private members' bills admitted by the Chairmen's conference shall be considered subsequently.
- 6) Where a private members' bill has not been considered during two successive ordinary sessions, it shall automatically be considered at the very next ordinary session.
- 7) Any item on the agenda shall, at the request of the Government, be treated as a matter of urgency.

Article 24.

1. Laws shall be passed by a simple majority of the Senators.
2. The Senate may amend or reject all or part of a bill submitted to it for consideration, in accordance with Article 30 below.
3. The President of the Republic may, before enacting a law, ask for a second reading. In such case, bills shall be passed by an absolute majority of the Senators.

PART IV.

RELATIONS BETWEEN THE EXECUTIVE AND THE LEGISLATIVE POWERS

Article 25.

Bills may be tabled either by the President of the Republic or by members of Parliament.

Article 26.

1. Bills shall be passed by Parliament.
2. The following shall be reserved to the legislative power:
 - a. The fundamental rights, guarantees and obligations of the citizen:
 - 1) safeguarding individual freedom and security;
 - 2) the rules governing public freedoms;
 - 3) labour legislation, trade union legislation, rules governing social security and insurance;
 - 4) the duties and obligations of the citizen in respect of national defence requirements.
 - b. The status of persons and property Ownership system:
 - 1) nationality, status of person, matrimonial system, succession and gifts;
 - 2) rules governing civil and commercial obligations;
 - 3) movable and immovable property ownership system.
 - c. The political, administrative and judicial Organization:
 - 1) 1.rules governing election of the President of the Republic and elections into the National Assembly, the Senate, Regional and Local Bodies and referendum operations.
 - 2) rules governing associations and political parties;
 - 3) the organization, functioning, powers and resources of regional and local authorities;
 - 4) general rules governing the organization of national defence;
 - 5) judicial organization and the creation of various types of courts;
 - 6) the definition of felonies and misdemeanours and the institution of penalties of all kinds, criminal procedure, civil procedure, measures of execution, amnesty.
 - d. (d) The following financial and patrimonial matters:
 - 1) rules governing the issue of currency;
 - 2) the budget;
 - 3) the creation of duties and the determination of their basis of assessment, rates and methods of collection;
 - 4) land tenure, State lands and mining;
 - 5) natural resources.
 - e. Programming the objectives of economic and social action.
 - f. The system of education.

Article 27.

Matters not reserved to the legislative power shall come under the jurisdiction of the authority empowered to issue rules and regulations.

Article 28.

1. However, with regard to the subjects listed in Article 26 (2) above, Parliament may empower the President of the Republic to legislate by way of ordinances for a limited period and for given purposes.
2. Such ordinances shall enter into force on the date of their publication. They shall be tabled before the bureaux of the National Assembly and the Senate for purposes of ratification within the time limit laid down by the enabling law. They shall be of a statutory nature as long as they have not been ratified.
3. They shall remain in force as long as Parliament has not refused to ratify them.

Article 29.

1. Government bills and private members' bills shall be tabled at the same time before

the bureaux of the National Assembly and the Senate. They shall be studied by the appropriate committees prior to their being debated in plenary session.

2. The bill debated in plenary session shall be that tabled by the President of the Republic. The private members' bill debated in plenary session shall be the next tabled by its author or authors.
3. Such bills may be amended in the course of the debate.

Article 30.

1. A bill passed by the National Assembly shall be immediately forwarded to the President of the Senate by the President of the National Assembly.
2. The President of the Senate shall, upon receiving the bill forwarded by the President of the National Assembly, submit it to the Senate for consideration.
3. Within 10 (ten) days, with effect from the date of receipt of the bill or 5 (five) days for a bill declared urgent by the Government, the Senate may:
 - a. Pass the bill. In which case, the President of the Senate shall return the adopted bill to the President of the National Assembly who shall forward same within 48 (forty-eight) hours to the President of the Republic for enactment.
 - b. Amend the bill. Such amendment must be approved by a simple majority of the Senators. In which case, the amended bill shall be returned to the National Assembly by the President of the Senate for reconsideration. The amendment proposed by the Senate shall be passed or rejected by a simple majority of the members of the National Assembly. The final bill adopted shall be forwarded by the President of the National Assembly to the President of the Republic for enactment.
 - c. Reject all or part of the bill. Such rejection must be approved by an absolute majority of the senators. In which case, the rejected bill with reasons therefore shall be returned to the National Assembly by the President of the Senate for reconsideration.
4. The National Assembly shall, after deliberation, pass the bill by absolute majority of its members. The final bill adopted by the National Assembly shall be forwarded to the President of the Republic for enactment.
5. Where an absolute majority cannot be reached, the President of the Republic may convene a meeting of a joint commission comprising equal representation of both houses to propose a common formulation of the provisions rejected by the Senate. The text prepared for the joint Commission shall be submitted to both Houses by the President of the Republic for approval. No amendment shall be admissible, except with the approval of the President of Republic. Where the joint commission fails to agree on a common text, or where such text is not adopted by both Houses, the President of the Republic may: – Either request the National Assembly to take a final decision thereon; or – Declare the government bill or private members' bill null and void.

Article 31.

1. The President of the Republic shall enact laws passed by Parliament within 15 (fifteen) days of their being forwarded to him unless he requests a second reading or refers the matter to the Constitutional Council.
2. Upon the expiry of this deadline, and after establishing the failure of the President of the Republic to act, the President of the National Assembly may himself enact the law.
3. Laws shall be published in the Official Gazette of the Republic in English and French.

Article 32.

The President of the Republic may, at his request, address the National Assembly, the Senate or the two Houses meeting in congress. He may also send messages to them; but no such address or message may be debated in his presence.

Article 33.

The Prime Minister and the other members of Government shall have access to Parliament and may participate in its deliberations.

Article 34.

1. At the session during which the finance bill is considered, the Prime Minister shall present to the National Assembly the Government's economic, financial, social and cultural programme.
2. The Prime Minister may, after the deliberations of the Council of Ministers, commit the responsibility of the Government before the National Assembly on a programme or, as the case may be, on a general policy statement. Voting shall take place not less than 48 (forty-eight) hours after the vote of no confidence has been requested. A vote of no confidence shall be passed by an absolute majority of the members of the National Assembly. Only votes against a vote of confidence shall be counted.
3. The National Assembly may question the responsibility of the Government through a motion of censure. Such motion may be admissible only when it is signed by at least one-third of the members of the National Assembly. Voting shall take place not less than 48 (forty-eight) hours after the motion has been tabled. A motion of censure shall be passed by a two-third majority of the members of the National Assembly. Only votes in favour of a motion of censure shall be counted. Where a motion of censure is rejected, its signatories may not propose a new motion before a period of one year except as provided for in paragraph (4) below.
4. The Prime Minister may, after the deliberations of the Council of Ministers, commit the responsibility of the Government before the National Assembly on the adoption of a bill. In such case, the bill may be considered adopted, except where a motion of censure tabled within the next 24 (twenty-four) hours is passed under the conditions provided for in the preceding paragraph.
5. Where the National Assembly adopts a motion of censure or passes a vote of no confidence, the Prime Minister shall tender the resignation of the Government to the President of the Republic.
6. The President of the Republic may reappoint the Prime Minister and ask him to form a new Government.

Article 35.

1. The Parliament shall control Government action through oral and written questions and by setting up committees of inquiry with specific terms of reference.
2. The Government shall, subject to the imperatives of national defence, the security of the State or the secrecy of criminal investigation, furnish any explanations and information to Parliament.
3. During each ordinary session, a special sitting shall be set aside each week for question time.

Article 36.

1. The President of the Republic may, after consulting with the President of the Constitutional Council, the President of the National Assembly and the President of the Senate, submit to a referendum any reform bill which, although normally reserved to the Legislative Power, could have profound repercussions on the future of the Nation and national institutions.
2. This shall apply in particular to:
 - a. bills to organize public authorities or to amend the constitution;
 - b. bills to ratify international agreements or treaties having particularly important consequences;
 - c. certain reform bills relating to the law on persons and property.
3. Such bills shall be adopted by a majority of votes cast.

4. The referendum procedure shall be laid down by law.

PART V. **JUDICIAL POWER**

Article 37.

1. Justice shall be administered in the territory of the Republic in the name of the people of Cameroon.
2. Judicial power shall be exercised by the Supreme Court, Courts of Appeal and Tribunals. The Judicial Power shall be independent of the executive and legislative powers. Magistrates of the bench shall, in the discharge of their duties, be governed only by the law and their conscience.
3. The President of the Republic shall guarantee the independence of judicial power. He shall appoint members of the bench and of the legal department. He shall be assisted in this task by the Higher Judicial Council which shall give him its opinion on all nominations for the bench and on disciplinary action against judicial and legal officers. The organization and functioning of the Higher Judicial Council shall be defined by law.

Article 38.

1. The Supreme Court shall be the highest court of the State in legal and administrative matters as well as in the appraisal of accounts.
2. It shall comprise:
 - a judicial bench;
 - an administrative bench;
 - an audit bench.

Article 39.

The judicial bench shall give final rulings on:

- appeals accepted by law against final rulings given by the various courts and tribunals of the judicial system;
- judgments passed by the lower courts of the judicial system that have become final in cases where the application of the law is challenged;
- all matters expressly devolving upon it by law.

Article 40.

The administrative bench shall examine all the administrative disputes involving the State and other public authorities. It shall:

- examine appeals on regional and council election disputes;
- give final rulings on appeals against final judgments passed by lower courts in cases of administrative disputes;
- examine any other disputes expressly devolving upon it by law.

Article 41.

The audit bench shall be competent to control and rule on public accounts, as well as on those of public and semi-public enterprises. It shall:

- give final rulings on final judgments passed by lower audit courts;
- examine any other matters expressly devolving upon it by law.

Article 42.

1. The organization, functioning, composition and duties of the Supreme Court and the benches it comprises, the conditions for referring matters to them as well as the procedure applicable before them shall be laid down by law.
2. The organization, functioning, composition and duties of the Courts of Appeal and judicial, administrative and lower audit benches as well as the conditions for referring matters to them and the procedure applicable before them shall be laid down by law.

PART VI.
TREATIES AND INTERNATIONAL AGREEMENTS

Article 43.

The President of the Republic shall negotiate and ratify treaties and international agreements. Treaties and international agreements falling within the area of competence of the legislative power as defined in Article 26 above shall be submitted to Parliament for authorization to ratify.

Article 44.

Where the Constitutional Council finds a provision of a treaty or of an international agreement unconstitutional, authorization to ratify and the ratification of the said treaty or agreement shall be deferred until the Constitution is amended.

Article 45.

Duly approved or ratified treaties and international agreements shall, following the publication, override national laws, provided the other party implements the said treaty or agreement.

Part VII.
The Constitutional Council

Article 46.

The Constitutional Council shall have jurisdiction in matters pertaining to the Constitution. It shall rule on the constitutionality of laws. It shall be the organ regulating the functioning of the institutions.

Article 47.

1. The Constitutional Council shall give a final ruling on:
 - the constitutionality of laws, treaties and international agreements;
 - the constitutionality of the standing orders of the National Assembly and the Senate prior to their implementation;
 - conflict of powers between State institutions; between the State and the Regions, and between the Regions.
2. Matters may be referred to the Constitutional Council by the President of the Republic, the President of the National Assembly, the President of the Senate, one- third of the members of the National Assembly or one-third of the Senators. Presidents of regional executives may refer matters to the Constitutional Council whenever the interests of their Regions are at stake.
3. Laws as well as treaties and international agreements may, prior to their enactment, be referred to the Constitutional Council by the President of the Republic, the President of the National Assembly, the President of the Senate, one- third of the members of the National Assembly, one-third of the Senators, or the Presidents of the regional executives pursuant to the provisions of paragraph (2) above.
4. Enactment deadlines shall cease to lapse once an instrument has been referred to the Constitutional Council.
5. The Constitutional Council shall advice in matters falling under its jurisdiction.

Article 48.

1. The Constitutional Council shall ensure the regularity of presidential elections, parliamentary elections and referendum operations. It shall proclaim the results thereof.
2. Any challenges in respect of the regularity of one of the elections provided for in the preceding paragraph may be brought before the Constitutional Council by any candidate, political party that participated in the election in the constituency concerned or any person acting as Government agent at the election.
3. Any challenges in respect of the regularity of a referendum may be referred to the Constitutional Council by the President of the Republic, the President of the National

Assembly, the President of the Senate, one-third of the members of the National Assembly or one-third of the Senators.

Article 49.

In any case, the Constitutional Council shall give a ruling within a period of 15 (fifteen) days, once a matter has been referred to it.

However, at the request of the President of the Republic, such time-limit may be reduced to 8 (eight) days.

Article 50.

1. Rulings of the Constitutional Council shall not be subject to appeal. They shall be binding on all public, administrative, military and judicial authorities, as well as all natural persons and corporate bodies.
2. A provision that has been declared unconstitutional may not be enacted or implemented.

Article 51.

1. (new) The Constitutional Council shall comprise 11 (eleven) members designated for an eventually renewable term of office of 6 (six) years. These members shall be chosen from among personalities of established professional renown. They must be of high moral integrity and proven competence.
2. Members of the Constitutional Council shall be appointed by the President of the Republic.

They shall be designated as follows:

- three, including the President of the Council, by the President of the Republic;
 - three by the President of the National Assembly after consultation with the Bureau;
 - three by the President of the Senate after consultation with the Bureau;
 - two by the Higher Judicial Council. Besides the eleven members provided for above, former presidents of the Republic shall be ex officio members of the Constitutional Council for life. In case of a tie, the President of the Constitutional Council shall have the casting vote.
3. In the event of the death or resignation of a member or any other cause of incapacity or inability duly established by the competent bodies provided for by law, a replacement shall be designated by the competent authority or body concerned and appointed to complete the term of office.
 4. Members of the Constitutional Council shall take the oath of office as laid down by law before Parliament meeting in congress.
 5. The duties of member of the Constitutional Council shall be incompatible with those of member of Government, of Member of Parliament or of the Supreme Court. Other incompatibilities and matters relating to the status of members, namely obligations, immunities and privileges shall be laid down by law.

Article 52.

A law shall lay down the organization and functioning of the Constitutional Council, the conditions for referring matters to it as well as the procedure applicable before it.

PART VIII.
THE COURT OF IMPEACHMENT

Article 53 (new)

1. The Court of Impeachment shall have jurisdiction, in respect of acts committed in the exercise of their functions, to try;
 - the President of the Republic for high treason;

- the Prime Minister, members of Government and persons ranking as such and senior government officials to whom powers have been delegated in pursuance of Articles 10 and 12 above, for conspiracy against the security of the State.
- 2. The President of the Republic shall be indicted only by the National Assembly and the Senate deciding through an identical vote by open ballot and by a four fifth majority of their members.
- 3. Acts committed by the President of the Republic in pursuance of Articles 5, 8, 9 and 10 above shall be covered by immunity and he shall not be accountable for them after the exercise of his functions.
- 4. The organization, composition and conditions under which matters shall be referred to as well as the procedure applicable before the Court of Impeachment shall be laid down by law.

PART IX. **THE ECONOMIC AND SOCIAL COUNCIL**

Article 54.

There shall be an Economic and Social Council whose composition, duties and organization shall be laid down by law.

PART X. **REGIONAL AND LOCAL AUTHORITIES**

Article 55.

1. Regional and local authorities of the Republic shall comprise of Regions and Councils. Any other such authority shall be created by law.
2. Regional and local authorities shall be public law corporate bodies. They shall have administrative and financial autonomy in the management of regional and local interests. They shall be freely administered by councils elected under conditions laid down by law. The duty of the councils of regional and local authorities shall be to promote the economic, social, health, educational, cultural and sports development of the said authorities.
3. The State shall exercise supervisory powers over regional and local authorities, under conditions laid down by law.
4. The State shall ensure the harmonious development of all the regional and local authorities on the basis of national solidarity, regional potentials and inter-regional balance.
5. The organization, functioning and financial regulations of regional and local authorities shall be defined by law.
6. The rules and regulations governing councils shall be defined by law.

Article 56.

1. The State shall transfer to Regions, under conditions laid down by law, jurisdiction in areas necessary for their economic, social, health, educational, cultural and sports development.
2. The law shall define:
 - The sharing of powers between the State and Regions in the areas of competence so transferred.
 - The resources of the Regions.
 - The land and property rights of each Region.

Article 57.

1. The organs of the Region shall be the Regional Council and the President of the Regional Council. The Regional Council and the President of the Regional Council shall function within the framework of powers transferred to the Region by the State.
2. The Regional Council shall be the deliberative organ of the Region. Regional Councillors whose term of office shall be 5 (five) years shall comprise:
 - divisional delegates elected by indirect universal suffrage;
 - representatives of traditional rulers elected by their peers; The Regional Councils shall reflect the various sociological components of the Region. The system of election, number, proportion by category, rules governing ineligibility, incompatibilities and emoluments of Regional Councillors shall be laid down by law.
3. The Regional Council shall be headed by an indigene of the Region elected from among its members for the life of the Council.

The President of the Regional Council shall be the executive organ of the Region. In this capacity, he shall be the interlocutor of the State representative. He shall be assisted by a Regional Bureau elected at the same time as himself from among the members of the Council. The Regional Bureau shall reflect the sociological components of the Region.
4. Members of Parliament of the Region shall sit in the Regional Council in an advisory capacity.

Article 58.

1. A delegate, appointed by the President of the Republic shall represent the State in the Region. In this capacity, he shall be responsible for national interests, administrative control, ensuring compliance with the laws and regulations, as well as maintaining law and order. He shall, under the authority of the Government, supervise and co-ordinate civil State services in the Region.
2. He shall exercise the supervisory authority of the State over the Region.

Article 59.

1. The Regional Council may be suspended by the President of the Republic where such organ:
 - carries out activities contrary to the Constitution;
 - undermines the security of the State or public law and order;
 - endangers the State's territorial integrity. The other cases of suspension shall be laid down by law.
2. The Regional Council may be dissolved by the President of the Republic, after consultation with the Constitutional Council in all the cases provided for under paragraph (1) above.

The other cases of dissolution shall be laid down by law.
3. The automatic replacement of the said organ by the State in the cases provided for under paragraphs (1) and (2) above shall be decided by the President of the Republic.
4. The conditions of implementation of this article shall be determined by law.

Article 60.

1. The President and the Bureau of the Regional Council may be suspended by the President of the Republic where such organs:
 - carry out activities contrary to the Constitution;
 - undermine the security of the State or public law and order;
 - endanger the State's territorial integrity.

The other cases of suspension shall be laid down by law.
2. The President and the Bureau of the Regional Council may be dismissed by the President of the Republic, after consultation with the Constitutional Council in all the cases provided for under paragraph (1) above.

The other cases of dismissal shall be laid down by law.

3. The automatic replacement of the said organs by the State in the cases provided for under paragraphs (1) and (2) above shall be decided by the President of the Republic.
4. The conditions of implementation of this article shall be determined by law.

Article 61.

1. The following provinces shall become Regions:
 - Adamawa;
 - Centre;
 - East;
 - Far North;
 - Littoral;
 - North;
 - North West;
 - West;
 - South;
 - South West;
2. The President of the Republic may, as and when necessary:
 - a) change the names and modify the geographical boundaries of the Regions listed in paragraph (1) above;
 - b) create other Regions. In this case, he shall give them names and fix their geographical boundaries.

Article 62.

1. The aforementioned rules and regulations shall apply to all regions.
2. Without prejudice to the provisions of this Part, the law may take into consideration the specificities of certain Regions with regard to their organization and functioning.

PART XI.
AMENDMENT OF THE CONSTITUTION

Article 63.

1. Amendments to the Constitution may be proposed either by the President of the Republic or by Parliament.
2. Any proposed amendment made by a Member of Parliament shall be signed by at least one-third of the members of either House.
3. Parliament shall meet in congress when called upon to examine a draft or proposed amendment. The amendment shall be adopted by an absolute majority of the Members of Parliament. The President of the Republic may request a second reading; in which case the amendment shall be adopted by a two-third majority of the Members of Parliament.
4. The President of the Republic may decide to submit any bill to amend the Constitution to a referendum; in which case the amendment shall be adopted by a simple majority of the votes cast.

Article 64.

No procedure for the amendment of the Constitution affecting the republican form, unity and territorial integrity of the State and the democratic principles which govern the Republic shall be accepted.

Part XII.
Special Provision

Article 65.

The Preamble shall be part and parcel of this Constitution.

Article 66.

The President of the Republic, the Prime Minister, Members of Government and persons ranking as such, the President and Members of the Bureau of the National Assembly, the President and Members of the Bureau of the Senate, Members of Parliament, Senators, all holders of an effective elective office, Secretaries-General of Ministries and person ranking as such, Directors of the Central Administration, General Managers of public and semi-public enterprises, Judicial and Legal Officers, administrative personnel in charge of the tax base, collection and handling of public funds, all managers of public votes and property, shall declare their assets and property at the beginning and at the end of their tenure of office.

The other categories of persons to whom the provisions of this article shall apply and the conditions of implementation thereof shall be determined by law.

Part XIII.
Transitional and Final Provisions

Article 67.

1. The new institutions of the Republic provided for under this Constitution shall be set up progressively.
2. While the institutions are being set up and until such time that they are set up, the existing institutions of the Republic shall remain in place and shall continue to function:
 - a) The incumbent President of the Republic shall remain in office until the end of his current term, subject to the implementation of the provisions of Article 6 (4) of this Constitution;
 - b) The Members of Parliament of the National Assembly shall remain in office until the end of their current term, subject to the implementation of the provisions of Article 8 (12) above.
3. The National Assembly shall exercise full legislative power and enjoy all Parliamentary prerogatives until the Senate is set up.
4. The Supreme Court shall perform the duties of the Constitutional Court until the latter is set up.
5. The territorial organization of the State shall remain unchanged until the Regions are set up.
6. (new) Where the Senate is put in place before the regions, the Electoral College for the election of Senators shall comprise exclusively of Municipal Councillors.

Article 68.

The legislation applicable in the Federal State of Cameroon and in the Federated States on the date of entry into force of this Constitution shall remain in force insofar as it is not repugnant to this Constitution, and as long as it is not amended by subsequent laws and regulations.

Article 69.

This law shall be registered and published in the Official Gazette of the Republic of Cameroon in English and French and implemented as the Constitution of the Republic of Cameroon.

Yaoundé, 18 January 1996
(signed) Paul BIYA
President of the Republic

**Law No. 2008/001 of 14 April 2008
to Amend and Supplement Some Provisions of Law No. 96/06 of 18
January 1996 to Amend the Constitution of 2 June 1972**

**The National Assembly deliberated and adopted,
The President of the Republic enacts the Law set out below:**

Section 1.- The provisions of sections 6 (2) and (4), 14 (3) a, 15 (4), 51 (1), 53 and 67 (6) of Law No.96/06 of 18 January 1996 to amend the Constitution of 02 June 1972 are amended and supplemented as follows:

Section 2

1. **(new):** The President of the Republic shall be elected for a term of office of 7 (seven) years. He shall be eligible for re-election.

2. **(new):** Where the office of President of the Republic becomes vacant as a result of death, resignation or permanent incapacity duly ascertained by the Constitutional Council, the polls for the election of the new President of the Republic must be held not less than 20 (twenty) days and not more than 120 (one hundred and twenty) days after the office becomes vacant.

(a) The President of the Senate shall as of right act as interim President of the Republic until the new President of the Republic is elected. Where the President of the Senate is unable to exercise these powers, they shall be exercised by his Vice, following the order of precedence.

(b) The interim President of the Republic - the President of the Senate or his Vice - may neither amend the Constitution nor the composition of the Government. He may not organize a referendum. He may not run for the office of President of the Republic.

c) However, where the organization of the presidential election requires, the interim President of the Republic may, after consultation with the Constitutional Council, amend the composition of the Government.

Section 3 Both Houses of Parliament shall meet on the same dates:

(new): in ordinary session during the months of March, June and November each year, when convened by the Bureaux of the National Assembly and the Senate, after consultation with the President of the Republic.

Section 4 (new): In case of serious crisis or where circumstances so warrant, the President of the Republic may, after consultation with the President of the Constitutional Council and Bureaux of the National Assembly and the Senate, request the National Assembly to decide, by law, to extend or abridge its term of office. In this case, the election of a new Assembly shall take place not less than 40 (forty) days and not more than 120 (one hundred and twenty) days following the expiry of the extension or abridgement period.

Section 5 (new): The Constitutional Council shall consist of 11 (eleven) members appointed for a renewable term of 6 (six) years.

These members shall be chosen from among personalities of established professional renown.

They must be of high moral integrity and proven competence.

PART I
THE COURT OF IMPEACHMENT

Section 6 (new):

1. The Court of impeachment shall have jurisdiction, in respect of acts committed in the exercise of their functions to try: -
 - the President of the Republic for high treason; -
 - the Prime Minister, members of Government and persons ranking as such and senior government officials to whom powers have been delegated in pursuance of Sections 10 and 12 above, for conspiracy against the security of the State.
2. The President of the Republic shall be indicted only by the National Assembly and the Senate deciding through an identical vote by open ballot and by a four-fifth majority of their members.
3. Acts committed by the President of the Republic in pursuance of Sections 5, 8, 9 and 10 above shall be covered by immunity and he shall not be accountable for them after the exercise of his functions.
4. The organisation, composition and the conditions under which matters shall be referred to as well as the procedure applicable before the Court of Impeachment shall be laid down by law.

PART II
TRANSITIONAL AND FINAL PROVISIONS

Section 7.(new): Where the Senate is put in place before the Regions, the Electoral College for the election of Senate shall be composed exclusively of Municipal Councillors.

Section 8 The present law shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

Yaounde, 14 April 2008
(signed) Paul Biya
President of the Republic

**Law No. 092/007 of August 14
1992 to lay down the
Labour Code**

**The National Assembly deliberated and adopted;
The President of the Republic enacts the Law set out below:**

**PART I
GENERAL PROVISIONS**

Section 1: (1) This law shall govern labour relations between wage-earners and employers as well as between employers and apprentices under their supervision.

(2) In this law, "worker" shall mean any person, irrespective of sex or nationality, who has undertaken to place his services in return for remuneration, under the direction and control of another person, whether an individual or a public or private corporation, considered as the "employer". For the purpose of determining whether a person is a worker, no account shall be taken of the legal position of employer or employee.

(3) This law shall not apply to staff governed by:

- - the General Rules and Regulations of the Public Service;
- - the Rules and Regulations governing the Judicial and Legal Service;
- - the General Rules and Regulations governing Servicemen;
- - the Special Rules and Regulations of the National Security;
- - the Special Rules and Regulations of Prison Administration Civil Servants;
- - the special provisions applicable to auxiliary staff.

Section 2: (1) The right to work shall be recognized as a basic right of each citizen. The State shall therefore make every effort to help citizens to find and secure their employment.

(2) Work shall also be a national duty incumbent on every able-bodied adult citizen.

(3) Forced or compulsory labour shall be forbidden.

(4) "Forced or compulsory labour" shall mean any labour or service demanded of an individual under threat of penalty, being a labour or service which the individual has not freely offered to perform.

(5) However, the expression "forced or compulsory labour" shall not include:

- any work or service exacted by virtue of compulsory military service laws and regulations for work of a purely military nature;
- any work or service in the general interest forming part of the civic obligations of citizens as defined by the laws and regulations ;
- any work or service exacted from any person as a consequence of a conviction in a court of law ;
- any work or service exacted in cases of force majeure, that is to say, in the event of war, disaster or threatened disaster, such as fire, flood, severe violent epidemic or epizootic diseases, invasion by animals, insects or plant pests, and in general, any occurrence that would endanger or threaten to endanger the existence of the well-being of all or part of the population.

**PART II
TRADE UNIONS AND EMPLOYERS' ASSOCIATIONS**

**CHAPTER 1
PURPOSES OF TRADE UNIONS AND EMPLOYERS' ASSOCIATIONS AND THEIR
ESTABLISHMENT**

Section 3: The law recognizes the right of workers and employers, without distinction

whatsoever, to set up freely and without prior authorization (trade unions or employers' associations), associations for the study, defence, promotion and protection of their interests, particularly those of an economic, industrial, commercial or agricultural nature, and for the social, economic, cultural and moral advancement of their members.

All activity by such unions and associations which is not connected with the furtherance of the above objectives shall be prohibited.

Section 4: (1) Every worker and employer shall have the right to join a trade union or employers' association of his own choice in his occupation or kind of business.

(2) Workers shall be protected from:

- (a) any acts of anti-union discrimination in respect of their employment;
- (b) any practice tending:
 - to make their employment subject to their membership or non-membership in a trade union ;
 - to cause their dismissal or other prejudice by reason of union membership or non-membership or participation in union activities.

(3) Any act contrary to the provisions of this section shall be null and void.

Section 5: (1) Workers' and employers' organizations shall have the right to draw up their constitutions and rules, to elect their representatives freely and to organize their administration, provided they respect the laws and regulations in force.

(2) Workers' and employers' organizations shall be forbidden to interfere in each other's activities.

Section 6: (1) A trade union or employer's association shall not have legal existence until the day on which a certificate of registration has been issued to it by the registrar of trade unions and employers' associations.

(2) Any person forming a trade union or employers' association that has not yet been registered and who acts as if the said union or association has been registered shall be liable to prosecution.

(3) The registrar of trade unions and employers' association shall be a civil servant appointed by decree.

Section 7: (1) No one shall be a member of a trade union unless he is in fact gainfully employed at the time of his joining it.

(2) However, a person who has ceased to be gainfully occupied may continue to be a member of his trade union, provided:

- he has carried on his occupation for at least (6) six months, and
- he is engaged in union activity or is appointed by virtue of his occupation to a post for which provision is made by laws and regulations.

Section 8: Every application for registration of a trade union or employers' association shall be signed by at least 20 members if it is a workers' union or at least 5 members if it is an employers' association. The rules of trade unions and employers' associations shall comply with the provisions of this law.

Section 9: The form under which trade unions or employers' associations shall be set up in order for them to be registered shall be fixed by decree after the recommendation of the National Labour Advisory Board.

Section 10: (1) The persons applying for registration of a trade union or employers' association and the members responsible for its administration and management shall be in possession of their civic rights and shall be convicted of any offence involving a penalty laid down in Section 30 (1), (2) and (3) of the Penal Code.

(2) Aliens shall be required in addition to have resided for not less than five years in the territory of the Republic of Cameroon.

Section 11: (1) Registration of a trade union or employers' association shall be effected as follows:

- (a) an application to register the union or association and its rules shall be sent to the registrar of trade unions or employers' association ; the application shall be accompanied by two copies of the rules and a list of the names of the officers of the union or association and of their titles as such;
- (b) the registrar shall acknowledge receipt of the application, examine it and register the trade union or association and its rules within a period of one month. After that deadline, the trade union or association shall be considered as having been registered.
- (c) The registrar shall not register any trade union or employers' association under a name identical to that under which any existing union or employers' association has been registered as may lead members of the unions or association or third parties into error.

(2) A decree shall determine the form of the certificate of registration.

Section 12: (1) If the application for registration does not comply with the conditions, the registrar shall inform the applicants of his observations in writing and request them to re-submit the application.

(2) Upon receipt of the resubmitted application the registrar shall either register the trade union or, if he refuses to do so, notify in writing within thirty days, the applicants of his refusal and the reasons therefor.

Section 13: (1) The registrar may cancel the registration of a trade union or employers' association if it is established:

- (a) that the certificate of the registration was obtained by fraud;
- (b) that the registered union or association has wilfully violated any provision of this law or carried out non-statutory activities ;
- (c) that the registered union or association has ceased to exist.

(2) Before such cancellation is effected, the registrar shall give the union or association concerned two months' notice specifying the reason for his decision.

(3) Whenever a registrar cancels the registration of a trade union or employers' association, he must make known the steps he has taken by adequate publicity, and especially by publishing the decision in the Official Gazette.

Section 14: Any trade union, member of a trade union or person feeling aggrieved by a decision of the registrar to refuse or to cancel registration of a trade union or employers' association may, within thirty (30) days of notification of such decision, refer the matter to the competent court, the judgment of which shall be open to appeal. The registrar shall be entitled to be heard at any stage of the proceedings.

CHAPTER 2 **RULES OF TRADE UNIONS AND EMPLOYERS' ASSOCIATION**

Section 15: The rules of every trade union and employers' association shall comprise the following provisions:

- (a) The name of the union or association and its registered office ;
- (b) The purposes for which the union or association is established;
- (c) The intended purpose of the funds and the percentage of contributions earmarked for social work ;
- (d) The procedure for establishing, amending or rescinding the rules ;
- (e) The procedure for appointing and removing the Union or Association leaders from office, as well as sanctions which may be meted to members ;
- (f) The prohibition to elect as President, Secretary or Treasurer or to any other office, a person who can neither read nor write English or French ;

- (g) A Provision for the keeping of a nominal roll of members showing the trade, profession or usual occupation of each member and, if need be, the name of the employers ;
- (h) Provisions for the investment of the funds or their deposit in a bank and for an annual or more frequent audit of accounts;
- (i) provisions for the keeping of full and accurate accounts by the treasurer, the regular audit of such of a statement accounts by persons so empowered and the distribution to members, who so request, of accounts prepared at least once a year by a qualified accountant;
- (j) The procedure of dissolving the union or association, the manner of devolving its assets it being understood that they shall not in any way whatsoever be shared to the members.

CHAPTER 3

SUNDRY PROVISIONS RESPECTING TRADE UNIONS AND EMPLOYERS' ASSOCIATIONS

Section 16: (1) Every registered trade union and employers' association shall have an office to which all correspondence and notices may be addressed. The address of the said office shall be notified to the registrar within thirty days of its opening and any change of address shall likewise be notified to the registrar within thirty days of the change.

(2) If any registered trade union of employers' association is in operation for three months without having such an office, it shall be liable to the penalty provided under Section 166 of the law.

Section 17: Trade unions and employers' associations shall enjoy legal status. They shall have the right to go to law and to acquire movable and immovable property, by way of gift or purpose without authorization.

Section 18: (1) Trade unions and employers' associations may:

- (a) exercise in any court the rights reserved to civil action plaintiffs in criminal proceedings, in relation to acts causing direct or indirect prejudice to the collective interest of the trade or occupation which they represent;
- (b) allocate a part of their resources to the buildings of workers' dwelling or the purchase of lands for cultivation or sports grounds for the use of their members ;
- (c) Establish, administer or make grants to institutions serving to trade or occupation such as provident schemes, solidarity funds, laboratories, experimental farming stations, schemes for scientific, agricultural or social education, courses and publications in matters concerning the trade or occupation; the movable and immovable property required for their meetings, libraries and vocational instruction courses shall be exempt from attachment;
- (d) make grants to producer or consumer co-operative societies ;
- (e) make contracts or agreements with any other trade unions, employers' associations, companies, undertakings or persons.

(2) If they are so authorized by their rules and on condition that they make no distribution of profits (even by way of rebate) among their members, trade unions and employers' association may also:

- (a) purchase, with a view to hiring out, lending or distribution to their members, anything that is necessary for the trade or occupation, including raw material, tools, implements, machinery, fertilizers, seeds, plants, animals and feed for cattle ;
- (b) provide a free service for the sale of products derived exclusively from the personal labour or holdings of the members, and promote such sale by means of exhibitions, advertisements, publications, group orders and deliveries, but not by carrying out the selling operation in their own name and on their own responsibility.

Section 19: An act done by a person duly authorized by a union in furtherance of a trade dispute may be actionable only if it induces some other person to break a contract of employment or

interferes with the right of some other person to dispose of his capital or his labour as he wished.

Section 20: (1) The representative character of a trade union or employers' association shall, as and when necessary, be established by order of the minister in charge of labor having regard to the following considerations:

- (a) in the case of a trade union, total number of members :
- (b) for an employers' association, the total number of workers employed.

(2) The administrative courts shall be competent to consider any objection raised by a trade union or employers' association against a decision on this matter.

Section 21: (1) An employer shall be permitted to deduct from the wages earned by a worker under his control the ordinary trade union contribution due from the worker, provided that the employer immediately pays the contribution so deducted to the trade union specified by the worker.

(2) The said deduction of contributions at source shall be permitted only:

- (a) if an agreement to that effect has been concluded between the employer concerned and the trade union to which the contributions are to be paid.
- (b) If the worker has agreed with such procedure by signing a form jointly accepted by the employer and the trade union, or if he can neither read nor write, by affixing his finger prints.

(3) In addition :

- (a) The worker's consent may be withdrawn by him at any time ; such withdrawal shall have effect in regard to the month following that in which it is made ;
- (b) The said consent may be renewed by tacit agreement if it is not withdrawn, except in the case of a change in the amount of the contribution ;
- (c) The expense incurred by the employer in deducting and paying over the contributions may be reimbursed by the trade union concerned in accordance with arrangements jointly agreed by the union and the employer.

CHAPTER 4

FEDERATIONS OF TRADE UNIONS AND EMPLOYERS' ASSOCIATIONS

Section 22: (1) Trade unions and employers' associations which have been duly established shall be free to act in union for the purpose set out in Section 3 of this law.

(2) They may form federations of any kind and under any name. Such federations shall comply with the provisions of the previous chapters.

(3) The rules of a federation shall determine the manner in which the affiliated trade unions and employers' associations shall be represented at the level of all the organs.

(4) Such federations shall enjoy all the rights and have the benefit of all the protective measures granted to trade unions and employers' associations.

PART III

CONTRACTS OF EMPLOYMENT

CHAPTER 1

INDIVIDUAL CONTRACTS OF EMPLOYMENT

I. GENERAL PROVISIONS

Section 23: (1) A contract of employment shall be an agreement by which a worker undertakes to put his services under the authority and management of an employer against remuneration.

(2) Contracts of employment shall be negotiated freely.

Section 24: (1) Irrespective of the place where the contract is made and the place of residence

of either party, every contract of employment which is to be performed in Cameroon shall be governed by the provisions of this law.

(2) The above rule shall apply in case of partial performance in Cameroon of a contract initially made under other legislation. It shall not apply, however, to a worker who is sent on secondment for a period not exceeding 6 (six) months.

(3) Subject to the provisions of section 27, the existence of the contract may be recorded in whatever manner the contracting parties find convenient. Any form of evidence may be adduced in proof of its existence.

(4) Written contracts shall be exempted from all stamp and registration fees.

II. CONCLUSION AND PERFORMANCE OF CONTRACTS

Section 25: (1) A contract of employment may be concluded for a specified or unspecified duration.

- (a) A contract of specified duration is a contract whose termination is fixed in advance by both parties. It may not be concluded for a duration of more than (2) two years renewable once.

The following shall be considered contracts of employment of a specified but non-renewable period :

- a contract whose termination is subject to the occurrence, which does not depend exclusively on the will of the parties, of a future but certain event that is precisely indicated;

- a contract concluded for the execution of a specified task.

- (b) A contract of an unspecified period is a contract whose termination is not fixed in advance and may be terminated at any time by the will of the worker or the employer, provided that the prior notice referred to in Section 34 below is given.

(2) The contract of foreign workers shall be renewed only after endorsement by the minister in charge of labour.

(3) Contracts of specified duration of Cameroonian workers shall be renewed only once with the same company. At the expiry of such renewal, if working relations continue, the contract shall be transformed into one of unspecified duration.

(4) The above provisions shall not apply to workers recruited to carry out exclusively:

- (a) a temporary job in replacement of an absent worker or one whose contract has been suspended, or the completion of a piece of work within a specific time limit and requiring additional manpower.
- (b) an occasional job aimed at coping with unexpected growth in the activities of the company as a result of certain economic conditions or entailing urgent works to prevent imminent accidents, organizing emergency measures or repairing company equipment, facilities or buildings which are dangerous for the workers ;
- (c) a seasonal job generated by the cyclical or climatic nature of company activities.

(5) The employment conditions of the workers referred to in preceding paragraph shall be laid down by decree issued after consultation with the National Labour Advisory Board.

Section 26: (1) The workers referred to in Section 25 (4) above may be recruited by a temporary job contractor.

(2) A temporary job contractor shall mean any individual or corporate body whose sole activity consists in temporarily providing users with workers whom they recruit and pay.

(3) The workers referred to in the preceding Subsection may be hired only for temporary jobs and solely in the cases laid down in Section 25 (4),

(4) The founding of a temporary job company shall be subject to the prior approval of the minister in charge of labour.

(5) The contract of employment between the temporary job contractor and a worker provided to a user must be written.

(6) Each worker placed at the disposal of a user must conclude a written temporary transfer

contract with the temporary job contractor. The duration of such contract shall not exceed 1 (one) year with the same user.

(7) The conditions of implementation of this section shall be laid down by decree issued after consultation with the National Labour Advisory Board.

Section 27: (1) Every contract of employment of specified duration exceeding three months, or requiring the worker to live away from his usual place of residence, shall be written. A copy of the contract shall be forwarded to the Labour Inspector of the area.

(2) A contract of employment concerning a worker of foreign nationality must be endorsed by the Minister in charge of Labour previously to commencement thereof.

(3) The application of endorsement shall be made by the employer. Where such endorsement is refused, the contract shall be null and void.

(4) Where the Minister in charge of Labour fails to announce a decision within the two months immediately following reception of the application for endorsement, the contract shall be deemed to have been endorsed.

(5) The conditions of implementation of this section shall be laid down by decree issued after consultation with the National Labour Advisory Board.

Section 28: (1) There shall be probationary hiring where, prior to signing a final contract, the employer and the worker agree to appraise in particular, the worker's quality of services and his output, as concerns the employer and as concerns the worker, the working, living, wage, safety and hygiene conditions as well as the climate under the employer.

(2) Any probationary hiring must be stipulated in writing. Such hiring shall not be made for a period exceeding that required for trying out newly engaged personnel, taking into account the techniques and practices of the trade or occupation. Under no circumstances shall probationary hiring exceed six months, including any renewal, save in the case of managerial staff for whom the period may be extended to eight months.

(3) The time required for recruitment, travelling, training and probation shall not be included in the maximum duration of the trial period.

(4) The cost of repatriation of displaced workers shall be defrayed by the employer regardless of the reason for termination.

(5) Where the worker's employment is maintained beyond expiry of a probationary hiring contract and here no new contract is made, the parties shall be deemed to have entered into a final contract taking effect from the beginning of the trial period.

(6) An order of the Minister in charge of Labour issued after consultation with the National Labour Advisory Board shall fix the conditions of probationary hiring.

Section 29: (1) The internal regulations shall be drawn up by the company head. They shall deal exclusively with rules relating to the technical organization of work, disciplinary standards and procedure, safety and hygiene at work which are necessary for the proper functioning of the company.

(2) If any other regulations are included (in particular, regulations respecting remuneration) they shall be deemed to be null and void, subject to the provisions of Section 68 (4) of this law.

(3) Before enforcing the internal regulations, the company head shall communicate them to the staff representatives (if any) for their opinion and for endorsement to the Labour Inspector of the area who may order the deletion of or amendment to any provisions which may be repugnant to the laws and regulations.

(4) An order of the minister in charge of labour issued after consultation with the National Labour Advisory Board shall prescribe the procedure for communicating, registering and posting up the internal regulations as well as the number of company workers above which the existence of such regulations shall be compulsory.

Section 30: (1) Employers shall be prohibited from imposing fines.

(2) The only disciplinary penalty entailing loss of wages which an employer may inflict shall be

suspension from work with loss of benefits.

(3) Suspension from work shall be null and void unless the following conditions have been met simultaneously;

- (a) that it shall be for a maximum period of eight working days as from the time the penalty is inflicted ;
- (b) that the worker shall be notified in writing of the suspension and the reasons therefor.
- (c) the Labour Inspector of the area shall be informed of the suspension within forty-eight hours.

Where the reasons for the suspension are found to be insufficient by the court, the worker against whom the suspension was pronounced shall be paid a compensatory allowance corresponding to the lost wages, and where applicable, damages, if he adduces proof that as a result of the suspension, he suffered further damages, in addition to his lost wages.

Section 31: (1) The worker shall devote all his gainful activity to the undertaking, save as otherwise stipulated in the contract: provided that he may, unless otherwise agreed, undertake outside his working hours any gainful activity which is not liable to compete with the undertaking or prejudicial to the due performance of the agreed services.

(2) However, it may be stipulated by agreement, between the parties that in the event of a breach of contract, the worker shall not engage, on his own account or on the account of another person, in any activity liable to compete with the employer in either of the following cases ;

- (a) If the contract is broken by the worker and the employer has defrayed the travel expenses from the worker's place of residence to the place of work ;
- (b) If the contract is broken in consequence of a serious offence committed by the worker.

(3) Any such prohibition shall not apply outside a radius of 50 kilometres from the worker's workplace and its duration shall not exceed one year.

III. SUSPENSION AND TERMINATION OF THE CONTRACT

Section 32: A contract of employment shall be suspended:

- (a) if the establishment is closed by reason of the departure of the employer to undertake military service for any reason;
- (b) during the worker's military service or any period of recall for military service for any reason ;
- (c) during the worker's absence in the case of illness duly certified by a medical practitioner approved by the employer or one belonging to a hospital establishment recognized by the State, for a period not exceeding six months ; this period shall be extended until such time as the worker is replaced ;
- (d) during the period of maternity leave provided for by Section 84;
- (e) during any period of disciplinary suspension of the worker, decided in accordance with Section 30;
- (f) during any period of leave for worker's education as defined in Section 91 ;
- (g) during the period of unavailability following an industrial accident or occupational disease ;
- (h) by mutual consent, during the exercise of political or administrative duties following an election or appointment;
- (i) during the period when the worker is under police custody or in preventive detention ;
- (j) during the absence of a worker who has to follow his her spouse who has changed his her usual place of residence if such worker cannot be transferred. The duration shall be limited to two years, which may be renewed by mutual agreement between the two parties.
- (k) during a period of lay-off not exceeding six months. Lay-off shall mean the collective interruption of all or part of the work by the personnel of an undertaking due to accidents or force majeure or an unfavourable economic situation.

Section 33: (1) In each of the cases (a), (b) and (c) referred to in Section 32 above, the employer

shall be bound to pay to the worker, if the contract is of unspecified duration, compensation equal either to the compensation in lieu of notice when the period of absence is equal to or exceeds the period of notice, or to the remuneration to which the worker would have been entitled during his absence when the period of absence is shorter than the notice period provided for in Section 34.

(2) In the same cases, if the contract is of specified duration, the compensation shall be granted within the above limits, by reference to the notice provided for contracts of unspecified duration, the length of service being deemed to run from the start of the contract in force. In such case, suspension may not have the effect of extending the term of the contract initially provided for.

(3) In case of lay-off and in the absence of a collective agreement, the conditions for compensation shall be laid down by order of the Minister in charge of Labour, issued after consultation with the National Labour Advisory Board.

Section 34: (1) A contract of employment of unspecified duration may be terminated at any time at the will of either party. Such termination shall be subject to the condition that previous notice is given by the party taking the initiative of terminating the contract. Notification of termination shall be made in writing to the other party and shall set out the reason for the termination.

(2) The notice period shall start to run from the date of such notification. It shall not be subject to any condition precedent or condition subsequent. Under no circumstances may it be set off against the leave period of the worker.

(3) An order of the Minister in charge of Labour, issued after consultation with the National Labour Advisory Board, shall prescribe the conditions for such notice and its duration, giving regard to the worker's seniority in the enterprise and the occupational group to which he belongs.

Section 35: (1) During the period of notice, the employer and the worker shall be bound to respect all the obligations which each has assumed towards the other.

(2) For the purpose of seeking other employment, the worker shall, during the period of notice, be allowed during each week one day off (with full wages) which may be taken all at once or one hour at a time as he may desire.

(3) Where the above obligations are not respected by one of the parties, no period of notice shall be enforceable on the other party. This provision shall be without prejudice to the right of the injured party to claim damages.

Section 36: (1) Whenever a contract of employment of unspecified duration is terminated without notice or without the full period of notice being observed, the responsible party shall pay to the other party compensation corresponding to the remuneration including any bonuses and allowances which the worker would have received for the period of notice not observed.

(2) Provided that a contract may be terminated without notice in cases of serious misconduct, subject to the findings of the competent court of law as regards the gravity of the misconduct.

Section 37: (1) save in the case of serious misconduct, where a contract of employment of unspecified duration is terminated by the employer, the worker with no less than two successive years of seniority in the enterprise shall be entitled to severance pay distinct from pay in-lieu-of notice which shall be determined giving regard to the worker's seniority.

(2) An order of the Minister in charge of Labour, issued after a recommendation by the National Labour Advisory Board, shall prescribe the conditions for granting and calculating the severance pay.

Section 38: A contract of employment of specified duration may not be terminated prior to its expiry save in the case of gross misconduct, force majeure, or by the written consent of both parties.

Section 39: (1) Every wrongful termination of a contract may entail damages. In particular dismissals effected because of the opinions of the worker or his membership or non-membership

of a particular, trade union shall be considered to be wrongful.

(2) The competent court may ascertain the wrongful nature of the termination by investigating the causes and circumstances thereof. The judgment must expressly mention the reason put forward by the party terminating the contract.

(3) In all cases of dismissal, it shall be up to the employer to show that the grounds for dismissal alleged by him are well-founded.

(4) Damages shall be assessed with due regard to all factors indicating that prejudice has been caused and all factors determining the extent of such prejudice, and in particular, with due regard:

- (a) Where the worker is responsible, to his qualification and post;
- (b) Where the employer is responsible, for whatsoever the type of employment, the worker's seniority with the employer, his age and any vested rights.

However, the damages shall not be less than three months' salary or more than one month's salary per year of service in the enterprise.

(5) If the worker is rightfully dismissed by the employer without respecting the formalities provided for, the amount of damages shall not exceed one month's salary.

(6) The salary to be taken into consideration in above paragraphs shall be the gross average monthly salary of the worker's last twelve months of activity.

(7) These damages shall be distinct from pay in-lieu-of notice and severance pay.

Section 40: (1) The provisions of Section 34 (1) above shall be applicable in the case of dismissal on economic grounds.

(2) Dismissal on economic grounds shall mean any dismissal effected by the employer for one or more reasons not inherent in the person of the worker and resulting from an abolition or transformation of posts or an amendment to the contract of employment consequent on economic difficulties, technological changes or internal reorganization.

(3) To avoid dismissal on economic grounds, the employer who envisages such dismissal shall convene the staff representatives, where available, to seek with them and in the presence of the Labour Inspector of the area, other possibilities such as : reduction of working hours, shift work, part-time work, lay-off, review of various allowances and benefits and even wage cuts.

(4) At the end of negotiations which shall not last more than 30 clear days, and if an agreement is reached, a statement shall be signed by both parties and the Labour Inspector explaining the measures adopted and their periods of validity.

(5) Where a worker states in writing that he does not accept the measures referred to in the above paragraph, he shall be dismissed with pay in-lieu-of notice and severance pay, where he meets the conditions for enjoyment thereof.

- (6)
- (a) Where the parties fail to reach an agreement after the negotiations provided for above, or where notwithstanding the measures envisaged certain dismissals are still necessary, the employer must determine an order of dismissals taking into consideration professional proficiency, seniority in the undertaking and the family responsibilities of workers. In any case, the order of dismissals must give precedence to professional proficiency.
 - (b) To obtain the opinions and suggestions of the staff representatives, the employers shall send them the list of workers he intends the dismiss, explaining the criteria used.
 - (c) The staff representatives shall be bound to forward their written reply to the employer within no more than eight clear days.
 - (d) The employer's notification and the reply from the staff representatives shall immediately be sent to the Labour Inspector of the area for arbitration.

(7) Staff representatives may be dismissed only if their posts have been abolished and with the consent of the Labour Inspector of the area.

(8) In case of a dispute regarding the type or order of dismissals, the onus of proof shall rest with the employer.

(9) A dismissed worker shall have prior claim, with equal professional proficiency, to employment in the same establishment for a period of two years.

(10) An order of the Minister in charge of Labour issued after consultation with the National

Labour Advisory Board shall determine the terms and conditions of enforcement of the present section.

Section 41: In the event of termination of the contract subject to the provisions of Section 27 (2) the employer shall be required to so notify the authority which endorsed the contract within 15 days.

Section 42 : (1)

- (a) In the event of any change in the legal status of the employers, in particular through succession, sale, amalgamation, financial reorganization, or transformation into a partnership or company, all contracts of employment in force on the date of the change shall subsist between the new organization and the personnel of the undertaking. They shall be terminable only in the manner and subject to the conditions laid down in this Part.
 - (b) The provisions of the above paragraph shall not be applicable :
 - - where the enterprise is changing its activities ;
 - - where the workers express before the Labour Inspector of the area, their desire to be laid off with payment of their benefits, prior to such change.
 - (c) The closure of the undertaking other than in cases of "force majeure" shall not absolve the employer from his obligation to observe the rules laid down in this part. Neither bankruptcy nor liquidation by court order shall be deemed to be a case of "force majeure".
- (2) The contract of employment, may, while still in force, be amended on the initiative of either party.
- (a) Where the amendment suggested by the employer is substantial and is rejected by the worker, the termination of the contract that may result therefrom shall be the responsibility of the employer. Such termination shall be wrongful only where it is not justified by the interest of the undertaking.
 - (b) Where the amendment suggested by the worker is substantial and is rejected by the employer, the contract may be terminated only following the resignation of the worker.

Section 43: Unless otherwise agreed, the provisions of Sections 34 to 42 shall not apply to probationary hiring contracts which shall be terminable without notice and without either party having a claim to compensation.

Section 44: (1) On the expiry of the contract of employment, regardless of the reason for its termination, the employer shall serve to the worker at the time of his departure a certificate stating only the dates of his arrival and departure and the types and dates of the various posts he has held.

(2) The said certificate shall be exempt from stamp duties and registration fees, even if it contains the phrase "free of all engagements" or other phrase not constituting a bond or a receipt.

CHAPTER 2 **APPRENTICESHIP**

Section 45: A contract of apprenticeship is a contract whereby the head of an industrial, commercial or agricultural establishment or a craftsman undertakes to give or cause to be given to another person complete and systematic training and whereby the latter undertakes in return to obey the instructions which he receives and to perform the tasks assigned to him for the purpose of his apprenticeship.

Section 46: Any such contract which is not made in writing shall be null and void. Such contract shall be exempt from all stamp duties and registration fees.

Section 47: The conditions as to form and substance, the effect of the contract, the circumstances and consequences of termination and the measures of ensuring performance

shall be specified by a decree issued after consultation with the National Labour Advisory Board.

CHAPTER 3 **SUBCONTRACTORS**

Section 48: A subcontractor shall be a person who enters into a written contract with a contractor to carry out a specified piece of work or supply specified services for an agreement price. The subcontractor shall himself recruit the necessary workers.

Section 49: (1) Where the work is carried out in the workshops or other business premises of the contractor, he shall, where the subcontractor becomes insolvent, assume the subcontractor's obligations towards the workers.

(2) Where the work is carried out a place other than the workshop or other business premises of the contractors, he shall, if the subcontractor becomes insolvent, be responsible for payment of the workers' wages.

(3) An aggrieved worker shall, in the above case, have the right to institute direct action against the contractor.

(4) However, the provisions of Sub-sections (1), (2) and (3) above shall not apply where the subcontractor is registered in the trade register and holds a valid business licence.

Section 50: (1) The subcontractor shall, in a notice permanently displayed in all the workshops or other business premises where work is being carried out, indicate that he is a subcontractor and give his full name and address, the name and address of the contractor who entrusted him with the work and the working hours.

(2) The display of such notice shall be compulsory even if the work is carried out in the workshops or other business premises of the contractor.

Section 51: A contractor shall keep an up-to-date list of the subcontractors with whom he has signed contracts.

CHAPTER 4 **COLLECTIVE AGREEMENTS AND COMPANY AGREEMENTS**

Section 52: (1) A collective agreement is an agreement intended to regulate labour relations between employers and workers either of an enterprise or group of enterprises or of one or more branches of activity. This agreement shall be concluded between:

- - The representatives of one or more trade unions or a federation of trade unions on the one hand ; and
- - The representatives of one or more employers' associations or any other group of employers or one or more employers acting individually on the other hand.

(2) A collective agreement may contain more favourable to workers than those of the law and regulations in force. It shall not impair provisions relating to matters of public policy.

(3) Each collective agreement shall define its scope of application which may be national, interdivisional or local.

(4) The text of every collective agreement shall be published free of charge in the Official Gazette by the minister in-charge of employment as soon as he has been notified that it has been deposited at the registry of the competent court.

(5) Before such publication, the minister in charge of employment may invite the contracting parties to amend or delete any provisions of the said text which may be repugnant to existing laws and regulations.

Section 53: (1) At the request of one of the most representative trade-unions or employers' associations or on the initiative of the minister in-charge of employment, the provisions of a collective agreement which complies with conditions laid down by regulations may, by a decree

issued after the National Labour Advisory Board has given its reasoned opinion, be rendered compulsory for all employers and workers within the industrial and territorial coverage of the said agreement.

(2) Such extension of the rights and obligations provided under a collective agreement shall apply for the period and on the conditions laid down in the said agreement.

(3) However, the extension decree may, after the National Labour Advisory Board has given its reasoned opinion and without altering the general effect of the agreement, exclude from such extension any clauses which are not in keeping with the conditions of the particular branch of activity in the scope of the agreement concerned.

Section 54: (1) The extension decree shall cease to have effect when the collective agreement of which it refers is no longer enforceable between the parties as a result of its termination.

(2) At the requests of one of the signatory parties or on the initiative of the minister in-charge of employment, such decrees may, after the National Labour Advisory Board has given its reason opinion, be revoked so as to terminate the extension of the collective agreement or any of its provisions whenever it appears that the agreement or the provision in question is no longer in keeping with the conditions of the branch of activity in the territorial coverage concerned.

Section 55: In case of the absence or inadequate organisation of trade-unions or employers' associations resulting in the continuing impossibility to conclude a collective agreement in a given branch of activity or for a given occupation a decree issued after consultation with the National Labour Advisory Board may either regulate working conditions and determine the classification of occupations and the minimum wage for that branch or occupation or render wholly or partly applicable to it, the provisions of a collective agreement in force in a branch of activity within the same economic sector.

Section 56: (1) Every decree to provide for or revoke the extension of a collective agreement shall be preceded by consultation with trade-unions and employers associations and with all persons concerned who shall present their observations within 30 (thirty) days.

(2) The terms and conditions of such consultation shall be laid down by a decree issued the opinion of the National Labour Advisory Board.

Section 57: (1) Agreements concerning one or more specified establishment may be made between an employer or group of employers on the one hand, and representatives of the trade-unions which are most representative of the personnel of the establishment(s) concerned on the other hand.

(2) The object of company agreement shall be to adapt the provisions of collective agreements to the particular conditions of the establishment(s) under consideration, especially the conditions of award and methods of calculation of the incentive wage, individual or group production bonuses and productivity bonuses.

(3) Company agreements may include new provisions and clauses which are favorable to the workers.

(4) In the absence of a collective agreement, a company agreement may deal only with wages and subsidiary allowances.

Section 58: Where the workers in any public or semipublic enterprise or establishment are not subject to any special laws or regulations, collective agreements may be concluded in their regard in accordance with the provisions of this chapter.

Section 59: Wherever a collective agreement is extended by decree, the said agreement shall apply to the public and semi-public enterprises or establishments referred to in Section 58 above which, by reason of their nature and activity, fall within the scope of the agreement.

Section 60: Rules as to form and substance regarding the conclusion and performance of the

collective agreements and company agreements shall be laid down by decree issued after consultation with the National Labour Advisory Board.

PART 4 **WAGES**

CHAPTER 1 **DETERMINATION OF WAGES**

Section 61: (1) In this law, "wages" means remuneration or earnings, however designated or calculated, capable of being evaluated in terms of money and fixed by mutual agreement or by the provisions or regulations or collective agreements which are payable by virtue of a contract or employment by an employer to a worker for work done or to be done or for services rendered or to be rendered.

(2) For the same type of work and level of proficiency, workers shall be entitled to the same remuneration, irrespective of their origin, sex, age, status and religion, subject to the provisions of this section.

(3) Apart from the cases provided for by the regulations or collective agreement in force and except where there is agreement between the parties concerned, no wage shall be paid to a worker in case of absence.

Section 62: (1) A decree issued after consultation with the National Labour Advisory Board shall determine the guaranteed minimum industrial and commercial wage.

(2) Occupational categories and wages applicable to such categories shall be determined through negotiation within the framework of the collective agreements or company agreements provided for in Part III of this law.

Section 63: The rates of remuneration for piecework shall be so calculated that it provided a worker of average capacity, working normally, with a wage at least equal to that of the worker engaged in similar work and paid by unit of time.

Section 64: The minimum wage rates and the conditions of remuneration for piecework shall be posted up in the places where workers are paid.

Section 65: (1) When the remuneration of a worker's services consists in whole or in part of commissions or sundry bonuses and allowances or compensation in lieu of such allowances, such remuneration, in so far as it does not constitute a refund of expenses, shall be taken into account in calculating remuneration during paid holidays, pay in-lieu-of notice and damages.

(2) The amount to be taken into consideration for this purpose shall be the monthly average of the items referred to in sub-section 1 above.

(3) The period in respect of which the calculation is made shall not exceed the twelve months of service preceding the cessation of work.

Section 66: (1) An employer shall be bound to provide housing for any worker he has transferred in order to perform a contract of employment necessitating the installation of such worker outside his normal place of residence. Such accommodation shall be adequate and correspond to the family status of the worker, and shall satisfy the conditions to be determined by order of the minister in charge of Labour issued after consultation with the National Labour Advisory Board.

(2) If no housing is provided, the employer shall be bound to pay the worker concerned a housing allowance. The minimum rate and methods of payment shall be fixed by the above-mentioned order.

(3) The employer shall be bound to ensure a regular supply of foodstuffs for any worker and his family to whom he provided accommodation where such a worker cannot produce such foodstuffs himself. Such supply of foodstuffs shall be subject to payment at a value to be determined by the

order referred to above.

(4) The facilities provided for in this section shall not be claimable when wages are not due, except as may be provided in the regulations in force, or stipulated by mutual agreement between the parties concerned.

CHAPTER II **PAYMENT OF WAGES**

I. MODE OF PAYMENT

Section 67: Apart from the facilities provided for in Section 66 above, wages shall be payable in legal tender and any other method of payment shall be unlawful. Any stipulation to the contrary shall be null and void.

Section 68: (1) Save in the case of trades and occupations where the established custom is to provide for a different frequency of payment, which trades and occupations shall be specified by an order of the minister in charge of labour issued after consultation with the National Labour Advisory Board, wages shall be paid at regular intervals not exceeding one month.

However, workers may, at their request, receive at the end of fifteen days a payment on account equal to half the monthly amount of their basic remuneration and in such case the balance due to them shall be settled at the time of the following payment.

(2) Monthly payments shall be made not later than eight days following the end of the month of employment in respect of which the wages are dues.

(3) Upon the termination of the contract of employment, a final settlement of all wages and allowances shall be effected as soon as the employment ceases.

However, in disputed cases the employer may obtain authorization from the President of the competent court to retain provisionally all or part or any attachable portion of the amount payable.

(4) Workers absent on pay day shall be entitled to draw their wages during the normal hours of opening of the pay office in accordance with the internal regulations of the enterprise.

(5) Wages shall be paid on working days only at or near the work-place. Wages may not be paid in a public house or in a shop or store except in the case of workers who are normally employed there.

Section 69: (1) Payment of wages shall be evidenced by a document made out or certified by the employer or his representative and initialled by each worker or by two witnesses if the worker can neither read nor write English or French. These documents shall be preserved by the employer in the same manner as accounting documents and shall be made available, upon demand, to Inspectorate of Labour.

(2) The employer shall, at the time of payment, give the worker an individual pay voucher in the form prescribed by order of the minister in charge of labour issued after consultation with the National Labour Advisory Board.

(3) The fact that a worker has signed and entry of the words "in full settlement" or any similar expression either during the performance of his contract of employment or after termination whereby he purports to waive all or part of his rights under the contract of employment shall not be admitted as evidence of satisfaction.

(4) Acceptance of the pay voucher by the worker without protest or reservation shall not be considered as a remuneration by him of payment of all or any part of any wages, allowances or supplementary payments which are due him by virtue of laws, regulations, agreements or contractual provisions. Such acceptance shall not suspend the barring of an action of recovery as laid down in Section 74, nor shall it prevent review of the worker's wage account.

II. PRIVILEGES AND GUARANTEES OF WAGE CLAIMS

Section 70 : (1) Up to the limit of the percentage of wages not liable to attachment as provided for by the laws and regulations in force wage claims shall be preferred claims having priority over

all other general or special or preferential claims.

(2) The priority of claims shall extend to compensation due for breach of contract and to the damages referred to in Section 39.

Section 71: Special laws affording direct action or special preferential claims to certain categories of workers shall apply to wage claims.

Section 72: In the event of liquidation or bankruptcy, the sums withheld by the Treasury, after cessation of payments, from payment warrants due to the employer shall be paid into the assets.

Section 73: (1) In the same event, a worker housed in accommodation provided by the employer before commencement of liquidation or bankruptcy proceedings shall be entitled to it under Section 66.

(2) Such a worker shall be granted legal aid, without other conditions, as regards any application for an attachment order which he may think fit to make to the competent court.

III. Limitation of action of recovery of wages

Section 74: (1) Action for the recovery of wages shall be barred by limitation after three years. As regards limitation, any compensation due for breach of contract of employment shall be deemed to be wages.

(2) Limitation shall start to run from the date on which wages fall due. It shall cease to run either in case of a written claim by the worker to the Inspector of Labour concerning payment of wages or in case of making up of account, private acknowledgment of debt, authentic deed of acknowledgement of debt or unexpired summons.

CHAPTER 3 **DEDUCTIONS FROM WAGES**

Section 75: (1) Apart from compulsory levies, reimbursement of the value of any facilities provided in conformity with the provisions of Section 66 (3) and any deposits which may be stipulated in collective agreements or individual contracts, no deductions from wages shall be permissible save in the following circumstances :

- (a) Where there is a court order of attachment;
- (b) in application of the provisions of Section 21 of this law ;
- (c) by voluntary assignment to which the worker has subscribed in person and notified for verification to the Inspector of Labour of his place of residence in the case of repayment of cash advances made by the employer to the worker, and before the president of the competent court in other cases ;
- (d) where a friendly society providing for payment of contributions by the workers has been instituted within the framework of the laws and regulations in force.

(2) Payment on account in relation to work in progress shall not be considered as advances.

(3) Any stipulation in a collective agreement or individual contract authorizing other levies shall be null and void.

(4) Any sum withheld from a worker in violation of the above provisions shall bear interest payable to him at the statutory rate from the date at which it should have been paid and may be claimed by him until the right is barred by limitation; effluxion of the limitation period shall be suspended during currency of the contract of employment.

Section 76: (1) A decree issued after consultation with the National Labour advisory Board shall determine the portions of wages which may be liable to progressive levies and the rates of such levies. Deductions made under the preceding section shall determine the portions of wages which may be liable to progressive levies and the rates of such levies. Deductions made under the preceding section shall not exceed, at each wage payment, the percentage established by this

decree.

(2) In the calculation of deductions, regard shall be had not only to the wages proper but also to all payments supplementary thereto, excepting the allowances specified as unattachable by the rules and regulations in force, sums payable by way of reimbursement of expenses incurred by the worker and any benefits due under the social insurance legislation or regulations issued thereunder.

Section 77: It shall be unlawful for employers to restrict in any way a worker's freedom to dispose of his wages as he thinks fit.

CHAPTER 4 **COMPANY STORES**

Section 78: (1) The term "company store" means any arrangement whereby an employer directly or indirectly sells or supplied goods the workers in his employment for their normal personal requirements.

(2) A company store shall be permitted to operate provided that the following four conditions are met;

- (a) the workers are free to obtain their supplies there or not.
- (b) the goods are sold for immediate cash payment and without profit;
- (c) the accounts of the company store or stores are kept entirely separate and are subject to inspection by a supervisory committee elected by the workers ; and
- (d) neither alcohol nor spirituous liquors are offered for sale.

Section 79: (1) The opening of a company store as provided for in Section 78 shall be subject to a declaration lodged with the local Inspector of Labour.

(2) The operation of any company store shall be subject to inspection by the Inspector of Labour who may, on discovery of any abuse, order the closing of the store for a period not exceeding one month.

In the event of a second offence, the store shall be permanently closed by order of the minister in charge of labour on the proposal of the local Inspector of Labour.

PART V **CONDITIONS OF EMPLOYMENT**

CHAPTER 1 **HOURS OF WORK**

Section 80: (1) Statutory hours of work in all public and private non-agricultural establishments may not exceed forty hours per week.

(2) In all agricultural and allied undertakings, the hours of work shall be based on a total of two thousand four hundred hours per year, within the maximum limits of forty-eight hours per week.

(3) The above provisions shall apply to all workers, irrespective of age and sex and irrespective of the mode of payment.

(4) Decrees issued after consultation with the National Labour Advisory Board shall determine the circumstances under which exemptions from compliance with the statutory hours of work are authorized, as well as the conditions governing the performance and remuneration of overtime giving rise to extra pay.

CHAPTER 2 **NIGHT WORK**

Section 81: Any work done between ten p.m. and six a.m. shall be considered as night work.

- Section 82:** (1) the rest period for women and children shall be not less than 12 (twelve) consecutive hours.
- (2) Night work in industries shall be prohibited for women and children.
- (3) This prohibition shall not apply to:
- (a) women with executive duties ;
 - (b) women working in services not involving manual labour.
- (4) The procedure for implementing this section shall be determined by order of the minister in charge of labour, issued after consultation with the National Labour Advisory Board.

CHAPTER 3

EMPLOYMENT OF WOMEN, YOUNG PERSONS AND CHILDREN

Section 83: An order by the Minister in charge of labour, issued after consultation with the National Commission on Industrial Hygiene and safety provided for under Section 120, shall specify the types of tasks which women and pregnant women respectively shall not perform.

- Section 84:** (1) Any pregnant woman whose pregnancy has been medically certified may terminate her contract of employment without notice and without being obliged on that account to pay the compensation provided for in Section 36 above. During such period, the employer shall not terminate the employment contract of the woman concerned because of the pregnancy.
- (2) Every pregnant woman shall be entitled to 14 (fourteen) weeks of maternity leave starting 4 (four) weeks before the due date of confinement. Such leave may be extended by 6 (six) weeks in case of a dully certified illness resulting either from the pregnancy or confinement. During such leave, the employer shall not terminate the employment contract of the woman in question.
- (3) Where the confinement occurs before the due date, the rest period shall be extended so that the worker receives the full 14 (fourteen) weeks of leave to which she is entitled.
- (4) Where the confinement occurs after the due date, leave taken before may be extended to the date of confinement without such extension leading to the reduction of the postnatal leave.
- (5) Apart from the various benefits provided for by legislation in matter of social and family welfare, the woman shall be entitled, during the maternity leave, to a daily allowance, payable by the National Social Insurance Fund and equal to the amount of the wages, actually received at the time of suspension of the employment contract; she shall retain the right to benefits in kind.

- Section 85:** (1) For a period of 15 (fifteen) months following the birth of the child the mother shall be entitled to nursing breaks.
- (2) The total duration of the breaks shall not exceed 1 (one) hour per working day.
- (3) During the said period, the mother may terminate her contract of employment without notice under the conditions laid down under Section 84 (1) above.

- Section 86:** (1) No child shall employed in an enterprise even as an apprentice before the age of 14 (fourteen) years, except as otherwise authorized by order of the minister in charge of labour, taking account of local conditions and the jobs which the children may be asked to do.
- (2) An order of the minister in charge of labour shall determine the conditions for the hiring, employment and supervision of the employment of young persons on board ship, provided:
- (a) that a young person under 18 (eighteen) years of age may in no case be employed on board ship as a trimmer or stocker, and
 - (b) that when children and young persons under 18 (eighteen) years of age are to be embarked on ships other than those on which only members of the same family are employed, they shall be medically examined to ascertain their fitness for work on board ship and a medical certificate shall be made out attesting fitness for such work and signed by an approved medical practitioner.
- (3) An order of the minister in charge of labour shall specify the types of work and categories of enterprises in which young people shall not be employed, and the age-limit to which the prohibition shall apply.

(4) The orders referred to in the above sub-sections shall be issued after consultation with the National Commission on Industrial Hygiene and Safety.

Section 87: (1) The Inspector of Labour of the area may order women and children to be examined by an approved medical practitioner in order to ascertain that the work allotted to them is not beyond their strength. Such order shall be automatic if requested by the woman or child.

(2) A woman or child shall not be kept on any job which has been so found to be beyond their strength and shall be transferred to more suitable work. If this is impossible, the contract shall be terminated without notice and without either party being responsible.

CHAPTER 4 **WEEKLY REST**

Section 88: Weekly rest shall be compulsory. It shall consist of at least 24 (twenty-four) consecutive hours each week. Such rest shall fall as a rule on Sundays and may under no circumstances be replaced by a compensatory allowance.

(2) An order by the minister in charge of labour, issued after consultation with the National Labour Advisory Board, shall prescribe the procedure for applying the preceding sub-section.

CHAPTER 5 **LEAVE AND TRANSPORT**

I. LEAVE

Section 89: (1) In the absence of more favourable in the collective agreement or individual employment contract, paid leave at the employer's expense shall accrue to the worker at the rate of one and a half working days for each month of actual service.

(2) Any period equivalent to 4 (four) weeks or 24 (twenty-four) days of work shall be deemed to be 1 (one) month of effective service.

(3) For the calculation of leave, periods of effective service shall be:

- (a) Periods of unavailability due to industrial accident or occupational disease;
- (b) Absences, not exceeding 6 (six) months, stemming from illness duly certified as provided for under Section 32 above ;
- (c) Maternity leave provided for under Section 84 above;
- (d) Lay-offs as provided for under Section 32 above.

(4) A maximum of 10 (ten) days per year of paid special leave of absence, not deductible from annual leave, shall be granted to workers on the occasion of family events directly concerning their own home. A decree issued after consultation with the National Labour Advisory Board shall determine the procedure for implementing this sub-section.

Section 90: (1) For young persons under 18 (eighteen) years of age, leave shall accrue at the rate of two and a half days instead of one and a half days per months of service.

(2) For mothers, the leave shall be increased by either 2 (two) working days for each child under 6 (six) years of age on the date of the departure on leave who is officially registered and lives in the home, or 1 (one) day only if the mother's accrued leave does not exceed 6 (six) days.

(3) The leave shall be increased depending on the workers length of service in the enterprise by 2 (two) working days for each full period whether continuous or not of 5 (five) years of service. For mothers, this increase shall be additional to the one provided for under the sub-section above.

(4) Leave which exceeds 12 (twelve) working days may be split up by mutual consent of the parties. In this case, one of the portions of leave must be at least 12 (twelve) continuous working days.

Section 91: (1) Unpaid leave, whose duration shall not be deducted from the annual paid leave, may be granted, at his request, to a worker or apprentice who wishes to attend a course exclusively devoted to workers' education or trade union training and organized either by a centre

attached to a worker's trade union organization recognized as representative at the national level or by an organization, institution or agency specially approved to this effect by the Minister in charge of Labour.

(2) The duration of the said leave which may be split up shall be agreed upon by both parties. The leave, which shall not exceed 18 (eighteen) working days, shall be deemed to be a period of actual service for the calculation of the worker's paid leave, family allowances and length of service in the enterprise.

Section 92: (1) Leave shall have accrued after a period of actual service of 1 (one) year.

(2) Provided that collective agreement or individual contracts providing for leave longer than that determined by section 89 may stipulate that the leave shall have accrued after a longer period of actual service, but such period may not exceed 2 (two) years.

(3) Entitlement to leave shall be barred by limitation 3 (three) years after the day on which employment is terminated.

(4) If the contract is terminated or expires before the worker has exercised his right to leave, he shall receive compensation in lieu thereof, based on the entitlement which has accrued under Section 89 and 90 above.

(5) Since leave is granted to the worker so that he may be able to rest, payment of compensation in lieu of leave shall be prohibited in all other cases.

Section 93: The employer shall pay the worker, not later than the last day preceding the date of departure on leave, an allowance which shall be determined in a manner laid down by decree, issued after consultation with the National Labour Advisory Board.

II. Transport

Section 94: (1) Where, because, of the employer, performance of the employment contract requires or has required a worker to move from his usual residence, the employer shall be responsible for the travelling expenses of the worker, his spouse and minor children normally residing with him, as well as for the transport of their luggage.

(2) Travel and transport expenses are allowances in kind and shall therefore be provided only in case of actual travel by the worker and his family.

(3) The conditions of implementing the above provisions shall be determined by decree issued after consultation with the National Labour Advisory Board.

(4) A worker who has terminated his service and is waiting for the means of transport selected by the employer in order to return to his usual residence shall retain the right to benefits in kind and shall receive from the employer an retain the right to benefits in kind and shall receive from the employer an allowance equal to the remuneration which he would have received, had he continued to work.

(5) Entitlement to travel and transport expenses shall be barred by limitation 3 (three) years after the day on which employment is terminated.

PART VI **SAFETY AND HYGIENE AT THE WORKPLACE**

CHAPTER 1 **SAFETY**

Section 95: (1) Hygiene and safety conditions at the workplace shall be determined by orders of the Minister in charge of labour, issued after consultation with the National Commission on Industrial Hygiene and Safety.

(2) The said orders, while taking local conditions and contingencies into account, shall aim at securing for the workers standards of hygiene and safety conforming with those recommended by the international Labour Organization and other Internationally recognized technical bodies.

(3) They shall specify the cases and circumstances in which Labour Inspectors or the occupational Health Doctors shall have recourse to the procedure of serving formal notice on the employer. However, where there is an impending threat to the health and safety of workers, the Labour Inspector or the occupational Health Doctor shall order immediately enforceable measures to be taken.

Section 96: (1) Where working conditions endangering the safety or health of the workers but not covered by orders referred to in Section 95 are found to exist, the Labour Inspector or the occupational Health Doctor shall request the employer to remedy the situation. If the employer objects, the dispute shall be referred to the National Commission on Industrial Hygiene and Safety which shall give a ruling.

(2) In all cases, the Labour Inspector or the Occupational Health Doctor shall report to the said Commission on working conditions which are deemed to be dangerous, in order that appropriate regulations may, if necessary, be prepared.

Section 97: (1) It shall be forbidden to bring alcoholic beverages to the workplace and to consume them within the establishment during working hours.

(2) Consumption of such beverages within the establishment may be authorized only during normal break periods and exclusively within the canteens and refectories placed at the disposal of workers by the employer.

(3) The employer shall supply water and non-alcoholic beverages at the workplace and during working hours. Such beverages shall be controlled occasionally by the Labour Inspector or the Occupational Health Doctor.

(4) The procedure for implementing the above measures shall be determined, where necessary, by orders of the minister in charge of labour, issued after consultation with the National Commission for Industrial Hygiene and Safety.

CHAPTER 2 **HEALTH SERVICES**

Section 98: (1) Every enterprise and establishment of any kind, public or private, lay or religious, civilian or military, including those where persons are employed in connection with work in the professions and those belonging to trade unions or professional associations, shall provide medical and health services for their employees.

(2) The functions of such services shall be to supervise conditions in respect of hygiene in the establishment, the risks of contagion and the state of health of the workers, and of their spouses and children if housed by the employer as well as to take the appropriate preventive measures and provide the necessary medical care in accordance with the provisions of this chapter.

(3) The conditions under which workers and their families may benefit from health coverage shall be laid down by order of the minister in charge of labour, issued after consultation with the National Commission for Industrial Hygiene and Safety.

Section 99: (1) The medical and health service shall be under the responsibility of medical doctors who shall be recruited preferably from among practitioners holding diplomas in industrial medicine and who shall be assisted by qualified paramedical personnel.

(2) All persons so employed shall have been previously approved by a decision of the minister in charge of labour issued after consultation with the Minister of Public Health, in case of paramedical personnel, consultation with the medical association, in case of doctors. Approval requirements shall be fixed by joint order of the minister in charge of labour and the minister in charge of public health.

(3) According to the size and nature of the establishment, its location and the medical infrastructure available, the medical and health service shall be organized:

- (a) Either in the form of a separate service within the establishment concerned, or in the form of a joint service for several establishments ;

- (b) Or on the basis of an agreement made with a public or private hospital.
- (4) The procedure for the setting up, organization and functioning of medical and health services as well as the number and the qualifications of the medical and paramedical personnel to be employed in each establishment, having regard to local conditions and to the number of workers and of workers' dependents, shall be determined by order of the Minister in charge of Labour issued after consultation with the National Commission for Industrial Hygiene and Safety.

Section 100: (1) Without prejudice to the special measures taken for purposes of hygiene and for the prevention of certain occupational diseases or the protection of certain categories of workers, all workers shall undergo a medical examination prior to engagement.

(2) Workers shall also be subject to medical supervision throughout their career.

(3) Orders by the Minister in charge of Labour issued after consultation with the National Commission for Industrial health and Safety shall determine the procedure regarding the medical examinations to be performed before and after engagement.

Section 101: (1) Where a worker or workers' spouse(s) or child (children) housed by the employer under the conditions stipulated in Article 66 above falls ill, the employer shall provide medical care and the necessary medicaments and accessories, within the pecuniary limits determined by order of the Minister in charge of Labour issued after consultation with the National Commission for Industrial Hygiene and Safety.

(2) The employer shall also be required to provide board for every sick worker detained in the infirmary at his establishment.

Section 102: (1) The employer shall arrange for the removal to the nearest medical unit of any sick or injured person fit to be moved who cannot be treated with the facilities at the employer's disposal.

(2) If the employer has not suitable transport immediately available for the above purpose, he shall without loss of time the head of the nearest administrative unit, who shall cause the patient to be removed by transport at his disposal.

(3) Where the sick or injured persons are not fit be moved, the administrative authority notified by the employer shall arrange for medical care to be provided on the spot.

(4) All costs incurred by the Administration in this connection shall be repaid by the employer at the official rates.

Section 103: An order of the minister in charge of labour, issued after consultation with the National Commission for Industrial Hygiene and Safety, shall determine the circumstances in which employers are required to set up medical services, and to provide these with medicaments and accessories.

PART VII **ADMINISTRATIVE BODIES AND MEASURES OF IMPLEMENTATION**

CHAPTER 1 **LABOUR AND SOCIAL INSURANCE ADMINISTRATION**

Section 104: (1) The Labour and Social Insurance Administration comprises all services responsible for matters relating to the condition of workers, labour relations employment, manpower, movements, vocational guidance and training, placement, the protection of workers' health as well as social insurance problems.

(2) A decree shall determine the organization and functioning of such services.

I. DUTIES AND PREROGATIVES OF LABOUR AND SOCIAL INSURANCE INSPECTORS

Section 105: (1) By "Labour and Social Insurance Inspector", referred to in this law as a "Labour Inspector", we mean any civil servant of the labour administration corps placed at the head of a labour and social insurance inspectorate or his delegate.

(2) Labour Inspectors shall be civil servants enjoying job security virtue of their status and conditions of service.

(3) In order that their independence may be ensured, the said inspectors shall have no interest whatsoever in the enterprises under their supervision.

Section 106: (1) The Labour Inspectors shall swear to carry out their duties well and faithfully and not to reveal, even after leaving the service, any manufacturing secrets or other processes with which they may have become acquainted in the course of their duties.

(2) The oath shall be taken once only before the court of appeal of the area of their first posting.

(3) Every violation of the oath shall be subject to penalties.

(4) The Labour Inspectors shall treat as absolutely confidential the source of any complaint bringing to their notice a defect in the installation or a breach of legal and statutory provisions and shall give no intimation to the employer or his representative that a particular inspection was made in consequence of a complaint.

Section 107: (1) Labour Inspectors who are heads of Inspectorates shall have the initiative with respect to their tours of inspection and inquiries within the framework of labour legislation and regulations in force.

(2) They shall have permanently at their disposal the human and material resources necessary for performance of their duties.

Section 108: (1) Labour Inspectors with the proper credentials shall be empowered :

- to enter any establishment liable to inspection, freely and without warning at any time of the day or night, for the purpose of inspection ;

- to enter for the purpose of inspection any infirmary of an establishment or any canteen, sanitary installation or any facility supplying workers with water.

- to carry out any examination, control or inquiry which they consider necessary to ascertain that the laws regulations in force are strictly complied with and, in particular:

- to interrogate, alone or in the present of witnesses, the employer or the staff of the enterprise on any matters concerning the application of the laws and regulations in force

;

- to ask for any books, registers and documents the keeping of which is prescribed by laws or regulations relating to conditions of employment, in order to ensure that they conform with the laws and regulations in force and to copy such documents or make extracts from them;

- to enforce the posting of notices where this is required by the laws and regulations in force ;

- to take and carry away for purposes of analysis samples of materials and substances used or handled, subject to the employer or his representative being notified of any samples taken and carried away for such purpose.

(2) Labour Inspectors shall notify the employer or his representative of any inspection visit unless they consider that such notification may be prejudicial to the effectiveness of the inspection.

Section 109: (1) Labour Inspectors may record in official reports having the force of prima facie evidence, any infringement of labour laws and regulations.

They shall be empowered to take direct legal action before the competent court against any persons infringing the provisions of this law and its implementation instruments;

(2) The terms and conditions under which Labour Inspectors shall exercise their powers of control shall, as and when necessary, be laid down by regulations.

Section 110 : (1) In military establishments employing civilian labour, the powers and

responsibilities of inspectors concerning the monitoring of the application of labour laws and regulations may be conferred upon officials or officers specially appointed for that purpose whenever the interests of national defence preclude the admittance of personnel not belonging to the establishments concerned.

(2) Such appointments shall be made by the President of the Republic on the joint proposal of the minister in charge of defence and the minister in charge of labour.

(3) In any case, persons exercising such monitoring functions shall immediately inform the local labour inspector of any action taken by them.

Section 111: For execution of the duties entrusted to the Labour Medical Inspectorate, the medical inspectors of labour shall have the same obligations, rights and prerogatives as those conferred on Labour Inspectors by Section 106, 107, 108 and 109 of this law.

II. PLACEMENT

Section 112: (1) Placement shall come under the jurisdiction of the minister in charge of labour.

(2) Placement operations shall be carried out free of charge for workers either by:

- (a) government services or bodies ;
- (b) offices or agencies opened by trade unions, employers' associations or private bodies.

(3) The opening of the offices or agencies referred to in Sub-section 2(b) above shall be subject to the prior approval of the minister in charge of labour.

(4) A decree issued after consultation with the National Labour Advisory Board shall determine the conditions for the implementation of this section.

Section 113: In order to ensure full employment of national labour force, decrees issued after consultation with the National Labour Advisory Board shall limit the employment of workers of foreign nationality in certain occupations or at certain levels of professional qualifications.

CHAPTER 2 **MEASURES OF CONTROL**

Section 114: (1) Every person who opens or re-opens an enterprise or establishment of any kind shall submit a declaration thereof to the local labour inspectorate. The same rule shall apply in case of change or discontinuance of business or transfer.

(2) An order of the minister in charge of Labour issued after consultation with the National Labour Advisory Board shall lay down the conditions under which such declarations shall be made.

Section 115: Every employer, whether public or private and irrespective of the nature of this activity, shall furnish the local labour inspectorate and the services in charge of employment with detailed information concerning the situation of the manpower employed by him. Such information shall be in the form of a declaration, the frequency and conditions of submission of which shall be determined by order of the minister in charge of labour issued after consultation with the National Labour Advisory Board.

Section 116: (1) The employer shall maintain at the workplace and keep constantly up to date a register called the "employer's register" which shall record such information as will enable the labour and social insurance services to exercise control over the minister in charge of labour.

(2) An order issued after consultation with the National Labour Advisory Board shall determine the form of the register, the information which it must contain and the manner in which it shall be kept at the disposal of control officials.

(3) The said order shall also prescribe the conditions under which certain enterprises or categories of enterprises may be exempted from keeping an employers' register.

PART VIII
PROFESSIONAL INSTITUTIONS

CHAPTER 1
THE NATIONAL LABOUR ADVISORY BOARD

Section 117: (1) A National Labour Advisory Board, hereinafter referred to as the "Board", shall be established under the ministry in charge of labour.

(2) Its functions shall be :

- (a) to examine matters relating to working conditions, employment, vocational guidance and training, placement, manpower movements, migration, improvement of the material conditions of workers, social insurance, trade unions and employers' associations ;
- (b) to make the recommendations and proposals relating to laws and regulations to be made in the above areas, where such recommendations are provided for by this law.

Section 118: (1) There shall be established within the National Labour Advisory Board and Standing Committee to which the Board may delegate powers to make any recommendations and proposals and examine and study all matters falling within its province.

(2) Ad-hoc committees may, as and when necessary, be formed within the board.

Section 119: (1) The National Labour Advisory Board shall be presided over by the minister in charge of labour or his representative. It shall comprise :

- (a) one substantive member and one alternate member representing the National Assembly;
- (b) one substantive member and one alternate member representing the Economic and Social Council;
- (c) one substantive member and one alternate member representing the Supreme Court ;
- (d) an equal number of substantive and alternate representative of workers and employers appointed by an order of the minister in charge of labour on the proposal of the most representative workers' and employers' organizations ;
- (e) Where appropriate, experts and technicians sitting in an advisory capacity and appointed by an order of the minister in charge of labour in the light of the agenda of each session.

(2) The organization and functioning of the National Labour Advisory Board as well as of its Standing and Ad-hoc Committees shall be determined by regulations.

CHAPTER 2
THE NATIONAL COMMISSION ON INDUSTRIAL HEALTH AND SAFETY

Section 120: (1) A National Commission on Industrial Health and Safety shall be set up under the ministry in charge of labour.

(2) It shall be charged with the study of problems related to industrial medicine and the hygiene and safety of workers. In this capacity, it shall be responsible for;

- (a) making suggestions and recommendations concerning laws and regulations to be made in the above fields ;
- (b) making recommendations for the benefit of employers and workers, insurance bodies and various ministries concerning the protection of the health of workers;
- (c) making proposals concerning the approval of dangerous machinery and manufacturing processes likely to endanger the health of workers ;
- (d) carrying out or participating in any work of a scientific nature falling within its sphere of activity.

Section 121: (1) The National Commission on Industrial Health and Safety shall be presided

over by the minister in charge of labour or his representative. It shall comprise technicians or experts of unquestionable competence in the fields of industrial medicine and industrial hygiene and safety. Representatives of workers and employers shall be represented in equal number within the National Commission.

(2) The National Commission may seek the assistance of experts whenever it deems this necessary.

(3) The organization and functioning of the National Commission shall be determined by regulations.

CHAPTER 3 **STAFF REPRESENTATIVES**

Section 122: (1) Staff representatives shall be elected in any establishment located within the national territory, employing, on a regular basis, at least twenty workers governed by this law, irrespective of the nature of the establishment or of the employer, be he public or private, lay or religious, civilian or military.

(2) Where the head of the establishment has the status of worker he shall be part of the labour force to be considered for election.

(3) Staff representatives shall be elected for a two-year term of office. They shall be eligible for re-election.

Section 123: (1) With the exception of the head of the establishment, workers of either sex who are eighteen years old and have worked for not less than six months in the enterprise shall qualify as electors.

(2) Electors, who are aged twenty years, can express themselves in English and French and have worked continuously in the enterprise for not less than twelve months shall be eligible for election.

(3) The head of the establishment, his spouse, ascendants as well as his relatives of the same degree shall not be eligible for election.

Section 124: (1) Save in exceptional circumstances or unless otherwise provided for by agreement, the head of an establishment shall be bound to allow staff representatives a period of time of not more than 15 (fifteen) hours per month to perform their duties.

Such time shall be considered and paid for as working time. It shall be used only for the performance of duties that pertain to the office of staff representative such as are defined by the laws and regulations in force.

Where the time is not used, it may neither be carried forward to the following month nor be paid for.

Section 125: An order of the minister in charge of labour issued after consultation with the National Advisory Board shall determine:

(a) the number of staff representatives to be elected and their division into electoral colleges ;

(b) the procedure of election which shall be by secret ballot;

(c) the form of the report on the election which the employer shall be bound to submit to the Labour Inspector of the area.

(d) the conditions under which the staff representatives shall be received by their employer or his representative as well as the facilities to be made available to them;

(e) the conditions whereby a staff representative may be removed by the electoral college that elected him.

Section 126: (1) Objections regarding electors, eligibility of staff representatives or the regularity of elections shall be dealt with by the Court of First Instance of the area which shall give a ruling without delay.

(2) To be admissible, an objection must be lodged within 3 (three) days following publication of the electoral lists if it relates to electors or to eligibility, within the 15 (fifteen) days following the announcement of the results of the election if it relates to the regularity thereof.

Section 127: Each staff representative shall have a substitute elected in like manner who shall replace him when he is absent for any valid reason, or in the event of his death, resignation, removal, change of occupational category resulting in a change of electoral college, termination of contract of employment or loss of the qualifications for eligibility.

Section 128: The functions of the staff representatives shall be:

- (a) to refer to the employers any individual or collective demands in respect of conditions of employment, workers' protection, the application of collective agreements, classification of occupations and wage rates which have not been directly acceded to;
- (b) to refer to the Labour Inspectorate any complaint or claim in respect of the application of the laws and regulations which the said inspectorate is responsible for enforcing;
- (c) to ensure that the rules relating to the hygiene and safety of workers and to social insurance are observed, and to recommend any necessary action in these matters;
- (d) to submit to the employer any useful suggestions for improving the organization and output of the enterprise.

Section 129: Notwithstanding the above provisions, the workers shall be entitled to submit their grievances and suggestions personally to the employer.

Section 130: (1) An employer or his representative proposing to terminate the appointment of a staff representative, whether permanent or substitute, shall be bound to seek and obtain the prior authorization of the local Labour Inspector.

(2) The Labour Inspector shall, after hearing both parties, ensure that the proposed determination is not motivated by acts carried out by the staff representative while performing his duties.

(3) Any dismissal made in violation of the foregoing provisions shall be null and void.

(4) However, in cases of serious misconduct, the employer may temporarily suspend the staff representative, pending the decision of the Labour Inspector. If the authorization is not granted, the staff representative shall be reinstated with full pay for the period of the suspension.

(5) The Labour Inspector shall make his decision known within a time limit of 1 (one) month, after which the authorization shall be taken for granted unless the Labour Inspector has notified the employer that an additional month is necessary for him to complete his enquiry.

(6) The above provisions shall apply to:

- (a) staff representatives who have been proposed for transfer elsewhere, thus making it impossible for them to perform their duties in their original establishment, unless the persons concerned have given their consent before the local Labour Inspector ;
- (b) former staff representatives for a period of 6 (six) months following the expiry of their term of office ;
- (c) candidates for the office of Staff Representative for a period of 6 (six) months following the date of filing of nomination papers.

(7) Notwithstanding the authorization of the Labour Inspector to dismiss a Staff Representative, such Staff Representative reserves the right to bring the matter before the competent court in accordance with the procedure laid down in Section 139 of this law.

PART IX **LABOUR DISPUTES**

CHAPTER 1 **INDIVIDUAL DISPUTES**

Section 131: Any individual dispute arising from a contract of employment between workers and

their employers or from a contract of apprenticeship shall fall within the jurisdiction of the court dealing with the labour disputes in accordance with the legislation on judicial organization.

Section 132: The competent court shall, in principle, be that of the place of employment; provided that a worker who no longer resides at the place where he was performing a contract of employment or before that of this place of residence, on condition that both courts are situated in Cameroon.

I. COURT

Section 133: (1) The court dealing with labour disputes shall be composed of:

- (a) a president who shall be a judicial officer ;
- (b) an employer assessor and a worker assessor chosen from the lists drawn up in accordance with Section 134 below;
- (c) a registrar.

(2) The president shall designate the assessors who are to sit for each case.

(3) Where one or both of assessors duly summoned to attend fail to do so, the president shall summon them again. In the event where one or both of the assessors still fail to attend, the president shall sit alone.

(4) In the case referred to in the foregoing subsection, the judgment shall make mention of the duly justified absence of one or both of the assessors.

(5) Except in a case of force majeure, any assessor who is absent three times during his term of office shall be relieved of his duties. Another assessor designated from the list drawn up for the sector of activity concerned shall replace him for the remaining period of his term office.

Section 134: (1) The assessors shall be appointed by order of the Minister of Justice on the proposal of the minister in charge of labour. They shall be chosen from lists containing not less than three names for each post to be filled by the most representative trade unions or employer's associations. If these fail to act or if there are not such organizations, the minister in charge of labour shall directly make his proposal.

(2) The assessors shall be appointed for a term of two judicial years and may be re-appointed, provided that the assessors in office shall continue to act until the new appointments have been made.

(3) If necessary, the list of assessors may be completed during the judicial year in the same manner as that prescribed in Subsection 1. The term of office of the assessors so designated shall expire at the same time as that of the assessors appointed on the basis of biennial lists.

Section 135: (1) The conditions required for appointment as an assessor shall be those required of the leaders or management of a trade union or employers' association as set out in Section 10 of this law, including the following additional conditions:

- (a) an assessor must have performed professional duties for at least 3 (three) years excluding apprenticeship;
- (b) he must have performed such duties in the area of jurisdiction of the court for at least the last 3 (three) months; and
- (c) he must be able to read and write English or French.

(2) An assessor who is convicted of any of the offences defined in Section 10 of this law, or who is deprived of his civic rights, shall automatically forfeit his office as assessor.

Section 136: Assessors shall take the following oath before the court in which they are to serve. "I swear to discharge my duties with zeal and integrity and to keep the secrecy of the proceedings".

Section 137: (1) The functions of assessor shall be a civic and social duty. They shall be performed free of charge.

(2) However, travel and subsistence costs incurred and the amount of wages and allowances lost as a result of their attendance at the courts shall be reimbursable to assessors.

(3) The amount of and conditions of granting such allowances shall be determined by a joint order of the Minister of Justice and the Minister in charge of Labour.

II. PROCEDURE

Section 138: (1) The proceedings for the settlement of individual disputes relating to employment, both in first instance and on appeal, shall be free of charge.

(2) Any decisions and documents produced shall be registered duty-free and all procedural costs shall be treated on the same footing as costs in criminal proceedings in respect of their payment, charging, settlement and collection.

Section 139: (1) Any worker or employer shall request the competent Labour Inspector to settle the dispute out of court.

(2) Rules relating to summons and appearance before the court shall be determined by order following the recommendation of the National Labour Advisory Board.

(3) In the case of an amicable settlement, the terms there of shall be embodied in a statement of conciliation made out by the Labour Inspector and signed by him and by the parties. Such settlement of the dispute shall be applicable when the statement of conciliation has been endorsed by the president of the competent court and marked for enforcement.

(4) In cases of partial conciliation, the statement of non-conciliation shall mention the points on which agreement has been reached and those on which disagreement persists.

(5) If the attempt at conciliation fails, the inspector of labour and social insurance or his representative shall make out a statement of non-conciliation.

(6) In all cases referred to above, a copy of the statement signed by the Labour Inspector and by the parties shall be addressed to the president of the competent court, and handed to the parties.

Section 140: (1) In cases of total or partial failure of the attempt at conciliation to which reference is made in the preceding section, the action shall be instituted by an oral or written declaration made to the registrar of the competent court by the most diligent party.

(2) In order to be receivable, the said declaration shall be accompanied by a copy of statement of non-conciliation or of partial conciliation.

(3) The said declaration shall be entered in a register kept specially for the purpose, and a certificate of the entry shall be delivered to the party instituting the action.

Section 141: (1) Within two days (not including Sundays and holidays) of receipt of the petition, the president shall summon the parties to appear within twelve days (to which travelling time shall be added in appropriate cases).

(2) The summons shall state the name and occupation of the plaintiff, the subject matter of petition, and the place, date and hour for appearance.

(3) The summons shall be served on the person or delivered at his home in accordance with the provisions of ordinary law. Service may be validly effected by registered letter with acknowledgement of receipt.

Section 142: (1) The parties shall appear before the court at the appointed place, date and hour. They may be accompanied or represented as in the case of proceedings before an ordinary court of law either by a worker or an employer engaged in the same branch of activity or by a representative of the trade union or employers' association to which the party belongs.

Moreover, an employer may be represented by a manager or employee of the undertaking or establishment.

(2) Save in the case of counsel, any such authorized representative shall be appointed by written document.

Section 143: (1) If the plaintiff fails to appear on the day fixed for the hearing and fails to show a cause of force majeure, the case shall be struck off the rolls. It may be resumed once only, with the same formalities as for the initial petition otherwise it shall be void. If, after an adjournment, he fails to appear, the same shall apply.

(2) If the defendant does not appear but or is not properly represented, the court shall, after examining the case, pronounce a default judgment.

(3) If the defendant does not appear but has presented his defence in a written memorandum, the case shall be decided by a judgment which shall be deemed to have been given after a hearing of both parties.

(4) Any defendant who has appeared in the proceedings shall not thereafter be found to be in default. Any judgment given against him shall be deemed to have been given after a hearing of both parties.

(5) Whatever the case, the judgment shall be notified in accordance with the rules prescribed in Section 151 hereunder so that the period allowed for lodging an appeal may begin to run.

Section 144: (1) An objection may be made concerning an assessor of the court:

(a) If he has a personal interest in the matter in dispute ;

(b) If he is related by blood or marriage up to the sixth degree, to one of the parties ;

(c) If there have been penal or civil proceedings between the assessor and one of the parties or the spouse or relative by marriage in the direct line of the parties ;

(d) If the assessor has expressed an opinion in writing or orally on the matter in dispute ;

(e) If the assessor is the employer or employee of one of the parties to the case.

(2) The objection shall be made before any oral proceedings commence. The president shall give a ruling immediately. If the objection is overruled, the oral proceedings shall begin; if the objection is upheld, the case shall be adjourned to the next hearing.

Section 145: (1) The court shall proceed immediately with the examination of the case. If the parties so agree or if the president so decides, the case may be adjourned for not more than fifteen days. The court may also order giving reasons, an inquiry, an inspection of premises or other procedure for procuring information.

(2) On the resident and the registrar, the court may immediately deliberate in private. Unless there is a postponement for further deliberation, which shall be limited to a maximum of eight days, the judgment shall be handed down immediately and shall contain reasons.

(3) The record of judgment shall be signed by the president and the registrar.

Section 146: The judgment may provisionally order immediate execution, notwithstanding any motion for a stay of execution of any appeal, with exemption from surety up to a sum to be fixed by a statutory instrument. In respect of amounts in excess, provisional execution may be ordered on condition that surety is furnished; but it may be ordered without such condition, and in any amount, notwithstanding a motion for stay or an appeal, in the case of wages and perquisites recognized as due and not in dispute.

Section 147: All orders and judgments and all official copies of contracts and any other documents in respect of which execution may be ordered shall be marked with the executory formula and sealed as follows:

"Republic Cameroon" "In the name of the people of Cameroon" and shall close with the following words:

"Therefore the president of the Republic of Cameroon commands and orders all bailiffs and process-servers by these presents to give effect order (or judgment, etc.) and all procureurs general, state counsels and all members of the judicial and Legal Service and civil servants charged with taking action on behalf; of the Republic to lend their aid when so required by law".

"In faith whereof the present order (or judgment, etc.) has been signed by the president and the registrar".

Section 148: Orders and judgments shall be executed, if the parties so request, by bailiffs and process-servers.

Section 149: A worker shall be entitled as of right to the assistance of the court in the execution of judgment or order in his favour. The president shall designate a bailiff who shall assist the worker in this regard.

Section 150: A third party claiming to be owner of all or part of the property distrained may, before the sale, submit his claim to the president of the court either orally or in writing. Where the evidence produced and the arguments put forward so warrant, the president shall suspend the sale of the articles and effects claimed and shall then summon the parties within eight days. After hearing the parties, the president shall make an order for against the appropriation of the property distrained.

Section 151: (1) In the case of judgment by default, service on the defaulting party shall be by the registrar of the court without charge, in the manner prescribed in Section 141 above.

(2) If within ten days of service (plus time allowed for distance) the defaulting party has not moved for a stay of execution in the manner prescribed in Section 140 above the judgment shall become enforceable. On a motion for a stay of execution the court shall summon the parties again in the manner prescribed in Section 141; the new judgment shall be enforceable notwithstanding default.

Section 152: Except with regard to the labour jurisdiction of the court, the judgments of courts in matters shall be final and without appeal if they relate to applications for delivery of certificates of employment or pay slips.

Section 153: The courts passing judgments on labour matters shall deal with all counter-claims or applications for set-off which by their nature fall within their jurisdiction.

Section 154: (1) Within 15 days of the handing down of the judgment in the case of a full hearing, or of its notification in the case of judgment by default or deemed to have had full hearing, an appeal may be lodged in the manner prescribed in Section 140 above.

(2) The appeal shall be transmitted, within eight days of the declaration of the intention to appeal, to the registrar of the competent court of appeal.

(3) The appeal shall be determined within two months of the said declaration of intention to appeal, on the basis of the documents produced, provided that the parties may be heard at their request, in which case they may be represented in accordance with the rules laid down in Section 142 above. The parties shall be informed by the registrar, at the address given by the parties, of the date of the hearing, the name of the respondent and the judgment being appeal.

(4) The court shall give a ruling on the character of the appeal. In the case of an improper or dilatory appeal, the appellant may be sentenced to a fine of less than 20,000 and not more than 100,000 francs (5). The court shall designate a bailiff at whose instance the execution shall be carried out.

Section 155: (1) A court may, in the interest of justice and at the request of one of the parties, extend the time-limit provided for in this section for reasons which shall be stipulated in the judgment.

(2) No extension pursuant to the provisions of the present section shall exceed thirty days.

Section 156: (1) In all procedural matters not covered by this chapter, ordinary law provisions shall be applicable only on the absence of specific provisions laid down in this law.

(2) The conditions of implementation of this chapter, in particular, as concerns the form of the registers, shall be laid down by statutory instruments.

CHAPTER 2

COLLECTIVE DISPUTES

Section 157: (1) Any dispute which is characterized by:

- (a) The intervention of a group of wage-earning workers, whether or not the said workers are organized in trade unions, and
 - (b) The collective nature of the interests at stake shall be deemed to be a collective labour dispute and shall therefore lie outside the jurisdiction of the courts to which reference is made in Section 131 above.
- (2) Settlement of any collective labour dispute shall be subject to conciliation and arbitration procedure as provided for in a Sections 158 and 164 hereunder.
- (3) Shall be deemed legitimate any strike or lock-out started after these arbitration procedures have been exhausted and have failed.
- (4) A strike shall be collective or concerted refusal by all or part of the workers of an establishment to comply with the normal labour rules, in order to bring the employer to meet their demands or claims.
- (5) A lock-out shall be the locking of an establishment by the employer in order to bring pressure to bear on workers on strike or threatening to go in strike.

I. CONCILIATION

Section 158: (1) The competent Inspector of Labour and Social Insurance shall be immediately notified by the most diligent party of collective dispute.

(2) Where the collective agreement does not provide for a conciliation procedure or in case of failure of such procedure, the competent Inspector of Labour Insurance shall immediately convene the parties and attempt to bring about an amicable settlement.

(3) Either of the parties may empower representative to take part in the conciliation proceedings on its behalf. If a party does not appear and has not duly appointed a representative, the Inspector of Labour and Social Insurance shall make a report to that effect, and the defaulting party may, on the basis of the said report, be sentenced to a fine of not less than 50,000 and not more than 500,000 francs.

(4) The Inspector of Labour and Social Insurance shall convene the parties to meet again not more than forty-eight hours thereafter.

Section 159: (1) At the end of the attempt at conciliation the Inspector of Labour and Social Insurance shall made a report stating either the agreement or partial or the total disagreement of the parties. The latter shall sign the statement and shall each receive a copy thereof.

(2) Any agreement by conciliation shall be enforceable as laid down in Section 139.

Section 160: If the attempt at conciliation fails, the Inspector of Labour and Social Insurance shall be bound to refer the dispute to the arbitration procedure defined herein-after, within eight (8) clear days.

II. ARBITRATION

Section 161: (1) The arbitration of any collective labour dispute which has not been settled by conciliation shall be undertaken by an arbitration board established in the area of each appeal court and composed as follows:

(a) Chairman: A judicial officer of the competent court of appeal

(b) Members:

(i) An employer assessor;

(ii) A worker assessor.

(2) The two assessors shall be designated by the chairman of the arbitration board from among assessors appointed to the high court of the area.

(3) A registrar of the court of appeal shall act as secretary.

Section 162: (1) The arbitration board shall not make an award on any matter except those set down in the statement of non-conciliation and those which have arisen out of events subsequent to the making of the said statement and are a direct consequence of the dispute.

(2) The board shall give its award in law in disputes regarding the interpretation and application of laws, regulations, collective agreements and company agreements currently in force.

(3) It shall give its award in equity in other disputes, particularly those relating to wages or to conditions of employment if the latter are not determined by legislative provisions, regulations, collective agreements or company agreements currently in force, and in disputes relating to the negotiations or revision of clauses or collective agreements.

(4) The arbitration board shall have the wide powers to obtain information on the economic situation of the undertakings and on the situation of the workers concerned in the dispute.

(5) It may make any necessary investigations of undertakings and trade unions and employers' associations and it may require the parties to produce any document or to provide any information, whether economic, accounting, financial, statistical or administrative, which may be useful to it in the performance of its duties.

(6) It may have recourse to experts and, in general, to any person duly qualified and likely to be able to inform it.

Section 163: (1) An arbitration award shall be notified to the parties without delay by the competent inspector of labour and social insurance.

(2) If, at the expiration of a period of eight clear days after notification, neither party has applied for a stay of execution, the award becomes effective in accordance with the provisions of Section 164 hereunder. The same shall apply if an application for stay, having been made, is withdrawn before the expiration of the said period.

(3) An application for stay of execution shall be valid only if it is made by registered letter, with acknowledgement of receipt, sent to the Inspector of Labour and Social Insurance of the area.

Section 164: (1) The putting in to effect of a conciliation agreement or of an award in respect of which no stay of execution has been allowed shall be mandatory. If such agreement or award does not specify a date in this regard, it shall have effect as from the date of the attempt at conciliation.

(2) A trade union or employer's association duly established in conformity with this law may institute any proceeding arising out of a conciliation agreement or arbitration award in respect of which no application has been made for a stay of execution.

(3) Conciliation agreements and arbitration awards shall be immediately posted up in the offices of the inspectorate of labour and social insurance and published in the Official Gazette.

(4) The minutes of agreements and of awards shall be deposited at the registry of the high court of the place of the dispute.

(5) The conciliation and arbitration procedures shall be free of charge.

Section 165: (1) A lock-out or strike undertaken in contravention of the above provisions may have the following consequences:

(a) In case of a lock-out, the employer may :

(i) be required to pay workers' wages for the days so lost;

(ii) Be declared, for a period of not less than two years, ineligible for membership of a chamber of commerce and prohibited from participating in any way whatsoever in any works enterprise or in any supplies contract involving the state or a local council. Such ineligibility shall be pronounced by an ordinary law court on the application of the minister in charge of labour and social insurance.

(b) In case of a strike, the workers may :

(i) see their contracts terminated on grounds of serious misconduct;

(ii) be punished with fine of from 20,000 to 100,000 CFA francs.

PART X **PENALTIES**

Section 166 : Any person responsible for the administration or management of a trade union, and any person committing and infringement of the provisions of Section 3, 6, 10, 16 and 19 shall be punished with fine of from 50,000 to 500,000 francs.

Section 167: (1) Any person committing an infringement of Sections 29, 30 (1), 40, 41, 44, 50 (1), 51, 62, 64, 86,87 (2), 88, 89, 90, 92, 93, 97, 98 (1), 99, 100, 101, 112 (2) and (3), 114 (1), 115 and 116 ;

(2) Any person making false statements concerning the rules of a trade union or of an employers' association or the names and offices of the persons responsible for the administration or management of such trade union or association ;

(3) Any person falsely claiming to be responsible for the administration or management of a trade union;

(4) Any person committing an infringement of the of the decree provided for in Section 62 (1); and

(5) Any person committing an infringement of the provisions of collective agreements which have been the subject of a decree of extension, in matters of wages, bonuses, allowances or any other benefits in cash, shall be punished with fine of from 100,000 to 1,000,000 francs.

Section 168: (1) Any person committing an infringement of Sections 26, 27 (2), 67, 68, 75 (1), 82 and 84 (1), (2), (5), and (4);

(2) Any person who commits, against a worker belonging to a trade union, an act of discrimination tending to affect freedom of association as regards employment ;

(3) Any person who engages in any of the practices referred to in Section 4 (2);

(4) Any person interfering with the proper performance of the duties of staff representatives;

(5) Any person who forces a worker to take up employment against his will or who prevents a worker from taking up employment, going to work or discharging, in a general manner, any obligations imposed by his contract;

(6) Any person who, by using a fictitious contract or one which contains untrue statements, obtains employment or intentionally takes the place of another worker, and,

(7) Any employer, employer's agent or official in charge who knowingly enters in the employer's register or other document false statements concerning the duration of a worker's employment or he character of his work, and any worker who knowingly makes use of such false statement; and

(8) Any person who demands or accepts from a worker any remuneration whatsoever for acting as an intermediary in the settlement or payment of wages ; allowances or costs of any kind, or for obtaining an employment or for settling an individual dispute respecting employment whatever the matter at issue, shall be punished with fine of from 200,000 to 1,500,000 francs.

Section 169: (1) Any person who obstructs the performance of the duties or the exercise of the powers of the Inspectors of Labour and Social Insurance on the medical inspectors labour and social insurance shall be punished with a fine of from 1,000,000 francs to 2,000,000 francs.

Section 170: (1) In case of a repetition of infringement of the provisions of Sections 26, 27 (2), 30 (1), 67, 68, 75 (1), 82, 84 (2), (3) and (4), 86, 88, 89, 90, 92, 93, 98 (1) as well as of the provisions of Sections 167 (3), 168 (2), (3), (4). (5), (6), (7), (8), and 169, a penalty of imprisonment of from 6 days to 6 months may also be required.

(2) Where the person concerned is a second offender or whenever the person committing the infringements referred to in Section 168 (8) is one of the persons responsible for the administration and a management of trade union or belongs to the Ministry of Labour and Social Insurance, the penalty of imprisonment shall be mandatory.

Section 171: The provisions of the Penal Code shall apply to:

- (1) persons guilty of acts of resistance, abuse and force against inspectors of labour and social insurance and medical inspectors of labour and social insurance ;
- (2) persons committing infringements of the provisions of Section 2 (3); and
- (3) persons impersonating inspectors of labour and social insurance and medical inspectors of labour and social insurance.

Section 172: The fines provided for in Sections 167, 168, 169 and 170 in respect of infringements of the provisions of Sections 29, 40, 62, 67, 68, 82, 86, 87, 88, 97 and 100 above shall be multiplied by the number of workers affected by the punishable offence.

Section 173: The head of an enterprise shall bear civil liability for the conviction of his agent or official in charge.

PART XI **SPECIAL TRANSITIONAL AND FINAL PROVISIONS**

Section 174: In matters where no special provisions have been stipulated, enterprises benefiting from the Industrial Free Zone regime shall be bound to apply the provisions of this law and its implementation instruments

Section 175: Vocational training, vocational rehabilitation and employment of handicapped persons shall be governed by laws.

Section 176: (1) All previous provisions repugnant to this law are repealed, in particular law No. 74/14 of 27 November 1974 to institute the Cameroon Labour Code and Law No. 68/LF/20 of 18 November 1968 prescribing the form in which trade unions and employer's associations must be set up in order to qualify for registration.

(2) Regulations drawn up pursuant to afore-mentioned law No.74/14 of 27th November, 1974, or those applicable to the said law but not repugnant to this law shall remain in force until repealed or replaced.

Section 177: This law shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

Yaounde, 14 August 1992

(signed) Paul BIYA

President of the Republic

**Law No. 2010-12 of 21 December 2010 relating to cybersecurity and cybercriminality
in Cameroon**

*The National Assembly deliberated and adopted,
the President of the Republic hereby enacts
the law set out below:*

**PART I
GENERAL PROVISIONS**

Section 1. This law governs the security framework of electronic communication networks and information systems, defines and punishes offences related to the use of information and communication technologies in Cameroon.

Accordingly, it seeks notably to:

- build trust in electronic communication networks and information systems;
- establish the legal regime of digital evidence, security, cryptography and electronic certification activities;
- protect basic human rights, in particular the right to human dignity, honour and respect of privacy, as well as the legitimate interests of corporate bodies.

Section 2. This law shall not cover the specific applications used in national defence and security.

Section 3. The electronic communication networks targeted by this law shall include: satellite, ground and electronic networks when they are used to route electronic communications and audio-visual communication broadcast or distribution networks.

Section 4. Within the meaning of this law and its implementing instruments, the following definitions shall be accepted:

- (1) **Illegal access:** unauthorized intentional access to all or part of an electronic communication network, an information system or terminal equipment;
- (2) **Administration in charge of telecommunications:** ministry or minister, as the case may be, invested with general powers over telecommunications and information and communication technologies by the Government;
- (3) **Algorithm:** series of basic mathematical operations to be applied to data to achieve a desired result;
- (4) **Asymmetric algorithm:** cipher algorithm using a public key to cipher and a private key (different) to decipher messages;
- (5) **Symmetric algorithm:** cipher algorithm using the same key to cipher and decipher messages;
- (6) **Active attack:** action modifying or altering the resources targeted by the attack (violation of the integrity and confidentiality of data);
- (7) **Passive attack:** action that does not alter its target (eavesdropping, invasion of privacy);
- (8) **Integrity violation:** action carried out intentionally to substantially disrupt or disable an information system, electronic communication network or terminal equipment by inputting, transmitting, damaging, deleting, deteriorating, altering, suppressing or making data inaccessible;
- (9) **Security audit:** systematic examination of components and security actors, policies, actions, procedures and resources used by an organization to protect its environment, conduct compliance tests, controls to assess the adequacy of (organizational, technical, human and financial) resources allocated for risks, optimization, efficiency and performance;
- (10) **Authentication :** safety criteria defined using a specific process to verify the identity of a person or entity and ensure that the identification given corresponds to the identity of the person

initially registered;

(11) Certification Authority: trusted authority responsible for the creation and assignment of public and private keys and electronic certificates;

(12) Root Certification Authority: structure put in place in charge of the mission of accreditation of certification authorities, validating certification policy of certification authorities accredited, validating and signing certification authorities accredited certificates.

(13) Digital certificate: electronic record secured by the electronic signature of the person who issued it after ensuring that it certifies the authenticity of its contents;

(14) Qualified electronic certificate: digital certificate issued by a licensed Certification Authority;

(15) Electronic certification: issuance of electronic certificates;

(16) Cipher: the transformation of information using a secret key to make it illegible to anyone except those possessing special knowledge of the key;

(17) Key: in a cipher system, it corresponds to a mathematical value, a word, or a phrase which enables the ciphering or deciphering of a message with the help of the encryption algorithm;

(18) Private key: key used in asymmetric cipher mechanism (or public key cipher) which belongs to an entity and kept secret;

(19) Public key: used to cipher a message in an asymmetric system distributed freely;

(20) Secret key: key known to the sender and recipient used to cipher and decrypt messages using the symmetric cipher mechanism;

(21) Source code: all technical specifications, with no restrictions on access or implementation of a software or communication protocol, interconnection, interchange, or data format;

(22) Audiovisual communication: public communication by television and radio broadcasting services;

(23) Electronic communication: electromagnetic emission, transmission or reception of signs, signs, writings, images or sounds;

(24) Confidentiality: maintenance of the confidentiality of information and transactions to prevent unauthorized disclosure of information to non-recipients enabling the reading, listening, intentional or accidental, illegal copying during storage, processing or transfer;

(25) Content: all information relating to data belonging to individuals or legal entities, transmitted or received through electronic communication networks and information systems;

(26) Illegal content: content that infringes on human dignity, privacy, honour or national security;

(27) Electronic mail: message in the form of text, voice, sound or image transmitted through a public communication network, stored in a network server or the recipient's terminal equipment until he retrieves it;

(28) Encryption: use of codes or signals to convert information to be transmitted in the form of signals that are not understood by others;

(29) Cryptanalysis: all resources used to analyze initially encrypted information to be decrypted;

(30) Encrypted text: encrypted or encoded message;

(31) Cryptography: use of mathematical algorithm to encrypt information in an attempt to make it unintelligible to those who are not authorized to access it;

(32) Cybercriminality: infraction of the law carried out through cyberspace using means other than those habitually used to commit conventional crimes;

(33) Cybersecurity: technical, organizational, legal, financial, human, procedural measures for prevention and deterrence and other actions carried out to attain set security objectives through electronic communication networks and information systems, and to protect privacy;

(34) Certification practice statement: practices (organization, operational procedures, technical and human resources) that the competent Certification Authority applies within the framework of the provision of this service in accordance with the certification of a policy or policies it undertook to comply with;

(35) Decryption: reverse of encryption;

(36) Denial of service: attack by saturation of a resource of the information system or electronic communication network to make it collapse and unable to provide expected services;

(37) Distributed Denial of Service: simultaneous attack of the resources of an information system

or electronic communication network in order to saturate and amplify the effects of interference;

(38) Availability: security criterion of resources of electronic communication networks, information systems and terminal equipment being accessible and usable as required (time factor);

(39) Device for electronic signature creation: equipment and / or private encryption software certified by a competent authority, configured to create an electronic signature;

(40) Device for electronic signature verification: equipment and/or public encryption software certified by a competent authority used by a certifying authority to verify electronic signatures;

(41) Data: representation of facts, information or concepts in a form suitable for processing by terminal equipment, including a program allowing it to perform a function;

(42) Connection data: data relating to the access process in an electronic communication;

(43) Traffic data: data relating to an electronic communication indicating the origin, destination, route, time, date, size and duration or type of underlying service;

(44) Terminal equipment: equipment, installation or facilities to be connected to the end point of an information system which broadcasts, receives, processes and stores information data;

(45) Reliability: ability of an information system or electronic communication's network to operate without any incident for a very long time;

(46) Provider of electronic communication services : natural person or corporate body providing services consisting entirely or . mainly in the provision of electronic communications;

(47) Impact severity: assessment of the gravity of an incident, weighted by its frequency of occurrence;

(48) Data integrity: safety criterion defining the status of an electronic communication's network, an information system or terminal equipment that remains intact and helps ensure that resources have not been altered (modified or destroyed) intentionally and accidentally to ensure their accuracy, reliability and durability;

(49) Unlawful interception: illegal or unauthorized access to the data of an electronic communication's network, an information system or a terminal equipment;

(50) Lawful interception: authorized access to the data of an electronic communication's network, an information system or terminal equipment without right or authorization;

(51) Intentional intrusion: intentional and unauthorized access to an electronic communication's network or an information system with the intent of causing harm or deriving economic, financial, industrial, or security benefit or sovereignty;

(52) Intrusion by intellectual challenge: intentional access without right to an electronic communication's network or an information system with the intent of taking up an intellectual challenge that can help improve the performance of the organization's security system;

(53) Deceptive software: software that performs operations on a user's terminal equipment without initially informing him of the exact nature of the operations to be performed on his terminal equipment by the software or without asking his approval for the software to perform the operations;

(54) Spyware: specific deceptive software that collects personal information (most visited websites, passwords, etc.) from a user's electronic communication's network;

(55) Potentially unwanted software: software having the features of a deceptive software or spyware;

(56) Plain text: version of a message that is intelligible to and understandable by all;

(57) Cryptographic means: equipment or software designed or modified used in transforming data, be it information or signals, using secret codes or to perform an inverse operation with or without a secret code to guarantee the safe storage or transmission of data and ensure the confidentiality and control of their integrity;

(58) Non-repudiation: security criterion that ensures the availability of evidence that can be used to prove the traceability of an electronic communication that has taken place;

(59) Certificate policy: set of rules that define standards to be respected by Certification Authorities when providing their services, indicating the applicability of a certificate to a particular community and/or class of application with common security requirements;

- (60) Security policy: security benchmark established by an organization which reflects its security strategy and specifies the means to achieve it;
- (61) Provision of cryptographic service: operation aimed at implementing cryptographic solutions on behalf of others;
- (62) Electronic communication's network: active or inactive transmission systems and, where applicable, switching and routing equipment and other resources that enable signal routing by wire, radio, optical means or other electromagnetic means, including satellite, terrestrial networks, fixed (circuits or packets switching, including the Internet) and mobile networks, systems using electrical network, provided they are used to transmit signals, networks used for radio and television and cable "television networks, irrespective of the type of information transmitted;
- (63) Telecommunication network: installation or group of installations used in the transmission and routing of telecommunications signs, or exchange of command and management information associated with these signals between network points;
- (64) Security: situation in which someone or something is not exposed to any danger. Mechanism to prevent any havoc or their attendant effects;
- (65) Certification service: service provided by a Certification Authority;
- (66) Electronic communication's service: service consisting wholly or mainly in the provision of electronic communications, except the content of audiovisual communication services;
- (67) Representative: individual acting on his own behalf or on behalf of the person or entity he represents, which involves a device for creating an electronic signature;
- (68) Electronic signature: signature obtained by an asymmetric encryption algorithm to authenticate the sender of a message and verify its integrity;
- (69) Advanced electronic signature: electronic signature obtained using a qualified electronic certificate;
- (70) Open standard: communication, interconnection or exchange and interoperable data format protocol whose technical specifications and access are public and have no restriction or implementation;
- (71) Detection system: system that helps detect incidents that could lead to security policy violation and help diagnose potential intrusions;
- (72) Information system: devices or group of interconnected or related devices performing, by itself or by one or many of its components, automatic data processing, in line with a program;
- (73) Vulnerability: security breach resulting either intentionally or accidentally by a violation of security policy in the architecture of an electronic communication's network, in designing an information system.

Section 5. The terms and expressions not defined under this law shall maintain their definitions or meanings as provided for in international legal instruments to which Cameroon adheres, notably the Constitution and the Convention of the International Telecommunications Union, the Radiocommunications Regulation and the International Telecommunications Regulation.

PART II **CYBERSECURITY**

CHAPTER 1 **ELECTRONIC SECURITY AND GENERAL POLICY**

Section 6. The Administration in charge of Telecommunications shall formulate and implement the electronic communication's security policy by taking into account technological developments and Government priorities in this domain.
Accordingly, it shall:

- promote the security of electronic communication networks and information systems and monitor the evolution of issues related to security and certification activities;
- coordinate activities that contribute to the security and protection of electronic communication networks and information systems at national level;
- ensure the setting up of an electronic communication's security framework;
- draw up the list of Certification Authorities;
- represent Cameroon in international bodies in charge of activities related to the security and protection of electronic communication networks and information systems.

CHAPTER 2

REGULATION AND MONITORING OF ELECTRONIC SECURITY ACTIVITIES

Section 7. (1) The National Agency for Information and Communication Technologies, hereinafter referred to as the Agency, instituted by the Law governing electronic communications in Cameroon, shall be responsible for the regulation of electronic security activities in collaboration with the Telecommunications Regulatory Board

(2) The Agency referred to in subsection 1 above shall be responsible for the regulation, control and monitoring of activities related to the security of electronic communication networks, information systems, and electronic certification on behalf of the State. Accordingly, its missions shall be to:

- examine applications for accreditation and prepare the specifications of Certification Authorities and submit them to the Minister in charge of telecommunications for signature;
- control the compliance of electronic signatures issued;
- participate in the development of the national policy on the security of electronic communication networks and certification;
- give an advisory opinion on instruments that fall under its area of competence;
- control activities aimed at ensuring the security of electronic communication networks, certification and information systems;
- examine applications for the certification of cryptographic means and issue certificates of homologation for security equipment;
- prepare agreements of mutual recognition with foreign parties and submit them to the Minister in charge of Telecommunication for signature;
- monitor technological developments and issue warnings and recommendations regarding the security of electronic communication networks and certification;
- participate in research, training and studies related to the security of electronic communication networks, certification and information systems;
- ensure the regularity and efficiency of security audits of information systems in accordance with established standards, public bodies and Certification Authorities
- monitor, detect and provide information on computer-related risks and cybercriminals activities ;
- carry out any other mission of general interest assigned to it by the supervisory authority.

(3) A decree of the Prime Minister shall determine the modalities of implementation of subsection 1 above.

Section 8. (1) The Agency shall be the Root Certification Authority.

(2) The Agency shall be the Certification Authority of the Public Administration.

Section 9. (1) The Certification Authorities, security auditors, editors of security programs and other authorized security services are subject to the payment of a 1.5 % annual contribution of their untaxed turnover value intended to a fund named "Special Fund for Security Activities," intended to finance research, development, training and studies in respect of cybersecurity.

(2) The resources referred to in Subsection 1 above shall be collected by the Agency and deposited in an account opened at the Central Bank.

- (3) A Committee is hereby created to be in charge of the validation of priority projects for research, development, training and studies in the domain of cybersecurity. The conditions and terms for the functioning of the Committee shall be defined by regulation.
- (4) The Minister in charge of Telecommunications shall be the authorizing officer for expenses made under the fund referred to in subsection 1 above.
- (5) The conditions and terms of collection and management of this contribution shall be defined by regulation.

CHAPTER 3

LEGAL REGIME OF CERTIFICATION ACTIVITIES

Section 10. Electronic certification activities shall be subject to prior approval. It shall be carried out by Certification Authorities.

Section 11. The following activities may be subject to authorization:

- the setting up and exploitation of infrastructure to issue, preserve and deliver qualified electronic certificates ;
- the provision of public keys to all public users ;
- the provision of security auditing, security programs editing, and other authorized security services to the public.

Section 12. The conditions and terms for granting the authorization referred to in Section 10 above shall be laid down by regulation.

CHAPTER 4

SECURITY ACTIVITIES

Section 13. (1) Electronic communication networks and information systems of operators, certification authorities and electronic communication service providers shall be subject to an obligatory security audit.

(2) The conditions and terms for the conduct of the security audits provided for in Sub- Section 1 above shall be laid down by regulation.

Section 14. The staff of the Agency and experts recruited to carry out audit operations shall be required to maintain professional secrecy.

CHAPTER 5

ELECTRONIC CERTIFICATION

Section 15. (1) Qualified electronic certificates shall be valid only for the objects for which they were issued.

(2) Devices used to design and verify qualified certificates shall, from the technological stand point, be neutral, standardized, certified and interoperable.

Section 16. (1) Certification Authorities shall be responsible for prejudice caused to people who rehear on the certificates they presented as qualified in the case where:

- the information contained in the certificate on the date of its issuance was inaccurate;
- the data prescribed such that certificate could be considered as qualified was incomplete;
- the issuance of the qualified certificate did not give rise to the verification that the signatory holds the private convention corresponding to the public convention of the certificate;
- Certification Authorities and certification service providers, as the case may be, have not registered the repeal of the qualified certificate and placed this information at the disposal of third parties.

(2) Certification Authorities shall not be responsible for the prejudice caused by the use of the

qualified certificate that exceeds the limits fixed for its use or the value of transactions for which it can be used, provided that such limits appear in the qualified certificate and are accessible to users.

(3) Certification Authorities must justify adequate financial guarantee, allocated particularly for the payment of sums they may owe people who relied logically on the qualified certificates they issue, or an insurance that guarantees the pecuniary consequences of their civil professional responsibility.

CHAPTER 6 **ELECTRONIC SIGNATURE**

Section 17. The advanced electronic signature shall have the same legal value as that handwritten signature and produce the same effects as the latter.

Section 18. An advanced electronic signature must meet the following conditions:

- the data related to signature creation shall be exclusively linked to the signatory and be under his exclusive control;
- each modification shall be easily detectable;
- it shall be created using a protected device whose technical characteristics shall be defined by an instrument of the Minister in charge of telecommunications;
- the certificate used to generate signatures shall be a qualified certificate. An instrument of the Ministry in charge of telecommunications shall determine the criteria of the qualification of certificates.

CHAPTER 7 **ELECTRONIC CERTIFICATES AND SIGNATURES ISSUED BY CERTIFICATION AUTHORITIES**

Section 19. The certification authority that validated an electronic certificate may not retract.

Section 20. (1) An electronic certificate issued outside the national territory shall produce the same legal effects as a qualified certificate issued in Cameroon provide that there is a decision recognizing the issuing authority by the Minister in charge of telecommunications.

(2) The interoperability of qualified electronic certificates shall be regulated by an instrument of the Minister in charge of telecommunications.

CHAPTER 8 **ELECTRONIC DOCUMENT**

Section 21. Any person wishing to affix his electronic signature to a document can create the signature using a reliable device whose technical characteristics shall be determined by instrument of the Minister in charge of Telecommunications.

Section 22. Any person using an electronic signature device must:

- take minimum precautions fixed by the instrument referred to in Section 21 above to avoid any illegal use of the encoding elements or personal equipment related to its signature;
- inform the Certification Authority about any illegitimate use of his signature;
- ensure the authenticity of all the data he declared to the electronic certification service provider and to any person he requested to trust his signature.

Section 23. In the event of failure to honor the commitments under Section 22 above, the holder of the signature shall be responsible for the injury caused to others.

CHAPTER 9
PROTECTION OF ELECTRONIC COMMUNICATION NETWORKS, INFORMATION SYSTEMS AND PERSONAL PRIVACY

I. PROTECTION OF ELECTRONIC COMMUNICATION NETWORKS

Section 24. Electronic communication networks operators and electronic communication service providers must take all the necessary technical and administrative measures to guarantee the security of the services provided. To that end, they shall be bound to inform users about:

- the risks of using their networks;
- the specific risks of security violation, notably the denial of services distributed, abnormal rerouting, traffic points, traffic and unusual ports, passive and active listening, intrusion and any other risk;
- the existence of techniques to ensure the security of their communications.

Section 25. (1) Network operators and electronic communication service providers shall be bound to conserve traffic connection data for a period of 10 (ten) years.

(2) Network operators and electronic communication service providers shall set up mechanisms for monitoring the traffic data of their networks. Such data may be accessible in the course of judicial inquiries.

(3) Network operators and electronic communication service providers shall be liable where the use of the data referred to in Subsection 2 above undermines the individual liberties of users.

II. PROTECTION OF INFORMATION SYSTEMS

Section 26. (1) Operators of information systems shall take every technical and administrative measure to ensure the security of services offered. To this end, they shall have standardized systems enabling them to at all times identify, assess, process or manage any risk relating to the security of the information systems of the services provided directly or indirectly.

(2) Operators of information systems shall set up technical mechanisms to avoid any hitches that may be prejudicial to the steady functioning of systems, their integrity, authentication, non repudiation by third party users, confidentiality of data and physical security.

3) The mechanisms provided for in Subsection above shall be subject to the approval and visa of the Agency.

(4) Information systems platforms shall be protected against any radiation or intrusion that may impair the integrity of data transmitted and any other external attack notably, through intrusions detection system.

Section 27. Corporate bodies whose activity is to provide access to information systems shall be bound to inform users of:

- the dangers associated with the use of unprotected information systems notably for private individuals;
- the need to install parental control devices;
- specific security violation risks notably, the generic family of viruses;
- the existence of permanent technical means to restrict access to certain services and propose to them at least one of such means notably, the use of the most recent operating systems, the use of anti-viruses against spywares, misleading viruses, the activation of personal firewalls, intrusion detection systems and activation of automatic updating.

Section 28. (1) Operators of information systems shall inform users of the prohibition to use electronic communication networks for the publishing of illicit content or any other act that is likely to affect the security of networks or information systems.

(2) Such prohibition shall equally concern the designing . of misleading viruses, spywares,

potentially undesirable software or any other device leading to fraudulent practices.

Section 29. (1) Operators of information systems shall be bound to conserve the connection and traffic data of their information systems for a period of 10 (ten) years.

(2) Operators of information systems shall be bound to set up mechanisms for monitoring and controlling access to the data of their information systems. Such data may be accessible in the course of judicial inquiries.

(3) The installations of operators of information systems may be subject to search or seizure, on the order of a judicial authority, under conditions provided for by the laws and regulations in force.

Section 30. (1) Operators of information systems shall assess and revise their security systems and, where necessary, make the appropriate modifications to their security practices, measures and techniques according to technological change.

(2) Operators of information systems and users may cooperate mutually with a view to implementing the security practices, measures and techniques of their systems.

Section 31. (1) Electronic communication networks and information systems content providers shall be bound to ensure the availability of material, as well as the data stored in their installations.

(2) They shall be bound to set up filters in order to avoid any attacks that may be prejudicial to personal data and the privacy of users.

Section 32. (1) Electronic communication networks and information systems shall be subject to a regime of compulsory and periodic auditing of their security systems by the Agency.

(2) Security audit and severity scale rating shall be undertaken each year or as required by the prevailing circumstances.

(3) Audit reports shall be confidential and addressed to the Minister in charge of Telecommunications.

(4) An instrument of the Minister in charge of Telecommunications shall fix conditions for rating the severity scale.

III. OBLIGATIONS OF ACCESS, SERVICE AND CONTENT PROVIDERS

Section 33. Persons whose activity consists in providing access to electronic communication services shall inform their subscribers of the existence of technical means of restricting access to certain services of choosing them and propose to them at least one of such means.

Section 34. (1) The persons in charge, even gratuitously, of the storage of signals, written material, images, sound or messages of any nature supplied by the users of such services may be liable.

(2) However, the liability under sub-section 1 above shall not apply where:

- the said persons were not effectively aware of the illicit nature of the facts or circumstances characterizing them as such;
- once they became aware of the facts, acted promptly to withdraw such data or render them inaccessible.

Section 35. (1) The persons referred to in Sections 33 and 34 above shall be bound to preserve, for a period of 10 (ten) years, data enabling the identification of any person who contributed to the creation of the content of the services they provided.

(2) They shall provide the persons who edit electronic communication services with the technical means enabling them to fulfill the identification conditions referred to in Sections 37 and 38 below.

(3) A judicial authority may request the providers referred to in Sections 33 and 34 above to communicate communication data referred to in Subsection 1 above.

Section 36. The competent court referred to shall rule, within a maximum time-limit of 30 (thirty) days, on all measures to prevent or stop any damage caused by the content of an electronic communication service.

Section 37. Persons engaged in editing electronic communication services shall inform the public of:

- their full name, domicile and telephone numbers and, where they are subject to trade registration, personal property loan formalities and their registration number, in case of corporate bodies;
- their company or corporate name and head offices, telephone numbers and, where they are corporate bodies subject to trade registration, personal property loan formalities, their registration number, share capital, head office addresses, in case of corporate bodies;
- the name of the publisher or co-publisher and, where necessary, that of the editor in chief;
- the name, company or corporate name, address and telephone number of the provider referred to in Sections 33 and 34 above.

Section 38. (1) Persons editing an electronic communication's service may place at the disposal of the public only the name, company or corporate name and the address of the provider.

(2) The persons referred to in Sections 33 and 34 above shall be bound to confidentiality.

Section 39. (1) Any person who is victim of defamation by means of an electronic communication's service shall have the right to reply and may request for correction.

(2) Conditions for the insertion of a rejoinder of reply shall be those provided for by the instruments in force.

Section 40. (1) Any person engaged in transmitting electronic communication networks content or providing access to an electronic communication's network may be not liable where they:

- requested the contentious transmission;
- select or modify the content transmitted.

(2) Any person whose activity, for the sole purpose of rendering its subsequent transmission more efficient, is the automatic, intermediary and temporary storage of content transmitted by a provider, may be criminally or civilly liable in respect of such content only in the case where they modify such content, do not comply with the required conditions of access and ordinary updating rules or where they impede the licit and normal use of the technology used to obtain data.

IV. PROTECTION OF PRIVACY

Section 41. Every individual shall have the right to the protection of their privacy. Judges may take any protective measures notably, sequestration or seizure to avoid or end the invasion of privacy.

Section 42. The confidentiality of information channelled through electronic communication and information systems networks, including traffic data, shall be ensured by operators of electronic communication and networks information systems.

Section 43. Content providers shall be responsible for data transmitted through their information system notably, if such content may entail infringement of human dignity, injury to character and invasion of privacy.

Section 44. (1) It shall be forbidden for any natural person or corporate body to listen, intercept and store communications and the traffic data related thereto, or to subject them to any other means of interception or monitoring without the consent of the users concerned, save where such person is so authorized legally.

(2) However, technical storage prior to transmission of any communication shall be authorized for electronic communications' networks and information systems operators, without prejudice to the principle of confidentiality. *

Section 45. The recording of communications and traffic data related thereto in a professional setting with a view to providing digital evidence of an electronic communication shall be authorized.

Section 46. (1) Electronic communication networks and information systems content providers shall be bound to conserve such content and stored data in their installations for a period of the 10 (ten) years.

(2) Electronic communication networks and information systems content providers shall be bound to set up filters in order to contain any attacks that may be prejudicial to the personal data in privacy of users.

Section 47. The use of electronic communication networks and information systems for the purpose of storing information or accessing information stored in the terminal equipment of a natural person or corporate body shall be made only with their prior consent.

Section 48. (1) The sending of electronic messages for prospecting purposes by dissimulating the sender identity or without indicating the valid address to which the addressee may send a request aimed at blocking such information shall be prohibited.

(2) The sending of electronic mails by usurping the identity of another user shall be prohibited.

V. INTERCEPTION OF ELECTRONIC COMMUNICATION

Section 49. Notwithstanding the provisions of the Criminal Procedure Code, in case of crimes or offences provided for hereunder, criminal investigation officers may intercept record or transcribe any electronic communication.

Section 50. In the event of encoding, compressing or ciphering of data transmitted by electronic communication networks or electronic communication service providers, clear corresponding interceptions shall be provided to the services that requested them.

Section 51. The personnel of electronic communication network operators or electronic communication service providers shall be bound to secrecy for any requests they receive.

PART III CYBER CRIMINALITY

CHAPTER 1 PROCEDURAL LAW PROVISIONS

Section 52. (1) In case of any cyberoffence, Criminal Investigation Officers with general jurisdiction and authorized officials of the Agency shall carry out investigations, in accordance with the provisions of the Criminal Procedure Code.

(2) Prior to assuming duty, authorized officials of the Agency shall take an oath before the competent Court of First Instance as follows: I swear to perform my duties loyally and to always abide by the responsibilities bestowed on me, to keep secret information I am aware of on the occasion of or in the discharge of my duties

(3) Criminal Investigation Officers and authorized officials of the Agency may, in the course of investigations, have access to means of transport, any professional premises, with the exception of private residences, with a view to seeking and recording offences, requesting the production of all professional documents and taking copies thereof and gathering any information and

evidence, upon a summons or in situ.

Section 53. (1) Cybercriminal-related searches may concern data. Such data may be physical material or copies made in the presence of persons taking part in the search.

(2) When a copy of seized data is made, it may, for security reasons be destroyed on the instruction of the State Counsel.

(3) On the approval of State Counsel, only objects, documents and data used as evidence may be kept under seal.

(4) Persons present during searches may be requested to provide information on any seized objects, document and data.

Section, 54. Searches and seizures shall be carried out in accordance with the provisions of the Criminal Procedure Code, taking into account the loss of validity of evidence.

Section 55. (1) When it appears that data seized or obtained in the course of an investigation or inquiry has been the subject of transformation, thus hindering clear access or is likely to impair the information it contains, the State Counsel, the Examining Judge or the Court may request any qualified natural person or corporate body to perform technical operations to obtain the clear version of the said data.

(2) When a cryptographic means has been employed, judicial authorities may request the secret conversion of the encrypted text.

Section 56. The request provided for in Section 50 above may be made to any expert. In such case, it shall conform with the provisions of the Criminal Procedure Code relating to the commissioning of an expert.

Section 57. (1) Cameroonian judicial authorities may set up a rogatory commission at, both the national and international level, any corporate body or natural person to search the elements of cybercrime offences of which at least one of the elements was committed on Cameroonian territory or of which one of the offenders or accomplices resides on the said territory.

(2) Subject to rules of reciprocity between Cameroon and foreign countries with which it has concluded a judicial cooperation agreement, rogatory commissions shall be executed in accordance with the provisions of the Criminal Procedure Code.

Section 58. (1) Natural persons or corporate bodies that provide cryptographic services aimed at performing a duty of confidentiality shall be bound to hand over to criminal investigation officers or authorized officials of the Agency, at their request, the agreements allowing the conversion of data transformed by means of the services that they deliver.

(2) Criminal investigation officers and authorized officials of the Agency may request the service providers referred to in Sub-section 1 above to implement these agreements of their own motion, except where they are unable to satisfy such requests.

Section 59. (1) For purposes of investigation or examination, the hearing or interrogation of a person and/or confrontation of several persons may be carried out on several locations on the national territory linked by electronic communication means that ensure the confidentiality of transmissions. A report shall be drawn up on the operations carried out in each location. Such operations may be subject to audiovisual and/or sound recording.

(2) According to the prevailing circumstances, their interpretation may be done by means of electronic communication in the course of a hearing, interrogation or confrontation.

(3) The provisions of this Section shall equally be applicable for the concurrent implementation, on a location on the national territory or on a location situated outside the national territory, of mutual assistance requests from foreign judicial officers or acts of mutual assistance performed outside the national territory, at the request of Cameroonian judicial authorities.

(4) Conditions for the implementation of this section shall be defined by regulation.

CHAPTER 2

OFFENCES AND PENALTIES

Section 60. (1) When a Certification Authority is non-compliant, the Agency may, after serving a warning on the structure for comment, prohibit the circulation of the means of cryptography concerned.

(2) The prohibition of circulation shall be applicable throughout the national territory. It equally entails, for the provider, the obligation to withdraw:

- the means of cryptography whose circulation among commercial publishers was prohibited;
- materials that constitutes a means of cryptography and whose circulation was prohibited and that was acquired directly or through commercial publishers for a consideration.

(3) The means of cryptography concerned could be put back into circulation once the previously obligations are fulfilled and duly ascertained by the Agency.

Section 61. (1) Agency personnel and experts of corporate bodies in charge of security audits who without any authorization, disclose confidential information they are privy to on the occasion of a security audit shall be punished with imprisonment for from three 3 (three) months to (three) 3 years and a fine of from 20,000 (twenty thousand) to 100,000 (one hundred) CFA francs

(2) Refusal to comply with the summons of authorized officials shall be shall be punished with imprisonment for from (three) 3 months to (four) 4 years.

(3) Whoever, by any means whatsoever, obstructs, gives incitement to resist or prevent the conduct of the investigation provided for in this section or refuses to provide information or documents related thereto shall be punished with imprisonment for from 1 (one) to 5 (five) years or a fine of from 100,000 (one hundred thousand) to 1,000,000 (one million) CFA francs or both of such fine and imprisonment.

Section 62. (1) Whoever presents the content- or activity to the person referred to in Sections 33 and 34 above as illicit so as to cause the withdrawal or stop the publication thereof, knowing such information to be untrue, shall btr” punished with imprisonment for from 01 (one) to 05 (five) years and a fine of from 200,000 (two hundred thousand) to 2,000,000 (two million) CFA francs.

(2) The publisher, under pain of a fine of from 100,000 (one hundred thousand) to 2,000,000 (two million) CFA francs shall be bound to insert within 48 (forty-eight) hours of their reception, the response of any person designated in the electronic communication service.

Section 63. (1) The de jure or de facto manager of a corporate body exercising the activity defined in Sections 33 and 34 of this law who fails to conserve the information elements referred to in Sections 25 and 29 shall be punished with imprisonment for from 1 (one) to 5 (five) years and a fine of from 40,000 (forty thousand) to 4,000,000 (four million) CFA francs.

(2) The de jure or de facto manager of a corporate body exercising the activity defined in Sections 37 and 38 who fails to comply with the provisions of the said Sections shall be liable to the same sanctions.

Section 64. (1) Corporate bodies shall be criminally liable for offences committed on their account by their management structures.

(2) The criminal liability of corporate bodies shall not preclude that of natural persons who commit such offences or are accomplices.

(3) The penalties to be meted out on defaulting corporate bodies shall be fines of from 5,000,000 (five million) to 50,000,000 (fifty million) CFA francs.

(4) The penalties provided for in Subsection 3 above, notwithstanding one of the following other penalties may equally be meted out on corporate bodies:

- dissolution in case of a crime or felony punishable with respect to natural persons with

imprisonment of 03 (three) years and above and where the corporate body has departed from its declared object to aid and abet the incriminating acts;

- definitive prohibition or temporary prohibition for a period not less than 5 (five) years, from directly or indirectly carrying out one or more professional or corporate activities;
- temporary closure for a period of not less than 5 (five) years under the conditions laid down in Section 34 of the Penal Code of the establishments or one or more establishments of the company that was used to commit the incriminating acts;
- barring from bidding for public contracts either definitively or for a period of not less than 5 (five) years;
- barring from offering for public issues either definitively or for a period of not less than 5 (five) years;
- prohibition for a period of not less than 5 (five) years from issuing cheques other than those to be used by the drawer to withdraw money from the drawer or certified checks or from using payment cards;
- seizure of the device used or intended to be used in committing the offence or the proceeds of the offence;
- publication or dissemination of the decision taken either through the print media or through any electronic means of communication to the public.

Section 65. (1) Whoever, without any right or authorisation, proceeds by electronic means to intercept or not during transmission, intended for, whether or not within an electronic communication network, an information system or a terminal device shall be punished with imprisonment for from 5 (five) to 10 (ten) years or a fine of from 5,000,000 (five million) to 10,000,000 (ten million) CFA francs or both such fine and imprisonment.

(2) Any unauthorized access to all or part of an electronic communication network or an information system or a terminal device shall be liable to the same sanctions in accordance with Subsection 1 above.

(3) The penalties provided for in Subsection 1 above, shall be doubled where unauthorized access violates the integrity, confidentiality, availability of the electronic communication network or the information system.

(4) Whoever, without any right, allows access to an electronic communication network or an information system as an intellectual challenge shall be punished in accordance with Subsection 1 above.

Section 66. (1) Whoever causes disturbance or disruption of the functioning of an electronic communication network or a terminal device by introducing, transmitting, destroying, erasing, deteriorating, altering, deleting data or rendering data inaccessible shall be punished with imprisonment for from 2 (two) to 5 (five) years or a fine of from 1,000,000 (one million) to 2,000,000 (two million) CFA francs or both of such fine and imprisonment.

(2) Whoever uses the deceptive or undesirable software to carry out operations on a user's terminal device without first informing the latter of the true character of the operation which the said software is likely to damage shall be punishable with the same penalties.

(3) Whoever uses potentially undesirable software to collect, try to collect or facilitate any of such operations in order to access information of the operator or supplier of an electronic network or services and commit a crime shall be punishable in accordance with Subsection 1 above.

Section 67. Causing serious disturbance or disruption of the functioning of an electronic communication network or terminal equipment by introducing, transmitting changing, deleting or altering data shall constitute a breach of the integrity of an electronic communication network or an information system and shall be punishable in accordance with Section 66 above.

Section 68. (1) Whoever fraudulently gains access or remains in all or part of an electronic communication network or an information system by transmitting, destroying, causing serious disturbance or disruption to the functioning . of the said system or network shall be punished with

imprisonment for from 5 (five) to 10 (ten) years or a fine of from 10,000 000 (ten million) to 50,000,000 (fifty million) CFA francs or both of such fine and imprisonment.

(2) The same penalties provided for in subsection 1 above shall be doubled where such acts result in the deletion or change to the data contained in the information system or a change in its functioning.

Section 69. Whoever accesses all or part of an electronic communication network, an information system or terminal equipment without authorization and in violation of security measures in order to obtain information or data relating to an information system connected to another information system shall be punished with imprisonment for from 5 (five) to 10 (ten) years or a fine of from 10,000,000 (ten million) to 100,000,000 (one hundred million) CFA francs or both of such and imprisonment.

Section 70. Whoever causes through saturation, the attack of an electronic communication network device or an information system with the intention to cause its collapse thus preventing it from rendering the expected services, shall be punished with a fine of from 1,000,000 (one million) to 5,000,000 (five million) CFA francs.

Section 71. Whoever without permission, introduces data into an information system or an electronic communication network in order to delete or change the data contained therein, shall be punished with imprisonment for from 2 (two) to 5 (five) years and a fine of from 1,000,000 (one million) to 25,000,000 (twenty five million) CFA francs.

Section 72. Whoever without authorization and for financial gain, uses any means to introduce, alter, erases or delete electronic data such as to cause damage to someone else's property shall be punished with the penalties provided for in Section 66 above.

Section 73. (1) Whoever uses an information system or a counterfeit communication network to falsify payment, credit or cash withdrawal card or uses or attempts to use, in full knowledge of the facts, a counterfeit or falsified payment, credit or withdrawal card shall be punished with imprisonment for from 2 (two) to 10 (ten) years and a fine of from 25,000,000 (twenty five million) to 50,000,000 (fifty million) CFA francs or both of such fine and imprisonment.

(2) Whoever deliberately accepts to receive electronic communications payment using a forged or falsified payment, credit or cash withdrawal card shall be punished in accordance with Subsection 1 above.

Section 74. (1) Whoever uses any device to receive the privacy of another person by attaching, recording or transmitting private or confidential electronic data without the consent of their authors shall be punished with imprisonment for from 1 (one) to 02 (two) years and a fine of from 1,000,000 (one million) to 5,000,000 (five million) CFA francs.

(2) Whoever, without authorization, intercepts personal data in the course of their transmission, from one information system to another, shall be punished in accordance with Subsection 1 above.

(3) Whoever, even through negligence processes or causes the processing of personal data in violation of the conditions precedent to their implementation shall be punished with imprisonment from 1 (one) to 3 (three) years and a fine of from 1,000,000 (one million) to 5,000,000 (five million) or both of such fine and imprisonment.

(4) Whoever uses illegal means to collect the personal data of another in order to invade his or her privacy and undermine his or her self esteem shall be punishable with imprisonment for from 6 (six) months to 2 (two) years or a fine of from 1,000,000 (one million) to 5,000,000 (five million) CFA francs or both of such fine and imprisonment.

(5) The penalties provided for in Subsection 4 above shall be doubled where anyone posts online, stores or has someone else store in a computerized memory, without the express consent of the person concerned, personal data which directly or indirectly discloses his/her tribal origin, political opinions, religious beliefs, trade union membership or values.

(6) The penalties provided for in Subsection 5 above shall apply to persons found guilty of diverting information, in particular, during the recording, filing or transmission thereof.

(7) Whoever keeps information in works or in figures beyond the legal time-limit specified in the application for a prior opinion or declaration for use of data processing shall be punished with imprisonment for from 6 (six) months to 2 (two) years or a fine of from 5,000,000 (five million) to 50,000,000 (fifty million) CFA francs or both of such fine and imprisonment.

(8) Whoever discloses personal information that undermines the consideration due to the victim shall be punished with the penalties provided for in Subsection 7 above.

Section 75. (1) Whoever for financial gain, records or publishes images that undermine the bodily integrity of another person through electronic communications or an information system without the consent of the person concerned shall be punished with imprisonment for from 2 (two) years to 5 (five) years or a fine of from 1,000,000 (one million) to 5,000,000 (five million) CFA francs or both of such fine and imprisonment.

(2) This section shall not apply where such recording and publication fall under the normal exercise of profession aimed at informing the public or where they are carried out in order to be used as evidence in Court in accordance with the provisions of Criminal Procedure Code.

Section 76. Whoever uses electronic communications or an information system to design, carry or publish a child pornography message or a message likely to seriously injure the self-respect of a child shall be punished with imprisonment for from 5 (five) years to 10 (ten) years or a fine of from 5,000,000 (five million) to 10,000,000 CFA francs or both of such fine and imprisonment.

Section 77. (1) Whoever uses electronic communication or an information system to act in contempt of race or religion shall be punished with imprisonment for from 2 (two) years to 05 (five) years or a fine of from 20,000,000 (two million) to 5,000,000 (five million) CFA francs or both of such fine and imprisonment.

(2) The penalties provided for in Subsection 1 above shall be doubled where the offence is committed with the aim of stirring up hatred and contempt between citizens.

Section 78. (1) Whoever uses electronic communications or an information system to design, to publish or propagate a piece of information without being able to attest its veracity or prove that the said piece of information was true shall be punished with imprisonment for from 6 (six) months to 2 (two) years or* a fine of from 5,000,000 (five million) to 10,000,000 (ten million) CFA francs or both of such fine and imprisonment.

(2) The penalties provided for in Subsection 1 above shall be doubled where the offence is committed with the aim of disturbing public peace.

Section 79. Penalties against private acts of indecency set forth in Section 295 of the Penal Code shall be punished with imprisonment for from 5 (five) years to 10 (ten) years or a fine of from 5,000,000 (five million) to 10,000,000 (ten million) CFA francs where the victim has been put in contact with the author of the said acts using electronic communication or an information system.

Section 80. (1) Whoever for consideration or free of charge, uses electronic communications or an information system to publish, attach, record or transmit an image showing acts of pedophilia or a minor shall be punished with imprisonment for from 1 (one) to 5 (five) years or a fine of from 5,000,000 (five million) to 10,000,000 (ten million) CFA francs or both of such fine and imprisonment.

(2) Whoever uses electronic means whatsoever to offer provide or publish, import or export an image or picture portraying pedophilia shall be punished with the penalties provided in Subsection 3 above.

(3) Whoever keeps an image or picture portraying pedophilia in an electronic communication network or an information system shall be punished with imprisonment for from 1 (one) to 5 (five) years or a fine of from 5,000,000 (five million) to 10,000,000 (ten million) CFA francs or both of

such fine and imprisonment.

(4) The penalties provided for in Subsection 3 above shall be doubled where an electronic communication network is used to publish an image or picture of a minor.

(5) The provisions of this section shall equally apply to pornographic pictures showing minors.

Section 81. (1) The following offences shall be punishable with the penalties provided for in Section 82 below where they are committed using an electronic communication network or an information system:

- offering, producing, providing child pornography for publication;
- acquiring child pornography for oneself or for someone else using an information system;
- where adult persons make sexual proposals to minors below 15 years old or to a person having the features of a minor;
- dissemination or transmission of child pornography using an information system.

(2) Child pornography shall be any act which visually presents:

- a minor involved in sexually explicit behavior;
- any person with the physical features of a minor involved in sexually explicit acts;
- real images of a minor involved in sexually explicit acts.

Section 82. The penalties provided for in Section 79 above shall be doubled for whoever uses electronic communication devices to commit or attempt to commit any act of indecency on a minor less than 15 (fifteen) years old.

Section 83. (1) Whoever uses electronic communication devices to make sexual proposal to a person of the same sex shall be punished with imprisonment for from 1 (one) to 2 (two) years or a fine of from 500,000 (five hundred thousand) to 1,000,000 (one million) CFA francs or both of such fine and imprisonment.

(2) The penalties provided for in subsection (1) above shall be doubled if sexual proposals are followed by sexual intercourse.

Section 84. (1) Whoever fraudulently becomes acquainted with, delays access to or deletes electronic messages addressed to another shall be punished with imprisonment for from 6 (six) months to 2 (two) years of a fine, of from 500,000 (five hundred thousand) to 1,000,000 (one million) CFA francs or both of such fine and imprisonment.

(2) The same penalties provided for in subsection 1 above shall apply against whoever, without authorization, intercepts, diverts, uses or divulges electronic messages sent or received by electronic means or proceeds to install equipment designed for such interceptions.

Section 85. The penalties provided for in section 84 above shall apply against whoever, being responsible for a public service mission and acting in the discharge or during the discharge of his/her duties, diverts or facilitates the diversion, deletion or access to electronic messages or reveals the content thereof.

Section 86. (1) The penalties provided for in section 71 above shall apply against whoever imports, keep, offers, transfers, sells or provides, in any form whatsoever, a computer program, a password, an access code or any similar computer data designed and/or specially adapted to facilitate access to all or part of an electronic communication or an information system.

(2) Whoever causes serious disturbance or disruption on an electronic communication, or whoever uses electronic communication network or an information system with the intention of breaching the integrity of the data, shall be punishable with the penalties provided for in Subsection 1 above.

Section 87. Authors of the offences provided for in Section 86 above, shall be punishable with the following additional penalties:

- seizure, in accordance with the conditions laid down in Section 35 of the Penal Code, of any object used or intended to be used to commit the offence or considered to be the proceed thereof, with the exception of objects likely to be restituted;
- prohibition, in accordance with the conditions laid down in section 36 of the Penal Code, for a period of not less than 5 (five) years from the holding a public office or carrying out a socio-professional activity where the offence was committed in the discharge or during the discharge of one's duties;
- closure, in accordance with the conditions laid down in Section 34 of the Penal Code, for a period of not less than 5 (five) years, of establishments or of one or more of the establishments of the company that was used to commit the offence;
- barring, for a period of not less than 5 (five) years, from public contracts.

Section 88. (1) Whoever, knowing about the secret decoding convention, a cryptographic means likely to have been used to prepare, facilitate or commit a crime or felony, refuses to hand over the said convention to judicial authorities or to use it upon request by such authorities shall be punished with imprisonment for from 1 (one) to 5 (five) years or a fine of from 1,000,000 (one million) to 5,000,000 (five million) CFA francs or both of such fine and imprisonment.

(2) Where such refusal occurs whereas the handing over or use of the convention could have helped prevent the commission of the crime or felony or limit the effects thereof, the penalties provided for in Subsection 1 above shall be increased to imprisonment for from 3 (three) to 5 (five) years and a fine of from 1,000,000 (one million) to 5,000,000 (five million) CFA francs.

Section 89. There shall be no suspended sentence for the offences provided for in this law.

PART IV INTERNATIONAL COOPERATION AND MUTUAL JUDICIAL ASSISTANCE

CHAPTER 1 INTERNATIONAL COOPERATION

Section 90. (1) In the discharge of their duties, Cameroonian Certification Authorities may, under the control of the Agency, conclude conventions with foreign Certification Authorities.

(2) The conditions for concluding the conventions referred to in Subsection 1 above shall be laid down by regulation.

CHAPTER 2 INTERNATIONAL AND MUTUAL JUDICIAL ASSISTANCE

Section 91. (1) Unless otherwise provided for by an international convention to which Cameroon is signatory, requests for judicial assistance from Cameroonian judicial officers to foreign judicial officers shall be sent through the Ministry in charge of External Relations. Enforcement documents shall be sent to the authorities of the requesting State through the same channel.

(2) Requests for mutual judicial assistance from foreign authorities to Cameroonian judicial authorities must be presented through diplomatie channels by the foreign Government concerned. Enforcement documents shall be sent to the authorities of the requesting State through the same channel.

(1) In case of emergency, requests for judicial assistance. from Cameroonian or foreign authorities may be sent directly to the authorities of the requested State for enforcement. The enforcement documents shall be dispatched to the relevant State authorities under the same conditions.

(2) Subject to international conventions, request for mutual judicial assistance from foreign authorities to Cameroonian judicial authorities shall be subject to an opinion of foreign Government concerned. Such opinion shall be forwarded to the relevant judicial authorities through diplomatic channels.

- (3) In case of emergency, requests for mutual judicial assistance from foreign judicial authorities shall be forwarded to the State Counsel or Examining Magistrate with territorial jurisdiction.
- (4) Where the State Council receives a request for mutual judicial assistance directly from authority, but which can only be enforced by the Examining Magistrate, he shall forward it to the latter for enforcement or refer to the General Prosecutor in the case provided for in Section 94 below.
- (5) Before proceeding to enforce a request for mutual assistance forwarded directly to him, the Examining Magistrate shall immediately communicate same to the State Counsel for an opinion.
- Section 92. (1) Requests for mutual judicial assistance from foreign judicial officers shall be enforced by the State Counsel or judicial Police Officers or Agents requested for this purpose by the said State Counsel.
- (2) The requests shall be enforced by the Examining Magistrate or Judicial Police Officers acting on the rogatory commission of the Examining Magistrate where they require certain procedural measures which can be ordered or enforced only during a preliminary investigation.

- Section 93.** (1) Request for mutual judicial assistance from foreign judicial officers shall be enforced in accordance with the procedure laid down by the Criminal Procedure Code.
- (2) However, where the request for assistance so specified it shall be enforced in accordance with the procedure explicitly indicated by the relevant authorities of the requesting State, without such rules violating the rights of the parties or the procedural guarantees provided for by the Criminal Procedure Code.
- (3) Where the request for mutual assistance cannot be enforced in accordance with the requirements of the requesting State, the relevant Cameroonian authorities shall immediately inform the authorities of the requesting State of such impossibility and specify under what conditions the request may be enforced.
- (4) The relevant Cameroonian authorities and those of the requesting State may subsequently agree on the onward processing of the request, where necessary, by subjecting it to compliance with such conditions.
- (5) Irregularity in the transmission of the request for judicial assistance shall not constitute grounds for nullity of actions undertaken in enforcing such a request.

- Section 94.** (1) Where the enforcement of a request for judicial assistance from a foreign judicial authority is such as can breach public law and order or negatively affect the essential interests of the Nation, the State Counsel to whom the request is addressed or who is apprised thereof shall forward same to the General Prosecutor who shall transmit to the Minister in charge of Justice and where necessary, inform the State Counsel of such transmission.
- (2) Where the request is forwarded to the Minister in charge of Justice, he shall inform the requesting authority, where necessary, that it is not possible to totally or partially accede to the request. Such information shall be communicated to the judicial authority concerned and shall block the enforcement of the request for mutual judicial assistance or the return of the enforcement papers.

PART V
TRANSITIONAL AND FINAL PROVISIONS

Section 95. The conditions of applications of this law shall, as and when necessary, be laid down by implementation instruments.

Section 96. Authorizations and declarations for the supply, import and export of cryptographic devices issued by the relevant authorities shall remain valid until the expiry of the time-limit specified therein.

Section 97. This law shall be registered, published according to the procedure of urgency and inserted in the *Official Gazette* in English and French.

Yaoundé, 21 December 2010.

Paul Biya,

President of the Republic.

Law No. 2006-15 of 29 December 2006 on Judicial Organization

*The National Assembly deliberated
and adopted,
the President of the Republic hereby enacts
the law set out below:*

CHAPTER 1
GENERAL PROVISIONS

Section 1. This law lays down judicial organization in Cameroon.

Section 2. (1) Justice shall be administered on the territory of the Republic in the name of the people of Cameroon.

(2) Judicial power shall be exercised by the Supreme Court, Courts of Appeal and courts.

Section 3 Judicial organization shall comprise:

- The Supreme Court;
- Courts of Appeal;
- Lower courts for administrative litigation;
- Lower audit courts;
- Military Courts;
- High Courts;
- Courts of First Instance;
- Customary law courts.

Section 4 (1) The law shall lay down:

- the organization of the Supreme Court and constituent Benches;
- the organization of lower courts for administrative litigation;
- the organization of lower audit courts;
- the organization of military courts;
- the organization of courts sitting in labour matters;
- the organization of customary law courts.

(2) The administrative organization of courts shall be laid down by a separate instrument.

Section 5: Subject to the provisions of Sections 15 and 18 below, the institution of proceedings and the procedure to be followed i before courts shall be laid down by laws governing procedure.

Section 6 (1) Justice shall be administered in public and judgments delivered in open court.

(2) Any breach of sub-section (1) above shall render the whole proceedings null and void "ab initio".

(3) Provided that, where expressly provided by law, hearings shall take place in camera or in chambers.

In addition, any court may, of its own motion, or on the application of one or more of the parties, order a full or partial hearing in camera of a given matter where any publicity thereof may undermine State security, public order or morality. In such case, hearing shall not be opened to the public.

(4) All judgments shall be written before they are delivered.

Section 7 All judgments shall set out the reasons upon which they are based in fact and in law. Any breach of this provision shall render the judgment null and void.

Section 8 (1) Justice shall be administered free of charge, subject only to the fiscal provisions concerning stamp duty and registration and those concerning the reproduction of the records of proceedings for appeals.

- (2) Statutory fees and expenses of counsel and other auxiliaries of justice, the cost of prosecution and the execution of court decisions shall be advanced by the party for whose benefit they are incurred. They shall be borne finally by the party who loses the action, except where there is a contrary reasoned decision of the court.
- (3) In criminal matters or any other matter as may be provided by law the Public Treasury shall advance funds, and 'where' necessary; bear all expenses incurred by the Legal Department.
- (4) Legal aid shall be granted in accordance with the rules laid down in a separate instrument.

Section 9 (1) Judicial acts shall bear the names of the magistrate(s) of the Bench who took part in the decision-making and shall be signed by them.

Acts whose accomplishment requires the assistance of a court registrar shall bear the name and signature of the registrar.

- (2) Where a matter is heard by a panel, the decision of the court shall be that of the majority.
- (3) The magistrate or magistrates in the minority may express their opinion in writing by way of a dissenting judgment and enter it in the file of the matter.

Section 10: Judicial warrants and court decisions and orders shall be enforceable throughout the national territory.

Section 11: Copies of judgments and judicial warrants, together with engrossments and copies of contracts and all documents capable of enforcement, shall bear the executory formula introduced as follows:

"Republic of Cameroon"

"In the Name of the People of Cameroon" and closed with the following words: "Wherefore, the President of the Republic commands and enjoins all bailiffs and process-servers to enforce this judgment (or order, etc.), the Procureurs General and the State Counsel to lend them support, and all commanders and Officers of the Armed Forces and Police Forces to lend them assistance when so required by the law".

Section 12 (1) The judicial year shall begin from 1 January to 31 December of the year.

- (2) (a) The Minister in charge of Justice shall, on the proposal of Heads of Courts of Appeal, Presidents of lower audit courts and Presidents of the lower courts for administrative litigation, lay down the dates and time of court sessions, save for the Supreme Court.
- (b) Judicial recess shall run from the 1 July to 30 September.
- (e) During the period of judicial recess, the number of court sessions shall be reduced to at most 1/3, except in criminal matters, urgent applications and all other matters considered urgent.

CHAPTER 2 **COURT OF FIRST INSTANCE**

Section 13 (1) A Court of First instance shall be established in each subdivision. However, for service purposes, its area of jurisdiction may cover several sub-divisions, by decree of the President of the Republic.

(2) The Court of First Instance shall be situated in the chief town of the sub-division. However, the Court may hear matters outside its seat. Such hearings shall be referred to as "circuit courts".

Section 14 (1) The Court of First Instance shall be composed of

(a) At the bench: _____

- a President;
 - one or more Magistrates;
 - one Registrar-in-Chief;
 - Registrars.
- (b) For the preliminary inquiry:
- one or more Examining Magistrates;
 - one or more Registrars.
- (c) At the Legal Department:
- a State Counsel;
 - one or more Deputy State Counsel.
- (2) (a) All cases brought before the Court of First Instance shall be heard and determined by a single Judicial Officer.
- (b) However, the President of the Court may, of his own motion or on the application of the Legal Department or that of a party, order that a matter be heard by a collegiate bench of three members.
- (3) In labour matters, the Court of First Instance shall be composed in accordance with the provisions of the Labour Code.

Section 15 (1) The Court of First Instance shall have jurisdiction:

- (a) In criminal matters:
- to try all offences classified as misdemeanous or simple offences;
 - to hear applications for bail lodged by persons detained or charged with criminal offences within its jurisdiction;
 - to try felonies committed by minors without adult co-offenders or accessories.
- (b) In civil, commercial or labour matters:
- to recover, by way of the simplified procedure, all unquestionable, liquid and due civil and commercial debts not exceeding 10 000 000 (ten million) CFA francs;
 - to hear matters where the amount of damages claimed does not exceed 10 000 000 (ten million) CFA francs.
- The above provisions notwithstanding, where there is a counterclaim, the Court of First Instance shall also have jurisdiction to entertain such counterclaim, irrespective of the amount claimed.
- (2) The President of the Court of First Instance or the judicial officer designated by him shall have jurisdiction to:
- rule on motions on notice;
 - rule on motions ex-parte;
 - decide on disputes relating to the execution of judgments of the Court of First Instance and any other document capable of such execution, except those of the High Court, Court of Appeal or Supreme Court;
 - rule on applications for exequatur.
- (3) (a) When hearing a criminal matter, the Court of First Instance shall, save otherwise provided by any other law, have jurisdiction to entertain actions for damages resulting from the commission of an offence
- (b) Notwithstanding the provisions of sub-section 1 (b) above, where a Court of First Instance hears a suit filed as a result of a criminal offence as provided in paragraph (a) above, it shall have jurisdiction even where the amount of damages claimed is above 10 000 000 (ten million) CFA francs.
- (4) Where the Court of First Instance is hearing a case of juvenile delinquency, its composition and procedure shall be provided for by a special law.

CHAPTER 3
HIGH COURT

Section 16 (1) A High Court shall be established for each division.
However, for service purposes, its area of jurisdiction may cover several divisions, by decree of the

President of the Republic.

- (2) The High Court shall be situated in the chief town of the division. However, it may hear matters outside its seat. Such hearings shall be referred to as "circuit courts".

Section 17 (1) The High Court shall be composed of:

(a) At the bench:

- a President;
- one or more Judges;
- one Registrar-in-Chief;
- Registrars.

(b) For the preliminary inquiry:

- one or more Examining Magistrates;
- one or more Registrars.

(c) At the Legal Department:

- one State Counsel;
- one or more Deputy State Counsel.

(2) The President of the Court of First Instance at the seat of a high Court may, concurrently with his functions, be appointed President of the said High Court.

(3) The Examining Magistrate(s) of the Court of First Instance at the seat of a High Court may, concurrently with their functions, be appointed Examining Magistrate(s) of the said Court.

(4) The magistrate of the Court of First Instance at the seat of a High Court may, concurrently with their functions, be appointed Judges of the said High Court.

(5) The Registrar-in-Chief of the Court of First Instance at the seat of a High Court may, concurrently with his functions, be appointed Registrar-in-Chief of the said High Court.

(6) The Registrars of the Court of First Instance at the seat of a High Court, may, concurrently with their functions, be appointed Registrars of the said High Court.

(7) Any case brought before the High Court shall be heard and determined by a single Judicial Officer.

However, the President of the Court may, of his own motion or on the application of the Legal Department, or that of a party, order that the matter be heard by a collegiate bench of three members.

(8) In labour matters, the High Court shall be composed in accordance with the provisions of the Labour Code.

Section 18 (1) The High Court shall have jurisdiction

(a) In criminal matters:

- to try felonies and related misdemeanours subject to the provisions of Section 15 (1) and above;
- to hear and determine applications for bail lodged by persons detained or charged with criminal offences within its jurisdiction;

(b) In civil, commercial and labour matters:

- to hear and determine suits and proceedings relating to the status of persons, civil status marriage, divorce, filiation, adoption and inheritance;
- to hear matters where the amount of damages claimed exceeds 10 000 000 (ten million) CFA francs;
- to recover, by way of the simplified procedure, all unquestionable, liquid and due civil and commercial debts exceeding 10 000 000 (ten million) CFA francs, as well as all unquestionable, liquid and due commercial claims, of whatever amount, where the obligation arises from a cheque, a promissory note' or a bill of exchange.

(c) In non-administrative matters

- to hear and determine all applications for an order prohibiting any person(s) or authority from doing or performing any act in respect of which he is not entitled or competent to do by law (prohibition);
- to hear and determine all applications for an order commanding any person(s) or authority to do

or perform any act which he is required to do by law (mandamus).

- (2) The President of the High Court or a judge designated by him is competent to hear and determine:
- (a) disputes relating to the execution of the decisions of that High Court;
 - (b) to hear and determine applications for immediate release (habeas corpus) lodged by or made on behalf of persons taken in charge or detained illegally or without warrant.
 - (c) petitions against administrative detention measures.
- (3) When hearing a criminal matter, the High Court shall have jurisdiction to entertain claims for damages resulting from the commission of the offences, save otherwise provided by any other law.

CHAPTER 4

COURT OF APPEAL

Section 19 (1) A Court of Appeal shall be established in each region. However, for service purposes, its area of jurisdiction may cover several regions, by decree of the President of the Republic.

(2) The Court of Appeal shall be situated in the chief town of the region.

Section 20 (1) The Court of Appeal shall be composed of:

(a) At the bench:

- a President;
- one or more Vice-Presidents,
- one or more Judges;
- one Registrar-in-Chief;
- Registrars.

(b) At the Legal Department:

- a Procureur General
- one or more Advocates General;
- one or more Deputies of the Procureur General;
- one or more Legal Assistants at the Procureur General's Chambers

(2) (a) The Court of Appeal shall be organized into

- Benches;
- The General Assembly.

(b) It shall be composed, depending on the needs of the service, of: - one or more Benches for motions and urgent applications;

- one or more Benches for disputes relating to the enforcement of decisions;
- one or more Benches for civil and commercial matters;
- one or more Benches for labour matters;
- one or more Benches for traditional law matters;
- one or more Benches for felonies;
- one or more Benches for misdemeanours and simple offences;
- one or more Benches for inquiry control.

(c) Notwithstanding the provisions of paragraph (b) above, the President of the Court of Appeal may, by an order, merge two or more Benches.

(d) The Judges of the Court of Appeal shall be assigned to the Benches by an order of the President of that Court.

(e) A Judge may be member of more than one Bench.

(f) The General Meeting shall be composed of all Judicial Officers working at the Court of Appeal as well as the Registrar-in-Chief. It shall have judicial jurisdiction and advisory capacity.

(g) The General Meeting shall consider and express opinion on matters provided for by law as well as on all issues relating to the functioning of the court and submitted to it by the President, the Procureur General or by one-third of its members.

- (h) Where the General Meeting is deliberating on matters for which it expresses advisory opinions, judicial officers of the Legal Department shall take part in the deliberation and vote.
- (i) Where the General Meeting is hearing matters for which the Court exercises judicial jurisdiction, it shall deliberate, after the conclusions or requisitions from the Registry, without the presence of judicial officers of the Legal Department.
- (3) Where the Court is hearing appeals against the judgments of a "military tribunal or has to rule on an application for release subsequent to such an appeal, a military magistrate appointed for this purpose shall occupy the Bench of the Legal Department. The activities of the military magistrate shall be limited to representing the Legal Department at the hearing.

Section 21 (1) All cases falling within the jurisdiction of the Court of Appeal shall be heard by three judicial officers who are members of the said Court.

- (2) Where the Court is sitting to determine an appeal against the judgment of a Military Court, one of the three judicial officers mentioned in subsection (1) above shall be replaced by a Military Judge, and in his absence, by an officer of the Armed Forces.
- (3) The Officer of the Armed Forces called upon to replace one of the three (3) judicial officers of the Court of Appeal shall, before sitting in court, take oath before the said Court. The oath shall be as follows:
 "Ido swear before God and all men to exercise my functions as member of the panel of the Court of Appeal honestly, to render justice to all with impartiality, without fear, favour or malice and to scrupulously keep the secrets of the deliberations".
- (4) The three judges shall have equal votes.

Section 22 A Court of Appeal shall have jurisdiction to hear:

- (a) appeals against judgments delivered by courts, with the exception of those delivered by the Supreme Court and the Court of Appeal itself.
- (b) appeals against the rulings of the Examining Magistrate;
- (c) disputes in connection with the execution of its decisions;
- (d) all other matters provided for by the law.

Section 23 (1) Within eight (8) days of the declaration of appeal or of the deposit of the certificate of appeal at the registry, the President of the Court whose decision has been appealed against shall, by a ruling, fix the amount to be deposited by the appellant.

- (2) The amount which shall, under pain of forfeiture of the rights of appeal, be paid within ten (10) days of the notification of the ruling fixing it, at the registry of the court that delivered the decision appealed against, shall constitute the cost of reproducing the records of proceedings, inclusive of the judgment and subsequent documents, in as many copies as there are the parties plus five (5) extra copies.
- (3) The ruling referred to in sub-section (1) and (2) above is subject to appeal before the President of the Court of Appeal who shall determine the issue once and for all, within 10 (ten) days after receiving the appeal. This ruling shall not be subject to appeal.
- (4) If the amount initially fixed turns out to be insufficient, a supplementary amount shall be fixed and paid under the same conditions and procedure as prescribed in sub-sections (1) and (2) above.
- (5) Any left over amount shall be reimbursed to the party who paid it.
- (6) After the reproduction of the records of proceedings, the Registrar-in-Chief of the court whose decision has been appealed against shall transmit five (5) copies there of to the Registrar-in-Chief of the Court of Appeal seized of the appeal, and shall serve the other copies on the parties.
- (7) In case of a plurality of appeals, the cost of reproduction of the records of proceedings shall become equally by the appellants. However, the more disposed appellants may pay the totality of the amount fixed, and be later on reimbursed by the other parties in the amount that each of them is due.
- (8) In case of disagreement amongst the appellants as to the share each of them has to pay, the

distribution shall be done by a ruling of the President of the Court of Appeal who is seized of the issue by the interested appellant. This ruling is not subject to appeal.

- (9) In case of appeal by the Legal Department, or where the proceedings are free of charge, or where the appellant benefits from legal aid, reproduction of the records of proceedings shall be done in accordance with the provisions of Section 8 (1), (3) and (4) above.
- (10) As soon as the records of proceedings are received in the required number of copies, the Registrar-in-Chief of the Court of Appeal shall keep one copy, transmit three (3) copies to the President of the Court of Appeal for distribution to the members of the panel, and shall send one copy to the Legal Department of the said Court of Appeal.

CHAPTER 5 **THE EXAMINING MAGISTRATE**

Section 24 The Examining Magistrate shall be a magistrate of the Bench. He shall, however, not be competent to try matters of which he carried out the preliminary inquiry.

Section 25 (1) A Preliminary inquiry shall, except otherwise provided by law, be compulsory in felonies and optional in misdemeanours and simple offences.

(2) During judicial inquiry:

- (a) the Examining Magistrate shall be assisted by a registrar;
- (b) the signing of acts shall conform to the provisions of Section 7 (1) above;
- (c) the defendant may be represented by counsel;
- (d) the public may have access to the chambers of the Examining Magistrate only with his authorization.

(a) The Examining Magistrate may, of his own motion and by a ruling, grant the defendant bail.

(b) Once he is seized of an application for bail, he shall within five (5) days thereof deliver a ruling either granting or refusing bail.

(c) The application for bail shall be recorded on the day of its deposit and a copy thereof mentioning registration shall be handed to the person who deposited the application.

(d) Within 24 (twenty-four) hours of the registration, the application shall be transmitted, together with a copy of the file, to the State Counsel for address. Within 48 (forty-eight) hours of its receipt, the State Counsel shall return the file to the Examining Magistrate, together with his address. The Examining Magistrate shall, within 48 (forty-eight) hours of the return of the file or in the case of State Counsel's failure to respect the prescribed time-limit for returning the file, deliver a ruling either granting or refusing bail.

(e) The rulings provided for in paragraphs (a) and (d) above shall be served on the defendant without delay.

(f) Silence on the part of the Examining Magistrate on the application for bail after the 5 (five) days provided for in paragraph (b) above shall be tantamount to rejection and in such case, the defendant may carry his application before the Inquiry Control Chamber of the Court of Appeal.

(4) Any defendant whose application for bail has been refused may appeal against the ruling refusing same. Such appeal shall be determined within ten (10) days.

(5) The Examining Magistrate shall close the preliminary inquiry either by a committal order before the Court of First Instance or High Court or by a non-case or partial non-case ruling or by a ruling declining jurisdiction, as the case may be.

Section 26 The Examining Magistrate shall issue all warrants and shall seize the competent court by a committal order.

Section 27 : As concerns felonies, the Examining Magistrate of a High Court shall be competent to carry out preliminary inquiries throughout the area of jurisdiction of the said High Court. However, the Examining Magistrate of a Court of First Instance located elsewhere other than at the seat of the High Court shall be competent to carry out preliminary inquiries for felonies and

related misdemeanours committed within his area of jurisdiction.

Section 28 (1) Appeals against the rulings of the Examining Magistrate shall be governed by the provisions of the Criminal procedure Code.

(2) The appeals shall be heard by the Inquiry Control Chamber which shall be composed of 3 (three) Judges.

(3) The enquiry Control Chamber shall apply the provisions of the Criminal Procedure Code; relating to preliminary inquiries.

CHAPTER 6 **LEGAL DEPARTMENT**

Section 29 (1) The Legal Department shall ensure the enforcement of laws, regulations and judgments and may, in the interest of the law, make any request it considers necessary before any court.

(2) In criminal matters and without prejudice to the rights of the civil party, it shall search for offences, institute and carry out prosecutions, and issue any warrants necessary for the institution and prosecution of criminal action.

(3) The presence of the Legal Department in court shall be obligatory in criminal matters and optional in any other matter, except otherwise provided by law.

(4) The Public Treasury shall advance and defray the court charges borne by the Legal Department.

Section 30 (1) There shall be a Legal Department attached to each Court of Appeal, headed by a Procureur General who shall be under the direct authority of the Minister in charge of Justice.

(2) There shall be a Legal Department attached to each High Court or Court of First Instance, headed by a State Counsel directly subordinate to the Procureur General of the Court of Appeal of the area of jurisdiction.

(3) (a) The State Counsel of the Court of First Instance at the seat of a High Court may, concurrently with his functions, be appointed State Counsel of the said High Court.

(b) The Deputy State Counsel of the Court of First Instance at the seat of a High Court may, concurrently with his functions, be appointed Deputy State Counsel of that High Court.

CHAPTER 7 **TRANSITIONAL AND FINAL PROVISIONS**

Section 31 The organization of traditional courts and the procedure to follow before them, with the exception of the criminal jurisdiction of customary and Alkali courts shall, for the time being, be maintained.

Section 32 Pending the enactment of the instruments provided for in Section 4 of this law, Courts of First Instance, High Courts and Courts of Appeal shall continue to apply the rules of procedure, practice and usages hitherto applicable before these courts, provided that such rules of procedure, practice and usages are compatible with the Constitution and this law.

Section 33 The High Court shall continue to have jurisdiction to hear and determine all matters pending before it as at the date of enactment of this law, even where the amount of damages claimed does not exceed 10 000 000 (ten million) CFA francs.

Section 34 Pending the setting-up of lower courts for administrative litigation and lower audit courts as provided in Section 1 of this law, as well as the enactment of procedural rules before these courts, the rules and regulations relating to the institution of proceedings as well as those relating to the procedure to follow before the Administrative and Audit Benches of the Supreme Court are hereby maintained.

Section 35 The judicial year commenced on 1st October 2006 before the promulgation of this law and following the former provisions shall be extended to 31 December 2007.

Section 36 All provisions repugnant to this law are repealed, in particular those of Ordinance No. 72/4 of 26 August 1972 on Judicial Organization and the subsequent amendments thereto.

Section 37 All references made in this law or in other enactments in force, to the provisions repealed by the present law or in pursuance of the present law shall be deemed to be references to the provisions that replace them.

Section 38 This law, which comes into force on 1st January 2007, shall be registered and published in the Official Gazette in English and French.

Yaounde, 29 December 2006

Paul Biya.

President of the Republic

Law No.03-2006 of 25 April 2006 relating to the Declaration of Assets and Property

The National Assembly deliberated and adopted,
the President of the Republic hereby enacts the law set out below:

Section 1: This law, enacted pursuant to Article 66 of the Constitution, relates to the declaration of assets and property.

CHAPTER 1 **GENERAL PROVISIONS**

Section 2: (1) The following shall be liable to declaration of assets and property, in accordance with the provisions of this law:

- the President of the Republic;
- the Prime Minister;
- members of Government and persons ranking as such;
- the President and members of the Bureau of the National Assembly;
- the President and members of the Bureau of the Senate; members of Parliament, Senators;
- all holders of elective offices;
- Secretaries-General of Ministries and persons ranking as such;
- Directors of the Central Administration;
- General Managers of public and semi-public enterprises;
- Judicial and Legal Officers;
- Personnel of government services in charge of the tax base, collection and handling of public funds and budget control;
- all managers of public votes and property.

(2) The following shall also be liable to declaration of assets and property:

- f-
- the President of the Economic and Social Council; -Ambassadors;
 - Rectors of State Universities;
 - Government Delegates to certain councils;
 - Board Chairpersons of enterprises of the public and semi-public sector;
 - Provincial Governors and Senior Divisional Officers;
 - Chairpersons of Tenders Boards;
 - Presidents of Trades Chambers;
 - Managers of projects funded externally and/or with State subsidies;
 - Officials in charge of administrative and judicial liquidations;
 - Officials of public administrative establishments and State-owned corporations up to the rank of Director;
 - Central Administration officials ranking as Central Administration Director.

(3) Any authorizing officer in an association or private body that receives public funds, in the form of subventions or donations shall also declare his assets and property at the beginning and at the end of his tenure of office.

Section 3 (1) Mandatory declaration of assets and property shall concern all property.

(2) Declaration shall concern movable and immovable property and tangible and intangible property in and out of the country and belonging to the person liable, his spouse and their minor descendants right up to the first degree.

(3) It shall also concern any benefit enjoyed by the person concerned and his minor descendants of the first degree or beneficiary ascendants, as well as any interest they hold in any private company, whatsoever.

(4) Household equipment and personal effects shall not be subject[^] the declaration of assets and

property.

CHAPTER 2 **CONDITIONS OF ASSETS AND PROPERTY DECLARATION**

Section 4: (1) The officials and persons referred to in Section 2 above shall file the declaration of assets and property on their honour in the form and under conditions provided for by law, and forward same to the competent body within 90 (ninety) days of their election or appointment and no more than 60 (sixty) days following the end of their tenure of office.

Section 5: Where and when necessary, the declaration of assets and property may be updated within 30 (thirty) days of its submission.

CHAPTER 3 **ASSETS AND PROPERTY DECLARATION RECEPTION COMMISSION**

Section 6: A Commission responsible for receiving, exploring and preserving declarations from the persons referred to in Section 2 above, hereinafter referred to as "Assets and Property Declaration Commission", is hereby set up..

Section 7: (1) The Commission shall be composed as follows:

A- Chairperson

- A personality appointed by the President of the Republic;

B - Member

- two personalities appointed by the President of the Republic;
 - a personality appointed by the President of the National Assembly;
 - a personality appointed by the President of the Senate;
 - a State Inspector, representing the Supreme State Audit Services;
 - two representatives of the Supreme Court, including one member from the Audit Bench;
 - a representative of the Association of Notaries.
- (2) Commissioners shall be appointed by decree of the President of the Republic, for a 5 (five) year term of office, renewable once, where necessary. They may, be replaced only in the same form, in the event of death, resignation or gross misconduct
- (3) Commissioners shall take the following oath before the Supreme Court prior to assuming office: "I swear to discharge my duties with objectivity and integrity and to keep secret any information I have been acquainted with in the discharge of such duties".
- (4) Commissioners shall be bound, before and after assuming office, by mandatory declaration of assets and property, under the conditions provided for in Section 4 above.
- (5) During and after the performance of their duties, Commissioners shall be bound to reserve and secrecy in respect of all or part of the assets and property declaration issues.
- (6) The organization and functioning of the Commission shall be defined by decree of the President of the Republic.

Section 8: (1) The Commission may communicate its comments on the declaration of assets and property to any declarant through any written means. The declarant shall be bound to acknowledge receipt thereof and respond within 45 (forty-five) days.

- (2) Any refusal to reply to the Commission's comments shall be tantamount to failure to declare assets and property.
- (3) The Commission shall ensure the confidentiality of the information received and of its discussions with declarants.
- (4) However, the Commission may, within the context of a criminal investigation, forward all or part of a declaration to judicial authorities should the latter so request.

Section 9: (1) When in doubt of the authenticity of a decimation of assets and property and in the absence of supplementary information the official concerned, the Commission may request the competent State

bodies to probe the actual status of the property of the person concerned.

(2) In the event of false declaration, the declarant shall be liable to sanctions provided for under Section 15 of this Law.

Section 10: In the event of refusal to declare assets and property by the persons liable or doubt on the declaration, the Commission may request any competent public or private service to communicate to it any information that may help establish the assets and property of the persons concerned.

Section 11: (1) The premises of the Commission shall be inviolable during the performance of its duties.

(2) The records of the Commission may not be published or disclosed in whole or in part by any means whatsoever.

CHAPTER 4

TRANSITIONAL, MISCELLANEOUS AND FINAL PROVISIONS

Section 12 Persons liable who are currently in office shall declare their assets and property within 90 (ninety) days, with effect from the date of the setting up of the Commission.

Section 13: (1) Where after the declaration of asset and property provided for by this law, the Commission notices that the declarant is in possession of assets and property of unjustified origin or not commensurate with the declarant's annual income or earning serving as such, it may resort to compromise, for the benefit of the State, of all or part of the declarant's movable and immovable property, under conditions provided for by Law No. 73/7 of 7 December 1973 on the treasury's rights to safeguard public funds.

(2) In the event of non-acceptance of the compromise, the Commission shall propose to the President of the Republic the transmission of the file to the Minister of Justice for the institution of public proceedings.

Section 14: (1) The Commission shall, each year, forward a progress report to the President of the Republic.

(2) The Commission shall, at any time, inform the President of the Republic of any obstacles to the performance of its duties, compliance or non-compliance by the officials referred to in Section 2 above, with the mandatory declaration of assets and property

Section 15: (1) Any holder of an elective office, who either makes a false declaration or fails to declare his assets and property, shall not be eligible for any election at the end of his tenure of office.

(2) Any person appointed to a position provided for in Section 2 of this law, who fails to declare his assets and property, shall be dismissed from office, subject to compliance with the appointment procedure.

(3) Any appointed manager of public property and funds, who makes a false declaration of his assets and property, shall also be dismissed from office, subject to compliance with the appointment procedure. In addition, such person may not be appointed to any of the positions specified in Section 2 of this law, for a period of 5 (five) years.

(4) However, dismissal may occur only following a warning for a further period of 45 (forty-five) days issued to the defaulting official by the Commission.

(5) Any public funding in the form of subventions or donations of an association or any other body whose expenditure authorizing officer has not declared his assets and property, shall be suspended. Such suspension shall be lifted once the official concerned declares his assets and property.

Section 16: (1) Whoever discloses all or part of a declaration of assets and property in any manner whatsoever without authorization shall be liable to the sanctions provided under Section 310 of the Penal Code.

(2) However, the declaration of assets and property may be disclosed to third parties where the declarant so requests in writing, giving reasons for such request.

Section 17: Decrees of the President of the Republic shall, as and when necessary, define the conditions of implementation of this law.

Section 18: This law shall be registered, published according to the procedure of urgency, and inserted in the *Official Gazette* in English and French.

Yaoundé, 25 April 2006.
Paul Biya,
President of the Republic.

**Law No. 2011/28 of 14 December 2011 to
set up a Special Criminal Court**

*The National Assembly deliberated and adopted,
the President of the Republic hereby enacts
the law set out below:*

**CHAPTER 1
GENERAL PROVISIONS**

Section 1.- This law set up the Special Criminal Court, hereinafter referred to as "the Court".

Section 2.- The Court shall be competent to hear and determine matters, where the loss amounts to at least 50 000 000 CFA francs relating to misappropriation of public funds and other related offences provided for in the Penal Code and International Conventions ratified by Cameroon.

Section 3.- It shall have its seat in Yaounde and a nationwide jurisdiction.

Section 4.- The Court shall be composed of:

- at the bench
 - a President;
 - one or more Vice-Presidents;
 - one or more judges;
 - one or more Examining Magistrates.
- . at the legal department
 - one Procureur General;
 - one or more Advocates General;
 - one or more Deputy Procureur General.
- . at the registry
 - the Registrar-in-Chief;
 - one or more Section Heads;
 - one or more Registrars and Registrars working with the Examining Magistrate.

Section 5.- The Judicial Officers, Court Registrars assigned to the said Court as well as the Judicial police officers cited in section 7 hereunder shall be bound by the rules and regulations of their respective professions.

**CHAPTER 2
PROCEEDINGS**

Section 6.- Subject to the provisions hereunder, the rules of procedure shall be the same as those provided for by the Criminal Procedure Code.

Section 7.- (1) Any complaint, accusation or petition relating to any of the offences cited under Section 2 shall be subject to investigations ordered by the Procureur General of the Court.

- (2) He shall exercise the functions of the State Counsel during the preliminary or judicial investigations.
- (3) A specialized corps of judicial police officers placed under his control shall be responsible for investigating and carrying out rogatory commissions.
- (4) Preliminary investigation shall be closed after a period of 30 (thirty) days, renewable twice. The period for remand in custody shall be that provided for by the Criminal Procedure Code.
- (5) Upon the closure of preliminary investigations, the case file shall be forwarded to the Procureur

General.

(6) The Procureur General May:

- close the case file; or
- order the conduct of a judicial inquiry.

However, where the loss is below 50,000,000 CFA francs, the Procureur General of the Court shall transfer the case file to the competent Procureur General.

Section 8.- (1) Every trial Court seized of offences falling within the competence of the Court shall immediately declare it self incompetent.

(2) The Procureur General may also request for the same procedure by seizing his counterpart of the Court of Appeal of the court referred to in the preceding Subsection.

Section 9.- (1) Upon receipt of the holding charge, the President of the Court shall designate the Examining Magistrate to conduct the inquiry.

(2) Petitions for release on bail lodged with the Examining Magistrate shall be notified forthwith to the Legal Department and processed within 48 (forty-eight) hours.

(3) A preliminary inquiry shall be closed within 180 (one hundred and eighty) days after the preferment of the holding charge either by a non-committal or a committal order

(4) An objection of incompetence raised before the Examining Magistrate shall be referred to the Court in the event of the close of the inquiry by a committal order.

Section 10.- (1) The President of the Court after consultation with the Procureur General shall fix the hearing date, which shall be scheduled within no more than 30 (thirty) days of the committal order.

(2) The Court shall sit in a panel to hear and determine matters referred to it.

(3) It shall determine the number of witnesses to be summoned for each party in the case.

(4) A procedural objection relating to the competence of the Court shall be heard on the merits.

(5) The Court shall hear and determine the matter within 6 months. Such period may be extended by 3 (three) months by Order of the President of the Court seized.

Section 11.- (1) The Court shall have original jurisdiction and an appeal against its decisions shall lie exclusively before the Supreme Court.

(2) The appeal of the Legal Department shall be based upon the facts and points of law.

(3) The appeal of the other parties shall be based solely upon the points of law.

(4) In the case of an appeal, the Supreme Court shall hear and determine same.

Section 12.- (1) An appeal shall be filed within 48 (forty-eight) hours after the judgment is handed down and it shall be examined within 60 (sixty) days.

2) In the case of a default judgment, the processing of the case file shall be conducted within 60 (sixty) days of service on the defaulting party.

Section 13.- (1) The examination of the appeal by the Supreme Court shall be assigned to a specialized Bench designated by the Chief Justice comprising Judges of the Judicial, Administrative and Audit Benches with 2 (two) Judges from each Bench.

(2) The specialized Bench shall be presided over by the Chief Justice of the Supreme Court or by a Judge of the Bench of the Supreme Court appointed by the Chief Justice for that purpose.

(3) The specialized Bench shall hear and determine the matter within a maximum period of 6 (six) months.

CHAPTER 3 **TRANSITIONAL AND FINAL PROVISIONS**

Section 14.- Case files on preliminary investigations relating to the facts referred to in Section 2 shall be sent to the Procureur General of the Court for action once the said Court goes

operational.

Section 15,- (1) A court seized of a matter relating to the facts referred to in Section 2 of the present law in which either a preliminary inquiry or judgment is pending shall immediately hear and determine it.

(2) Matters pending before the said court shall be heard and determined within 6 (six) months after the Court goes operational.

Section 16.- In such case, High Court decisions may only be appealed against as provided in Sections 11, 12 and 13 of this law.

Section 17.- Non-compliance with the prescribed time-limits may entail disciplinary proceedings against the defaulter.

Section 18.- (1) Where the proceeds of the embezzlement or corruption are restituted, the Procureur General of the Court may, subject to a written authorization by the Minister in charge of Justice, enter a nolle prosequi against the proceedings instituted prior to the committal to the trial court.

Provided that, where such restitution is effected after committal to the trial court, a nolle prosequi may be entered against the proceeding prior to any judgement on the merits and the court seized shall pronounce the forfeitures under Section 30 of the Penal Code and note same in the criminal record.

(2) The entry of a nolle prosequi shall have no effect on any disciplinary procedures.

Section 19: This law shall be registered, published according to the procedure of urgency and inserted in the *Official Gazette* in English and French.

Yaounde, 14 December 2011.

Paul Biya,
President of the Republic.

Decree No. 78/484 of 9 November 1978
to Lay down Common Provisions Applicable to State Officials Governed
by the Labour Code

THE PRESIDENT OF THE REPUBLIC,

Mindful of the Constitution of 2 June 1978, as amended and completed by Law No.75/I of 9 May 1975;

Mindful of Law No 74/14 of 27 November 1974 on the Labour Code;

Mindful of Decree No72/DF/I 10 of 28 February 1972 to lay down common provisions applicable to civil servants governed by the Labour code as amended by Decree No.74/952 of 23 November 1974;

HEREBY DECREES AS FOLLOWS:

PART I
GENERAL PROVISIONS

SECTION 1.- Scope

1) This decree lays down general conditions for employment, professional classification and remuneration of State employees governed by the Labour Code, hereinafter referred to as "workers".

2) State employees governed by the Labour Code may only be employed in the following cases:

a- For non-permanent positions or such positions are so small in number that creating a civil service corps is unnecessary;

b- when the recruitment of the staff concerned cannot, for practical reasons, comply with the recruitment procedures for civil servants as defined by sections 54 to 61 of the General Rules and Regulations of the Civil Service;

c- for the execution of highly technical tasks requiring certificates or titles that cannot be classified in one of the categories defined by the General Rules and Regulations of the Civil Service;

d- for highly subservient jobs such as domestic staff, drivers, *hand workers*, security guards.

3) With regard to the needs of the job, the provisions in paragraph 2 above may be changed, upon express authorisation of the Prime Minister or the Secretary General at the Presidency of the Republic, as the case may be. Applications must include the profile of the jobs offered as well as the complete list of candidates proposed for recruitment.

4) Individual employment contracts signed after the entry into force of this Decree shall be subject to its provisions, which shall be considered as minimum conditions of employment.

5) This decree shall be, as from the date on which it takes effect, automatically applicable to employment contracts in progress.

SECTION 2.- Definition of Contract of Employment

For the purposes of these provisions, a **contract of employment** shall be defined as any written agreement, contract, decision or any other administrative instrument in lieu thereof, concluded between the administration and a person, whereby the latter shall undertake to place his or her professional activity at the service of the administration in return for remuneration.

SECTION 3.- Exercise of Trade Union rights

The exercise of the right to organise shall be guaranteed to workers within the framework of the

laws and regulations in force.

SECTION 4.- Staff representatives

- 1- The elections, the duration of the exercise of functions, as well as the attributions of staff representatives shall be governed by the Labour Code and Orders issued for its application.
- 2- The exercise of the function of representatives may not be an obstacle to the employees' normal progress or to the improvement of his situation. For his part, the staff representative must not, by his action, hinder the hitch free running of the service

PART II **CONTRACT OF EMPLOYMENT**

CHAPTER 1 **FORMATION AND IMPLEMENTATION OF THE CONTRACT OF EMPLOYMENT**

SECTION 5.- General conditions of the contract

I.- No one may be recruited for public employment:

1) if he does not possess Cameroon nationality.

However, the Minister for Labour and Employment may authorise the recruitment of foreign nationals in case of lack of applications from nationals for a job offer.

2) if he/she is not of good character or has already been subjected to a custodial sentence of more than six months of imprisonment for a felony, offence of probity (theft, forgery, human trafficking, swindling, corruption, embezzlement of public funds, breach of trust), or any other sentence accompanied by one of the disqualifications provided for in paragraphs 1 and 6 of section 30 of the Criminal Code, unless he/she has been pardoned or rehabilitated.

3) if he/she has been the subject of an administrative measure of house arrest or internment for an uninterrupted period of at least six months, taken in accordance with the legislation in force.

4) If the cause of dismissal, during the five years following his/her dismissal from a previous job he/she held in any of the Public or semi-public Administrations, was due to gross misconduct.

Semi-public companies may, in their statutes, prohibit the recruitment of any staff member who has been dismissed for gross misconduct from a job in a Public or semi-public Administration.

5) If he/she does not meet the physical fitness requirements for the job in question, and if he/she is not found free of any tubercular, cancerous, leprosy, nervous or poliomyelitis condition, following an examination by a physician of the Administration.

SECTION 6.- Hiring and probationary period

1) Workers shall be hired individually. The commitment shall be established by a decision for employees in categories I to VI and by a contract for those in categories VII to XII. This document shall specify the identity of the worker (surname, first names, sex, date of birth, nationality); the place of recruitment, the place of employment, the occupational category and the level assigned to him/her, and the related salary.

2) In the cases referred to in Section 31 paragraph I of the Labour Code, a written contract shall be drawn up and approved by the National Service for Labour and Employment in the following forms provided for by Decree No.68/DF/251 of 10 July 1968 relating to the establishment and endorsement of employment contracts, in keeping with section 31 of the Labour Code.

3) Every worker shall be subject to a trial period under the conditions laid down by the regulations in force. The commitment to a trial period shall be stipulated in writing in the decision or contract.

SECTION 7.- Initial Appointment

When a worker who has been notified of his decision and engagement or who has accepted and signed his contract, does not assume duty at his position the first request of the Administration, except in duly proven cases of force majeure, it shall be considered as resignation and breach of contract, respectively, on his own initiative. He shall then be required to reimburse any fees received as well as any expenses incurred for his transportation, family and luggage. In case of refusal, he shall be bound by law.

SECTION 8.- Appointment to another place of employment

1) Workers may be assigned either inside or outside the territory of the United Republic of Cameroon. Such appointments shall always be made to meet the needs of the service and shall not constitute sanctions. In this case, the travel expenses of the worker, his spouse and dependent minor children, as well as the cost of transporting his luggage within the limit fixed by the decree regulating the travel regime of civil servants of the State, shall be borne by the Administration.

2) The Administration shall set the conditions for transporting the worker to his new posting.

SECTION 9.- Discipline

1) Failure to comply with his professional obligations shall entail one of the following disciplinary sanctions for the worker, depending on the seriousness of the misconduct;

- 1- Warning;
- 2- Reprimand;
- lay-off from 1 to 8 days;
- delay in promotion from 1 to 2 years;
- dismissal.

2) Sanctions 1, 2 and 3 shall be taken by the superior with disciplinary power, the others may only be pronounced by the authority with the power to recruit.

3) Before any sanction, except in the case of a judicial sentence that has become final, the worker must be allowed to justify himself. To this end, as soon as the misconduct is established, a written request for an explanation shall be addressed to the person concerned.

4) Sanctions shall always be reasoned and notified in writing; they shall take the form of a decision for sanctions 3, 4, 5 and 6. In addition, dismissal shall be subject to the formalities prescribed by Section 35 of the Labour Code.

5) A reduction in incremental position may only be pronounced within the same category, and may not result in the worker being removed from the category in which he/she is.

6) In the event of dismissal for gross misconduct, the worker shall lose his/her right to notice and severance pay and shall be subject to the assessment of the competent court regarding the seriousness of the misconduct.

7) In the event of unjustified absence, regardless of its duration and without prejudice to the application of the provisions of the law, the worker shall be entitled to the right to notice and severance pay.

SECTION 10, - Duties of the Worker

1) A worker shall owe his/her entire professional activity to the administration for whose staff he/she is recruited. Any activity likely to be prejudicial to his/her service shall be prohibited. He shall be bound by professional secrecy and the obligation of loyalty.

2) Except in the case of appointment for service requirements provided for in Section 8 above, a worker who wishes of his/her own accord to leave the Administration to which he/she was recruited to go to another or to a semi-public body shall resign from his post; otherwise, he shall be considered as having automatically abandoned his post.

3) Exceptionally and notwithstanding the provisions of paragraph (2) above, work

assigned to them by the Government in a semi-public body or in an international organisation shall benefit from the provisions of Section 8 above, and shall be considered as being on assignment for service requirements and leasing his /her professional activity to the Administration.

CHAPTER 2 **SUSPENSION OF EMPLOYMENT CONTRACT**

SECTION 11.- Occupational injuries and diseases

1) Occupational injuries and diseases shall be subject to the laws and regulations in force, and shall be compensated in accordance with the conditions laid down therein.

2) In the case of occupational diseases or injuries, the Administration shall bear the costs of medical, surgical, pharmaceutical charges, funeral and transportation of mortal remains, as well as hospitalisation in a State hospital until the victim's recovery or consolidation of the State,

3) If the person concerned cannot return to his/her former employment after his/her condition has been consolidated, the Administration shall assign him/her to tasks corresponding to his/her new physical aptitudes.

SECTION 12.- Injuries and illnesses not attributable to work

1) Absences justified by incapacity resulting from illness or injuries not attributable to work shall suspend the employment contract for a period of six months, which shall be extended until the return of the worker.

2) Where the absence requires the actual replacement of the worker, the person replacing the employee shall be informed of the temporary nature of his or her employment. This information shall be included in the contract.

3) During the period of suspension due to illness or injury, the worker shall be subject to the following compensation scheme, taking into account the duration of service in the Administration :

a period of service of less than 12 months - compensation equal to the amount of his/her salary within the limits set by Section 47 of the Labour Code;

b period of service equal to or greater than twelve months and less than five years: allowance equal to two months' pay in addition to that provided for in paragraph (a) above;

c duration of service equal to or greater than five years: allowance equal to three months' pay in addition to that provided for in paragraph (a) above.

4) The duration of service shall include paid leave, exceptional leave of absence with or without pay, and periods of suspension of the employment contract referred to in paragraphs c, d, f, g, of Section 46 of the Labour Code.

CHAPTER 3 **TERMINATION OF EMPLOYMENT CONTRACT**

SECTION 13. - Notice

1) An employment contract of indefinite duration may always be terminated by the will of one of the parties, subject to the obligation to observe the notice period that must be served to the other party.

2) The conditions and duration of the notice period, the obligations of the parties during the execution of the notice period or as a result of its non-execution, shall be governed by the legal and regulatory provisions in force.

3) In the event of dismissal, the Administration shall be obliged to follow up its notice of termination with a decision indicating the amount of wages and compensation due to the worker at the time of termination of services.

4) The termination of the contract may take place without notice for gross misconduct, subject to the assessment of the competent court regarding the seriousness of the

misconduct.

SECTION 14. - Compensation for dismissal

1) In the event of termination of an employment contract for an indefinite period of time by the Administration, the dismissed worker shall be entitled to severance pay, separate from the notice period, under the following conditions:

- the dismissal must not be motivated by gross misconduct on the part of the worker;
- at the time of dismissal, the worker must have completed at least two years of continuous service in the administration.

2) This compensation shall be calculated, for each year, as a percentage of the average overall monthly salary for the twelve months of employment preceding the date of dismissal, namely:

- 20% for each of the first five years;
- 25% for the period between the sixth and tenth year;
- 30% for the period extending beyond the tenth year.

In the calculation on the above basis, the fractions of years shall be taken into account.

3) The seniority to be taken into consideration for the calculation of the allowance shall include all service as defined in Section 19, paragraph 2 below, provided that such service has not been taken into account in the calculation of a redundancy allowance previously awarded to the worker concerned.

SECTION 15. - Death of the Worker

1) In the event of a worker's death, the wages and all allowances acquired by him/her at the time of death shall revert by right to his/her heirs, namely:

- Spouse (s)
- legitimate children
- natural children recognised before death
- adoptive children.

2) If the worker had at least two years' seniority in the Administration at the time of death, the heirs shall be paid an allowance equivalent to the amount of the severance pay that would have accrued to the worker in the event of termination of the contract by the Administration.

3) The Administration shall offer the coffin to the family of the deceased worker.

If the worker had been transferred by the administration, the latter shall also ensure, at its own expense, the transport of the body of the deceased from the place of death to the place of habitual residence, provided the family so requests, and the same shall apply to the mortal remains within a maximum of two years after the expiry of the regulatory period provided for this purpose.

PART III
WAGES AND OCCUPATIONAL CLASSIFICATION

SECTION 16. - Payment of Wages

1) Wages shall be paid on a monthly basis, except for workers hired for a fixed period of less than one month, who shall be paid by the hour or by the task.

2) Hourly wages shall be obtained by dividing the monthly wage by the number of hours in the monthly working time of 173 hours.

SECTION 17.- Occupational Classification

1) An annex to this Decree shall determine the occupational classification of jobs, which shall comprise twelve categories and twelve incremental positions each.

The rates of minimum wages for the incremental positions in each category shall be determined by special regulations.

2) At the time of recruitment, the classification of a worker in a category shall take

into account the certificate the worker holds.

However, a worker who, in addition to his or her certificate, has previous work experience or a recognised skill may be entitled to a bonus in incremental position or category.

The bonus in incremental position shall be one incremental position for every three years in the same branch of activity. Classification in a category higher than the one corresponding to the certificate presented may only take place on an exceptional basis, and after express authorisation by the President of the Republic after a reasoned proposal from the Minister in charge of the Civil Service.

3) The change from one category to a higher category of a serving staff member can only result from a change of professional qualification in the same branch of activity, justified by the presentation of new officially recognised qualifications or certificates, subject to the provisions of paragraph 5 below. In the higher category, the worker shall be classified at a level with a salary equal to, or failing that, immediately above the salary he or she was receiving before his or her reclassification.

A worker who, after being recruited, has a qualification or certificate higher than that which justified his or her classification in a category, but who is professionally not used in the speciality in which he or she works, may not prevail to claim reclassification.

4) The reclassification of a worker from one category to a higher category under the conditions provided for in paragraph (3) above may be pronounced only if there is a corresponding budgetary allocation, the entry of which may not, in any case, be deferred beyond the following financial year. Such reclassification shall take effect from the date of award of the new qualifications or certificates in terms of seniority. If there are appropriations in the budget being implemented at the date of award of the certificate, this reclassification shall take effect from the date thereof. Otherwise, the financial effect shall run from 1 July of the following financial year.

5) Exceptionally, subject to the corresponding budget allocation and within the limits of the budget for the year in question, the following shall apply subject to a limit of 1% of the number of staff meeting the conditions laid down in this paragraph, workers whose manner of service has regularly given satisfaction may, on a proposal from the competent Joint Promotion Committee, be reclassified to the next higher category, provided that:

- they have exhausted all the incremental positions in their category;
- they have at least ten years' experience in that category;
- they have obtained over the last three years of service, an average of professional marks at least equal to the minimum set out in Section 18 paragraph 3 below.

A worker may not benefit more than once during his career from the category reclassification provided for in this paragraph.

SECTION 18. Advancement in incremental position

1) In principle, a worker shall be hired at the first incremental position of his or her classification category. However, where a worker dismissed for staff reduction is rehired, he or she shall retain the benefit of the incremental position he or she was entitled to at the time of dismissal, but without seniority in the said level, on the basis of equality of category.

2) Advancement from a lower incremental position to the higher incremental position shall take place every two years, taking into account both the seniority of the worker and his or her ability to serve in all respects, as established annually by a confidential report.

3) An order of the Minister in charge of the Civil Service shall lay down the procedures for grading public officials.

4) If a worker's manner of service is unsatisfactory, his or her promotion may be delayed for a further period of one to two years. However, after four years, the worker shall be entitled to advancement to the next higher incremental position, unless the advancement is delayed as provided for in Section 9 above.

5) Promotion shall be established by decision of the head of the ministerial department concerned after a reasoned opinion from the joint promotion Board provided for in Section 20 below.

6) Each Administration concerned shall be required to provide systematically, each year, a sufficient budgetary allocation for the promotion of its staff.

SECTION 19.- Definition of Seniority

Seniority, for the purposes of promotion to a higher incremental position, shall be understood to mean the amount of time the worker has served in the Administration since being hired or last promoted to a higher incremental position.

The duration of service shall include paid leave, exceptional leave of absence with or without pay, and periods of suspension of the employment contract referred to in paragraphs c, d, f, g, of Section 46 of the Labour Code.

SECTION 20. - Joint Boards

In each Administration, a joint Board which is competent in terms of promotion shall be created, its composition, duties and operating methods shall be defined by order of the Minister in charge of public service.

The Board shall make decisions concerning the confidential reports and assessments mentioned in section 18 paragraph 2 above, the context of which will be determined by the Minister of Public Service.

The Board's proposals for promotion shall be submitted for decision, on the one hand to the head of the Administration concerned with regard to the decision-makers of the categories I to VI, and on the other hand to the Minister in charge of the Civil Service as regards contract staff in categories VII to XII.

SECTION 21. - Contestation of classification in categories

1) Every worker shall have the right to request the administration to have the category in which he/she is classified checked to ensure that it corresponds to his/her professional qualification.

2) This request shall be submitted, either directly or through a staff representative, and shall be examined by the competent authority as defined above.

SECTION 22. - Travel allowance

In the event of temporary or permanent displacement of the worker, the provisions of the decree regulating the regime of displacement of civil servants and civil agents of the State shall be applied to him/her.

PART IV
CONDITIONS OF WORK

SECTION 23.- Hours of work

1) In accordance with Section 87 of the Labour Code, working hours are fixed at four hours a week and 173 hours a month.

2) The manner of applying working hours, and in particular the permitted derogations - equivalences, recovery of lost hours, extension of the effective daily working time, overtime, etc. - shall be governed by the regulatory provisions in force.

SECTION 24. - Paid Leave - Seniority increase

1) Workers shall be entitled to leave under the conditions provided for by the laws and regulations in force.

2) The duration of annual leave shall be increased at the rate of two working days for each full period, whether continuous or not, of five years of service in the administration. This increase shall be in addition to that provided for in Section 97 of the Labour Code for employed mothers.

3) The calculation of the allowance for the "main leave" and the additional days of

leave shall be carried out in accordance with the provisions of the decree on the arrangements for the paid leave scheme.

SECTION 25. - Exceptional leave of absence

1) Exceptional leave of absence shall be granted to a worker in the event of family events affecting his or her own home, under the following circumstances and conditions:

- marriage of the worker 3 days
- death of father, mother, spouse, child. 3 days
- delivery of the worker's wife 3 days
- marriage of a child 1 day.

2) Within the limit of 10 days per year such permissions shall not be subject to any deduction from the wages of workers paid on a monthly basis; they shall be paid to workers paid on an hourly basis, on the basis of the hours actually worked in the service during the period of permission.

3) If the event occurs outside the place of employment and requires travel, the above time limits may be extended, but such extension shall not be remunerated and the travel expenses shall in any case be borne by the worker.

4) In the event of death and childbirth, the worker must inform his or her Head of Department in writing of the causes of his or her absence no later than 48 hours after the suspension of work, failure to do this shall attract penalties. In all other cases, they must inform their supervisor at least 72 hours in advance.

5) To avoid losing the right to remuneration referred to in paragraph (2) above, the worker shall be compelled to provide the civil status documents or justifications in advance within 45 days following the event.

SECTION 26.- Travel and transport

Where, as stipulated by the laws and regulations, the worker may claim transport at the expense of the Administration, himself, his family and his wages, he shall be subject to the following provisions, unless more favourable stipulations are made in individual contracts.

SECTION 27.- Accommodation

1) Accommodation shall be provided to the worker in the cases and under the conditions provided for by the laws and regulations in force.

2) In the event of termination of the employment contract, the worker shall be compelled to vacate the accommodation provided by the administration within the time limits set forth hereunder:

a- Where the notice period is notified within the required period of evacuation at the expiry of the notice period.

b- In the event of termination of contract by the worker, without the notice period having been observed: immediate evacuation.

c- In the event of dismissal by the Administration without the notice period having been respected: deferred evacuation within a maximum of one month, upon the worker's prior request.

SECTION 28.- This decree, which takes effect from the date of signature, shall be registered and published in the Official Gazette in English and French.

Yaounde, 9 November 1978

Ahmadou Ahidjo

President of the Republic

**Decree No. 2011/408 of 9th December
2011 to organise the Government**

**The President of the Republic,
Mindful of the Constitution**

HEREBY DECREES AS FOLLOWS:

SECTION 1:- (1) This Decree organises the Government.

(2) The Government shall comprise:

- the Prime Minister, Head of Government;
- Deputy Prime Ministers, where necessary;
- Ministers of State, where necessary;
- Ministers;
- Ministers in charge of Special Duties;
- Ministers without portfolio, where necessary;
- Minister Delegates;
- Secretaries of State.

(3) The Government shall be responsible for the formulation and implementation of the policy of the Nation as defined by the President of the Republic.

SECTION 2.- (1) The President of the Republic, Head of State, shall appoint the Prime Minister, Head of Government, and, on the proposal of the latter, the other Members of the Government. He shall dismiss them from office.

(2) The Prime Minister, Head of Government, shall steer Government action.

SECTION 3: - (1) Ministers in charge of Special Duties and Ministers without portfolio shall be placed under the direct authority of the President of the Republic for the discharge of specific tasks or duties.

(2) Minister Delegates shall be placed, as the case may be, under the authority of the President of the Republic, the Prime Minister or Ministers, for the performance of permanent specific duties.

(3) Minister Delegates under the authority of Ministers shall assist them, as necessary, in their duties and may be entrusted by the President of the Republic, under their authority, with the management of particular sectors.

(4) Secretaries of State shall assist Ministers in their duties and may be entrusted by the President of the Republic, under the authority of the latter, with the management of specific sectors.

(5) Special texts shall lay down, as and whenever necessary, the areas of competence of the Minister Delegates and Secretaries of State.

SECTION 4.- (1) The Ministerial Departments shall be classified in alphabetical order as follows:

- the Ministry of Territorial Administration and Decentralisation;
- the Ministry of Social Affairs;
- the Ministry of Agriculture and Rural Development;
- the Ministry of Arts and Culture;
- the Ministry of Trade;
- the Ministry of Communication;
- the Ministry in charge of the Supreme State Audit;
- the Ministry of Defence;
- the Ministry of State Property, Surveys and Land Tenure;

- the Ministry of Water Resources and Energy;
- the Ministry of the Economy, Planning and Regional Development;
- the Ministry of Basic Education;
- the Ministry of Livestock, Fisheries and Animal Industries;
- the Ministry of Employment and Vocational Training;
- the Ministry of Secondary Education;
- the Ministry of Higher Education;
- the Ministry of the Environment, Nature Protection and Sustainable Development;
- the Ministry of Finance;
- the Ministry of Public Service and Administrative Reform;
- the Ministry of Forestry and Wildlife;
- the Ministry of Housing and Urban Development;
- the Ministry of Youth Affairs and Civic Education;
- the Ministry of Justice;
- the Ministry of Public Contracts;
- the Ministry of Mines, Industry and Technological Development;
- the Ministry of Small and Medium Enterprises, Social Economy and Handicrafts;
- the Ministry of Posts and Telecommunications;
- the Ministry of Women's Empowerment and the Family;
- the Ministry of Scientific Research and Innovation;
- the Ministry in charge of Relations with the Assemblies;
- the Ministry of External Relations;
- the Ministry of Public Health;
- the Ministry of Youth and Civic Education;
- the Ministry of Tourism and Leisure;
- the Ministry of Transport;
- the Ministry of Labour and Social Security;
- the Ministry of Public Works.

(2) The organisation of the Prime Minister's Office and of the Ministerial Departments shall be the subject of specific texts.

ARTICLE 5.- The following Ministries shall be placed under the authority of Minister Delegates at the Presidency of the Republic:

- the Ministry in charge of the Supreme State Audit;
- the Ministry of Defence;
- the Ministry of Public Contracts;
- The Ministry in charge of Relations with the Assemblies.

ARTICLE 6.- Minister Delegates shall assist Ministers in the following Ministerial Departments:

- the Ministry of Territorial Administration and Decentralisation;
- the Ministry of Agriculture and Rural Development;
- the Ministry of the Environment, Nature Protection and Sustainable Development;
- the Ministry of the Economy, Planning and Regional Development;
- the Ministry of Finance;
- the Ministry of Justice;
- the Ministry of External Relations;
- the Ministry of Transport.

SECTION 7: Secretaries of State shall assist Ministers in the following Ministries:

- the Ministry of Defence;
- the Ministry of Basic Education;
- the Ministry of Secondary Education;
- the Ministry of Forestry and Wildlife;
- the Ministry of Housing and Urban Development;

- the Ministry of Justice;
- the Ministry of Mines, Industry and Technological Development;
- the Minister of Public Health.

SECTION 8: The powers of the Ministers shall be determined as follows:

(1) THE MINISTER DELEGATE AT THE PRESIDENCY OF THE REPUBLIC IN CHARGE OF DEFENCE shall be responsible for the formulation and implementation of national defence policy.

In this capacity, he shall be responsible for:

- examining the military resource strategy;
- implementing the national defence policy;
- coordinating and controlling defence forces;
- ensuring the organisation and functioning of Military Courts;
- monitoring military cooperation.

He shall be assisted by 2 (two) Secretaries of State:

- the Secretary of State for the Gendarmerie;
- the Secretary of State for Veterans and Victims of War.

(2) THE MINISTER DELEGATE AT THE PRESIDENCY OF THE REPUBLIC IN CHARGE OF THE SUPREME STATE AUDIT shall be responsible for the supreme audit of public finance management in public services, public and semi-public establishments and bodies at the administrative and financial levels.

(3) THE MINISTER DELEGATE AT THE PRESIDENCY OF THE REPUBLIC IN CHARGE OF RELATIONS WITH THE ASSEMBLIES shall ensure liaison between the Government and the National Assembly, the Senate and the Economic and Social Council.

(4) THE MINISTER DELEGATE AT THE PRESIDENCY OF THE REPUBLIC IN CHARGE OF PUBLIC CONTRACTS shall be responsible for the organisation and smooth functioning of public procurement.

In this capacity he shall:

- launch calls for tenders for public contracts, in conjunction with the Ministries and Administrations concerned;
- award public contracts and control their execution in the field, in conjunction with the Ministries and Administrations concerned;
- participate, where necessary, in the financial design of public contracts, in conjunction with the Ministries and Administrations concerned.

THE MINISTER OF TERRITORIAL ADMINISTRATION AND DECENTRALISATION shall be responsible for the elaboration and implementation of Government's policy in terms of territorial administration, civil protection, decentralisation and monitoring of electoral matters.

In this capacity, he shall be responsible for:

a) In the field of territorial administration:

- the organisation and functioning of administrative constituencies and local services of Territorial Administration;
- the organisation and control of civil status centres;
- the organisation and monitoring of traditional chiefdoms;
- the preparation and application of laws and regulations relating to civil liberties;
- the maintenance of public order in relation to the specialised forces;
- faith-based organisations;
- monitoring the activities of political associations and movements;
- monitoring the activities of non-profit associations, organisations and movements;
- monitoring and control of private security activities.

b) In the field of civil protection

- the elaboration, implementation and monitoring of regulations and standards in the field of prevention and management of risks and natural disasters, in conjunction with the other Administrations concerned;
- the coordination of national and international actions in the event of natural disasters.

c) In the field of decentralisation:

- drawing up and monitoring the implementation of regulations relating to the organisation and functioning of local and regional authorities;
- the exercise of State supervision over Local and Regional Authorities under the authority of the President of the Republic:
- regular evaluation of the implementation of decentralisation.

d) With regard to Electoral matters:

- Permanent liaison between the Government and the independent body in charge of organising, managing and supervising the electoral and referendum process.
- supervision over public bodies implementing decentralisation and over:
- The Special Council Support Fund for Mutual Assistance (FEICOM);
- The Local Government Training Centre (CEFAM).

He shall be assisted by a Minister Delegate in charge of local and regional authorities.

(5) THE MINISTER OF SOCIAL AFFAIRS shall be responsible for the formulation and implementation of Government policy on prevention, assistance and protection of socially vulnerable persons.

In this capacity, he shall be responsible for:

- the prevention and treatment of juvenile delinquency and social maladjustment;
- the fight against social exclusion, in conjunction with the Ministries concerned;
- the fight against human trafficking, especially under-aged children, in conjunction with the concerned Administrations;
- the protection of victims of physical abuse;
- the monitoring of procedures for the protection of children in difficulty, in conjunction with the relevant Ministries;
- monitoring and protection of victims of human trafficking, in conjunction with the

Administrations concerned;

- monitoring of the elderly and persons with disabilities, in conjunction with the relevant Ministries;
- monitoring of people affected by drug use, in conjunction with the relevant authorities;
- the facilitation of social reintegration:
- national solidarity:
- monitoring of training schools for social workers;
- animation, supervision and monitoring of establishments and institutions contributing to the implementation of the social protection policy.
- He shall ensure liaison between the Government and the United Nations Children's Fund (UNICEF) in conjunction with the Ministry of External Relations.
- He shall supervise the Cardinal Paul Emile Leger National Centre for the Rehabilitation of Disabled Persons (CNRPH).
- He shall also exercise technical supervision over child protection and supervision bodies...

(6) The MINISTER OF AGRICULTURE AND RURAL DEVELOPMENT shall be responsible for the formulation and implementation of Government policy in the areas of agriculture and rural development.

In this capacity, he shall be responsible for:

a) With regard to Agriculture:

- the formulation, planning and implementation of government programmes relating to agriculture and rural development;
- the design of strategies and modalities to ensure food security and self-sufficiency and monitoring of their implementation;
- the development and monitoring of regulations in the agricultural sector;
- the protection and monitoring of the various agricultural sectors;
- the quantitative and qualitative improvement of production and yields in the agricultural sector;
- the promotion of investments in the agricultural sector in conjunction with the Ministry of the Economy, Planning and Regional Development; and the Ministry of Mines, Industry and

Technological Development;

- the promotion of mechanisation in the agricultural sector;
- the promotion of small, medium and large farms in the agricultural sector, in conjunction with the Ministry of Small and Medium-sized Enterprises, Social Economy and Handicrafts;
- the identification and promotion of new agricultural production for export,
- plant health protection;
- the collection, production and analysis of agricultural statistics;
- the coordination of crisis management in agriculture;
- the agricultural extension, in conjunction with the Ministry of Scientific Research and Innovation and the relevant administrations;
- the monitoring of standards in the agricultural sector and control of their application:
- the monitoring of professional agricultural organisations;
- the monitoring of agricultural cooperatives;
- the dissemination of information and agricultural advice to producers, in conjunction with the Ministry of Communication;
- monitoring of training schools for agricultural personnel, in conjunction with the Ministry of Employment and Vocational Training, excluding educational institutions under the responsibility of the Ministries in charge of education.

a) With regard to rural development:

- promotion of community development;
- support for farmers;
- participation in the planning and monitoring of the implementation of programmes to improve the living environment in rural areas, in conjunction with the relevant Ministries.

He shall supervise:

- the Cameroon Development Corporation (CDC);
- the South-West Development Authority (SOWEDA);
- the National Cocoa Development Corporation (SODECAO);
- the Cotton Development Corporation (SODECOTON);
- the company for the expansion and modernisation of Rice Cultivation in Yagoua (SEMRY);
- the Air Agricultural Treatment Unit (UTAVA);
- the Centre for Study and Experimentation of Agricultural Machinery (CENEEMA),
- the Chamber of Agriculture, Fisheries, Livestock and Forestry (CAPEF);

He shall ensure liaison between the Government and the United Nations Food and Agriculture Organisation (FAO), the International Fund for Agricultural Development (IFAD) and the World Food Programme (WFP), in conjunction with the Ministry of External Relations.

(7) THE MINISTER OF ARTS AND CULTURE shall be responsible for the elaboration and implementation of Government's policy on the promotion and development of arts and culture.

In this capacity, he shall be responsible for:

- the development and dissemination of national arts and culture;
- the preservation of historical sites and monuments;
- the protection, conservation, enrichment and promotion of the cultural, artistic and cinematographic heritage;
- the promotion of artistic and cultural creation;
- the promotion and monitoring of the dissemination of works of art and films, in conjunction with the Administrations concerned;
- museums, libraries, film library, media libraries and national archives;
- conservatories and other professional training centres in the professions concerned;
- monitoring the activities of the national ballet, the national orchestra, the national theatre;
- the promotion of cinematography and the dramatic arts;
- the promotion and professional support of artists;
- the promotion and supervision of major cultural events;
- monitoring the activities of national structures for the collective management of copyright and related rights.

He shall ensure liaison between the Government and international organisations working in the fields of art and culture, in particular the United Nations Educational, Scientific and Cultural Organisation (UNESCO), the African Intellectual Property Organisation (OAPI) and the World Intellectual Property Organisation (WIPO), in conjunction with the Ministry of Mines, Industry and Technological Development and the Ministry of External Relations.

He shall also act as a link between the public authorities and collective management bodies for copyright and rights related to copyright.

He shall supervise the Congress hall.

(8) THE MINISTER OF TRADE shall be responsible for the formulation and implementation of Government policy in the field of trade.

In this capacity, he shall be responsible for:

- the elaboration, implementation and evaluation of strategies for the promotion of Cameroon products;
- the elaboration of price regulations and the monitoring of their application in conjunction with the concerned Administrations;
- the regulation of the supply of consumer products in relation with the Administrations concerned;
- the search of new markets for Cameroon products;
- the promotion and defence of a quality label for products intended for the local and export markets;
- the promotion and control of healthy competition;
- the negotiation and monitoring of the implementation of trade agreements, in conjunction with the Ministry of External Relations;
- the promotion of competitiveness of Cameroon products on foreign markets;
- the application of administrative sanctions in case of fraud or non-compliance with the standards set without prejudice to the powers of the other relevant Ministries;
- the organisation and supervision of trade fairs;
- the monitoring of international trade in raw materials and by-products, in conjunction with the relevant Ministerial Departments and bodies;
- the monitoring of the application of import standards, in conjunction with the administration concerned;
- monitoring of inflation, in conjunction with the Administrations concerned;
- monitoring the conservation and distribution channels of mass consumption products;
- monitoring the development and application of standards for measuring and quality control instruments, in conjunction with the Administrations concerned;
- monitoring relations with international organisations working in the field of international trade in conjunction with the Administrations concerned;
- monitoring the preparation or approval of standards for the presentation, conservation and distribution of consumer products and compliance with these standards by economic operators, in conjunction with the Administrations concerned;
- monitoring commercial negotiations with the European Union, in conjunction with the Ministry of Foreign Affairs.

He shall ensure liaison between the Government and the World Trade Organisation (WTO).

He shall exercise technical supervision over:

- the Consumer Product Supply Regulatory Authority (MIRAP)
- The National Hydrocarbons Price Stabilisation Fund (CSPH);
- the National Cocoa and Coffee Board (NCCB).

(9) THE MINISTER OF COMMUNICATION shall be responsible for developing and implementing Government's communication policy.

In this capacity, he shall be responsible for:

- the elaboration of regulations in the field of social communication and advertising;
- the respect of the code of ethics in the field of social communication and advertisement;

- the respect for media pluralism;
- the contribution to a civic culture training and development of **conscience through the media**, in conjunction with the Administrations concerned;
- the promotion of the image of Cameroon through the media;
- monitoring the activities of the National Communication Council (NCC).
- monitoring the activities of private media;
- monitoring issues relating to advertisement;
- monitoring the activities of private agencies operating in the advertisement sector;
- monitoring the activities of professional bodies operating in the communication sectors;
- monitoring the training of human resources in the professions concerned, in conjunction with the Administrations and interested bodies;
- providing assistance to other Ministries in the implementation of their communication strategy.
- assisting the Minister of External Relations in his activity of informing Cameroon Diplomatic Missions, Foreign Governments and International Organisations about Cameroon.
- exercising technical supervision over the Advanced School of Mass Communication (ASMAC) and the public organs of the press, publishing and advertising, in particular:
 - Cameroon News and Publishing Corporation (SOPECAM);
 - the Cameroon Radio Television (CRTV);
 - the National Printing Press (IN);
 - Cameroon Publi-Expansion (CPE).

(10) THE MINISTER OF STATE PROPERTY, SURVEYS AND LAND TENURE shall be responsible for the formulation and implementation of Government policy on State, cadastral and land tenure matters.

In this capacity, He shall be responsible for:

- the elaboration of legislative and regulatory texts relating to the state, cadastral and land sectors;
- the management of the public and private domains of the State;
- the management of the national domain and proposals for allocation;
- the protection of the public and private domains of the State against any infringement, in conjunction with the Administrations concerned;
- the acquisition and expropriation of real estate for the benefit of the State, public administrative establishments and public capital companies, in conjunction with the Minister of Finance and the Administrations and bodies concerned;
- the management and maintenance of the State's movable and immovable assets;
- the management and monitoring of administrative leases;
- drawing up and maintaining cadastral plans;
- conduct of all studies necessary for the delimitation of the cadastral integration perimeters;
- the constitution and control of land reserves, in conjunction with the Ministry of Housing and Urban Development and the Administrations concerned.

It shall supervise the Urban and Rural Land Development and Equipment Authority (MAETUR).

(11) THE MINISTER OF WATER RESOURCES AND ENERGY shall be responsible for the elaboration and implementation of the Government's policy for the production, transport, distribution of water and energy.

In this capacity, he shall be responsible for:

- developing government strategies and plans for water and energy supply;
- exploring and operating water in urban and rural areas;
- improving the quantity and quality of water and energy generating;
- promoting investments in the water and energy sectors, in conjunction with the Ministry of the Economy, Planning and Regional Development and the Administrations concerned;
- promoting new energy sources, in conjunction with the Ministry of Scientific Research and Innovation;

- regulating water use in agricultural, industrial and sanitary activities, in conjunction with the Administrations concerned;
- monitoring the management of water basins;
- monitoring the management of groundwater:
- monitoring of the downstream oil and gas sector;
- monitoring of regulatory companies in the water and energy sectors.

He shall supervise establishments and companies involved in the generation, transmission, distribution and regulation of water, electricity, gas and oil. In particular:

- Cameroon Water Utilities Corporation (CAMWATER);
- the Electricity Development Corporation (EDC);
- the Rural Electrification Agency (AER);
- the Electricity Sector Regulatory Agency (ARSEL);
- the Cameroon Petroleum Deposits Corporation (SCDP);
- the National Refining Company (SONARA).

(12) THE MINISTER OF THE ECONOMY, PLANNING AND REGIONAL DEVELOPMENT shall be responsible for the formulation and implementation of the Nation's economic policy, planning and regional development.

In this capacity, he shall be responsible for:

a) With regard to the Economy

- the elaboration of the State's Multi annual Investment Programme;
- the coherence of the country's sector development strategies;
- coordinating and pooling studies on projects of national economic interest;
- polling projects and managing the project bank, in conjunction with the Administrations concerned;
- promoting public investments;
- preparing Medium-Term Expenditure Frameworks and the Public Investment Budget
- managing the public investment budget, in conjunction with the Ministry of Finance;
- negotiating, finalising and monitoring the implementation of key Loan agreements, in conjunction with the Ministry of External Relations and the Administrations concerned;
- short and medium-term economic analysis;
- fundamental guidelines and strategies for the rehabilitation and privatisation of public enterprises, in conjunction with the Ministry of Finance;
- monitoring the coordination of the Government's economic and social development policy,
- monitoring the coherence and coordination of the actions undertaken, with the various international and bilateral partners, in the implementation of economic programmes;
- monitoring and control of investment programmes and projects, in conjunction with the sector ministries and the Ministry of Finance;
- coordinating and monitoring the implementation of the Growth and Employment Strategy and the 2035 vision;
- monitoring the economic situation, in conjunction with the Ministry of Finance:
- monitoring multilateral cooperation, in particular with the World Bank, the African Development Bank, the Islamic Development Bank and the European Union, in conjunction with the Ministry of Finance and the Ministry of External Relations;
- monitoring bilateral, sub-regional, regional and international economic and technical cooperation, in particular with the Economic and Monetary Community of Central Africa (CEMAC), the Economic Community of Central African States (ECCAS), the United Nations Economic Commission for Africa (ECA) and the United Nations Development Programme (UNDP), in conjunction with the Ministry of External Relations and the administrations concerned.

b) With regard to planning:

- elaboration of an overall framework for strategic planning of the country's development;
- carrying out studies and forward-looking analyses of the country's development in the medium and long terms;
- human resources planning;

- coordination of studies and monitoring of population issues

c) With regard to Regional Development:

- coordinating and implementing regional development studies, both at national and regional level;
- monitoring the elaboration of regional development standards and rules and the control of their application;
- monitoring and controlling the implementation of national, regional or local development programmes:
- monitoring sub-regional organisations dealing with regional development, in conjunction with the Ministries concerned
- monitoring the activities of the Lake Chad Basin Commission (LCBC) and the Niger Basin Authority (NBA).

He shall supervise regional planning or development authorities as well as:

- the National Institute of Statistics (NIS);
- the Sub-Regional Institute of Statistics and Applied Economics (ISSEA);
- the Pan-African Institute for Development (PAID);
- the Central Bureau of Censuses and Population Studies (BUCREP);
- the Support Council for the Realization of Partnership Contracts (CARPA).

The Technical Committee for the Preparation and Monitoring of Economic Programmes shall be attached to this structure.

He shall co-chair the Inter-Ministerial Committee in charge of Privatisation and Rehabilitation of Public Enterprises.

He shall be assisted by a Minister Delegate in charge of Planning.

(13) THE MINISTER OF BASIC EDUCATION shall be responsible for the implementation of the Government's basic education policy.

In this capacity, he shall be responsible for:

- the organisation and functioning of nursery and primary education;
- the design and determination of curricula and the monitoring of their implementation;
- studies and research on the most appropriate methods for basic education;
- the development of principles for the management and evaluation of institutions at this level of education;
- civic and intellectual training of school-age children, in conjunction with the Ministry of Youth Affairs and Civic Education;
- the design and dissemination of standards, rules and procedures for the evaluation of learners;
- the monitoring and control of the administrative and pedagogic management of public and private institutions at this level of education;
- the development and monitoring of the implementation of the school map for this level of education,
- the development, analysis and maintenance of statistics on this level of education;
- the book policy for this level of education; the fight against illiteracy;
- the monitoring of private nursery and primary schools for secular and religious education;
- monitoring the construction of school buildings and infrastructures at this level of education;
- monitoring the activities of the Parents' and Teachers' Associations (APEE);
- managing and in-service training of teaching and auxiliary staff, subject to the responsibilities devolved to other Ministries.

He shall ensure liaison between the Government and the United Nations Educational, Scientific and Cultural Organization (UNESCO,) in conjunction with the Ministry of Arts and Culture and the Ministry of External Relations.

He shall be assisted by a Secretary of State.

(14) THE MINISTER OF LIVESTOCK, FISHERIES AND ANIMAL INDUSTRIES shall be responsible for the formulation and implementation of Government's policy on livestock, fisheries and the development of animal and fishery industries.

In this capacity, he shall be responsible for:

- the elaboration, planning and implementation of government programmes in the areas of livestock, fisheries and animal and fishing industries;
 - the elaboration of regulations and the monitoring of standards, as well as their application in the areas of breeding, fishing, animal and fishery industries,
 - studies and research for the renewal of animal, fish and fish farming resources in liaison with the Ministry of Scientific Research and Innovation;
 - the quantitative and qualitative improvement of production and yields in the livestock and fisheries sectors;
 - the promotion of investments in breeding and fishing, in conjunction with the Ministry of the Economy, Planning and Regional Development; and the Ministry of Mines, Industry and Technological Development;
 - the improvement of sanitary control in the area of sea, river and fish farming;
 - the healthiness of animal, fishery foodstuffs;
 - the protection of maritime and river resources.
- technical support in the domains concerned;
- the application of measures for the conservation, development and exploration of marine resources, animal and fishery products;
- the collection, production and analysis of statistics in the domains of animal husbandry, fishing, animal and fishing industries;
 - the monitoring of professional organisations working in the areas of animal husbandry and fisheries;
 - monitoring the training of human resources in the areas concerned, in conjunction with the other Administrations concerned;
 - monitoring of schools and training centres for veterinary medicine personnel and the professions concerned, excluding establishments under the authority of the Ministries in charge of education.

He shall supervise:

- the Livestock Development Corporation (SODEPA);
- Cameroon Fisheries Development Authority (MIDEPECAM);
- the National Veterinary Laboratory (LANAVET).

(15) THE MINISTER OF EMPLOYMENT AND VOCATIONAL TRAINING shall be responsible for the development and implementation of Government's policy on employment, training and professional integration.

In this capacity, he shall be responsible for:

- the development of the employment and vocational training policy;
- studies on the employment and labour market revolution;
- studies on the evolution of job qualifications; promotion of re-employment;
- the definition of training and professional insertion programmes, in conjunction with the Administrations and bodies concerned;
- the definition of organisational standards for vocational training and qualification systems and the monitoring of their application;
- the design and organisation of short-cycle training activities;
- guidance and placement of the workforce;
- the organisation and monitoring of the professional integration of the youths trained;
- the organisation of refresher or requalification activities for workers and those who have lost their jobs;
- monitoring the reshaping of training according to job market;
- relations with companies and professional organisations, in conjunction with the relevant sector ministries;
- monitoring and control of vocational training structures, in conjunction with the Ministries concerned.

He shall monitor the activities of these intervention bodies in terms of job search.

He shall supervise the National Employment Fund (NEF).

(16) THE MINISTER OF SECONDARY EDUCATION shall be responsible for the elaboration and implementation of the Government's secondary and teacher education policy.

In this capacity, he shall be responsible for:

- the organisation and functioning of general and technical secondary education;
- the organisation and functioning of teacher education;
- the design of curricula and the search of teaching methods for general and technical secondary education and control of their implementation;
- the design of curricula and search into teaching methods and the monitoring of their implementation, in relation with the Ministry of Basic Education;
- the moral, civic and intellectual training of general and technical students at the secondary level, in conjunction with the Ministry of Youth Affairs and Civic Education;
- the development and monitoring of the implementation of the school map for this level of education,
- the development, analysis and maintenance of statistics on this level of education,
- monitoring and control of the administrative and pedagogical management of public and private institutions at this level of education;
- guidance and school planning;
- book policy for this level of education;
- monitoring the construction of school buildings and infrastructure at this level of education;
- management and in-service training of teaching and auxiliary staff, subject to the responsibilities devolved to other Ministerial Departments;
- the Office du Baccalauréat du Cameroun (OBC) ;
- the General Certificate Examination Board (GCE Board).

He shall be assisted by a Secretary of State for Teacher Education

(17) THE MINISTER OF HIGHER EDUCATION shall be responsible for the formulation and implementation of Government's policy in the field of higher education.

In this capacity, he shall be responsible for:

- the organisation, functioning and pedagogical control of higher education;
 - ensuring the sustainability of the traditional missions of higher education;
 - the promotion and dissemination of university research;
 - international university cooperation, in conjunction with the Ministry of Foreign Affairs:
- He shall study and propose to the Government ways and means to continuously adapt certain streams of the higher education system to national economic and social realities;
- He shall draw up, monitor and implement the university map;
 - He shall develop, analyse and maintain statistics on this level of education;
 - He shall deliver accreditations and control the pedagogical level of private higher education institutions;
 - He shall be responsible for higher teacher education;
 - He shall ensure a permanent liaison with all sectors of national life with a view to the development of vocational courses in higher education.
 - He shall monitor and control the activities of state universities, institutes and joint institutions.
 - He shall supervise the award of the Baccalauréat and the General Certificate of Education Advanced Level.
 - He shall supervise the State Universities.
 - In addition, he shall exercise academic supervision over:
 - the International Relations Institute of Cameroon (IRIC);
 - the Advanced School of Mass Communication (ASMAC);
 - the National Institute of Youth Affairs and Sports (INJS);
 - the National Advanced School of Posts and Telecommunications (ENSPT);
 - the National Advanced School of Public Works (ENSTP).

(18) THE MINISTER OF ENVIRONMENT, NATURE PROTECTION AND SUSTAINABLE DEVELOPMENT shall be responsible for the development and implementation of Government's policy on the environment and the protection of nature with a view to sustainable development.

In this capacity, he shall be responsible for:

- defining the methods and principles of rational and sustainable management of natural resources;
- defining the environmental management measures, in conjunction with the Ministries and specialised bodies concerned;
- elaborating sector master plans for environmental protection, in conjunction with the Ministries concerned;
- coordinating and following up the interventions of regional or international cooperation bodies in the field of environment and nature, in conjunction with the Ministry of External Relations and the Administrations concerned;
- monitoring environmental compliance in the implementation of major projects;
- informing the public in order to encourage its participation in the management, protection and restoration of the environment and nature;
- negotiating international conventions and agreements relating to the protection of the environment and nature and their implementation, in conjunction with the Ministry of External Relations.

He shall exercise authority over the National Climate Change Observatory (ONACC).

He shall be assisted by a Minister Delegate.

(19) THE MINISTER OF FINANCE shall be responsible for the formulation and implementation of the Government's financial, budgetary, fiscal and monetary policy.

In this capacity, he shall be responsible for:

a) With regard to the budget:

- drafting the settlement law and the finance law;
- preparing, monitoring and controlling the execution of the operating budget of the State, in conjunction with the Ministry of the Economy, Planning and Regional Development;
- executing the investment budget, in conjunction with the Ministry of the Economy, Planning and Regional Development;
- carrying out operations for the devolution of the State's real estate and movable property, public administrative establishments and public companies, in conjunction with the Ministry of State Property, Surveys and Land Tenure;
- financially controlling bodies with an annexed budget and autonomous public establishments in accordance with the regulations specific to each body or establishment;
- implementing privatisations and rehabilitating public enterprises;
- monitoring and controlling the management of claims, public shares, the debt of legal entities under public law and of the use of subsidies;
- short-term forecasting in the context of the preparation of the State budget.

b) With regard to fiscal matters.

- Managing taxes and customs.

c) With regard to monetary and financial matters:

- Managing domestic and external public debt;
- managing the Public Treasury
- preparing the balance of payments;
- controlling external finance, currency and trade regulations;
- promoting savings and their use for economic development;
- monitoring monetary and financial cooperation, in conjunction with the Ministry of Foreign Affairs;
- monitoring and controlling credit institutions, insurance companies and financial markets;
- monitoring the affairs of the International Monetary Fund, in conjunction with the Ministry of External Relations.

He shall supervise the Issuing Institute, credit establishments, insurance companies and the structures listed below:

- the Autonomous Sinking Fund (CAA);
- The Deposits and Consignment Fund (CADEC);
- the Cameroon Debt Recovery Corporation (SRC).

The following shall be attached to it:

- the National Centre for the Development of Computer Services (CENADI);
- the Technical Committee for the Privatisation and Liquidation of Public Enterprises (CTPL);
- the Technical Committee for the Rehabilitation of Public Enterprises (CTR).

The Minister of Finance shall co-chair the Inter-Ministerial Committee in charge of Privatisation and Rehabilitation of Public Enterprises.

He shall be assisted by a Minister Delegate.

(20) THE MINISTER OF PUBLIC SERVICE AND ADMINISTRATIVE REFORM shall be responsible for the development and implementation of the policy of movement in the area of public service and administrative reform.

In this capacity, he shall be responsible for:

- preparing legislative or regulatory measures relating to the status of State employees;
- managing civil servants and State workers, except for magistrates, National Security, Defence Forces and Penitentiary Administrators, subject to the attributions devolved to the other Ministries;
- studies relating to the evolution of the needs and resources in terms of State personnel, subject to the attributions devolved to the other Ministries;
- litigation in the civil service;
- initiation of disciplinary actions against civil servants and State workers under the conditions determined by the regulation;
- coordinating training activities for State personnel.

He shall be the Government Council in matters of organisation and administrative reform.

In this capacity, he shall study and propose to the latter any measure aimed at improving the cost-efficiency ratio in public services and speeding up procedures of processing administrative files.

He shall supervise:

- the National School of Administration and Magistracy (ENAM);
- the Advanced Institute of Public Management (ISMP).

(21) THE MINISTER OF FORESTRY AND WILDLIFE shall be responsible for the elaboration and implementation of Government policy on forests and wildlife.

In this capacity, he shall be responsible for:

- the development and management of protected areas;
- the management and protection of forests in the national domain;
- the inventory and protection of fauna and flora;
- the development and control of the implementation of regeneration, reforestation, inventory and forest management programmes;
- the control of the respect of regulations in the field of forest and wildlife exploration by the different stakeholders and the application of administrative sanctions when necessary;
- the development and management of botanic gardens;
- the implementation of international conventions ratified by Cameroon in the field of forestry, wildlife and hunting, in conjunction with the Ministry of External Relations;
- liaison with professional bodies in the forestry sector;
- monitoring sub-regional organisations concerned with the preservation of the sub-regional ecosystem, in conjunction with the Ministerial Departments concerned.

He shall ensure liaison between the Government and the International Tropical Timber Organisation (ITTO) and the Central African Forest Commission (COMIFAC), in relation with the Ministry of External Relations

He shall supervise:

- the National Forest Development Agency (ANAFOR);

- the National School of Water and Forestry (ENEF);

He shall be assisted by a Secretary of State.

(21) THE MINISTER OF HOUSING AND URBAN DEVELOPMENT shall be responsible for drawing up and implementing the Government's policy on housing and urban development.

In this capacity, he shall be responsible for

a) With regard to housing.

- the development and implementation of a housing improvement plan, both in urban and rural areas;
- the implementation of the social housing policy;
- monitoring the application of housing standards.

b) With regard to urban development:

- the elaboration and monitoring of the implementation of strategies for the development and restructuring of cities, in conjunction with the Administrations concerned;
- the elaboration and implementation of integrated social development strategies for the different urban areas;
- the elaboration and implementation of strategies for the management of urban infrastructure, in conjunction with the Ministry of Public Works;
- the elaboration and implementation of strategies to improve traffic in the major urban centres with the Ministries and Local and Regional Authorities concerned;
- the embellishment of urban centres, in conjunction with the Ministries and Local and Regional Authorities concerned;
- planning and control of the development of cities;
- monitoring the elaboration of master plans for urbanisation projects, in conjunction with Local and Regional Authorities;
- monitoring the application of standards in terms of sanitation and drainage;
- monitoring the respect of standards in terms of hygiene and sanitation, removal and/or treatment of household waste;
- Liaising with international organisations concerned with the development of major cities, in conjunction with the Ministry of External Relations.

He shall monitor the activities of the associations of professional architects, town planners and surveyors.

He shall work in close collaboration with Local and Regional Authorities and shall supervise the Cameroon Real Estate Corporation (SIC), as well as projects and organisations contributing to the development of towns and housing.

He shall be assisted by a Secretary of State in charge of housing.

(22) THE MINISTER OF YOUTH AFFAIRS AND CIVIC EDUCATION shall be responsible for the formulation and implementation of Government policy in the field of youth affairs, civic education and the promotion of national integration.

In this capacity, he shall be responsible for:

- the elaboration and implementation of appropriate strategies to facilitate the contribution of youths to the development of the country and the promotion of the values of peace, work, democracy and solidarity;
- the civic and moral education of young people;
- mainstreaming the concerns of youths in development strategies in the different sectors;
- social integration of rural and urban youths: promotion of national integration;
- the economic and social promotion of youths and their associations;
- monitoring the activities of youth movements.

He shall monitor government support programmes aimed at coaching young people in urban and/or rural areas and supervise the organisations in his sphere of competence, in particular:

- the National Civic Service Agency for Participation in Development;
- the National Youth Council.

(23) THE MINISTER OF JUSTICE, KEEPER OF THE SEALS shall be responsible for:

- the elaboration of laws and regulations relating to nationality, the rules concerning the conflict of laws, the status of magistrates, the organisation and functioning of the High Court

of Justice, the Supreme Court, the Supreme Council of Magistrates and the judicial organisation;

- the elaboration of laws and regulations relating to the status of persons and property, the regime of obligations and contracts in civil and commercial matters (civil and commercial legislation), the rules of procedure and competence before all civil jurisdictions, general and special criminal law;
- the elaboration and implementation of the penitentiary policy;
- examination of cases of pardon and conditional release;
- conservation and affixing of the seals of the Republic of Cameroon;
- monitoring the implementation of the penal policy;
- organisation and monitoring of the functioning of detention centres and moderate security prisons, as well as management of Penitentiary Administration staff;
- judicial cooperation, in conjunction with the Ministry of External Relations;
- monitoring OHADA cases, in conjunction with the Ministry of Finance and the relevant Ministries;
- monitoring of human rights and the fight against torture, cruelty, inhuman and degrading treatment;
- monitoring the activities of the National Commission for Human Rights and Freedoms (NCHRF);
- monitoring the professions of Lawyers, Notaries, Bailiffs and other court officers.

He shall chair the Legislative and Judicial Reform Commissions and ensure the functioning of the Courts.

He shall follow the training activities of Magistrates, Clerks, Lawyers, Bailiffs, Notaries and other judicial officers in relation with the Administrations and professional bodies concerned; He shall ensure the discipline of Magistrates, Registrars and civil servants under his authority. He shall oversee the discipline of Lawyers, Notaries, Bailiffs and other judicial officers.

He shall monitor the activities of the International Court of Justice (ICJ), the International Criminal Court (ICC) and the Office of the United Nations High Commissioner for Human Rights (UNHCR), in conjunction with the Ministry of External Relations.

He shall counsel the Government on Judicial Matters.

He shall supervise the National School of Penitentiary Administration.

He shall be assisted by a Minister Delegate and a Secretary of State:

- Secretary of State in charge of Penitentiary Administration.

(4) THE MINISTER OF MINES, INDUSTRY AND TECHNOLOGICAL DEVELOPMENT shall be responsible for formulating and implementing the Government's mining and industrial policy and technological development strategies in the various sectors of the national economy.

In this capacity, he shall be responsible for:

- the elaboration of the mining cartography;
- geological exploration and mining activities;
- the development of natural mine, oil and gas resources;
- the management of natural mine, oil and gas resources;
- monitoring of the upstream oil sector;
- the promotion of the local industry;
- the development of industrial zones;
- the promotion of private investments;
- the promotion of investments in the mining, industry and technological development sector, in conjunction with the Ministry of the Economy, Planning and Regional Development and the Administrations concerned;
- the elaboration and implementation of the industrialisation plan of the country;
- the elaboration, dissemination and monitoring of the implementation of the texts provided for in the Investment Charter;
- the local processing of mining, agricultural and forestry products, in conjunction with the Ministry of Agriculture and Rural Development, the Ministry of Forestry and Wildlife and the

other Administrations concerned;

- technological development, in conjunction with the Ministry of Scientific Research and Innovation;
- technological watch in industrial matters, in conjunction with the relevant administrations;
- the promotion and defence of a quality label for products intended for the local market and for export, in conjunction with the Administrations concerned;
- monitoring the activities of the National Office for Industrial Free Zones and the Industrial Zones Development and Management Authority;
- monitoring of standards and quality, in conjunction with the Administrations concerned.

He shall ensure liaison between the Government and the World Intellectual Property Organisation (WIPO), the African Intellectual Property Organisation (OAPI), and with the United Nations Organisation for Industrial Development. (UNIDO), in conjunction with the Ministry of External Relations.

He shall supervise public or semi-public companies operating in his sphere of competence; intervention and assistance organisations for industries and management companies in the mining sector, in particular:

- the National Investment Corporation (SNI) ;
- the Standards and Quality Agency (ANOR);
- the Investment Promotion Agency (API);
- the National Office for Industrial Trade Zones (ONZFI) ;
- the Chamber of Commerce, Industry, Mines and Crafts (CCIMA);
- the Industrial Zones Development and Management Mission (MAGZI).

He shall be assisted by a Secretary of State.

(7) THE MINISTER OF SMALL AND MEDIUM-SIZED ENTERPRISES, SOCIAL ECONOMY AND HANDICRAFTS shall be responsible for the elaboration and implementation of Government's policy on the development of small and medium-sized enterprises, social economy and crafts.

In this capacity, he shall be responsible for:

- the promotion and supervision of small and medium-sized enterprises and crafts;
- the identification and study of the possibilities of migration of actors from the informal sector to the craft industry and micro-enterprises;
- the development of the social economy;
- the promotion of entrepreneurship and private initiative;
- the promotion of small and medium-sized enterprise and craft products, in conjunction with the professional organisations concerned;
- the establishment, in conjunction with the professional organisations, of a database and project bank for investors in the small and medium-sized enterprises and craft sectors;
- the promotion of the craft sector;
- Monitoring the activities of the bodies providing assistance to small and medium-sized enterprises and the craft sector;
- monitoring the professional organisations of small and medium-sized enterprises and the craft industry
- monitoring the revolution in the informal sector and related studies,
- the study of any measures to promote information and training for those involved in the informal sector.

(8) THE MINISTER OF POSTS AND TELECOMMUNICATIONS shall be responsible for the formulation and implementation of Government policy on posts, telecommunications and information and communication technologies.

In this capacity, he shall:

- study, build or commission the equipment and infrastructure corresponding to the posts and telecommunications sectors;
- ensure the development of Information and Communication Technologies (ICT) and electronic communications in all their forms, in conjunction with the Administrations concerned;

- ensure the promotion of investments in the sector, in conjunction with the Ministry of the Economy, Planning and Regional Development and the bodies concerned;
- arrange for the training of personnel in its sector;
- monitor the activities of mobile or satellite telecommunications companies;
- monitor activities related to e-commerce and issues of cyber security and cybercrime, in conjunction with the Administrations concerned;
- prepare, analyse and keep statistics relating to the fields of Posts and Telecommunications and Information and Communication Technologies (ICT);
- monitor the activities of regulatory bodies operating in its sphere of competence.
- Ensure liaison between the Government and the Universal Postal Union (UPU) and the International Telecommunications Union (ITU), in conjunction with the Ministry of External Relations.

He shall supervise:

- The Telecommunications Regulatory Agency (ART);
- Cameroon Telecommunications (CAMTEL);
- Cameroon Postal Services (CAMPOST).

He shall also ensure the technical supervision of the National Advanced School of Posts and Telecommunications (ENSPT).

(2) THE MINISTER OF WOMEN'S EMPOWERMENT AND THE FAMILY shall be responsible for the elaboration and implementation of government measures relating to the promotion and respect of women's rights and the protection of the family.

In this capacity, he shall be responsible for:

- ensuring the elimination of all discrimination against women;
- ensuring the increase of guarantees of equality for women in all areas of activity;
- studying and submitting to the Government; conditions facilitating the employment of women in all sectors of activity;
- studying and proposing strategies and measures aimed at strengthening the promotion and protection of the family;
- studying and proposing measures for the promotion and protection of the rights of the child.
- liaising between the Government and the United Nations Development Fund for Women (UNIFEM), in conjunction with the Ministry of External Relations and all national and international political organisations working for women's empowerment.
- supervising women's training structures, except institutions under the authority of the ministries responsible for education.

(3) THE MINISTER OF SCIENTIFIC RESEARCH AND INNOVATION shall be responsible for the development and implementation of Government's policy on scientific research and innovation.

In this capacity, he shall be responsible for:

- the animation, coordination and control of scientific research activities with a view to promoting economic, social and cultural development;
- the enhancement, popularisation and use of research findings, in conjunction with all sectors of the national economy and the Ministerial Departments and organisations concerned;
- international cooperation in the field of scientific research and innovation, in conjunction with the Ministry of External Relations, the Ministry of Higher Education and the administrations concerned;
- technological watch, in conjunction with the Administrations concerned;
- monitoring of research in the field of traditional pharmacopoeia, in conjunction with the Ministry of Public Health and the Ministerial Departments concerned.

He shall ensure the supervision of the Local Materials Promotion Authority (MIPROMALO), the National Agency for Radio Protection (ANRP) and research institutes, in particular:

- the Institute of Agricultural Research for Development (IRAD);
- the Institute of Geological and Mining Research (IRGM);
- the Institute for Research on Medicinal Plants (IRPM);

- the National Institute of Cartography (INC).

(3) THE MINISTER OF EXTERNAL RELATIONS shall be responsible for implementing the external relations policy decided by the President of the Republic.

In this capacity, he shall be responsible for:

- relations with Foreign States, International Organisations and other bodies of the International Community.
- the protection of Cameroon nationals and Cameroon's interests abroad;
- monitoring cooperation, in conjunction with the Ministerial Departments and Administrations concerned, subject to the provisions laid down by specific texts;
- monitoring issues relating to international litigation; career management of diplomatic personnel.

He shall also be responsible for:

- gathering and disseminating to the Ministerial Departments and Diplomatic Missions of Cameroon information relating to Foreign States and International Organisations which could facilitate the action of Public Services;
- He shall contribute to the information of Foreign Governments, their public opinion, as well as international organisations and diplomatic missions of Cameroon on the political, economic, social and cultural development of Cameroon in liaison with the Ministry of Communication.
- He shall be the legal adviser of the Government in matters of cooperation with Foreign States, International Organisations and other subjects of the International Community.
- He shall exercise technical supervision over the International Relations Institute of Cameroon (IRIC).

He shall be assisted by:

- the Minister Delegate in charge of Cooperation with the Commonwealth;
- the Minister Delegate in charge of Cooperation with the Islamic World.

(4) THE MINISTER OF PUBLIC HEALTH shall be responsible for the formulation and implementation of Government's public health policy.

In this capacity, he shall be responsible for:

- ensuring the organisation, management and development of public health facilities;
- technical control of private health facilities;
- ensuring the extension of the Territory's health coverage;
- ensuring the development of actions to prevent and fight against epidemics and pandemics;
- preventive medicine;
- ensuring health care quality and the improvement of the technical wherewithal of public and private health care centres;
- ensuring the promotion of health care facilities, in conjunction with the administrations concerned;
- ensuring international medical and health care cooperation, in conjunction with the Ministry of External Relations;
- monitoring the activities of specialised technical bodies and committees within its sphere of competence;
- monitoring Sports medicine and occupational medicine, in conjunction with the Administrations concerned;
- monitoring the development of traditional medicine, in conjunction with the Ministry of Scientific Research and Innovation;
- contributing to the training of doctors, pharmacists and paramedical staff and to their permanent retraining;
- controlling the practice of the professions of doctor, dental surgeon, pharmacist and medical-health professionals and supervise the corresponding professional orders;
- monitoring the activities of the National Centre for the Rehabilitation of Disabled persons within its sphere of competence, in conjunction with the Ministry of Social Affairs.

He shall ensure liaison between the Government and the World Health Organisation (WHO), as well as international organisations in his sphere of competence, in conjunction with the Ministry of External Relations.

He shall be the technical supervisory authority of public administrative establishments in the public health sector.

He shall also be the supervisory authority of:

- the Hospital Centre for Endoscopic Surgery and Human Re-production Research (CHRACERH);
- Centre Pasteur Cameroun (CPC);
- the National Laboratory for the Quality of Medicines and Expertise (LANACOM);
- the National Supply Centre for Essential Medicines and Medical Consumables (CENAME).

He shall be assisted by a Secretary of State, in charge of epidemics and pandemics control.

(3) THE MINISTER OF SPORTS AND PHYSICAL EDUCATION shall be responsible for developing and implementing Government policy in the area of sports and physical education.

In this capacity, he shall be responsible for:

- preparing draft instruments relating to the sports and physical education sector;
- drawing up strategies and developing plans relating to sports and physical activities;
- drawing up programmes for the promotion of elite sport and the raising of the technical and tactical levels of sportsmen and women;
- developing and promoting the Olympic spirit and culture in society;
- drawing up physical education or sports curricula in public and private basic, secondary and higher education institutions and monitoring their implementation;
- monitoring the implementation of programmes of preparation of elite sportsmen and women, in conjunction with sports federations;
- supervising sportsmen and women participating in international competitions;
- ensuring the control of sports training institutions;
- developing training and contributing to research in sports science and medicine, in conjunction with the Administrations concerned;
- ensuring the development of sports facilities, in conjunction with the Ministries and bodies concerned;
- ensuring the promotion and supervision of major international competitions, in conjunction with the concerned bodies;
- elaborating cooperation projects with national and international organisations or partner countries in the areas of physical education and sports, and ensuring their implementation and evaluation, in conjunction with the Ministry of External Relations.

He shall monitoring private organisations and structures in the area of sports or physical education.

He shall be the technical supervisory authority of:

- National Sports Federations;
- The Yaounde Multi-purpose Sports Complex;
- The National Institute of Youth and Sports (INJS), as well as public structures in the area of sports or physical education, physical education and sports professions training institutions.

(4) The MINISTER OF TOURISM AND LEISURE shall be responsible for the formulation and implementation of Government tourism and leisure policy.

In this capacity, he shall be responsible for:

- the elaboration of draft texts relating to tourism, amusement and leisure parks;
- the elaboration of strategies and plans for the development of tourism and leisure activities;
- the promotion of domestic tourism, in conjunction with the Administrations concerned;
- the inventory and development of tourist sites;
- the inventory and development of amusement and leisure parks;
- the control of the quality of service in the hotel, restaurant and leisure industry;

- the promotion of amusement and leisure parks;
- the stepping up of standards in the hotel, restaurant and leisure industry;
- the control of tourism establishments, amusement and leisure parks
- monitoring of training in tourism and hotels, in conjunction with the Ministry of Employment and Vocational Training.

He shall ensure liaison between the Government and national or foreign private associations or organisations interested in tourism in Cameroon.

He shall follow up the activities of the World Tourism Organisation and those of international cooperation organisations in the area of tourism and leisure, in conjunction with other concerned Administrations.

He shall be the supervisory authority of:

- state-owned hotels;
- public tourist and hotel training establishments.

(5) THE MINISTER OF TRANSPORT shall be responsible for the elaboration and implementation of the Government's transport and road safety policy.

In this capacity, he shall be responsible for:

- studying and participating in the elaboration and implementation of laws and regulations relating to transport;
- studying and participating in the elaboration and implementation of laws and regulations pertaining to road safety and road prevention, in conjunction with the other Administrations concerned;
- ensuring the coordinated development of all modes of transport;
- ensuring or controlling the organisation and operation of air, rail, sea and river transport;
- ensuring or controlling the organisation and operation of road transport and road safety, in conjunction with the Administrations concerned;
- monitoring the implementation and execution of the sector plan for transport, civil aviation, river and sea navigation, road and rail transport and meteorology;
- contributing to the professional training of transport personnel;
- monitoring the activities of the CAMRAIL company.

He shall monitor the affairs of the Agency for the Safety of Air Navigation (ASECNA) and all those relating to air safety.

He shall ensure liaison between the Government and the International Civil Aviation Organisation (ICAO) as well as the World Meteorological Organisation (WMO), in conjunction with the Ministry of External Relations.

He shall be the supervisory authority of the Port Authorities and all public or semi-public bodies within its area of competence, in particular:

- the National Port Authority (NPA);
- the Cameroon Airports Company (ADC);
- the Cameroon Civil Aviation Authority (CCAA);
- the Cameroon Airlines Corporation (CAMAIR Co); and
- the Cameroon National Shipper's Council (CNCC).

He shall be assisted by a Minister Delegate.

(6) THE MINISTER OF LABOUR AND SOCIAL SECURITY shall be responsible for the formulation and implementation of Government policy in the areas of professional relations, the status of workers and social security.

In this capacity, he shall be responsible for:

- the development and implementation of social security and welfare policy;
- control, in relation to work;
- liaison between the Government and trade unions and employers' organisations;

He shall ensure liaison with the United Nations system and African Union institutions specialised in the field of labour, in conjunction with the Ministry of External Relations.

He shall ensure liaison between the Government and the International Labour Organisation (ILO) and international organisations in its sphere of competence, in conjunction with the Ministry of External Relations.

He shall supervise the National Social Insurance Fund (NSIF) and the public or semi-public bodies in its sector.

(7) THE MINISTER OF PUBLIC WORKS shall be responsible for the supervision and technical control of the construction of infrastructure and public buildings, as well as maintenance and protection of the national road assets.

In this capacity, he shall be responsible for:

- the elaboration of a policy for the maintenance and upkeep of infrastructures, public buildings and roads;
- conduct of all studies necessary for the adaptation of this infrastructure to local ecosystems, in conjunction with the Ministry in charge of scientific research, research or training institutions and any other competent body;
- the promotion of infrastructure, public buildings and roads, in conjunction with the Ministry of the Economy, Planning and Regional Development;
- control of the execution of construction works of infrastructure and public buildings, in accordance with the established standards;
- providing assistance in the construction and maintenance of roads, including urban roads, in conjunction with the relevant Ministries and competent bodies;
- monitoring the activities of the professional organisations of civil and public works engineers;
- training of public works personnel, in conjunction with the Ministries concerned.

He shall exercise technical supervision on the National Advanced School of Public Works (ENSTP) and on:

- the National Civil Engineering Equipment Pool (MATGENIE);
- the National Civil Engineering Laboratory (LABOGENIE).

He shall be assisted by a Secretary of State in charge of roads.

SECTION 9 - (1) The President of the Republic shall appoint and terminate civil and military employment, in particular:

a) by decree:

- the Prime Minister, Head of Government;
- Members of Government and officials ranking as such;
- the Grand Chancellor of National Orders;
- Roving Ambassadors;
- Regional Governors;
- Ambassadors and Permanent Representatives;
- Special Advisers at the Presidency of the Republic and the Prime Minister's Office.
- Technical Advisers, mission heads and the Attachés at the Presidency of the Republic and in the Prime Minister's Office;
- Directors and officials ranking as such at the Presidency of the Republic and in the Prime Minister's Office;
- Secretaries General, Directors General and Inspectors General of Ministries;
- Rectors, Vice-Rectors, Secretaries General, Deans and Heads of State University Departments;
- State Inspectors and Controllers;
- Directors and officials ranking as such in the Services attached to the Presidency of the Republic;
- Secretaries General at Regional Governors' Offices and Inspectors General at regional services;
- Senior Divisional Officers and Divisional Officers;
- Chairpersons of Boards of Directors, General Managers and Deputy General Managers, Directors and Deputy Directors of Public and Semi-Public Enterprises and Public Establishments, when the organic texts so provide.

b) by decree:

- Deputy Directors and officials ranking as such at the Presidency of the Republic and at Attached Services;
- Service Heads and officials ranking as such at the Presidency of the Republic and at Attached Services.

(2) The Prime Minister, Head of Government, shall appoint:

a) by decree:

- Directors and officials ranking as such in central administrations placed under his authority, after approval by the President of the Republic;
- Administrative Organisation Advisers, after approval by the President of the Republic.

b) by decree:

- Deputy Directors and persons ranking as such in the Prime Minister's Office after approval by the President of the Republic;
- Service Heads and officials ranking as such in the Prime Minister's Office;
- Heads of Private Secretariats of Ministers;
- Close aides of Regional Governors, Assistant Divisional Officers and Assistant Senior Divisional Officers, after approval by the President of the Republic;
- Traditional First Class Chiefs, after approval by the President of the Republic.

(3) The approval of the President of the Republic, provided for in paragraph 2 above, shall be express and endorsed.

a) by decree:

- Deputy Directors (Officials ranking as such, Regional Delegates, Heads of central and regional services, Assistant Administrative Organisation Advisers, after approval by the Prime Minister.

b) by decision:

- Heads of Bureau and persons ranking as such in the Central and Regional Services.

SECTION 10.- (1) In the discharge of their duties, Ministers shall have at their disposal a Central Administration, a Cabinet with one or more Inspectorates General, Technical Advisers and, where appropriate, devolved services and attached services.

(2) Secretaries of State and persons ranking as such may possibly have a Cabinet.

(3) The organisation of the Cabinet shall be laid down in a specific text.

(4) Devolved services shall be the divisions of the Ministry at regional, divisional and sub-divisional level.

(5) Attached services shall be made up of decentralised projects and programmes contributing to the accomplishment of the missions of the Ministry.

SECTION 11.- (1) Central Administration of Ministries shall be comprised of the Secretariat General, Directorates General, Departments, Divisions, Sub-Directorates, Units, Services, Bureaux, as the case may be.

The Secretariat General shall be placed under the authority of a Secretary General, who shall be the main collaborator of the Minister. He shall follow-up the conduct of the affairs of the Ministry and shall receive the necessary delegations of signature from the Minister.

The Secretary General shall coordinate the action of the Central Administration and devolved services of the Ministry. He shall hold coordination meetings for this purpose and shall send the minutes thereof to the Minister.

Under the authority of the Minister, he shall follow the action of the attached services whose action plan he shall approve and whose activity reports he shall receive.

When the Inspectorate General includes two or more Inspectors-General, coordination shall be ensured by the most senior Inspector-General with the highest grade.

SECTION 12.- The translation services shall be set up because the Ministries deal with routine translation. Official Translation shall be reserved for the Linguistic and Bilingual Division of the Secretariat General of the Presidency of the Republic.

SECTION 13.- All previous provisions repugnant to the provisions of Decree No. 2004/320 of December 3, 2004 and Decree No. 2007/268 of September 7, 2007 shall be repealed.

SECTION 14 - This decree shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

Yaounde, 9 December 2011
(signed) Paul Biya
President of the Republic

Decree No. 2018/190 of 2 March 2018
To Amend and Supplement some provisions of Decree No. 2011/408 of 9
december 2011 to organise the Government

The President of the Republic,

Mindful of the Constitution;

Mindful of Decree No. 2011/408 of 9 December 2011 to organise the Government,

HEREBY DECREES AS FOLLOWS:

Section 1.- The provisions of Sections 4 and 8 of Decree No.2011/408 of 9 December 2011 to organise the Government are amended and completed as follows:

Section 4 (1) Ministries shall be classified in alphabetical order:

- the Ministry of Territorial Administration;
- the Ministry of Social Affairs;
- the Ministry of Agriculture and Rural Development;
- the Ministry of Arts and Culture;
- the Ministry of Commerce;
- the Ministry of Communication;
- the Ministry in charge of Supreme State Audit;
- the Ministry of Decentralisation and Local Development;
- the Ministry of Defence;
- the Ministry of State Property, Surveys and Land Tenure;
- the Ministry of Water Resources and Energy;
- the Ministry of the Economy, Planning and Regional Development;
- the Ministry of Basic Education;
- the Ministry of Livestock, Fisheries and Animal Industries;
- the Ministry of Employment and Vocational Training;
- the Ministry of Secondary Education;
- the Ministry of Higher Education;
- the Ministry of the Environment, Nature Protection and Sustainable Development;
- the Ministry of Finance;
- the Ministry of Public Service and Administrative Reform;
- the Ministry of Forestry and Wildlife;
- the Ministry of Housing and Urban Development;
- the Ministry of Youth Affairs and Civic Education;
- the Ministry of Justice;
- the Ministry of Public Contracts;
- the Ministry of Mines, Industry and Technological Development;
- the Ministry of Small and Medium Enterprises, Social Economy and Handicrafts
- the Ministry of Posts and Telecommunications;
- the Ministry of Women's Empowerment and the Family;
- the Ministry of Scientific Research and Innovation;
- the Ministry in charge of Relations with the Assemblies;
- the Ministry of External Relations;
- the Ministry of Public Health;
- the Ministry of Sports and Physical Education;
- the Ministry of Tourism and Leisure;
- the Ministry of Transport;
- the Ministry of Labour and Social Security;
- the Ministry of Public Works.

Section 8 (5) (new) - The Minister of Territorial Administration shall be responsible for the formulation and implementation of Government's policy on territorial administration, civil protection and monitoring of electoral matters.

In this capacity, he shall be responsible for:

a) In the area of territorial administration:

- organising and regulating the functioning of the administrative constituencies and local services of Territorial Administration;
- organising and monitoring traditional chiefdoms;
- preparing and implementing laws and regulations relating to civil liberties;
- ensuring public order, in conjunction with the specialised forces;
- worship activities;
- monitoring the activities of political associations and movements;
- monitoring the activities of non-profit associations, organisations and movements.

b) In the area of civil protection

- elaborating, implementing and monitoring regulations and standards in the area of prevention and management of risks and natural disasters, in conjunction with the other Administrations concerned;
- coordinating national and international actions in the event of natural disasters.

c) In Electoral matters:

- Permanent liaison between the Government and the independent body in charge of organising, managing and supervising the electoral and referendum process.

(5) a: The Ministry of Decentralisation and Local Development shall be responsible for the formulation, monitoring, implementation and evaluation of the Government's policy on decentralisation and the promotion of local development.

In this capacity, he shall be responsible for:

a) In the area of decentralisation:

- Elaboration of laws and regulations relating to the organisation and functioning of Local and Regional Authorities;
- regular evaluation of the implementation of decentralisation;
- monitoring and control of Local and Regional Authorities;
- the application of civil status laws and regulations;
- ensuring State supervision of Local and Regional Authorities under the authority of the President of the Republic.

b) In the area of local development:

- promotion of the socio-economic development of Local and Regional Authorities;
- promotion of good governance within Local and Regional Authorities.

He shall be the supervisory authority of public bodies implementing decentralisation as well as:

- the Special Council Support Fund for Mutual Assistance (FEICOM);
- the Local Government Training Centre (CEFAM);
- the National Civil Status Office (BUNEC).

"The rest remains unchanged".

Section 2.- All previous provisions repugnant hereto shall be repealed

Section 3.- This decree shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

Yaounde, 2 March 2018
(signed) Paul Biya
President of the Republic

**Decree No. 2008/220 of 4 July 2008
to Organise the Ministry of the Economy, Planning and Regional
Development**

The President of the Republic,

Mindful of the Constitution;

Mindful of decree No.2004/320 of 8 December 2004 to organise the Government, as amended and supplemented by decree No.2007/268 of 7 September 2007.

HEREBY DECREES AS FOLLOWS:

**PART 1
GENERAL PROVISIONS**

SECTION 1.- (1) The Ministry of the Economy, Planning and Regional Development shall be placed under the authority of a Minister, assisted by a Minister Delegate.

(2) The Minister of the Economy, Planning and Regional Development shall be responsible for the formulation and implementation of the nation's economic and regional development policy.

To this end, he shall be responsible for:

In the area of the economy:

- ensuring coherence and coordination of actions undertaken, with the various international and bilateral partners, within the framework of the economic recovery and revival programme;
- monitoring the affairs of the World Bank, the European Union, the African Development Bank and the Islamic Development Bank;
- monitoring sub-regional and international cooperation, particularly with the United Nations Development Programme, the United Nations Economic Commission for Africa, the Economic and Monetary Community of Central Africa and the Economic Community of Central African States;
- exploring, negotiating, finalising and monitoring the execution of agreements and loan conventions;
- elaborating the State's Multi-annual Investment Programme;
- pooling projects and managing the project bank, in conjunction with the Administrations concerned;
- promoting public investments;
- preparing Medium-Term Expenditure Frameworks and the Public Investment Budget;
- monitoring and control of investment programs and projects, in liaison with the sector ministries and the Ministry of Finance;
- ensuring coordination of studies and monitoring of population issues;
- monitoring short, medium and long-term economic analysis;
- providing fundamental guidelines and strategies for the rehabilitation and privatisation of public enterprises;

In the area of planning:

- conducting studies and forward-planning analyses on the country's development in the medium and long term;
- elaborating an overall framework for the strategic planning of the country's development;
- ensuring coherence of the country's sector development strategies;
- coordinating and monitoring the implementation of the poverty reduction strategy;
- coordinating and pooling studies on projects of national economic interest and monitoring their implementation ;
- monitoring the coordination of the Government's economic and social development policy;
- human resources planning;

In the area of regional development:

- coordinating and implementing regional development studies, both at national and regional level;
- elaborating regional development standards and rules and monitoring their application;
- monitoring and controlling the implementation of national, regional or local spatial planning programmes;
- monitoring sub-regional organisations involved in the development or preservation of the sub-regional ecosystem.

He shall exercise supervisory authority over Regional Development Authorities, the National Institute of Statistics, the Pan-African Institute for Development, the Sub-Regional Institute of Statistics and Applied Economics, the Institute of Demographic Training and Research, the Central Bureau of Census and Population Studies.

The Technical Committee for the Preparation and Monitoring of Economic Programmes shall be attached to him.

The Minister of the Economy, Planning and Regional Development shall co-chair the Inter-ministerial Committee in charge of privatisation and rehabilitation of public enterprises.

SECTION 2 - (1) For the discharge of his duties, the Minister of the Economy, Planning and Regional Development shall comprise:

- a Private Secretariat;
- 4 (four) Technical Advisers;
- an Inspectorate General;
- a Central Administration;
- decentralised Services;
- external Services;
- attached establishments and bodies.

The Minister Delegate shall have a Private Secretariat.

PART II **PRIVATE SECRETARIATS**

SECTION 3.- Under the authority of a Private Secretary, Private Secretariats shall be responsible for the Minister's and the Minister Delegate's private matters.

PART III **TECHNICAL ADVISERS**

SECTION 4 – Technical Advisers shall perform duties assigned them by the Minister and the Minister Delegate.

PART IV **INSPECTORATE GENERAL**

SECTION 5.- (1) The Inspectorate General shall comprise:

- an Inspector General for the Evaluation of Service Performance;
- an Inspector General for the Evaluation of Service Functioning.

(2) The Inspector General for the Evaluation of Service Performance shall be responsible for:

- evaluating services' action plans in relation to the missions and objectives set;
- evaluating the performance of the services, in relation to the objectives set, in conjunction with the Secretary General;
- informing the Minister and the Minister Delegate on the output of various services;

(3) The Inspector General for the Evaluation of Service Performance shall be responsible for:

- internal control and evaluation of the functioning of central and devolved services, supervised institutions, attached bodies as well as programmes and projects falling within the Ministry's portfolio;
- informing the Minister and the Minister Delegate on the functioning of various services;
- evaluating the application of organisational techniques and methods as well as the streamlining of administrative work, in conjunction with the competent administrative reform services;
- implementing the anti-corruption strategy within the Ministry, in conjunction with the Anti-Corruption Unit of the Ministry.

(4) Each Inspector General shall be assisted by 2 (two) Inspectors and 2 (two) Research Officers.

(5) The coordination of the activities of the Inspectorate General shall be ensured by the most senior Inspector General.

SECTION 6.- (1) In the discharge of their duties, the Inspectors General and Inspectors shall have access to all the documents of the services inspected.

To that end, they may:

- request in writing, information, explanations or documents from the officials of the services inspected who shall be bound to reply within the time limit;
- enlist at their request and as the need arises, the services of personnel from other services of the Ministry;
- where necessary, call upon the forces of law and order to give them assistance to establish that public funds have been embezzled, and following a confirmed notice of the Minister and in keeping with the law.

(2) A report shall be drawn up on each inspection or control mission and forwarded to the Minister. A copy of the report shall be forwarded to the Secretary General.

(3) The Minister shall send a copy of this report to the Minister in charge of administrative reform and to the Minister in charge of the Supreme State Audit.

(4) The Minister shall submit a control and an annual report drawn up by the Inspectorate General to the Prime Minister, Head of Government, on a quarterly basis.

PART V **CENTRAL ADMINISTRATION**

SECTION 7: The Central Administration shall comprise:

- the Secretariat General;
- the Directorate General of the Economy and Public Investment Programming;
- the Directorate General of Planning and Regional Development;
- the Directorate General of Cooperation and Regional Integration;
- the Directorate of General Affairs.

CHAPTER 1 **SECRETARIAT-GENERAL**

SECTION 8.- (1) The Secretariat General shall be placed under the authority of a Secretary General who shall be the main assistant of the Minister. He shall administer the affairs of the Ministry. In this capacity, he shall receive the necessary delegation of signature from the Minister.

To this end, he shall:

- coordinate the activities of the Central Administration and decentralised services of the Ministry and shall, to this end, hold coordination meetings the minutes of which he shall forward to the Minister;
- define and codify the internal procedures of the Ministry;

- follow, under the authority of the Minister, the activities of attached services of which he shall approve action programme and receive activity reports;
- ensure the in-service training of personnel and organise, under the authority of the Minister, seminars, refresher courses, further training and specialisation training courses;
- ensure the expeditious processing of files;
- centralise the records and manage the documentation of the Ministry.

(2) Where the Secretary General is absent or is not in a position to perform his duties, the Minister shall designate a Director General, and in the absence of the Directors General, a Director to deputize for him.

SECTION 9 - The Secretariat General shall comprise:

- the Legal Affairs and Disputes Division;
- the Promotion, Public Relations and Communication Division;
- the Data-Processing Division;
- the Follow-up and Reminders Division;
- the Translation Unit;
- the Sub-Department of Reception, Mail and Liaison;
- the Sub-Department of Documentation.

I. LEGAL AFFAIRS AND DISPUTES DIVISION

SECTION 10 - (1) Under the authority of a Head of Division, the Legal Affairs and Disputes Division shall be responsible for:

- legal counselling for issues concerning the Ministry;
- drafting and finalising bills and statutory instruments initiated by the Ministry or submitted for the Minister's signature;
- providing legal advice on issues concerning the Ministry;
- providing legal advice on agreements and conventions, in conjunction with the Directorate General of Cooperation and Regional Integration;
- examining, finalising and following up treaties, agreements and conventions signed with foreign countries, international organisations and legal or private entities concerning the Ministry, in conjunction with the various ministries involved;
- ensuring that the commitments of the Ministry are carried out in conformity with the law; preserving, filing and disseminating statutory and conventional instruments interesting the Ministry;
- promoting and popularising legal culture within the Ministry;
- administering disputes and administrative action, in conjunction with the technical departments;
- the defence of the State's interests in courts whenever the Ministry is involved in a suit.

(2) It shall comprise:

- the Studies, Regulation and Legislation Unit;
- the Litigation and Discipline Unit;
- the Agreements and Conventions Unit.

SECTION 11 - (1) Under the authority of a Unit Head, the Studies, Regulation and Legislation Unit shall be responsible for:

- finalizing all draft bills and statutory instruments initiated by the Ministry or submitted for the Minister's signature;
- ensuring the preparation and update of the directory of statutory instruments, economic and technical cooperation agreements and conventions, as well as their dissemination;
- giving legal advice on issues concerning the Ministry;
- ensuring that the commitments of the Ministry are carried out in conformity with the law;

(2) In addition to the Unit Head, it shall comprise 3 (three) Assistant Research Officers.

SECTION 12 .- (1) Under the authority of a Unit Head, the Litigation and Discipline Unit shall be responsible for:

- conciliating, arbitrating and settling matters before dispute breaks out;
- the defence of the State's interests in courts whenever the Ministry is involved in a suit;
- the legal follow-up of disciplinary matters concerning the staff, in conjunction with the Department of General Affairs.

(2) In addition to the Unit Head, it shall comprise 2 (two) Assistant Research Officers.

SECTION 13 (1) Under the authority of a Unit Head, the Agreements and Conventions Unit shall be responsible for:

- the legal expertise necessary in the negotiation of agreements and conventions with foreign countries, international organisations and legal and private entities concerning the Ministry, in conjunction with the services in charge of development cooperation and the ministries concerned;
- giving legal advice on the agreements and conventions referred to above;
- following up the legal implementation of cooperation agreements and conventions.

(2) In addition to the Unit Head, it shall comprise 2 (two) Assistant Research Officers.

II. PROMOTION, PUBLIC RELATIONS AND COMMUNICATION DIVISION

SECTION 14.- (1) Under the authority of a Head of Division, the Promotion, Public Relations and Communication Division shall be responsible, in relation with the ministries concerned, for:

- identifying and developing Cameroon's economic assets;
- preparing economic promotion aids for Cameroon and making them available to other administrations, Diplomatic Missions and Representations, potential investors and the public;
- coordinating actions and reforms likely to promote Cameroon's ranking among rating institutions;
- elaborating principles and guidelines for Cameroon's participation in economic forums;
- monitoring the activities of Economic Missions with Cameroon's diplomatic missions abroad;
- implementing the governmental communication strategy in the Ministry;
- preparing and drafting specific messages of the Minister or the Minister Delegate;
- gathering, analysing and preserving the press and audio-visual records of the Ministry;
- reviewing news articles relating to issues concerning the Ministry published in the national or international press;
- producing special programmes of the Ministry in the media;
- organising press conferences and other communication activities of the Minister or the Minister Delegate;
- managing the website of the Ministry;
- drafting and publishing the newsletter and all other publications of interest to the Ministry.

(2) It shall comprise:

- the Promotion and Public Relations Unit;
- the Communication Unit.

SECTION 15 .- (1) Under the authority of a Unit Head, the Promotion and Public Relations Unit shall be responsible for :

- identifying and developing Cameroon's economic assets;
- preparing economic promotion aids for Cameroon and making them available to other administrations, Diplomatic Missions and Representations, potential investors and the public;
- coordinating actions and reforms likely to promote Cameroon's ranking among rating institutions;
- elaborating principles and guidelines for Cameroon's participation in economic forums;

- monitoring the activities of Economic Missions with Cameroon's diplomatic representations abroad.

(2) In addition to the Unit Head, it shall comprise 4 (four) Assistant Research Officers.

SECTION 16 (1) Under the authority of a Unit Head, the Communication Unit shall be responsible for:

- implementing the governmental communication strategy in the Ministry;
- preparing and drafting specific messages of the Minister or the Minister Delegate;
- gathering, analysing and preserving the press and audio-visual records of the Ministry;
- reviewing news articles relating to issues concerning the Ministry published in the national or international press;
- producing special programmes of the Ministry in the media;
- organising press conferences and other communication activities of the Minister or the Minister Delegate;
- managing the website of the Ministry;
- drafting and publishing the newsletter and all other publications of interest to the Ministry.

(2)) In addition to the Unit Head, it shall comprise 2 (two) Assistant Research Officers.

III. DATA-PROCESSING DIVISION

SECTION 17 - (1) Under the authority of a Head of Division, the Data-Processing Division shall be responsible for:

- Updating and implementing the computerisation master plan of the Ministry;
- conducting studies for the development, operation and maintenance of the Ministry's IT system and applications;
- setting up banks and databases relating to the various IT sub-systems of the Ministry;
- management and administration of communication systems;
- the security, availability and integrity of the Ministry's IT system;
- processing, conservation and dissemination of data;
- evaluation of the hardware and telecommunications needs of the Ministry;
- acquisition, management and maintenance of software;
- training and supervision of users;
- technical coordination of the IT services of the Ministry;
- technological watch in the field of information technology;
- participation, in conjunction with the administrations and bodies concerned, in defining and drawing up the national policy for the development of information and communication technologies;
- management of the interface between the Ministry and other administrations, in particular the Ministry of Finance and the Public Contracts Regulatory Agency;
- the management of the interconnection between the Ministry and bodies under its supervision, in particular the National Institute of Statistics and the Central Bureau of Census and Population Studies;
- representing the Ministry in national and international organisations in charge of information and communication technologies;
- participating in the design and production of software and applications for development planning and programming, as well as their updating;
- maintenance of the telephone network of the Ministry.

(2) It shall comprise:

- the Data-processing Unit for Economic and Public Investment Programming Services;
- the Data-processing Unit for Planning and Regional Development Services;
- the Data-processing Unit for Cooperation and Regional Integration Services;
- the Data-processing Maintenance Service.

SECTION 18- (1) Under the authority of a Unit Head, each of the Unit referred to in section 17 (2) above shall be responsible, each in its own sphere, for:

- the design and use of data-processing applications;
- upkeeping and maintenance of data-processing tools;
- training and supervision of users.

(2) In addition to the Unit Head, each Unit shall comprise 4 (four) Assistant Research Officers.

SECTION 19- (1) Under the authority of a Service Head, the Data-processing Service shall be responsible for upkeeping, maintenance of data-processing tools, training and supervision of the users of services other than those referred to in section 17 (2) above.

(2) In addition to the Service Head, it shall comprise 2 (two) Support Engineers.

IV. FOLLOW-UP AND REMINDERS DIVISION

SECTION 20 - (1) Under the authority of a Head of Division, the Follow-up and Reminders Division shall be responsible for:

- following up the activities of the Central and Devolved Services of the Ministry;
- making summaries of programmes of action, outlook reports and progress reports submitted by the Central and Devolved Services of the Ministry;
- sending reminders on the processing of files to services;
- any other study or duty assigned by the hierarchy.

(2) It shall comprise:

- the Follow-up Unit;
- the Reminders Unit.

SECTION 21- (1) Under the authority of a Unit Head, the Follow-up Unit shall be responsible for:

- following up the activities of the Central and Devolved Services of the Ministry;
- making summaries of programmes of action, outlook reports and progress reports submitted by the Central and Devolved Services of the Ministry.

(2) In addition to the Unit Head, it shall comprise 5 (five) Assistant Research Officers.

SECTION 22 (1) Under the authority of a Unit Head, the Reminders Unit shall be responsible for:

- setting statutory deadlines for the processing of files within the Ministry, in conjunction with the other structures;
- monitoring compliance with the deadlines for the processing of files;
- sending automatic reminders to services, in the event of non-compliance with the standard time limits prescribed for the processing of files;
- initiating and following up on reminders from other ministries.

(2) In addition to the Head of Unit, it shall comprise 2 (two) Assistant Research Officers.

V. TRANSLATION UNIT

SECTION 23 (1) Under the authority of a Unit Head, the Translation Unit shall be responsible for:

- routine translation of documents;
- control of the quality of translations;
- setting up a terminology data bank on the economy, planning and regional development.

(2) In addition to the Unit Head, it shall comprise 2 (two) Assistant Research Officers responsible for French language translation and English language translation.

VI. SUB-DEPARTMENT OF RECEPTION, MAIL AND LIAISON

SECTION 24.- (1) Under the authority of a Sub-Director, the Sub-Department of Reception, Mail and Liaison shall be responsible for:

- receiving, informing and guiding users;
- receiving, processing and distributing mails;
- managing signed instruments;
- duplicating and notifying individual instruments and distributing regulations and any other service documents.

(2) It shall comprise:

- the Reception and Guidance Service;
- the Mail and Liaison Service.

SECTION 25. - (1) Under the authority of a Service Head, the Reception and Guidance Service shall be responsible for:

- the reception of files and petitions;
- the reception and information of users;
- the control of conformity of files.

(2) It shall comprise:

- the Reception and Information Bureau;
- the Conformity Control Bureau.

SECTION 26 .- (1) Under the authority of a Service Head, the Mail and Liaison Service shall be responsible for :

- recording and codifying files and petitions;
- distributing mails;
- managing signed instruments;
- duplicating individual instruments and any other service documents;
- notifying signed instruments;
- creating virtual files.

(2) It shall comprise:

- the Incoming Mail Bureau;
- the Outgoing Mail Bureau;
- the Duplication Bureau.

VII. SUB-DEPARTMENT OF DOCUMENTATION AND RECORDS

SECTION 27.- (1) Under the authority of a Sub-Director, the Sub-Department Documentation and Records shall be responsible for:

- gathering, pooling and preserving studies, reports and all types of documents published in Cameroon or abroad, relating to economic, social, cultural and technological development issues;
- the technical coordination of the documentation services of the central administration, devolved and attached services of the Ministry, in conjunction with the services concerned;
- the design and implementation of a filing system for the documentation of the Ministry;
- the design and implementation of a physical and virtual archiving system for the documentation of the Ministry, in collaboration with the competent services;
- gathering, pooling, preserving, duplicating and disseminating the documentation of interest to the Ministry;
- subscribing to the various journals and publications of interest to the Ministry;
- the conservation of the Ministry's records;
- relations with the National Archives.

(2) It shall comprise:

- the Documentation Service;
- the Records Service.

SECTION 28 (1) Under the authority of a Service Head, the Documentation Service shall be responsible for:

- the design and implementation of a filing system for the documentation of the Ministry;

- technical coordination and networking of the documentation services of the Central administration, the devolved and attached services of the Ministry;
 - the elaboration and management of a directory of studies and bibliographical references on development;
 - duplication and, where appropriate, dissemination of reports, studies and documents on development;
 - gathering, pooling and preserving studies, reports and all types of national or foreign documents relating to economic, social, cultural and technological development issues;
 - subscribing to the various journals and publications of interest to the Ministry.
- (2)** It shall comprise:
- the Quotation and Reference Bureau;
 - The Dissemination Bureau.

SECTION 29 (1) Under the authority of a Service Head, the Records Service shall be responsible for:

- archiving and management of the records of the Ministry;
 - relations with the National Archives.
- (2)** It shall comprise:
- the Filing Bureau;
 - the Directory Management Bureau.

CHAPTER 2

DIRECTORATE GENERAL OF THE ECONOMY AND PUBLIC INVESTMENT PROGRAMMING

SECTION 30- (1) Under the authority of a Director General, the Directorate General of the Economy and Public Investment Programming shall be responsible for:

- conducting economic studies, in conjunction with the administrations and bodies concerned;
- monitoring and ensuring permanent analysis of the evolution of the national economy, sub-regional economies of Central Africa and the international economic environment;
- monitoring and ensuring permanent analysis of trends in the labour market, in conjunction with the administrations concerned;
- pooling, processing, updating and disseminating economic information;
- developing and implementing appropriate technical instruments for macroeconomic projections and analysis, in conjunction with the administrations and bodies concerned;
- short- and medium-term macroeconomic forecasts, in conjunction with the administrations and bodies concerned;
- studies on the growth and competitiveness strategies of the national economy;
- elaborating and monitoring the implementation of sub-sectors development policy;
- spelling out strategic guidelines for the privatisation and restructuring of public corporations;
- elaborating and monitoring the implementation of the Government's medium-term economic and financial programme, in conjunction with the administrations and bodies concerned;
- coordinating and pooling studies on projects of national economic interest and monitoring their implementation;
- pooling overarching projects;
- identifying the State's multi-year investment programmes, consistent with the objectives of the overall strategic development planning framework;
- elaborating public investment policies, programmes and budgets;
- fostering consultation frameworks between the various development actors;
- monitoring the management of resources derived from multilateral and bilateral public debt relief, in conjunction with the administrations concerned;
- monitoring the activities of the Technical Committee for the Preparation and Monitoring of

the Adjustment Programme, the Competitiveness Committee, the National Institute of Statistics and the Public Corporations and Parastatals Rehabilitation Authority.

(2) It shall comprise:

- the Analysis and Economic Policy Division;
- the Forecast and Programme and Project Preparation Division;
- the Department of Public Investment Programming.

I. ANALYSIS AND ECONOMIC POLICY DIVISION

SECTION 31 (1) Under the authority of a Head of Division, the Analysis and Economic Policy Division shall be responsible for:

- spelling out the broad guidelines of short- and medium-term economic recovery policies, in conjunction with the administrations and bodies concerned;
- short- and medium-term macroeconomic framework;
- drawing up the general trend chart of the national economy in the short and medium terms;
- the analysis of short-term developments and prospects on international markets, in conjunction with the administrations concerned;
- conducting economic studies, in conjunction with the administrations and bodies concerned;
- monitoring and ensuring permanent analysis of labour trends, in conjunction with the administrations concerned;
- pooling, processing, updating and disseminating economic information;
- the development and implementation of appropriate technical instruments for macroeconomic projections and analysis, in conjunction with the administrations and bodies concerned;
- monitoring the preparation and implementation of the Government's economic and financial programme, in conjunction with the Technical Committee for the Preparation and Monitoring of the Structural Adjustment Programme;
- the identification of priority development sub-sectors, in conjunction with the administrations, bodies and private operators concerned;
- the design and monitoring of the implementation of the sub-sectors development policy;
- studies on the growth and competitiveness strategies of the national economy;
- spelling out strategic guidelines for the privatisation and re-structuring of public corporations and parastatals;
- statistical monitoring of foreign direct investment, in conjunction with the administrations concerned;
- monitoring the activities of the Competitiveness Committee and the National Institute of Statistics.

(2) It shall comprise:

- the Economic Policy Unit
- the Macroeconomic Synthesis Unit;
- the Sector Analysis Unit;
- the Situational Analysis Unit.

SECTION 32 (1) Under the authority of a Unit Head, the Economic Policy Unit shall be responsible for:

- spelling out broad guidelines for short and medium-term economic recovery policies, in conjunction with the administrations and bodies concerned;
- the short- and medium-term macroeconomic framework;
- drawing up the general trend chart of the national economy in the short and medium term;
- monitoring the preparation and implementation of the Government's economic and financial programme, in conjunction with the Technical Committee for the Preparation and Monitoring of the Structural Adjustment Programme;
- identifying priority development sub-sectors, in conjunction with the administrations, bodies and private operators concerned;

- ensuring permanent monitoring and analysis of trends in the global economic environment;
 - analysis of short-term trends and prospects on international markets, in conjunction with the administrations concerned;
 - the secretariat of the inter-ministerial consultation meetings on economic policy.
- (2)** In addition to the Unit Head, it shall comprise 6 (six) Assistant Research Officers.

SECTION 33 (1) Under the authority of a Unit Head, the Macroeconomic Synthesis Unit shall be responsible for:

- identifying and implementing modern techniques and instruments for macro-economic analysis;
- the analysis of macroeconomic accounts and summary tables, in particular the use-of-funds table, the integrated economic accounts table, the flow-of-fund table, the balance of payments and the monetary situation;
- monitoring fiscal policy and proposing guidelines for a development-based taxation, in conjunction with the administrations concerned;
- monitoring and analysis of the national debt policy and issues related to public debt, in conjunction with the administrations and bodies concerned;
- analysis of macroeconomic accounts, summary tables and convergence indicators of Central African countries;
- production of periodic reports and outlooks on the economic development of the nation and Central African countries.

(2) In addition to the Unit Head, it shall comprise 4 (four) Assistant Research Officers.

SECTION 34 (1) Under the authority of a Unit Head, the Sector Analysis Unit shall be responsible for:

- studies on factor costs and the formation of prices of goods and services, in conjunction with the National Institute of Statistics;
- the development of appropriate instruments for the analysis and projection of activities in the various sectors;
- medium-term projections of the activities of national economic sub-sectors;
- the analysis of medium-term trends in intra-community trade in Central Africa, and in international trade;
- monitoring and evaluation of the impact of the economic policy measures implemented by the government on the main social sectors;
- monitoring medium-term trends and projections relating to employment and social sectors;
- monitoring issues relating to the financing of companies and industries, in conjunction with the administrations concerned.

(2) In addition to the Unit Head, it shall comprise 6 (six) Assistant Research Officers.

SECTION 35 (1) Under the authority of a Unit Head, the Situational Analysis Unit shall be responsible:

- identifying and ensuring permanent monitoring of relevant indicators of short-term trends of the national economy;
- the analysis of trends in goods and services provision on the national market, as well as the supply of the said market;
- the analysis of trends in the demand for goods and services, the purchasing power of households and consumer prices, in conjunction with the Ministry in charge of trade;
- monitoring cyclical developments in the labour market, in conjunction with the administrations and bodies concerned;
- monitoring cyclical developments in the monetary situation, credit, the various financial institutions and financial markets, in conjunction with the administrations concerned.

(2) In addition to the Unit Head, it shall comprise 4 (four) Assistant Research Officers.

II. PROGRAMMES AND PROJECTS PREPARATION AND FORECAST DIVISION

SECTION 36.- (1) Under the authority of a Head of Division, the Programmes and Projects Preparation and Forecast Division shall be responsible for:

- short and medium-term macroeconomic forecasts in conjunction with the administrations and bodies concerned;
- pooling public investment programmes and projects and managing the project bank;
- verifying and ensuring consistency of the public investment programmes and projects presented by ministries with the sector priority action plans and ministerial action programmes validated by the Government;
- the elaboration of public standards and procedures for the evaluation of public projects;
- monitoring and/or support to the evaluation and maturation of public investment programmes and projects initiated by other administrations;
- coordinating and pooling studies for the preparation and development of projects of national economic interest and monitoring of their implementation;
- the evaluation of private projects requiring public participation;
- preparation, monitoring-evaluation and annual updating of the Government's multi-annual priority investment programme;
- preparing or supporting the preparation of sector and ministerial medium-term expenditure frameworks;
- the technical preparation and monitoring, in its sphere of competence, of joint commissions, in conjunction with the administrations and bodies concerned;
- implementation and monitoring of financial commitments made within the framework of economic and technical cooperation programmes; and
- improvement of the programming of public investments financed under external resources.

(2) It shall comprise:

- the Public Investment Projects Pooling Unit;
- the Projects Standardisation and Maturation Unit;
- the Major Projects Preparation Unit;
- the Priority Investment Programme and Medium-Term Expenditure Framework Preparation Unit;
- the Audit and Impact Analysis Unit.

SECTION 37 (1) Under the authority of a Unit Head, the Public Investment Projects Pooling Unit shall be responsible for:

- the pooling of public investment programmes and projects;
- the management of the bank of public projects;
- the verification and harmonisation of public investment programmes and projects presented by ministries with the sector priority action plans and ministerial action programmes validated by the Government.

(2) In addition to a Unit Head, it shall comprise 5 (five) Research Engineers.

SECTION 38 (1) Under the authority of a Unit Head, the Projects Standardisation and Maturation Unit shall be responsible for:

- the elaboration of public standards and procedures for the evaluation of public projects;
- monitoring and/or support to the evaluation and maturation of public investment programmes and projects initiated by other administrations.

(2) In addition to the Unit Head, it shall comprise 5 (five) Research Engineers.

SECTION 39 (1) Under the authority of a Unit Head, the Major Projects Preparation Unit shall be responsible for:

- the coordination and pooling of studies for the preparation and development of projects of national economic interest;
- the evaluation of private projects requiring public participation;
- monitoring and pooling the needs expressed by private companies, civil society and consular chambers, in conjunction with the administrations and organisations concerned;

- monitoring the search for funding for major projects, in conjunction with the administrations and bodies concerned;
- monitoring the implementation of major projects;
- the promotion and monitoring of the financing of public investments by private individuals and national private groups within the national territory.

(2) In addition to the Unit Head, it shall comprise 4 (four) Research Engineers.

SECTION 40 (1) Under the authority of a Unit Head, the Priority Investment Programme and Medium-Term Expenditure Framework Preparation Unit shall be responsible for:

- the elaboration of standards for the preparation of sector and ministerial expenditure frameworks and the priority investment programme;
- the selection of projects to be included in the priority investment programme, in conjunction with the administrations concerned;
- monitoring the programming of investment subsidies and cooperation projects;
- preparation, monitoring-evaluation and annual updating of the Government's multi-annual priority investment programme;
- the preparation of sector and ministerial medium-term expenditure frameworks, in conjunction with the administrations concerned;
- the technical preparation and follow-up, in its sphere of competence, of joint commissions, in conjunction with the administrations and bodies concerned;
- the implementation and monitoring of financial commitments made within the framework of economic and technical cooperation programmes;
- improvement of the programming of public investments financed under external resources;
- the preparation of manuals of commitment and disbursement procedures with the various development partners, as well as the training of project managers in the use of these procedures, in conjunction with the administrations concerned;
- proposing specific measures to improve the programming and absorption capacities of mobilised external funding.

(2) In addition to the Unit Head, it shall comprise 5 (five) Assistant Research Officers.

SECTION 41 (1) Under the authority of a Unit Head, the Audit and Impact Analysis Unit shall be responsible for:

- the direct audit of public investment programmes and projects;
- the organisation and conduct of audit assignments by consultants of public investment programmes and projects;
- the production of periodic audit reports of public investment programmes and projects;
- the analysis and evaluation of the impact of the programmes and projects carried out, both on the beneficiaries and on development.

(2) In addition to the Unit Head, it shall comprise 4 (four) Assistant Research Officers.

III. DEPARTMENT OF PUBLIC INVESTMENT PROGRAMMING

SECTION 42 (1) Under the authority of a Director, the Department of Public Investment Programming shall be responsible for:

- preparing the public investment budget of the State;
- supporting the preparation of medium-term sector and ministerial expenditure frameworks and associated programme-budgets, in conjunction with the administrations concerned;
- programming of domestic and external resources required to finance development;
- programming, monitoring and controlling the execution of public investments;
- the preparation and dissemination of reports on the execution of the public investment budget.

(2) It shall comprise:

- the Sub-Department of Public Investment Budget Preparation;
- the Sub-Department of Public Investment Programmes and Projects Follow-up;
- the Control Brigade.

SECTION 43 (1) The Sub-Department of Public Investment Budget Preparation shall be responsible for:

- the organisation of budget pre-conferences and conferences on public investment, in conjunction with the administrations concerned;
- preparing the annual public investment budget;
- pooling public investment budget card-indexes and statements, as well as the projects logbooks to be submitted to the Ministry in charge of the State budget;
- forwarding project logbooks to project owners and delegated projects owners, and to community-based public investments programming and monitoring bodies in the provinces;
- publication of project logbooks in media organisations and other specialised communication organs.

(2) It shall comprise:

- 5 (five) Research Engineers;
- the Card-Index and Publishing Servi

SECTION 44 .- (1) Under the authority of a Service Head, the Card-Index and Publishing Service shall be responsible for:

- pooling card-indexes and public investment budget statements and project logbooks to be submitted to the Ministry in charge of the State budget within the framework of publishing and computerized loading of the single budget;
- forwarding project logbooks to project owners and delegated project owners, and to community-based public investments programming and monitoring bodies in the provinces;
- the publication of project logbooks in media organisations and other specialised communication organs.

(2) It shall comprise:

- the Card-Index Bureau;
- the Publishing Bureau.

SECTION 45 (1) Under the authority of a Sub-Director, the Sub-Department of Public Investment Programmes and Projects Follow-up shall be responsible for:

- monitoring the implementation of public investment programmes and projects;
- monitoring of public investment projects that are not programmed;
- observatory of public investments already carried out and requiring rehabilitation, in liaison with the administrations concerned;
- the use of the reports of the Control Brigade;
- the launch and supervision of post clearance audits of public investment operations conducted by private firms or individual experts;
- preparing quarterly and annual monitoring reports on the public investment budget.

(2) In addition to the Unit Head, it shall comprise 5 (five) Research Engineers.

SECTION 46 (1) under the authority of a Brigade Head, the Control Brigade shall be responsible for:

- the control of the physical implementation of programmes and projects included in the public investment budget;
- the monitoring of other public investment projects;
- the preparation of reports on the control of the physical execution of public investments.

(2) In addition to the Brigade Head, it shall comprise of 10 (ten) Assistant Research Officers and 20 (twenty) Assistant Project Controllers.

(3) Controllers and Assistant Controllers shall be sworn in before taking office.

CHAPTER III

DIRECTORATE GENERAL OF PLANNING AND REGIONAL DEVELOPMENT

SECTION 47- (1) Under the authority of a Director General, the Directorate General of Planning

and Regional Development shall be responsible for:

- formulating the economic, social and cultural development policy of the nation, in conjunction with the administrations concerned;
- conducting studies and forward-looking analyses on long-term development;
- elaborating and monitoring-evaluating the implementation of the overall framework for the strategic planning of development and for the fight against poverty, in conjunction with the administrations and bodies concerned;
- spelling out sector priorities and ensuring coherence between sector development strategies;
- drawing up and ensuring monitoring-evaluation of the implementation of the national development strategy and sector development strategies, in conjunction with the administrations and bodies concerned;
- preparing the central medium-term expenditure framework;
- coordinating studies and monitoring population and social development issues;
- planning human resource development and the medium and long-term quantitative and qualitative balance of supply and demand in the labour market;
- spelling out territorial planning and regional development policies and materializing them into programmes and projects;
- preparing and implementing regional development schemes;
- preparing and implementing development plans for land and sea border areas, in conjunction with the administrations concerned;
- following up the implementation of agricultural and land reforms, in conjunction with the administrations and bodies concerned;
- backing the development of local and regional authorities;
- sub-regional cooperation in regional development and forest ecosystems management;
- following up the implementation of the urban development policy, in conjunction with the administrations concerned;
- following up the activities of programmes and projects on community-driven development, grass roots poverty reduction and regional development;
- following up the activities of the Central Bureau of Censuses and Population Studies, the Pan-African Institute for Development, the Sub-Regional Institute for Statistics and Applied Economics, and the Institute for Training and Demographic Research.

(2) It shall comprise:

- the Forward and Strategic Planning Division;
- the Demographic Analyses and Migrations Division;
- the Department of Regional and Border Areas Development;
- the Department of Infrastructure and Support to Regional and Local Development.

I. Forward and Strategic Planning Division

SECTION 48 - (1) Under the authority of a Head of Division, the Forward and Strategic Planning Division shall be responsible for:

- elaborating and monitoring-evaluating the implementation of the overall framework for the strategic planning of development and for the fight against poverty, in conjunction with the administrations and bodies concerned;
- drawing up and ensuring monitoring-evaluation of the implementation of the national development strategy, in conjunction with the administrations and bodies concerned;
- spelling out sector priorities and ensuring coherence between sector development strategies;
- backing the drawing up and ensuring the follow-up and evaluation of priority action plans of sectors;
- preparing the central medium-term expenditure framework, in conjunction with the administrations concerned;
- spelling out planning standards and methods;
- preparing the annual development report;

- compiling and updating socio-economic data banks;
- following up the activities of the Pan-African Institute for Development and the Sub-regional Institute for Statistics and Applied Economics.

(2) It shall comprise:

- the Economic Forecast Unit;
- the National Development Strategy Preparation Unit;
- the Social Changes and Scientific and Technological Progress Unit;
- the Rural Development Planning Unit;
- the Industries and Services Planning Unit;
- the Infrastructure Planning Unit.

SECTION 49 (1) Under the authority of a Unit Head, the Economic Forecast Unit shall be responsible, in conjunction with the administrations concerned, for

- conducting, monitoring the implementation and periodic updating of forward-looking studies;
- conducting studies and forward-looking analyses on long-term scientific and technological development;
- studies on strategies for mainstreaming national cultures and languages into the development process;
- elaborating and formulating an economic, social, cultural and technological development vision for the nation by a generation;
- verifying and monitoring consistency between the national strategy and sector development strategies with the economic, social, cultural and technological development vision of the nation;
- developing and disseminating methods and tools of forward-looking watch in the sensitive areas for the future of the nation ;
- animating debates on the stakes and major trends in the nation's development;
- monitoring international development objectives.

(2) In addition to the Unit Head, it shall comprise 4 (four) Assistant Research Officers.

SECTION 50 (1) Under the authority of a Unit Head, the National Development Strategy Preparation Unit shall be responsible for:

- the methodology for drawing up the overall strategic development planning framework;
- drawing up the national development strategy, in conjunction with the administrations and bodies concerned;
- developing the national development plan, in conjunction with the administrations concerned;
- preparing the central medium-term expenditure framework, in conjunction with the administrations concerned;
- preparing and managing the national card-index of programmes and projects identified in development strategies;
- developing macro-economic and sector integration models;
- defining quantitative economic, social and environmental development objectives;
- ensuring that the various sector development strategies are consistent with the national development strategy;
- defining socio-economic indicators of results and impact of national and sector development strategies;
- evaluating the achievements, results and impact of the implementation of national and sector strategies, in conjunction with the bodies concerned;
- preparing the annual development report.

(2) In addition to the Unit Head, it shall comprise 4 (four) Assistant Research Officers.

SECTION 51.- (1) Under the authority of Unit Head, the Social Changes and Scientific and Technological Progress Unit shall be responsible for:

- the diagnosis of social and cultural changes;

- evaluating the impact of norms, convictions and social and cultural behaviours on economic development in the long-term, in conjunction with the administrations concerned;
- the analysis of the long-term impact of economic, scientific and technological developments on the behaviour and values of society, in conjunction with the administrations concerned;
- studies on strategies for mainstreaming national cultures into the development process;
- analysis of options inherent to the evolution of the scientific and technological environment on national economic development in the long-term;
- contributing to the promotion of the operationalisation of the results of scientific and technological innovations.

(2) In addition to the Unit Head, it shall comprise 4 (four) Assistant Research Officers.

SECTION 52 - (1) Under the authority of a Unit Head, each Planning Unit referred to in Section 48 (2) above shall be responsible, within its sphere of competence, in conjunction with the administrations and bodies concerned, for:

- drawing up and ensuring monitoring-evaluation of the implementation of the sector strategy concerned;
- drawing up and ensuring monitoring-evaluating of the implementation of the priority action plan for the sector concerned;
- backing the ministries in charge of the sector in the formulation and evaluation of their ministerial action programmes;
- setting up and ensuring a permanent update of a data bank on the sector concerned.

(2) In addition to the Unit Head, each Planning Unit shall comprise 4 (four) Assistant Research Officers.

II. DEMOGRAPHIC ANALYSIS AND MIGRATIONS DIVISION

SECTION 53 (1) Under the authority of a Head of Division, the Demographic Analysis and Migrations Division shall be responsible for:

- planning human resources development and matching education with the market needs;
- developing and monitoring the implementation of the National Population Policy;
- formulating social sector development strategies, in conjunction with the relevant ministries and bodies;
- mainstreaming demographic and gender variables in development policies, programmes and projects;
- participating in the elaboration and monitoring of the Government's training and apprenticeship policy;
- elaborating and monitoring the deployment of the methodological guide for the social evaluation of development projects;
- monitoring national and international migrations;
- compiling and ensuring a permanent update of social sector data banks;
- monitoring the activities of the Central Bureau of Censuses and Population Studies, the Institute of Training and Demographic Research.

(2) It shall comprise:

- the Social Sector Development Planning Unit. .
- the Human Development Unit;
- the Population Policy Unit.

SECTION 54 (1) Under the authority of a Unit Head, the Social Sector Development Planning Unit shall be responsible, in conjunction with the administrations and bodies concerned, for:

- preparing and ensuring the monitoring and evaluation of the implementation of the social sector development strategy, in conjunction with the Forward and Strategic Planning Division;
- preparing the priority action plan for the social sector and ensuring monitoring and evaluation of its implementation;

- backing the ministries in charge of the social sector in the formulation and evaluation of their ministerial action programmes;
- setting up and ensuring a permanent update of data banks for the social sector development.

(2) In addition to the Unit Head, it shall comprise 4 (four) Assistant Research Officers.

SECTION 55 (1) Under the authority of a Unit Head, the Human Development Unit shall be responsible for:

- identifying the training needs of the nation's human resources in the light of expected economic and technological developments and foreseeable changes in the labour market;
- developing, monitoring and evaluating the implementation of the sector development strategy for the education sector, in conjunction with the Forward and Strategic Planning Division;
- backing the development of national employment, vocational training and apprenticeship policies, in conjunction with the administrations and bodies concerned;
- setting up and ensuring a permanent update of the national skills card-index.

(2) In addition to the Unit Head, it shall comprise 4 (four) Assistant Research Officers.

SECTION 56 (1) Under the authority of a Unit Head, the Population Policy Unit shall be responsible, in conjunction with the administrations and bodies concerned, for:

- developing and monitoring the implementation of the National Population Policy;
- preparing demographic outlook and projections;
- mainstreaming demographic and social variables in development objectives;
- backing the drawing up and monitoring and evaluation of the implementation of the health sector development strategy, in conjunction with the Forward and Strategic Planning Division;
- monitoring the gender mainstreaming approach in development programmes and projects;
- preparing the national periodic report on the state of the population;
- monitoring national and international migrations.

(2) In addition to the Unit Head, it shall comprise 4 (four) Assistant Research Officers.

III. DEPARTMENT OF REGIONAL AND BORDER AREAS DEVELOPMENT

SECTION 57 (1) Under the authority of a Director, the Department of Regional and Border Areas Development shall be responsible, in conjunction with the administrations and bodies concerned, for:

- Proposing the legal framework for regional development;
- coordinating and conducting regional development studies, both at national and regional level;
- preparing regional development standards and rules and controlling their application;
- participating in the negotiation of the planning contract between the State and Local and Regional Authorities;
- adopting and evaluating new techniques and methods applicable to regional development;
- preparing land zoning plans;
- elaborating and implementing the Government's human settlements management policy;
- delineating and prioritising built-up areas;
- creating, monitoring and developing rural development poles;
- elaborating monographs and a typology of border areas;
- drawing up strategies and action programmes for the development of border areas;
- monitoring action programmes for the development of border areas;
- participating in the determination of actions to promote the national integration of the Cameroonian population living in border areas;
 - elaborating an annual evaluation report of border areas development actions;
 - monitoring, animating and coordinating the activities of territorial planning and development authorities;

- preparing and monitoring the implementation of regional river, lake and maritime basins development policies;
- monitoring and controlling the implementation of national, regional or local development programmes;
- monitoring sub-regional organisations involved in the development or preservation of the sub-regional ecosystem.

(2) It shall comprise:

- the Sub-Department of Human Settlements;
- the Sub-Department of Development Authorities and Organisations;
- the Sub-Department of Maritime Border Areas Development;
- the Sub-Department of Land Border Areas Development;
- the Studies and Development Schemes Unit;
- the Cartography Unit.

SECTION 58 (1) Under the authority of a Sub-Director, the Sub-Department of Human Settlements shall be responsible, in conjunction with the administrations and bodies concerned, for:

- elaborating and implementing the national human settlements management policy;
- elaborating, disseminating and controlling the implementation of regional development standards;
- relocating and settling the population affected by the implementation of major equipment projects or by natural disasters;
- land settlement actions;
- delineating and prioritising built-up areas;
- promoting partnerships with Local and Regional Authorities in relation to human settlements;
- analysing the induced effects of regional development projects and actions and preparing the related annual report;
- making regional inventories of human settlements;
- elaborating the physical development atlas;
- monitoring and controlling the implementation of national, regional or local development programmes;
- creating, monitoring and developing rural development poles.

(2) It shall comprise:

- the Human Settlement Service;
- the Human Establishments Regional Inventories Service;
- the Follow-up and Control Service.

SECTION 59 (1) Under the authority of a Service Head, the Human Settlement Service shall be responsible for:

- preparing and implementing the national human settlement management policy;
- elaborating, disseminating and controlling the application of regional development planning standards;
- relocating and settling the population affected by the implementation of major equipment projects or by natural disasters, in conjunction with the administrations and bodies concerned;
- monitoring the delimitation and prioritisation of built-up areas, in conjunction with the administrations and bodies concerned;
- participating in the negotiation of planning contracts between the State and Local and Regional Authorities;
- creating and developing rural development poles.

(2) In addition to the Service Head, it shall comprise 2 (two) Support Engineers.

SECTION 60. - (1) Under the authority of a Service Head, the Human Establishments Regional

Inventories Service shall be responsible for:

- human establishment regional inventories;
- the elaboration of the physical development atlas;
- the analysis of the induced effects of regional development projects and actions and the preparation of the related annual report;
- providing development partners with data on regional development.

(2) In addition to the Service Head, it shall comprise 2 (two) Support Engineers.

SECTION 61.- (1) Under the authority of a Service Head, the Follow-up and Control Service shall be responsible for:

- following up and controlling the implementation of national, regional or local development programmes;
- analysing the induced effects of regional development projects and actions and preparing the related annual report;
- following up the development of rural development poles.

(2) In addition to the Service Head, it shall comprise 2 (two) Support Engineers.

SECTION 62 (1) Under the authority of a Sub-Director, the Sub-Department of Development Authorities and Organisations shall be responsible for:

- participating in the definition and promotion of community development;
- land settlement actions;
- programming and promoting regional development actions through the production and update of regional development schemes and plans;
- monitoring outreach, coordination and evaluation of the activities of development authorities;
- ensuring the integration of the region and balanced development in regional spaces;
- monitoring regional and international cooperation organisations in the field of planning;
- developing regional, river, lake and maritime basins, in conjunction with the administrations and organisations concerned.

(2) It shall comprise:

- the Development Authorities Service;
- the Sub-Regional Development Service.

SECTION 63 (1) Under the authority of a Service Head, the Development Authorities Service shall be responsible for:

- participating in the definition and promotion of community development;
- land settlement actions;
- programming and promoting regional development actions through the production and update of regional development schemes and plans;
- monitoring outreach, coordination and evaluation of the activities of development authorities;
- ensuring the integration of the region and balanced development in regional spaces.

(2) In addition to the Service Head, it shall comprise 2 (two) Support Engineers.

SECTION 64 (1) Under the authority of a Service Head, the Sub-Regional Development Service shall be responsible for:

- monitoring regional and international cooperation organisations, in the field of development and preservation of the sub-regional ecosystem;
- developing regional, river, lake and maritime basins.

(2) In addition to the Service Head, it shall comprise 2 (two) Support Engineers.

SECTION 65 - (1) Under the authority of a Sub-Director, each Sub-Department of Border Areas Development referred to in Section 57 (2) above shall be responsible for, within its

sphere of competence:

- elaborating border areas monographs;
 - drawing up the border areas development strategy and monitoring the related actions and operations;
 - participating in the preparation of local border areas development plans;
 - monitoring the economic, social and infrastructural situation of border areas;
 - liaising with sub-regional, regional and international organisations concerned with border areas development issues;
 - participating in the determination of actions to promote the national integration of the Cameroonian population living in border areas;
 - elaborating an annual evaluation report of border areas development actions;
 - monitoring the densification and materialisation of borders, and securement of border areas, in conjunction with the administrations and organisations concerned;
 - interpreting and analysing territorial data deriving from the borders;
 - making and updating the permanent inventory of lakes and coastlines;
 - participating in the elaboration of border areas development programmes;
 - monitoring the provision of infrastructure and equipment along the borders, in conjunction with the administrations and bodies concerned.
- (2) In addition to the Sub-Director, the Sub-Department of Maritime Border Areas Development shall comprise 3 (three) Research Engineers and 3 (three) Support Engineers.
- (3) The Sub-Department of Land Border Areas Development shall comprise;
- The Northern and Lake Area Development Programmes Service;
 - The Western Border Development Programmes Service;
 - The Eastern and Southern Border Development Programmes Service.

SECTION 66 - (1) Under the authority of a Service Head, each Border Development Programmes Service referred to in Section 65 (3) above shall be responsible for, in its geographical area:

- Elaborating border areas monographs;
 - drawing up the border areas development strategy and monitoring the resulting actions and operations,
 - participating in the preparation of local border areas development plans;
 - participating in the determination of actions to promote the national integration of the Cameroonian population living in border areas;
 - preparing an annual evaluation report of border areas development actions;
 - monitoring the densification and materialisation of borders and securement of border areas, in conjunction with the administrations and organisations concerned;
 - interpreting and analysing territorial data deriving from borders.
- (2) In addition to the Service Head, it shall comprise 2 (two) Support Engineers.

SECTION 67 (1) Under the authority of a Unit Head, the Studies and Development Schemes Unit shall be responsible for:

- proposing the legal framework for regional development;
- adopting and evaluating new techniques and methods applicable to regional development;
- collecting, exploiting and summarizing general data from national inventories;
- conducting forward-looking studies on regional development and making an inventory of the potential of the regions;
- preparing monographs and updating the regional databank;
- preparing and updating development schemes and regional development plans;
- preparing the national scheme for territorial planning and sustainable development;
- preparing land zoning plans;
- determining priority intervention zones;
- determining measures likely to promote the balanced development of the country;
- drawing up a coherent forward-looking strategy for territorial planning and sustainable development;

- ensuring consistency in transnational environmental infrastructure projects.

(2) In addition to the Unit Head, it shall comprise 3 (three) Assistant Research Officers.

SECTION 69 (1) Under the authority of a Unit Head, the Cartography Unit shall be responsible for:

- preparing and updating the core national cartography in the field of regional development;
- codifying and implementing a coherent system for the exploitation of geographical information throughout the national territory.

(2) In addition to the Unit Head, it shall comprise 2 (two) Assistant Research Officers.

IV. DEPARTMENT OF INFRASTRUCTURE AND SUPPORT TO REGIONAL AND LOCAL DEVELOPMENT

SECTION 70.- (1) Under the authority of a Director, the Department of Infrastructure and Support to Regional and Local Development shall be responsible for:

- promoting a balanced policy for the distribution of infrastructure and equipment;
- backing the preparation of the priority investment programme;
- ensuring consistency in transnational environmental infrastructure projects;
- monitoring the realisation of regional inventories of infrastructure and equipment, in conjunction with the administrations and bodies concerned;
- elaborating strategic guidelines for the organisation of Local and Regional Authorities;
- promoting partnerships between the State and Local and Regional Authorities;
- drawing up a consistent and dynamic forward-looking strategy for regional and sustainable development infrastructure;
- the methodological supervision and support to the elaboration and implementation of development plans for regions, councils and localities, in conjunction with the administrations and bodies concerned;
- formulating and evaluating local development strategies, in conjunction with the administrations and bodies concerned;
- the consistency of regional development policies with the national development plan and sector development strategies;
- support to capacity building of local development actors;
- monitoring the activities of development committees and building their capacities;
- monitoring and evaluating the activities of non-governmental organisations and other local development actors, in conjunction with the administrations concerned;
- monitoring the impact assessment of development programmes and projects at local level;
- monitoring the activities of community-driven development programmes and projects and poverty reduction at grass roots level;
- compiling and ensuring permanent update of local socio-economic data banks;
- analysing and monitoring the implementation of supports to micro-projects and micro-realizations of common initiative groups, associations, non-governmental organisations and Local and Regional Authorities, in conjunction with the Ministry in charge of social economy.

(2) It shall comprise:

- the Sub-Department of Infrastructure;
- the Local and Regional Development Studies Unit;
- the Local and Regional Planning Support Unit;
- the Local and Regional Development Assessment Unit.

SECTION 71 (1) Under the authority of a Sub-Director, the Sub-Department of Infrastructure shall be responsible for:

- monitoring the realisation of regional inventories of infrastructure, in conjunction with the administrations and bodies concerned;
- programming and monitoring the implementation of regional development infrastructure;
- participating in the preparation of the priority investment programme;

- drawing up a consistent and dynamic forward-looking strategy for regional and sustainable development infrastructure;
 - promoting a balanced policy for the distribution of infrastructure;
 - monitoring the conduct of strategic planning studies for infrastructure, in conjunction with the administrations and bodies concerned;
- monitoring compatibility between equipment and the quality of services.

(2) In addition to the Sub-Director, it shall comprise 3 (three) Research Engineers and 3 (three) Support Engineers.

SECTION 72 (1) Under the authority of a Unit Head, the Local and Regional Development Studies Unit shall be responsible for:

- the methodological framework for support to the elaboration and implementation of development plans for the regions and localities, in conjunction with the administrations and bodies concerned;
- drawing up and evaluating local development strategies, in conjunction with the administrations and bodies concerned;
- consistency of regional development policies with the overall strategic development framework and sector strategies;

(2) In addition to the Unit Head, it shall comprise 3 (three) Assistant Research Officers.

SECTION 73 (1) Under the authority of a Unit Head, the Local and Regional Planning Support Unit shall be responsible for:

- support to capacity building of local development actors;
- monitoring the activities of development committees and building their capacities;
- support to the elaboration and implementation of development plans of the regions and localities, in conjunction with the administrations and bodies concerned;
- the elaboration of strategic guidelines for the organisation of Local and Regional Authorities;
- promoting partnership between the State and Local and Regional Authorities;
- monitoring the activities of non-governmental organisations and other local development actors, in conjunction with the administrations concerned;
- monitoring and updating the bank of projects resulting from development committees;
- analysing and monitoring the implementation of supports to micro-projects and micro-realizations of common initiative groups, associations, non-governmental organisations and Local and Regional Authorities, in conjunction with the Ministry in charge of social economy.

(2) In addition to the Unit Head, it shall comprise 3 (three) Assistant Research Officers.

SECTION 74 (1) Under the authority of a Unit Head, the Local and Regional Development Assessment Unit shall be responsible for:

- monitoring the impact assessment of development programmes and projects at local level;
- monitoring the programming and execution of projects and programmes resulting from regional development plans;
- monitoring and evaluating development operations resulting from decentralised cooperation;
- pooling the inputs of the regions in the annual development report.

(2) In addition to the Unit Head, it shall comprise 3 (three) Assistant Research Officers.

CHAPTER 4

DIRECTORATE GENERAL OF COOPERATION AND REGIONAL INTEGRATION

SECTION 75.- (1) Under the authority of a Director General, the Directorate General of Cooperation and Regional Integration shall be responsible for:

- the development, implementation and follow-up of multilateral cooperation, in conjunction with the administrations and bodies concerned;
- the development, implementation and follow-up of bilateral cooperation, in conjunction with

- the administrations and bodies concerned;
- the development, implementation and follow-up of regional integration, in conjunction with the administrations and bodies concerned;
- follow-up of the implementation of the Paris Declaration;
- the development and promotion of new cooperation avenues;
- the promotion and follow-up of economic and technical cooperation;
- support to decentralised cooperation, in conjunction with the ministries in charge of external relations and decentralisation;
- follow-up of the activities of the National Authorising Officer of the European Development Fund, the Bilateral Technical Committee of the Debt Relief and Development Contract and the Steering Committees of other Cooperation Programmes in its sphere of competence.

(2) It shall comprise:

- the Department of North-South Cooperation and Multilateral Organisations;
- the Department of Regional Integration;
- the Division of Cooperation with Emerging Countries;
- the Division of Cooperation with the Islamic World;
- the Agreements and Conventions Card-Index Service;
- the Decentralised Cooperation Support Service.

I. DEPARTMENT OF NORTH-SOUTH COOPERATION AND MULTILATERAL ORGANISATIONS

SECTION 76.- (1) Under the authority of a Director, the Department of North-South Cooperation and Multilateral Organisations shall be responsible for:

- drawing up and implementing the economic and technical cooperation strategy and programmes with member organisations of the United Nations System, International Organisations and member countries of the Organisation for Economic Cooperation and Development;
- promoting and following up economic and technical cooperation within its sphere of competence;
- preparing and following up, in its sphere of competence, of mixed commissions, in conjunction with the administrations and organisations concerned;
- the preparation and follow-up in its sphere of competence of the mixed commissions, in conjunction with the administrations and organisations concerned;
- preparing and implementing economic and technical cooperation agreements in its sphere of competence;
- implementing and following up the commitments undertaken in the framework of economic and technical cooperation agreements in its sphere of competence;
- monitoring the activities of the National Authorizing Officer of the European Development Fund, steering committees of cooperation programmes in its sphere of competence;
- following up the activities of the bilateral technical committee of the Debt Relief and Development Contract, in conjunction with the administrations and organisations concerned.

(2) It shall comprise:

- the Sub-Department of Multilateral Cooperation;
- the Sub-Department of Cooperation with Europe;
- the Sub-Department of Cooperation with North America and Asia.

SECTION 77 - (1) Under the authority of a Sub-Director, each Sub-Department of Cooperation referred to in Section 76 (2) above shall be responsible for, in its sphere of competence:

- coordination of economic and technical cooperation;
- the preparation of the technical aspects of economic and technical cooperation agreements, in conjunction with the administrations concerned;
- the analysis, follow-up and reminder of the technical commitments made under agreements;
- following up the implementation of the Paris Declaration;
- following up technical negotiations;

- following up development institutions;
- the external promotion of development strategies and related priority investment programmes, in conjunction with the Promotion, Public Relations and Communication Division;
- exploring and developing new avenues of cooperation.

(2) In addition to the Sub-Director, each Sub-Department shall comprise 4 (four) Research Engineers.

II. DEPARTMENT OF REGIONAL INTEGRATION

SECTION 78. (1) Under the authority of a Director, the Department of Regional Integration shall be responsible for:

- drawing up and implementing the strategy for economic integration in Central Africa;
- promoting and following up regional economic and technical cooperation;
- the technical preparation and follow-up, in its sphere of competence, of the joint commissions, in conjunction with the administrations and organisations concerned;
- preparing and implementing sub-regional and regional economic and technical cooperation agreements;
- implementing and following up commitments undertaken under sub-regional and regional economic and technical cooperation agreements;
- following up and developing economic and technical cooperation with African multilateral organisations;
- following up the affairs of the African Union and the United Nations Economic Commission for Africa.

(2) It shall comprise:

- the Sub-Department of Central Africa Economic Integration;
- the Sub-Department of African Regional Cooperation.

SECTION 79.- (1) Under the authority of a Sub-Director, the Sub-Department of Central Africa Economic Integration shall be responsible for:

- coordinating, preparing and following up the implementation of decisions taken at sub-regional level, in particular through the Central African Economic and Monetary Community and the Economic Community of Central African States;
- preparing and following up the mixed commissions, in conjunction with the administrations and organisations concerned;
- following up the implementation of the sub-regional economic programme;
- monitoring multilateral surveillance in the sub-region;
- studies relating to sub-regional economic integration.

(2) In addition to the Unit Head, it shall comprise 4 (four) Research Engineers.

SECTION 80.- (1) Under the authority of a Sub-Director, the Sub-Department of African Regional Cooperation shall be responsible for:

- drawing up and implementing the African regional economic integration strategy, in conjunction with the administrations and organisations concerned;
- coordinating bilateral economic cooperation with African countries;
- preparing and following up mixed commissions, in conjunction with the administrations and organisations concerned;
- monitoring multilateral surveillance in the "African" region;
- preparing economic cooperation agreements with the African Development Bank Group;
- monitoring multilateral surveillance in the region;
- studies relating to regional economic integration.

(2) In addition to the Unit Head, it shall comprise 4 (four) Research Engineers.

III. DIVISION OF COOPERATION WITH EMERGING COUNTRIES.

SECTION 81: (1) Under the authority of a Head of Division, the Division of Cooperation with Emerging Countries shall be responsible for:

- exploring and developing cooperation with emerging countries;
- preparing and implementing economic and technical cooperation agreements in its sphere of competence;
- the technical preparation and follow-up, in its sphere of competence of mixed commissions, in conjunction with the administrations and organisations concerned.

(2) In addition to the Head of Division, it shall comprise 2 (two) Research Officers and 8 (eight) Assistant Research Officers.

IV. DIVISION OF COOPERATION WITH THE ISLAMIC WORLD

SECTION 82. (1) Under the authority of a Head of Division, the Division of Cooperation with the Islamic World shall be responsible for:

- coordinating economic and technical cooperation with the countries concerned;
- searching and negotiating funding for investment projects;
- preparing economic and technical cooperation agreements in its sphere of competence;
- analysing, following up and sending reminders on the commitments made under these agreements;
- following up financial negotiations;
- preparing and following up agreements with the Islamic Development Bank and the Arab Bank for Economic Development in Africa, and the organisation of the Islamic Conference.

(2) In addition to the Head of Division, it shall comprise 2 (two) Research Officers and 8 (eight) Assistant Research Officers.

V. AGREEMENTS AND CONVENTIONS CARD-INDEX SERVICE

SECTION 83 (1) Under the authority of a Service Head, the Agreements and Conventions Card-Index Service shall be responsible for:

- keeping and updating the card-index of technical cooperation agreements and conventions;
- exploiting agreements and conventions;
- following up the commitments made by the Government;
- participating in the preparation of draft agreements and conventions;
- following up the implementation of international cooperation agreements and conventions.

(2) It shall comprise:

- the Agreements and Conventions Card-index Bureau;
- the Agreements and Conventions Operation and Follow-Up Bureau.

VI. DECENTRALISED COOPERATION SUPPORT SERVICE.

SECTION 84 .- (1) Under the authority of a Service Head, the Decentralised Cooperation Support Service shall be responsible for.

- searching, collecting and pooling information on decentralised cooperation opportunities;
- informing Local and Regional Authorities and other national actors interested in decentralised cooperation opportunities;
- technical support to the negotiation and conclusion of decentralised cooperation agreements.

(2) It shall comprise:

- the Needs Identification Bureau;
- the Opportunities Research and Pooling Bureau.

CHAPTER 5 **DEPARTMENT OF GENERAL AFFAIRS**

SECTION 85.- (1) Under the authority of a Director, the Department of General Affairs shall

be responsible for:

- implementing the ministry's policy on the management of human resources;
- implementing government's policy on the training of the personnel of the Ministry;
- coordinating the preparation of the training plan for the personnel of the Ministry, and following up its implementation, in conjunction with the Ministry in charge of public service;
- managing positions;
- forward management of personnel, in conjunction with the Ministry in charge of public service;
- following up the improvement of working conditions;
- preparing internal staff management instruments;
- updating internal staff rolls;
- following up the use of computer applications for the integrated management of State personnel and salaries,
- preparing measures for the posting of personnel within the Ministry;
- examining disciplinary files of personnel of the Ministry;
- implementing laws and regulations relating to the expenses on personnel of the Ministry;
- preparing salary and salary incidentals items of personnel of the Ministry;
- the management of pensions;
- preparing and following up the execution of the budget of the Ministry
- managing and maintaining movable and immovable property;
- managing salaries-related claims, in conjunction with the competent services of the Ministry in charge of finance.

(2) It shall comprise:

- the Sub-Department of Personnel, Salaries and Pensions;
- the Sub-Department of the Budget;
- the Sub-Department of Human Resources;
- the Sub-Department of Equipment and Maintenance;
- the SIGIPES Unit (Computerized System for the Integrated Management of State Personnel and Salaries).

SECTION 86- (1) Under the authority of a Sub-Director, the Sub-Department of Personnel, Salaries and Pensions shall be responsible for:

- pooling and permanently updating salaries and pensions rolls;
- publishing salary documents;
- operating and maintaining the data-processing applications of the Sub-Department of Personnel, Salaries and Pensions;
- preparing arrangements for staff transfers within the Ministry;
- following up staff careers;
- drawing up the sector training plan for staff;
- studying measures aimed at increasing and improving the output of staff;
- preparing internal staff management instruments;
- operating the Computerized System for the Integrated Management of State Personnel and Salaries;
- examining disciplinary files of internal staff;
- social assistance and support to associative and cultural life;
- preparing salary, salary incidentals items and pensions;
- salaries-related claims.

(2) It shall comprise:

- the Personnel Service;
- the Salaries and Pensions Service;
- the Social Assistance Service.

SECTION 87 (1) Under the authority of a Service Head, the Personnel Service shall be responsible for:

- preparing internal staff management instruments;

- managing careers;
- following up disciplinary files and instruments;
- managing positions;
- systematically updating the personnel rolls;
- operating the Computerized System for the Integrated Management of Salaries of staff of the Ministry;
- preparing litigation files;
- preparing instruments for the transfer of staff within the Ministry;
- preparing instruments relating to staff management;
- staff discipline;
- Rewards and distinctions.

(2) It shall comprise:

- the Established Personnel Bureau;
- the Un-established Personnel Bureau.

SECTION 88.- (1) Under the authority of a Service Head, the Salaries and Pensions Service shall be responsible for:

- preparing salaries and payment instruments;
- processing family allowances files;
- preparing instruments relating to salary incidentals items and pensions;
- financial processing of files relating to illness and occupational hazards;
- salary-related documentation and records;
- salary-related claims, in conjunction with the Ministry of Finance.

(2) It shall comprise:

- the Salaries and Other Allowances Bureau;
- the Petitions Bureau.

SECTION 89.- (1) Under the authority of a Service Head, the Social Assistance Service shall be responsible for:

- informing staff on assistance procedures relating to illness and occupational hazards and medical care, in conjunction with the Ministries of Finance and Health;
- monitoring occupational health and safety;
- monitoring the improvement of working conditions in the central and external services of the Ministry;
- support to associative and cultural life in the Ministry.

SECTION 90.- (1) Under the authority of a Sub-Director, the Sub-Department of the Budget shall be responsible for the preparation and follow-up of the execution of the budget of the Ministry.

(2) It shall comprise:

- the Budget Service;
- the Public Contracts Service.

SECTION 91.- (1) Under the authority of a Service Head, the Budget Service shall be responsible for:

- preparing the budget of the Ministry;
- following up the execution of financial commitments of central services;
- preparing quarterly reports on the follow-up of the execution of the budget of the Ministry.

(2) It shall comprise:

- the Budget Preparation Bureau;
- the Commitment and Follow-Up Bureau.

SECTION 92.- Under the authority of a Service Head, the Public Contracts Service shall be responsible for:

- support to the secretariat of the Tender Boards of the Ministry;

- the technical preparation of tender documents;
- keeping the rolls and statistics on public contracts;
- following up public contracts procedures;
- following up the execution of public contracts;
- following up litigations pertaining to public contracts of the Ministry;
- keeping public contracts documents.

SECTION 93.- (1) Under the authority of a Sub-Director, the Sub-Department of Equipment and Maintenance shall be responsible for:

- assessing and pooling the needs in movable and immovable property;
- making inventories of movable and immovable property,
- following up the management and maintenance of the immovable property of the Ministry;
- managing the operating equipment;
- managing the rolling stock of the Ministry;
- discarding movable property, in conjunction with the ministry in charge of State Property.

(2) It shall comprise:

- the Maintenance Service;
- the Property Service.

SECTION 94.- (1) Under the authority of a Service Head, the Maintenance Service shall be responsible for:

- the maintenance of buildings, in conjunction with the Ministry in charge of State Property;
- the maintenance of the Ministry's equipment;
- the cleaning of the premises and their surroundings.

(2) It shall comprise:

- the Maintenance Bureau;
- the Cleaning Bureau.

SECTION 95. - Under the authority of a Service Head, the Property Service shall be responsible for:

- giving advice and providing assistance in the acquisition of equipment;
- monitoring donations and legacies in kind granted to the Ministry;
- examining files for the reform of movable property, in conjunction with the Ministry in charge of State Property;
- assessing and pooling the needs of the Ministry;
- making inventories and managing the immovable property of the Ministry.

SECTION 96 (1) Under the authority of a Sub-Director, the Sub-Department of Human Resources shall be responsible for:

- designing and implementing the policy of the ministry on the management of human resources;
- forward-looking management of personnel and skills, in conjunction with the Ministry in charge of the public service;
- following up the recruitment of personnel for the Ministry, in conjunction with the Ministry in charge of the public service;
- managing and updating the organisation framework of the Ministry;
- developing and following up the implementation of the staff training plan of the Ministry, in conjunction with the Ministry in charge of public service;
- developing career plans for personnel, in conjunction with the Ministry in charge of the public service;
- developing the sector training plan, in conjunction with the technical departments;
- studying measures aimed at increasing and improving the output of personnel.

(2) It shall comprise:

- the Forward Management Service;
- the Training Service.

SECTION 97 (1) Under the authority of a Service Head, the Forward Management Service shall be responsible for:

- forward-looking management of the staff to be recruited;
- programming the needs of the Ministry in human resources, in conjunction with the Ministry in charge of public service;
- controlling staff strength.

(2) In addition to the Service Head, it shall comprise 2 (two) Support Engineers.

SECTION 98.- (1) Under the authority of a Service Head, the Training and Internship Service shall be responsible for, in conjunction with the Ministry in charge of public service:

- organising training, refresher courses and further training for staff;
- assessing the needs and scheduling training and further training courses for the personnel of the Ministry.

(2) It shall comprise:

- the Training Needs Assessment Bureau;
- the Training Activities Programming and Follow-up Bureau.

SECTION 99 .- (1) Under the authority of a Unit Head, the SIGIPES Unit (Computerized System for the Integrated Management of State Personnel and Salaries) shall be responsible for:

- pooling and permanently updating personnel and salary rolls;
- publishing salary documents;
- operating and maintaining the data-processing applications of the Sub-Department of Personnel, Salaries and Pensions.

(2) In addition to the Unit Head, it shall comprise 2 (two) Assistant Research Officers.

PART VI **DEVOLVED SERVICES**

SECTION 100.- The Devolved Services of the Ministry of the Economy, Planning and Regional Development shall comprise:

- Provincial Delegations of the Economy, Planning and Regional Development;
- Divisional Delegations of the Economy, Planning and Regional Development.

CHAPTER 1 **PROVINCIAL DELEGATION**

SECTION 101.- (1) Under the authority of a Provincial Delegate, the Provincial Delegation of the Economy, Planning and Regional Development shall be responsible for:

- monitoring social indicators and international development objectives;
- participating in the design, elaboration and monitoring of the execution of public investment programmes and projects in the Province;
- support to the strengthening of provincial and local planning, programming and land-use services;
- monitoring the activities of non-governmental organisations that contribute to the implementation of local development programmes;
- monitoring the interventions of the province in the area of regional development;
- preparing the annual report on the control of the execution of the local development programme;
- managing the human, material and financial resources of the Ministry, at the provincial level;
- preparing the economic and social development report of the province;
- following up the activities of development committees.

(2) It shall comprise:

- the Provincial Service for Economic Affairs and Programming;

- the Provincial Service for Planning;
- the Provincial Service for Regional Development;
- the Provincial Service for General Affairs.

SECTION 102 (1) Under the authority of a Service Head, the Provincial Service for Economic Affairs and Programming shall be responsible for:

- monitoring social indicators and international development objectives in the province, in conjunction with the Ministry in charge of Employment;
- collecting data on economic activities and identifying development opportunities in the province;
- preparing the economic report of the province;
- monitoring and control of the execution of provincial development programmes and projects;
- preparing the annual report on the control of the execution of provincial development programmes.

(2) It shall comprise:

- the Programmes and Projects Preparation Bureau;
- the Economic Report Drafting Bureau;
- the Programming, Monitoring and Control of Programmes and Projects Bureau.

SECTION 103 (1) Under the authority of a Service Head, the Provincial Service for Planning shall be responsible for:

- supporting the elaboration of regional and local development plans and the strengthening of provincial planning services;
- building and permanently updating a portfolio of development programmes and projects in the province;
- monitoring local development and the activities of development committees;
- monitoring decentralised cooperation programmes and projects and the activities of non-governmental organisations.

(2) It shall comprise:

- the Socio-economic Indicators Bureau;
- the Regional and Local Planning Bureau;
- the Development Organisations Bureau.

SECTION 104 (1) Under the authority of a Service Head, the Provincial Service for Regional Development shall be responsible for:

- monitoring and supporting the interventions of the region in the area of regional planning;
- monitoring and supporting State's interventions in borders area management;
- preparing monographs.

(2) It shall comprise:

- the Monographs Preparation Bureau;
- the Regional and Local Development Follow-up Action Bureau;
- the Border Area Management Action Follow-up Bureau.

SECTION 105 (1) Under the authority of a Service Head, the Provincial Service for General Affairs shall be responsible for:

- preparing personnel management instruments;
- preparing and executing the budget;
- processing mails;
- managing supplies;
- managing movable and immovable property;
- maintenance of equipment;
- maintenance of buildings;
- cleaning of the premises and their surroundings

(2) It shall comprise:

- the Mail Bureau;

- the Personnel Bureau;
- the Budget and Equipment Bureau.

CHAPTER 2 **DIVISIONAL DELEGATION**

SECTION 106.- (1) Under the authority of a Divisional Delegate, the Divisional Delegation of the Economy, Planning and Regional Development shall be responsible for:

- designing, elaborating and monitoring the execution of local development programmes and projects;
- identifying needs and facilitating the implementation of decentralised cooperation programmes and projects;
- monitoring the activities of non-governmental organisations that contribute to the execution of local development programmes and the activities of development committees;
- monitoring socio-economic indicators;
- monitoring local action in the area of regional development and border areas management;
- preparing the annual report on the control of the execution of the local development programme;
- managing the human, material and financial resources of the Ministry at the divisional level.

(2) It shall comprise:

- the Economic Affairs and Programming Bureau;
- the Planning Bureau;
- the Regional Development Bureau;
- the Regional and Local Development Action Follow-up Bureau;
- the General Affairs Bureau.

PART VII **EXTERNAL SERVICES**

SECTION 107 - (1) The External Services of the Ministry of the Economy, Planning and Regional Development may, as and whenever necessary and by special decree of the President of the Republic, be created at the diplomatic missions and representations of Cameroon abroad. They may in their geographical scope cover the territories of several States.

(2) Where these services do not exist, the Counsellor of the Embassy in charge of Economic Affairs shall specifically follow up economic affairs in his duty post and report thereon to both the Minister of Foreign Affairs and the Minister of the Economy, Planning and Regional Development.

He may be granted a special allocation from the budget of the Ministry of the Economy, Planning and Regional Development depending on the volume of his activities and to enable him carry out his mission smoothly.

PART VIII **ATTACHED ESTABLISHMENTS AND BODIES**

SECTION 108 - (1) The following establishments and bodies shall be attached to the Ministry of the Economy, Planning and Regional Development:

- Regional Development Authorities, except the Authority for the Development and Management of Industrial Zones (MAGZI);
- the Central Bureau for Censuses and Population Studies (BUCREP);
- the National Institute of Statistics (INS);
- the Pan-African Institute for Development (IPD);
- the Sub-Regional Institute of Statistics and Applied Economics (ISSEA);
- the Institute of Demographic Training and Research (IFORD);

- the Technical Committee for the Preparation and Monitoring of the Structural Adjustment Programme (CTS);
 - the Competitiveness Committee.
- (2) Specific instruments shall govern the organisation and functioning of the attached institutions and bodies.
- (3) Specific instruments may as and whenever necessary, set up other specialised institutions and/or bodies.

PART IX **MISCELLANEOUS AND FINAL PROVISIONS**

SECTION 109: The following shall have the rank and prerogatives of:

Secretary General:

- Inspectors General;
- Directors General.

Director in the Central Administration:

- Technical Advisers;
- Inspectors;
- Heads of Division.

Deputy Director in the Central Administration:

- Provincial Delegates;
- Heads of Permanent Economic Missions;

Sub-Director in the Central Administration:

- Heads of Units;
- Brigade Heads;
- Research Officers;
- Divisional Delegates.

Service Head in the Central Administration:

- Assistant Research Officers;
- Research Engineers;
- Project Controllers.

Deputy Service Head in the Central Administration:

- Support Engineers;
- Deputy Project Controllers.

SECTION 110.- Appointments to the duty posts provided for in this Decree shall be in accordance with the profiles listed in the organisation framework appended hereto.

SECTION 111.- All previous provisions repugnant to this decree, particularly those of Decree No.2005/195 of 10 June 2005 to organise the Ministry of Planning, Development Programming and Regional Development are hereby repealed.

SECTION 112. - This decree shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

Yaounde, 4 July 2008
(signed) Paul Biya
President of the Republic

Decree No.94/199 of 7 October 1994
To establish the General Rules and Regulations of Public Service

THE PRESIDENT OF THE REPUBLIC,

Mindful of the Constitution,
HEREBY DECREES AS FOLLOWS:
PART ONE

General Provisions.

1. (1) This decree establishes the General Rules and Regulations of the Public Service.
(2) It shall apply to state employees who are civil servants.
 2. (1) The Public Service shall comprise all job positions corresponding to different levels of classification. It shall be organized into corps, cadres, grades and categories.
(2) It shall be placed under the authority of the President of the Republic.
 3. (1) For the purpose of this decree, a civil servant shall be any person who occupies a permanent job position and is confirmed in a cadre of the Government service.
(2) With regard to the administration, the civil servant shall be governed by statutory rules and regulations.
 4. (1) The job position which must first be provided for in the State budget shall correspond to all tasks, duties and responsibilities requiring special skills and aptitudes.
(2) A civil servant may change his job position within one or several Government services, on condition that the job position corresponds to his special skills and aptitudes.
 5. A corps shall be the body of civil servants discharging specific duties in a particular sector of activity and governed by the same statutory provisions in a given cadre.
 6. A cadre shall be the body of job positions reserved for civil servants recruited at the same level of education or professional qualification and subject to the same professional conditions.
 7. (1) Each cadre shall comprise one or two grades at most.
(2) Entry into a cadre shall start from the first incremental position except in case of bonus in incremental position which shall be provided for, if need be, by the special rules and regulations.
 8. The grade shall define the position of a civil servant in the hierarchy of his cadre. It shall comprise several classes each of which shall have several incremental positions.
 9. (1) Civil servants shall be classified into four categories designated in descending hierarchical order by the letters A, B, C and D.
 - (a) Positions in category A shall correspond to policy-making, management, evaluation and control duties;
 - (b) Positions in category B shall correspond to preparative, organizational and executive duties;
 - (c) Positions in category C shall correspond to specialized functional duties;
 - (d) Positions in category D shall correspond to routine functional or highly subordinated duties.
- (2) Special rules and regulations shall fix the classification of each cadre in one of these categories.

10. (1) These General Rules and Regulations shall not apply to:
- (a) Personnel recruited and administered directly by the National Assembly;
 - (b) Employees of local authorities, semi-public bodies and public establishments of an administrative, cultural, scientific, industrial and commercial nature who are not civil servants,
 - (c) State employees governed by the Labour Code;
 - (d) Auxiliary administrative employees;
 - (e) Judicial and Legal Officers;
 - (f) The Armed Forces;
 - (g) Civil servants of the National Security and Prisons.
- (2) However, in case of silence or legal void in the Rules and Regulations governing the personnel referred to in (1) above, these General Rules and Regulations shall be applicable, except for those referred to in (1) (f) and (g) above.
11. Decrees by the President of the Republic shall, subject to the provisions of separate instruments, fix the separate or special rules and regulations governing the different corps of civil servants falling within the scope of this decree.

PART II **The civil servant's career.**

CHAPTER 1 **Recruitment.**

SECTION I. — General Conditions.

12. (1) Entry into the public service shall, without any discrimination, be open to all persons of Cameroonian nationality who fulfill the conditions stipulated in Article 13 below, subject to the specific obligations of each corps.
- (2) However, separate recruitments may be made if the situation of the applicants is a determining condition for entry into the public service. Similarly, separate consideration may also be given to possible unfitness to occupy certain job positions.
13. (1) No person may be recruited as a civil servant:
- (a) Unless he is of Cameroonian nationality;
 - (b) Unless he is at least 17 and of most 35 years of age, for civil servants in categories A and B, or at least 17 and at most 30 years of age, for civil servants in categories C and D;
 - (c) Unless he fulfills the physical fitness conditions required for the post applied for;
 - (d) If he has been convicted and sentenced:
 - for a felony or for dishonesty, misdemeanour, especially theft, forgery, influence peddling, false pretences, fraud, corruption, misappropriation of public funds, breach of trust;
 - for a misdemeanour entailing the forfeitures provided for in the Penal Code;
 - for an offence involving a term of imprisonment of over six months.
- (2) The age-limit provided for in (1) above may be waived exceptionally and on a personal basis for entry into a position in category A by the Prime Minister on the reasoned proposal of the Minister in charge of the Public Service.
14. The clergy shall not be eligible for recruitment or retention in a corps instituted pursuant to the provisions of these Rules and Regulations.

SECTION II. — Terms and conditions of recruitment.

15. (1) Recruitment into the Public Service shall be either by competitive examination or by qualification in accordance with the terms and conditions defined by special rules and regulations.
- (2) Changes of corps and the initial constitution of a cadre shall be carried out in accordance with the provisions of special rules and regulations.
- (3) Depending on the needs expressed by ministries, the number of positions available for recruitment shall be determined by the Minister in charge of the Public Service on the basis of an annual planning and the budgetary appropriations.
- (4) A decree of the Prime Minister shall fix the general regulations of government competitive

examinations.

16. The age-limit for entry into a training school for future civil servants shall be fixed in such a way that by the time they graduate, the trainees in each cycle are within the age-limit for recruitment into the public service as provided for in Article 13 (1) (b) above.

17. (1) The competent authority shall appoint persons to the different job positions.

(2) The corresponding appointments shall take effect from the date of assumption of duty.

18. Notwithstanding any criminal and civil proceedings which may be instituted against him, any person recruited as a civil servant through established fraudulent means shall, as soon as such fraud is uncovered, be dismissed from the public service by the authority with powers of appointment.

SECTION III. — Probation and confirmation of appointment.

19. (1) Any newly recruited civil servant shall undergo a one year probationary period during which he shall confirm his professional ability, good character and physical fitness to perform the duties to which he aspires.

(a) If the probationary period is satisfactory, the probationer shall be confirmed in his post.

(b) If the probationary period is not satisfactory, the service of the probationer shall be terminated following the recommendation of an ad hoc commission. His service may also be terminated for a disciplinary offence by the Permanent Disciplinary Board of the Public Service provided for by this decree.

(2) The ad hoc commission referred to in (1) (b) above shall be set up and chaired by the Minister in charge of the Public Service.

20. A decree of the Prime Minister shall fix the legal situation of probationers and the conditions, relating to the probationary period preliminary to confirmation in the Public Service.

CHAPTER 2

Rights and obligations of civil servants.

SECTION I. — Rights of civil servants.

21. (1) Civil servants shall enjoy the acknowledged rights and liberties of all citizens. They shall enjoy them within the laws and regulations in force.

(2) They may in particular belong to legally constituted political or cultural associations or professional unions with a view to representing or defending their professional interests.

(3) The civil servant shall be bound to exercise his rights with all due respect for the authority of the State and for law and order.

However, certain positions requiring of their incumbents loyalty to the institutions of the Republic or absolute political neutrality shall be governed by a separate enactment.

22. The career of a civil servant who, in a capacity other than that of representative of a government service, sits in an institution set up by the law or regulations or in a body constituted to advise public authorities shall not be affected by the ideas he may express or defend therein.

23. (1) A civil servant shall be entitled to the establishment of a professional file, kept by the Government and containing all the documents relating to the administrative situation and the career of the civil servant. These documents shall be codified, programmed and filed on a continual basis.

(2) Such file may not contain any mention of or document relating to the political, trade-union, philosophical or religious opinions or leanings of the civil servant concerned or his membership or non-membership of a professional association or political party.

(3) Civil servants shall have access to their professional files in particular, request from the Government the clarification, correction, dating, completion or withdrawal of information which is faulty, incomplete, ambiguous, outdated or whose collection, use, communication or filing is forbidden.

When the civil servant concerned so requests, the competent government service must effect the requested changes at no cost to the civil servant.

Where the information is disputed, the burden of proof shall rest with the Government service to whom the request for access is addressed unless it is established that the contested information

was forwarded by the civil servant concerned or with his consent.

24. Besides the rights listed in Articles 21, 22 and 23 above, the civil servant, with regard to the Government, shall enjoy the following rights:

- the right to protection;
- the right to remuneration;
- the right to pension;
- the right to health;
- the right to continuing education;
- the right to leave;
- the right to participate.

PARAGRAPH I. — Right to protection.

25. (1) The State shall be bound to protect civil servants against threats contempt, assault, interference, abuse or defamation to which they may be exposed by reason of or during the performance of their duties.

(2) The State shall, after assessing the injury, be bound to pay compensation for any injury incurred by servants on account of such acts. In such cases the State shall automatically enter into the rights of the victim to obtain restitution from the offenders of any sums which it has paid to its employee as compensation and any other expenses incurred.

It may also institute criminal proceedings against the said offenders and may for the same purpose resort to direct action by bringing a civil suit against the offender before a criminal court.

26. (1) The civil liability of the State shall be substituted as of right to that of a civil servant found guilty of a personal offence committed against a third party in the performance of his duties. In such cases the State may proceed with a claim against the civil servant concerned in accordance with the conditions fixed by order of the Minister in charge of the Public Service.

(2) Also, when proceedings are instituted against a civil servant by a third party for an offence committed in the performance of his duties and where no personal offence committed outside the performance of the said duties is established, the State shall protect him against the civil sentence passed.

(3) A claim by the State shall not bar any disciplinary sanctions that may be incurred by reason of the personal offence committed.

PARAGRAPH II. — Right to remuneration.

27. (1) A civil servant shall, in respect of services rendered, be entitled to remuneration comprising a basic salary corresponding to his index, compulsory family allowances and, where applicable, various allowances and benefits.

(2) The condition for the payment of remuneration in respect of services rendered shall be fixed by decree of the President of the Republic.

28. (1) Except for compulsory deductions, in particular, income and allied taxes and pension contributions, no deductions may be made from the remuneration of a civil servant except by attachment or voluntary transfer in accordance with the instruments in force.

(2) However, the amount distrainable or transferable may not exceed one-third of the remuneration of the civil servant concerned.

29. (1) Absence from work for any fraction of the day shall be sanctioned by a deduction whose amount shall be equal to the corresponding fraction of the basic salary.

(2) Service shall be considered as not rendered if:

(a) The civil servant is absent for all or part of the working day;

(b) The civil servant, though present at work, does not carry out all the duties relating to his job position as defined by the competent author in accordance with the laws and regulations.

(3) The abovementioned provisions shall apply to all those who receive a monthly remuneration.

30. Separate enactments shall determine the remuneration system.

PARAGRAPH III. — Right to health.

31. (1) In case of an accident or illness not attributable to service, the State shall, as and when

necessary, cover part of the cost of medical care, pharmaceutical products, evacuation, hospitalization, functional reeducation and fittings for the civil servant, his spouse and legitimate or recognized children in conformity with conditions fixed by decree of the Prime Minister.

(2) The State shall be bound to ensure the protection of the civil servant against any accidents and illnesses that may originate from the performance of his duties.

(3) A decree of the Prime Minister shall fix the conditions of implementation of Article 31 (1) above.

PARAGRAPH IV. — Right to continuing education.

32. In order to increase the professional performance, efficiency and output of the civil servant in active service, the State shall ensure continuing education, which shall be governed by regulations fixed by decree of the Prime Minister.

PARAGRAPH V. — Right to leave.

33. A civil servant shall be entitled to an annual leave, sick leave and maternity leave in conformity with conditions fixed by decree of the Prime Minister.

PARAGRAPH VI. — Right to participate.

34. (1) Civil servants shall participate in the drawing up of the rules and regulations governing their career or the running of government services through their elected representatives sitting in consultative boards.

(2) They shall take part, where applicable, in the definition and management of social, cultural, sport and leisure programmes that are intended for them or which they themselves organize.

(3) The conditions for the exercise of the right to participate shall be fixed by decree of the Prime Minister.

SECTION II. — Obligations of civil servants.

35. Civil servants shall be bound by:

- the obligation to perform service and devote themselves thereto;
- the obligation of abnegation;
- the obligation to obey;
- the obligation of reserve;
- the obligation to observe professional discretion.

PARAGRAPH I. Obligation of civil servants to perform service and devote themselves thereto.

36. (1) A civil servant shall be bound to personally perform the duties entrusted to him and to devote himself thereto under all circumstances with diligence, integrity, respect for the State and a sense of duty.

(2) He shall also be bound to satisfy the information needs from the public either on his own initiative or in answer to requests from users, with due respect to the rules relating to the obligations of reserve and to observe professional discretion as provided for in Articles 40 and 41 of this decree.

37. (1) Without prejudice to the provisions of Article 36 (1) above, a civil servant may engage in a private gainful activity on condition that such activity does not compromise his independence or his mission to serve the general interest.

(2) Where a civil servant engages in a private gainful activity either personally or through an intermediary, he must make a declaration thereof to the Minister under whom he is serving and to the Minister in charge of the Public Service who shall, if need be, take the necessary measures to protect the interests of the service. Failure to declare such activities shall constitute a professional offence. However the following shall be exempted from the obligation to declare:

(a) The acquisition of shares in a limited liability company and privatised semi-public corporations;

(b) The acquisition of shares in ventures relating to Rural production and the production of scientific, literary and artistic works.

PARAGRAPH II. — The obligation to obey.

39. (1) All civil servants shall be responsible for the performance of the duties entrusted to them. In this regard, a civil servant shall be bound to obey the individual or general orders given by his superiors within the framework of the service in accordance with the laws and regulations in force.

He shall not be free of any of the responsibilities devolving on him from the activities of those placed under his orders, authority or control.

(2) However, he shall have the right to refuse executing an order which is clearly illegal and of a nature to seriously compromise the public interest except in the case of a requisition duly established by the competent authority as required by law. In such case, he shall be free from all responsibility. The same shall apply if he obeys orders that are legal and/or given in a legal form.

PARAGRAPH III. — The obligation of reserve and to observe professional discretion.

40. (1) A civil servant shall be bound by the obligation of reserve in the discharge of his duties.

(2) For a civil servant the obligation of reserve shall consist in abstaining from publicly proclaiming his political, philosophical, religious, or trade union opinions and in not performing service on the basis of the said opinions.

41. (1) All civil servants shall be bound to observe professional discretion in respect of all facts, information or documents of which they have knowledge in the performance or in the course of the performance of their duties. Apart from the cases expressly provided for by the regulations in force, a civil servant may not be released from his obligation except by an express decision from the authority under whom he works.

(2) Any unlawful possession or removal of service papers or document shall be strictly forbidden. The same shall apply to the disclosure or copying thereof except for service reasons and in the manner prescribed by the regulations in force.

CHAPTER 3
ASSESSMENT AND ADVANCEMENT.

SECTION I.— Assessment.

42. (1) At the end of the financial year and no later than 31 August of each year, the professional performance of each civil servant shall be assessed in terms of the objectives assigned to him, their achievement deadline and the results obtained.

(2) This assessment shall condition the evolution of the career of the civil servant, particularly his promotion or removal from cadres.

(3) The conditions for assessing the professional performance of civil servants shall be fixed by decree of the Prime Minister.

43. (1) The competent superior shall be bound to objectively assess the personnel placed under his direction and authority.

(2) It shall be a disciplinary offence for him:

- to obtain from assessing his personnel;
- to assess them without due care or in bad faith.

SECTION II. — Advancement.

44. (1) A civil servant shall be advanced on the basis of a favourable assessment of his performance, as the result of a reward, on passing a professional competitive examination, after a change in professional qualification, or following the obtention of professional or university certificates, under conditions fixed by special or separate rules and regulations.

(2) Without prejudice to the provisions of Article 44 (1) above, career promotions within one cadre shall be made from one incremental position, class or grade to the next within the said cadre.

45. (1) Advancement in incremental position within a class shall depend on the favourable assessment of the civil servant. It shall be made every 2 (two) years.

(2) Any civil servant who does not advance in incremental position for 4 (four) years because of professional short-comings revealed by his unfavourable assessment shall be dismissed.

46. (1) Advancement in class within a grade shall depend on both the assessment and the seniority of the civil servant.

(2) To be eligible for advancement in class, a civil servant must have not less than 2 (two) years seniority in the last incremental position of the class to which he belongs and a favourable assessment.

(3) An assessment shall be favourable for purposes of advancement in incremental position or in class when the average marks over 2 (two) consecutive years are not less than the mark fixed by the decree of the Prime Minister provided for in Article 42 (3) above.

47. (1) Advancement from one grade to another shall depend on either seniority and the favourable assessment of the civil servant, the obtention of a new professional qualification or success in a competitive examination.

(2) Advancement from one grade to another on the basis of the seniority and favourable assessment of the civil servant shall only take place after 5 (five) consecutive years with effect from the date on which the civil servant reached the incremental position in the highest class of his grade.

(3) Advancements in grade following the obtention of a professional qualification shall be done as follows:

— with effect from the date of obtention of the corresponding certificate when the civil servant is in active employment.

— with effect from the date of resumption of duty after the expiry of the period of reserve.

(4) Advancement from one cadre to a higher one shall be done through competitive examinations under conditions fixed by decree of the Prime Minister.

48. Advancement in incremental position or, where applicable, in class may also be made as a result of the rewards provided for in Article 111 below.

49. A civil servant may advance in grade or in cadre after a course leading to a specialized diploma or after the obtention of certain university diplomas under conditions fixed by special rules and regulations.

CHAPTER 4 **POSITIONS**

50. (1) The position of a civil servant shall refer to his precise administrative situation at a given moment of his career in relation to a job position.

(2) All civil servants shall be placed in one of the following positions:

— active employment;

— secondment;

— reserve.

(3) A probationer civil servant may be placed only in active employment. Provided that he may be seconded for the performance of public elective or Government functions.

SECTION I. — Active employment

51. (1) Active employment shall be the position of a civil servant who is effectively performing his duties in his job position.

(2) Civil servants placed in one of the following situations shall also be considered as being in active employment:

(a) Those on casual or special leave;

(b) Those on annual, sick or maternity leave;

(c) Those in military service;

(d) Those on leave for training;

(e) Those released from service for trade union activities.

PARAGRAPH I. — Annual, casual or special leave

52. A civil servant in active employment shall be entitled to a paid annual leave.

53. (1) Special leave, which shall not be taken into account for the calculation of annual leave, may be granted to a civil servant either to perform mission in the public interest or for family

reasons under the following conditions, not including traveling time:

- 3 (three) working days for the confinement of a legitimate spouse;
- 5 (five) working days for marriage or for the death of a spouse;
- 3 (three) working days for the death of a first degree descendant or ascendant, or collateral.

(2) Entitlement to special leave for family reasons shall lapse ten days following the event.

54. (1) Casual leave may exceptionally be granted to civil servants for duly justified personal reasons.

55. Trade union officials in active service whose union activities do not disturb them from fulfilling their obligations in the Public Service shall be granted special leave for the performance of the mission and duties of their union mandate.

56. A decree from the Prime Minister shall fix the regulations for annual leave and determine the competent authorities that can grant special and casual leave.

PARAGRAPH II. — Sick leave

57. (1) In case a persistent illness duly certified by a medical officer approved by the Government prevents a civil servant from performing his duties, he shall as of right be placed on sick leave after producing a file comprising the following documents through the official channel:

- ;
- a duly stamped application;
- a medical certificate issued by the attending medical officer.

(2) The sick leave referred to in Article 57 (1) above may, if necessary, be extended under the same conditions.

58. (1) Sick leave shall be granted to civil servants:

- up to ninety (90) days by decision of the Minister concerned;
- more than ninety (90) days by the Minister in charge of the Public Service following a recommendation by the competent health board.

(2) A civil servant placed on sick leave shall retain his full salary in addition, where applicable, to all his family allowances.

59. (1) A civil servant who, after six consecutive months of sick leave, is not cured, may be placed on extended sick leave.

Health Board which should certify that the illness needs extended treatment and that the civil servant is clinically incapable of resuming his duties.

60. (1) Extended leave for an illness not attributable to service shall be granted for one or more consecutive periods of six months, up to a maximum total of 3 (three) years when the civil servant's seniority is less than 15 (fifteen) years on 1st January of the year of illness.

(2) Beyond 15 (fifteen) years of seniority, the maximum period shall be extended to 5 (five) years.

61. (1) The six-monthly periods of extended leave shall be renewed by the Minister in charge of the Public Service upon the production of a medical certificate issued by the medical officer treating the civil servant in question.

(2) In any of the cases referred to in Article 60 above, the civil servant shall receive his full indexed salary and shall retain, where applicable, his full family allowances.

62. (1) If the illness for which extended leave is granted was, in the opinion of the National Health Board, contracted in the performance of duty, the maximum period fixed in Article 55 (2) above shall be extended to 8 (eight) years.

(2) For the first 5 (five) years with effect from the date of cessation of service, the civil servant placed on extended leave shall receive his full indexed salary and shall retain, where applicable, his full family allowances. For the subsequent 3 (three) years, he shall receive half of his indexed salary and shall retain, where applicable, the full family allowances.

63. (1) A civil servant placed on extended leave shall, on expiry of the maximum duration of such leave and following a recommendation by the National Health Board, be:

- reintegrated in a job position corresponding to his professional qualification, if he is completely cured, or;
- automatically placed on retirement, if he is finally declared unfit for service.

(2) If the illness was contracted in the performance of duty, then the civil servant's pension shall

be paid in addition to a life annuity in accordance with the rules and regulations governing civil pensions.

64. The period of extended leave on full or half salary shall be valid for advancement by seniority. It shall also count for retirement purposes.

65. (1) A civil servant placed on extended leave shall be bound to inform the Minister in charge of the Public Service, by any means with written proof and through the official channel, of any change of address. ;

(2) Every 6 (six) months he shall forward a report from his medical officer to the Minister in charge of the Public Service.

(3) A civil servant who unduly obtains the extension of his sick leave shall be liable to dismissal automatically without prejudice to criminal proceedings that may be instituted against him.

(4) The medical officer who acted as his accomplice shall be immediately brought before the Permanent Disciplinary Board of the Public Service provided for in Article 89 of this decree, if he is a civil servant.

Where these rules and regulations do not apply to the medical officer concerned, the Minister in charge of the Public Service shall refer the matter to the President of the National Medical Association for disciplinary action to be taken against the accused.

SECTION II — Maternity leave

66. (1) A female civil servant shall, at her request and on presentation of a certificate that she is in the sixth month of pregnancy, be granted maternity leave of 14 (fourteen) weeks with full pay for confinement and nursing.

(2) The aforementioned leave shall be broken up as follows:

- 4 (four) weeks before the probable date of delivery,
- 10 (ten) weeks with effect from the same date.

(3) A female civil servant who is confined before ceasing her activities in accordance with the provisions of paragraphs (1) and (2) above shall be granted compensation to enable her to enjoy her full maternity leave of 14 (fourteen) weeks.

(4) The leave referred to in paragraph (1) above may be extended by 6 (six) weeks in case of an illness attributable to pregnancy or confinement and duly certified by a medical officer.

(5) An order of the Minister in charge of the Public Service shall determine the competent authorities that may grant maternity leave.

SECTION III. — Military service

67. (1) A civil servant may, during active employment, be called up for military training or for purposes of national defence.

(2) A civil servant called up for either of the reasons referred to in paragraph (1) above shall maintain his pay and shall be subject to the enactments governing military service.

(3) At the end of the military service, a testimonial shall be issued to the civil servant by the military authorities.

Such testimonial shall be taken into account for purposes of advancement of the civil servant.

SECTION IV. — Leave for training

68. (1) A civil servant designated to undergo training or further training shall be considered to be in active employment.

(2) A civil servant who wishes to undertake studies or personal research must first be placed on reserve or, where applicable, on early retirement

(3) For service purposes, the Government may designate a civil servant in active employment to undergo specialization or further training or undertake special studies in order to enhance his efficiency and output.

69. A decree by the Prime Minister shall lay down the training and further training regime.

CHAPTER 2

SECONDMENT

70. (1) Secondment shall be the position of a civil servant who is temporarily assigned away from his place of duty to serve in:

- a State institution provided for by the constitution, by law or a regulation;
- local authorities or public or semi-public establishments;
- national private enterprises;
- private bodies involved in activities of general interest, or bodies of an associative nature providing services of general interest;
- international organizations or non-governmental organizations.

(2) A civil servant may also be seconded to perform duties as a member of Government or to hold an elective public office or trade union responsibilities.

Paragraph I. Conditions and procedure of secondment

71. (1) Secondment of a civil servant shall be decided by order of the Minister under whom he is serving after approval by the body to which he is seconded.

(2) Notwithstanding the provisions of paragraph (1) above, the secondment of civil servants belonging to the General Administration corps shall be decided by order of the Minister in charge of the Public Service after approval by the body to which he is seconded and on the recommendation of the Minister using their services.

72. Notwithstanding the provisions of Article 71 above, a civil servant called upon to perform the duties of member of Government or substantive member of the Assembly, or to hold a full-time elective office obtained by universal suffrage or trade union mandate shall for the term of such duties, be seconded as of right by order of the Minister of the Public Service.

73. Secondment shall take effect, as the case may be, from the date of:

- signature of the secondment instrument;
- publication of the appointment instrument;
- publication of the final results of the election.

(2) A copy of the secondment instrument shall be forwarded to the Minister of Finance by the competent authority and to the Minister of the Public Service in all the cases mentioned in Article 71 above.

74. A civil servant shall be seconded provided that:

- (a) He has at least 5 (five) years of working experience;
- (b) He has the required qualifications and skills to fill the position in question;
- (c) He is not currently facing any disciplinary sanction or has been rehabilitated following a disciplinary sanction.

PARAGRAPH II. — Duration and termination of secondment

75. (1) Secondment shall essentially be voidable, subject to the provisions of Article 72 above.

(2) It may be terminated:

(a) At any time, by order of the Minister who granted it, at the request of:

- the service of origin, or;
- the civil servant concerned, or the body to which he was seconded provided, in this case the said request is made within at least 3 (three) months before the proposed expiry date of the secondment;

(b) When the civil servant reaches the retirement age-limit;

(c) When the reason for secondment as of right as provided for in Article 72 above ceases to apply.

76. (1) At the expiry of secondment, the civil servant must be reinstated by order of the competent Minister, as stipulated in Article 71 or, as the case may be, Article 72 above, in a position corresponding to his professional qualification.

(2) Where such reinstatement creates redundancy, such redundancy must be cleared at the first vacancy available for a position corresponding to the grade and qualifications of the civil servant concerned.

(3) A civil servant who, at the expiry of his secondment, and within one month, fails to return to his position under the conditions defined in 76 (1) and (2) above shall be dismissed automatically.

77. (1) After 10 (ten) consecutive years of secondment, a civil servant who fulfills the conditions laid down by the rules and regulations governing access to positions or jobs in the service to which he was seconded may, at his request and on the recommendation of the Minister concerned, be permanently recruited therein.

PARAGRAPH III — Rights and obligations of a civil servant on secondment

78. (1) The situation of a civil servant shall, during secondment, be governed by laws and regulations.

(2) A civil servant on secondment shall continue to enjoy his rights in respect of advancement and pension.

(3) Notwithstanding the provisions of 78 (1) and (2) above, a civil servant shall be subject to all regulations governing the body to which he is seconded, subject to the exceptions provided for by the laws and regulations in force, the general principles of law and by jurisprudence.

79. (1) A civil servant on secondment shall be remunerated by the body to which he is seconded.

(2) His salary shall be at least equivalent to that corresponding to his Public Service salary index. However, it may not be lower than the gross salary of the staff performing similar duties at the place of secondment, taking into account, where applicable, seniority allowances.

(3) A civil servant on secondment who continues to earn his Public Service salary shall be brought forthwith before the Permanent Public Service Disciplinary Board, without prejudice to the immediate reimbursement of the sums unduly earned and legal proceedings, where applicable.

80. (1) Save where he is seconded to an international body or holds elective office, a civil servant shall not subscribe to the pension scheme of the body to which he is seconded. Nor shall he, in that capacity enjoy any rights giving entitlement to pension or allowances, under pain of suspension of the pension and allowances paid by the State.

(2) To constitute his pension rights in the Public Service, a civil servant on secondment shall be subject to statutory deductions made on his salary calculated on the basis of his Public Service indexed salary.

(3) The body to which he is seconded shall each month pay into Public Treasury the deductions made pursuant to the provisions of 80 above, along with its own statutory contributions as employer.

(4) The burden of proof of payment into the Public Treasury of the deductions as well as the employer's contribution for pension shall rest with the body of secondment.

Under no circumstances shall a civil servant be answerable for any defaulting body nor shall his pension suffer.

SECTION I. — RESERVE

81. (1) Reserve shall be the position of a civil servant who is temporarily authorized to cease to perform the duties of the cadre to which he belongs and, for the duration of this period, ceases to enjoy his rights in respect of emoluments, advancement and pension.

(2) Placement on reserve shall be decided by order of the minister using the services of the person concerned.

(3) Notwithstanding the provisions of 81 (2) above, the placement on reserve of civil servants who fall under general administration shall be decided by order of the Minister in charge of the Public Service, on the recommendation of the Minister under whom the person works.

82. (1) A civil servant may be placed on reserve at his request:

(a) For personal reasons, for a period or not more than 2 (two) years;

(b) For the purpose of carrying out artistic, cultural, social, economic and financial activities for a period of 3 (three) years, renewable by tacit agreement;

(c) For the purpose of undertaking studies or research, for the duration of such studies or research.

- (2) The following persons may be placed on reserve at their request:
- (a) A civil servant of either sex married to a member of Government or persons ranking as such;
 - (b) A civil servant of either sex whose spouse is transferred to:
 - (i) A diplomatic or consular mission of Cameroon;
 - (ii) An International body or non-governmental organization abroad; or
 - (iii) Any such body or organization based within the country in a locality where there is no job position corresponding to his or her professional qualification;
 - (c) A civil servant with a dependent child requiring his or her constant presence;
 - (d) A civil servant whose spouse is sent for training abroad by the Government.
- (3) Notwithstanding the provisions of 82 (1) above, the civil servants referred to in 82 (2) shall, without any financial effect, continue to be entitled to advancement on the basis of their last assessment prior to their placement on reserve and to pension, provided that they make statutory contributions for pension purposes. They shall maintain their voting rights during elections of staff representatives in management organs. In such case, the reserve period shall not be deductible from the length of service entitling a person to pension.
83. A civil servant suspended from his functions or subject to disciplinary proceedings may not be placed on reserve.
84. Reserve shall expire:
- (a) By decision of the Administration;
 - (b) At the request of the civil servant concerned after a 6 (six) month notice duly notified to the competent minister;
 - (c) Where a civil servant reaches the prescribed age-limit for retirement.

PART III **MANAGEMENT OF THE PUBLIC SERVICE.**

CHAPTER 1 **PRINCIPLES OF MANAGEMENT.**

85. (1) Any recruitment or absorption into a cadre of the Public Service not intended solely to fill a vacant position shall be forbidden.
- (2) Appointment to any post of responsibility whatsoever shall not entail absorption into a Public Service corps,

CHAPTER 2 **MANAGEMENT ORGANS OF THE PUBLIC SERVICE.**

86. The management organs of the Public Service within which a civil servant as defined in Article 34 of this decree shall have the right to participate shall be:
- The Higher Council of the Public Service;
 - Joint Administrative Boards;
 - The Permanent Public Service Disciplinary Board; and
 - Health Boards.

SECTION I. — The Higher Council of the Public Service.

87. (1) The Higher Council of the Public Service shall comprise, in equal numbers, Government representatives and elected staff representatives. It shall be presided over by the Prime Minister.

- (2) The Higher Council of the Public Service shall be responsible for all general issues in the Public Service, notably:
- all draft instruments relating to the status of civil servants;
 - issues concerning the rights and obligations of civil servants;
 - orientation of continuing professional training policy in the Public Service;
 - all Public Service reorganization projects entailing increased manpower or job cuts;

- all policies for revising the remuneration and social benefits of civil servant, and, in general;
 - all draft amendments to this decree and subsequent separate or special rules and regulations deriving therefrom.
- (3) The Higher Council of the Public Service shall be the highest organ for appeal in disciplinary and advancement matters and in the case of dismissal from service for professional incompetence, subject to the provisions of separate instruments.
- (4) A matter may be referred to the Higher Council of the Public Service either by the Prime Minister or by a third of its members through a written application.
- (5) The Higher Council of the Public Service shall make recommendations within the framework of the powers conferred upon it by this article or by separate instruments.

Section II. – Joint administration boards

88. (1) A joint administrative board shall be instituted within each corps and shall comprise, in equal numbers, Government representatives and staff representatives elected by proportional representation of the number on the roll of each cadre. Joint Administrative Board members shall have a three- year renewable term of office.

(2) A professional offence shall in particular be an advertent, inadvertent or negligent dereliction of the duties and obligations binding a civil servant.

(3) The Joint Administrative Board shall pronounce on decision concerning individual members of the corps within which it has been instituted and notably in matters of:

- advancement; and
- grant of rewards as provided for in Article 111 below.

SECTION II. — The Permanent Disciplinary Board of the Public Service.

89. (1) The Permanent Disciplinary Board of the Public Service, set u i by decree, shall be responsible for examining professional and non-professional offences committed by civil servants governed by these general rule; and regulations.

(2) With the exception of Group 1 disciplinary sanctions, the Permanent Disciplinary Board of the Public Service shall pronounce on all disciplinary sanctions that may be inflicted on civil servants, in accordance with Article 94 below.

(3) The pronouncements of the Permanent Disciplinary Board of the Public Service shall, with the exception of automatic dismissal when applicable, be rendered enforceable:

- by order of the Minister in charge of the Public Service as concert; categories ‘B’ ‘C’ and ‘D’ civil servants; and
- by decree of the Prime Minister as concerns category ‘A’ civil servants.

SECTION III. — The Health Board.

90. (1) The Minister in charge of the Public Service must consult the health boards instituted in the Ministry in charge of Public Health on medical matters concerning:

- physical or mental fitness required for entering or being maintained in the Public Service;
- extended leave and reinstatement of civil servants after such leave. (2) He may consult the said boards on:
 - cases of ill health which may require a sick leave of not more than 6 (six) months;
 - cases of claims of ill health by a civil servant who is absent from duty.

91. The composition, organization and functioning of the management organs mentioned in Articles 87, 88, 89 and 90 of this decree as well as the conditions of appointment of board members shall be fixed by decree of the Prime Minister.

PART IV **DISCIPLINE AND REWARDS.**

CHAPTER 1 **DISCIPLINE.**

92. The civil servant shall be subject to a set of rules and regulations which if violated shall

constitute an offence, making him liable to disciplinary sanctions.

93. An offence may be professional or non-professional.

(2) A professional offence shall in particular be an advertent, inadvertent or negligent dereliction of the duties and obligations binding the civil servant.

(3) A non-professional offence shall in particular be a dereliction attitude or behaviour which jeopardizes professional ethics or is such this is a breach of public morals or the honourability of the Public Service.

(4) Where there is a presumption of an offence, the Government shall take measures of conservation against the civil servant thus implicated.

(5) The disciplinary procedure shall be fixed by decree.

SECTION I. — Disciplinary sanctions.

94. The disciplinary sanctions that may be inflicted on a civil servant are divided into 4 (four) groups as follows:

(a) Group I Sanctions:

- written warning;
- reprimand to be recorded in the file, of the civil servant concert

(b) Group II Sanctions:

- deferment of increment for a period of one year;
- reduction of no more than one or two incremental positions.

(c) Group III Sanctions:

- reduction in class;
- reduction in grade;
- temporary interdiction from duty for a period of not more that (six) months.

(d) Group IV Sanctions:

- dismissal.

95. (1) The grounds for a sanction must be stated, under pain of its being declared null and void. It must be kept in the file of the civil servant concerned.

(2) The same disciplinary offence may not receive more than one sanction.

96. (1) Disciplinary sanctions shall be separate from sanctions taken by a judicial or legal officer or an audit officer or, in the latter case, by any body acting as such. The sanction shall take effect from the day it is notified to the guilty civil servant.

(2) Litigation against a disciplinary sanction shall not stay its implementation or its effect except where the court has suspended its implementation or if the Law prescribes otherwise.

SECTION II. — Content of sanctions.

97. (1) A written warning addressed to a civil servant shall be a reminder to him to assume his professional responsibilities in accordance with the regulations in force.

(2) A reprimand to be recorded in the file shall be reprobation made against a civil servant whose performance and behaviour are found wanting.

(3) The assessment marks counting for the immediate promotion of the civil servant shall be reduced:

- by 2 (two) points in the case of a written warning;
- by 4 (four) points in the case of a reprimand to be recorded in the file.

98. (1) Deferment of increment shall concern advancement in incremental position, class or grade.

The period of deferment of advancement in incremental position shall take effect from the date on which the civil servant concerned fulfills all the conditions for him to be promoted.

(2) Reduction in incremental position shall involve deducting at most two incremental positions from the civil servant.

99. (1) Temporary interdiction shall entail the suspension of the incriminated civil servant's salary for the duration of the sanction not including where applicable, family allowances. Deductions for pension shall not be suspended.

(2) Reduction in class or grade shall consist in returning the civil servant to the class or grade immediately below, provided that it shall not lead to a change of grade because of reduction in

class or a change of cadre because of reduction in grade.

Where the sanction of reduction in class or grade cannot be applied the civil servant in question shall be returned to the first incremental position of the second class and may not be promoted for 4 (four) years in the case of reduction in class, or 6 (six) years in the case of reduction in grade 100. Dismissal shall mean total exclusion of the civil servant from the corps to which he belongs. :

101. (1) A civil servant who receives a disciplinary sanction may, on petition, be reinstated by the competent authority, provided that he has not been subject to any other sanction within the expiry of a period of:

- 2 (two) years for a written warning;
- 3 (three) years for a reprimand;
- 5 (five) years for other sanctions excepting dismissal.

(2) Reinstatement shall remove all hindrances the sanction had on the career of the civil servant. The sanction shall automatically be expunge from his professional files.

(3) It shall not in any way result in career reconstitution or payment of arrears.

SECTION III. — Competent authorities.

102. (1) Disciplinary power shall belong to the authority empowered to make appointments and/or to the superiors, who shall exercise disciplinary sanctions other than those of the first group, after consultation with the Permanent Disciplinary Board of the Public Service.

The authority may decide, after consultation with the Permanent Disciplinary Board, to publish the disciplinary sanction and the grounds for it.

(2) Delegation of authority to make appointment shall entail delegation of disciplinary power.

(3) However, as concerns sanctions of the first group, disciplinary power may be delegated independently of the authority to make appointments.

103. (1) Without prejudice to the provisions of Article 102 above, the disciplinary sanctions referred to in Article 94 above shall be inflicted by the competent authorities as follows:

(a) Sanctions of the first group shall be inflicted by Secretaries-General of ministries, Directors of the Central Administration, Senior Divisional Officers, Sub-divisional Officers, District Heads and Provincial Delegates and, where the latter do not exist, Provincial Service Heads;

(b) Sanctions of the first and second groups shall be inflicted by Governors of Provinces;

(c) Sanctions of the first, second and third groups, excluding interdiction from duty for a period not exceeding 6 (six) months, shall be inflicted by Ministers on the civil servants under their authority and by Secretaries of State;

(d) Sanctions of the first, second and third groups shall be inflicted by the Minister in charge of the Public Service;

(e) Depending on the case, dismissal shall be pronounced by the Minister in charge of the Public Service or the Prime Minister in accordance with the provisions of this decree.

(2) Immediate superiors exercising disciplinary power shall also have the power to inflict sanctions within the competence of disciplinary authorities under them.

They shall as well have the power to reverse disciplinary sanction taken by the disciplinary authorities under them.

(3) A copy of the instrument sanctioning the civil servant shall be sent without delay to the Minister in charge of Finance and to the Minister in charge of the Public Service for all cited in (1)

(a), (b) and (c) above.

(4) Interdiction sanctions for a period exceeding 4 (four) months, reduction in class or grade, may upon the petition of the civil servant involved, be appealed before the Public Service Commission, without prejudice to other forms of appeal prescribed by separate laws or enactments.

SECTION IV. — Temporary cessation of work.

104. Temporary cessation of work shall be the situation of a civil servant who is absent without leave or in custody.

105. (1) The immediate superior shall be required to communicate absence without leave by any means with written proof to the competent authority who shall record it by a decision.

Absence without leave shall be recorded from the day the civil servant fails to report for duty or refuses to move to a post to which he is transferred.

(2) The immediate superior who fails to communicate absence without leave or who induces the competent authority to commit an error shall be subject to disciplinary sanction.

(3) Any absence without leave of a least 30 (thirty) consecutive days shall be considered as desertion of post and sanctioned accordingly pursuant to the provisions of Article 121 (2) (b) below.

(4) Any justification concerning absence without leave shall be submitted to the authority competent to decide on automatic dismissal, who may terminate any disciplinary action initiated by issuing an instrument of which the civil servant in question shall be notified.

106. (1) When a civil servant is taken into custody, or is absent without leave, temporary cessation of work shall be recorded by the Minister in charge of the Public Service who shall notify the Minister in charge of finance.

The latter shall take the necessary measures of conservation.

(2) The civil servant in question may not be subject to disciplinary sanction nor may his salary be reinstated, nor may he resume work before the court has given a final ruling.

107. The civil servant whose salary has been suspended under measures of conservation pursuant to the provisions of Article 106 (1) of this decree shall retain all his family allowances.

SECTION V. — Suspension From duty.

108. (1) In the event of serious offence by a civil servant relating to a breach of professional duty, an ordinary law offence or a breach of professional ethics, the author of such offences may be provisionally suspended from his duties for not more than 4 (four) months by the minister under whom he is serving. The latter shall forthwith inform the Minister in charge of the Public Service and forward to him the disciplinary file made in respect of the accused within a period not exceeding one month.

(2) Suspension from duty is a measure of conservation which produces a definitive effect only after a sanction has been taken by the competent authority.

The civil servant in question shall stop coming to work during the period of suspension.

(3) If no decision has been taken at the expiry of the period referred to in (1) above, the suspended civil servant shall automatically resume his post.

109. (1) The civil servant suspended shall not be entitled to his salary. He shall retain, where applicable, all his family allowances.

(2) If the offence is not established or if no sanction is taken at the expiry of the period prescribed in Article 108 (1) above, the authority who suspended the civil servant in question shall re-establish all his benefits with retroactive effect.

(3) This omission shall automatically constitute a disciplinary offence for the superior if it is established that he acted with undeniably malicious intentions.

110. The suspension must be terminated either through a disciplinary measure for the offence, or for non-establishment of offence, and whatever the case, at the expiry of the period prescribed in Article 108 above.

CHAPTER 2 **REWARD.**

111. A civil servant who, in the performance of his duties has particularly distinguished himself through his dedication to the public interest; through his special contribution to increasing the output and efficiency of service may receive one of the following rewards:

- letter of encouragement;
- letter of congratulations;
- official testimony of satisfaction;
- honourable mention;
- diploma of excellence;
- honorary status.

(2) Other rewards may, as and where necessary, be created and organised by separate

instruments.

112. The letters of encouragement and congratulations shall be awarded by the Senior Divisional Officer, the Governor or the Minister under whom the civil servants are serving, as the case may be.

(2) The official testimony of satisfaction and honourable mention shall be awarded by the Minister in charge of the Public Service, on the reasoned proposal of the immediate superior and the recommendation of the Minister under whom the civil servants are serving.

(3) The diploma of excellence shall be awarded by order of the Prime Minister on the proposal of the Minister in charge of the Public Service supported by a detailed report.

It shall be officially given to the laureate by the Minister in charge of the Public Service.

(4) Honourable status shall be conferred by decree of the President of the Republic, on the proposal of the Prime Minister, supported by a detailed report. Honorary status shall be conferred *honoris causa* to the retired civil servant who, during his career, had obtained at least an honourable mention or a diploma of excellence.

The status of honorary civil servant shall be defined by decree of the Prime Minister.

113. All instruments granting a reward shall be notified to the beneficiary, placed in his personal file and, if need be, published at the Government's behest.

114. (1) The official testimony of satisfaction shall give entitlement to an advancement of 1 (one) incremental position whenever it is awarded twice to the civil servant within a period of 3 (three) consecutive, years.

(2) The honourable mention shall give entitlement to an advancement of 1 (one) incremental position.

(3) The diploma of excellence shall give entitlement to an advancement of 2 (two) incremental positions.

115. The bonus incremental positions provided for in Article 114 at shall be recorded by order of the Minister in charge of the Public Service and shall take effect, save in case of impossibility because the civil servant already attained the incremental ceiling, from the day of signature of instrument granting the reward.

CHAPTER 3 CESSATION OF WORK

116. Cessation of work shall entail striking the civil servant off the roll of this cadre and the loss of his status as civil servant. This shall result from:

- (a) Resignation;
- (b) Termination of service;
- (c) Dismissal;
- (d) Retirement;
- (e) Death.

SECTION I. Resignation

117. (1) Resignation shall be done in writing, the civil servant clearly stating his desire to finally leave the Public Service.

(2) Resignation shall be at the initiative of the civil servant. He shall tender his resignation to the Minister in charge of the Public Service, through official channels.

(3) The Minister in charge of the Public Service shall be bound to notify the civil servant concerned of the order accepting his resignation within a period of 3 (three) months starting from the date of receipt of the letter of resignation. After this period the resignation shall be considered accepted.

(4) Any resignation accepted following the procedure outlined above shall entail the payment of the rights of the resigning civil servant, in accordance with the rules and regulations governing civil servants.

(5) Resignation shall not release the civil servant from responsibility for personal, professional or non-professional offences committed in the performance or course of performance of his duties.

The civil servant concerned shall remain bound by the obligation of reserve and professional discretion in respect of all facts, documents and information of which he had knowledge as a civil servant, under pain of being prosecuted in accordance with the laws in force.

SECTION II.— Termination of service.

118. Without prejudice to the provisions of Articles 19 (1) (6) and 45 (2) of this decree, termination of service shall mean the permanent exclusion of the civil servant from the Public Service for cases that do not come under disciplinary sanctions.

119. Termination of the service of a civil servant may result from:

- (a) Permanent physical disablement which is incompatible with the job position held;
- (b) Professional incompetence attested to by the results of his assessment;
- (c) Special instruments providing for reorganization of services and entailing the abolition of job positions without any possibility of redeploying personnel.

(2) Physical disablement or professional incompetence shall be recorded by the Minister under whom the civil servant is serving or the Minister in charge of the Public Service. When physical disablement or professional incompetence is recorded by the Minister under whom the civil servant is serving, such minister shall inform the Minister in charge of the Public Service.

(3) In any of the cases mentioned in paragraph (2) above, the Minister in charge of the Public Service shall inform the competent joint administrative board or health board, on whose recommendation the competent authority may, if need be, decide to terminate the service of the civil servant concerned.

120. (1) In addition to pension rights, if any, the civil servant whose service is terminated shall receive an allowance equal to:

- (a) 12 (twelve) times his monthly indexed salary in case of physical disablement;
- (b) 3 (three) times his monthly indexed salary in case of professional incompetence;
- (c) 24 (twenty-four) times his monthly indexed salary in case of abolition of job position.

(2) These allowances shall be paid in a lump sum at the time of termination.

(3) The instrument terminating the service of a civil servant shall order the payment of all his rights, including his retirement pension where applicable.

SECTION III.— Dismissal

121. (1) Dismissal as provided for in Article 94 shall entail the permanent exclusion of a civil servant from the Public Service on the grounds of an offence. It shall be decided by the authority empowered to make appointments.

(2) It may arise:

(a) Either from a disciplinary procedure before the Permanent disciplinary Board of the Public service;

(b) Or automatically;

- in case of desertion of post for 30 (thirty) consecutive days after a formal notice has been ignored;
- in case of failure to meet one of the conditions provided for in Article 13 (a) and (d) of this decree for recruitment into the Public Service.

(3) It shall take effect from the date of:

- notification for civil servants in service;
- cessation of duty for civil servants in detention or who have deserted their post.

(4) It shall entail the payment of all the rights of the civil servant, including his retirement pension where applicable.

122. When dismissal results from an offence which entailed material and/or financial prejudice to the State, the pension of the civil servant in question shall be continuously distrained, within the limits of the distrainable quota provided for in Article 28 above, until the prejudice is completely repaid.

SECTION IV.— Retirement.

123. (1) Retirement shall mark the normal end of the active employment of the civil servant and shall entitle him to pension paid by the public treasury or any other pension fund under conditions

laid down by decree of the President of the Republic.

(2) It shall be decided upon:

(a) Automatically, when the civil servant has reached the age-limit, whatever the administrative duty he performs by virtue of an individual or collective instrument, subject to the provisions of special rules and regulations;

(b) Before due date.

124. (1) The age-limit for retirement of civil servants shall be fixed for each category as follows:

(a) Category C and D: 50 years;

(b) Categories A and B: 55 years.

(2) However, on account of the nature and specificity of certain duties, the President of the Republic may waive the provisions of paragraph (1) above.

(3) The number of payable annuities for the calculation of the pension must be equal to the number of years of effective service completed as civil servant.

125. (1) A civil servant who has completed at least 15 (fifteen) years of service may be placed on early retirement at his request.

(2) A civil servant who has stopped working for whatever reason but cannot benefit from a retirement pension shall be entitled to the immediately reimbursement of all deductions for pension made on his salary during the career.

126. The retirement of civil servants shall be decided by order of the Minister in charge of the Public Service.

The said order shall settle the payment of the pension rights of the retired civil servant.

SECTION V.— Death.

127. (1) The duties of a civil servant shall cease with his death.

(2) The Government shall bear all costs relating to the confining and transportation of the corpse. It shall also be responsible for the transportation of the legitimate spouses or spouse and minor children as well as their belongings from the place of posting of the deceased civil servant to the declared place of residence.

(3) The rightful claimants of the deceased civil servant shall, upon presentation of a statutory file within a period of 3 (three) months, be granted a death benefit and a reversionary pension paid under conditions which shall be fixed by decree of the Prime Minister.

(4) In the case of death resulting from an accident due to service or occurring because of or during service, the death benefit shall be multiplied by five in accordance with conditions and modalities that shall be fixed by decree of the Prime Minister.

PART V

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS.

128. Notwithstanding the provisions of Article 82 (2) (b), third paragraph, of this decree:

(a) When two civil servants belonging to the same Ministry and residing in the same locality are united by marriage, it shall be up to the Minister under whom they are serving to choose the locality where they can be close to each other, taking into consideration service needs, their family situation and their health as attested to by medical certificates.

(b) When two civil servants belonging to different ministries and residing in the same locality are united by marriage, it shall be up to the respective Ministers under whom they are serving to give them, in accordance with their jointly expressed wish, one of the job position corresponding to their qualification either in the locality where the husband works or in the one where the wife works.

(2) The provisions of paragraph (1) above shall apply when one of the spouses is not a civil servant but carries out some professional activity on behalf of a government service.

129. The expenses incurred by a civil servant for temporary or permanent displacement for service or health reasons shall be borne by the Government within the limits of the budgetary allocations for that purpose.

(2) The traveling regulations for civil servants and the terms and conditions governing moving allowances shall be fixed by decree of the Prime Minister.

130. Situations finally settled in accordance with previous instrument shall not be reconsidered under the provisions of this decree which shall take effect from the day of publication.

131. A copy of the various administrative instruments provided for this decree must be forwarded forthwith to the Minister in charge of Finance and the Minister in charge of the Public Service.

132. All previous provisions repugnant to this decree, particularly those of Decree No. 74-138 of 18 February 1974 to lay down the General Rules and Regulations of the Public Service and subsequent amendments thereto, are hereby repealed, except those of Article 171 (1) of the said decree relating to retirement after 30 years of service as the case may be, which shall remain in force until 31 December 1996.

133. This decree shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

Yaounde, 7 October 1994.

(signed) Paul Biya, President of the Republic

Decree No. 2000/287 of 12 October 2000**To Amend and Supplement Some Provisions of Decree No.94/199 of 7 October 1994 to Lay down the General Rules and Regulations of the Public Service of the State****The President of the Republic,**

Mindful of the Constitution;

Mindful of Decree No.97/205 of 7 December 1997 to organise the Government, as amended and supplemented by Decree No.98/067 of 28 April 1998;

Mindful of Decree No.94/199 of 7 October 1994 to lay down the General Rules and Regulations of the Public Service of the State;

HEREBY DECREES AS FOLLOWS:

Section 1: - The provisions of sections 5, 12 (2), 19 (1), 37, 39 (1), 45, 47 (2), 60 (3), 62 (1), 66 (3), 71 (1), 72, 74, 81 (2), 88 (3), 105, 106, 107, 112 (2), (3) and (4), 118, 119 (1) of Decree No.94/199 of 7 October 1994 to lay down the General Rules and Regulations of the Public Service of the State are hereby amended and supplemented as follows:

Section 5: (New) The corps shall be the body of civil servants discharging duties in a particular sector of activity and governed by the same statutory provisions.

Section 12: (2) (new) However, separate recruitments may be made following the recommendation of the High Council of the Public Service if the situation of the applicants is a determining condition for entry into public service. Similarly, separate consideration may also be given to possible unfitness to occupy certain job positions.

Section 19: (1) (new) Subject to derogatory provisions in the special regulations, any newly recruited civil servant shall undergo a one-year probationary period during which he/she shall confirm his/her professional ability, good character and physical fitness to perform the duties to which he/she aspires.

a) If the probationary period is satisfactory, the probationer shall be confirmed in his/her post.

b) If the probationary period is not satisfactory, the service of the probationer shall be terminated following the recommendation of an *ad hoc* commission. His/her service may also be terminated for a disciplinary offence by the Permanent Disciplinary Board of the Public Service provided for by this decree.

Section 37: (1) (new) Civil servants governed by these rules and regulations shall be forbidden to:

a) possess, in an enterprise or in a sector subject to his/her direct control or in relation therewith, either personally or through an intermediary and under any title whatsoever, any interests likely to compromise or restrict his/her independence;

b) engage, either personally, in a private gainful activity except otherwise specified by a specific text. This provision shall not apply to rural production and the production of scientific, literary and artistic works, and lectures delivered either as supplementary or part time task.

(2) Where the spouse is engaged in a private gainful activity, the civil servant concerned must make a declaration thereof to the Minister under whom he/she is serving. The administration shall, where need be, take the necessary measures to protect the interests of the service.

Section 39: (1) (new) All civil servants shall be responsible for the performance of the duties

entrusted to them. In this regard, a civil servant shall be bound to obey the individual or general orders given by his/her superiors within the framework of the service in accordance with the laws and regulations in force.

He/she shall not be free of any of the responsibilities devolving in him/her from the activities of those placed under his/her orders, authority or control.

Section 45: (new) Advancement in incremental position within a class shall depend on the favourable assessment of the civil servant. It shall be made every 2 (two) years.

Section 47: (2) (new) Advancement in grade on the basis of the seniority and favourable assessment of the civil servant shall only take place after 2 (two) consecutive years with effect from the date on which the civil servant reached the incremental position in the highest class of his/her grade.

Section 60: (3) (new) All the other cases of sick leave not covered in this section shall be settled in accordance with the laws on sicknesses and professional hazards.

Section 62: (1) (new) If the illness for which extended leave is granted was, in the opinion of the National Health Board, contracted in the performance of duty, the maximum period fixed in Section 60 (2) above shall be extended to 8 (eight) years.

Section 66: (3) (new) A female civil servant who is confined before ceasing her activities in accordance with the provisions of paragraphs (1) and (2) above shall be granted an extension period of 4 (four) weeks as compensation to enable her to enjoy her full maternity leave of 14 (fourteen) weeks.

Section 71: (1) (new) Secondment of a civil servant shall be decided by order of the Minister in charge of the Service of origin of the civil servant concerned after approval by the body to which he/she is seconded. The Minister in charge of Public Service and the Minister under whom he/she is serving shall be informed where necessary.

Section 72: (New) Notwithstanding the provisions of section 71 above, a civil servant called upon to perform the duties of member of Government or member of Parliament or Senator, or to hold a full-time elective office obtained by universal suffrage or trade union mandate shall for the term of such duties, be seconded as of right by order of the Minister in charge of Public Service.

Section 74: (New) Apart from the cases of secondment provided for under Section 70 (2) above, the civil servant shall be seconded provided that:

- a) He/she has at least 5 (five) years of working experience;
- b) He/she has the required qualifications and skills to fill the position in question;
- c) He/she is not currently facing any disciplinary sanction or has been rehabilitated following a disciplinary sanction.

Section 81: (2) (new) Secondment shall be decided by order of the Minister in charge of the Service of origin of the civil servant concerned. The Minister in charge of Public Service and the Minister under whom he/she is serving shall be informed where necessary.

Section 88: (3) (new) The Joint Administrative Board shall pronounce concerning individual members of the corps within which it has been instituted and notably in matters of:

- Advancement in grade;
- Grant of rewards as provided for in Section 111 below: honourable mention, diploma of excellence and honorary status;
- Termination of service as provided for in Section 119 (3) below.

Section 105: (1) (new) Any breach of the obligation of effective presence at work for reasons other than those provided for in these regulations, except for a duly justified force majeure shall be considered to be absence without leave.

(2) When a civil servant is absent without leave, temporary cessation of work shall be recorded by the Minister under whom he/she is serving or in the case of external services, by the local administrative authorities or the immediate superiors.

a) When absence without leave is recorded by the Minister in charge of Public Service, the latter shall inform the Minister of Finance immediately.

b) When absence without leave is recorded by the Minister under whom the civil servant is serving, the latter shall inform the Ministers in charge of Public Service, and Finance, immediately.

c) When absence of leave is recorded by the immediate superior, the latter shall be required to communicate absence without leave by any means with written proof to the competent authority who shall record it by a decision.

The administrative authority shall immediately inform the Ministers in charge of Public Service, and Finance and the Minister under whom the civil servant is serving, through official channels.

(3) Absence without leave shall be recorded from the date the civil servant fails to report for duty or refuses to move to a post to which he/she is transferred.

The immediate superior who fails to communicate absence without leave or who induces the competent authority to commit an error shall be subject to disciplinary sanction.

(4) Any absence without leave of at least 30 (thirty) consecutive days shall be considered as desertion of post and sanctioned accordingly pursuant to the provisions of Section 121 (2) b) below.

(5) Any justification concerning absence without leave shall be submitted to the authority competent to decide on automatic dismissal, who may terminate any disciplinary action initiated by issuing an instrument of which the civil servant in question shall be notified.

Section 106: (1) When a civil servant is taken into custody, temporary cessation of work shall be recorded by the Minister in charge of Public Service who shall notify the Minister in charge of Finance. The latter shall take the necessary measures of conservation.

(2) The civil servant in question may not be subject to disciplinary sanction nor may his/her salary be reinstated, nor may he/she resume work before the court has given a final ruling.

(3) During the period of custody, the civil servant whose temporary cessation of work has been recorded shall lose his/her rights to index salary and allowances and other benefits but shall retain all his/her family allowances.

(4) The situation of the civil servant in custody shall be definitively settled after the termination of the custody measure or the final ruling of the court referred to.

Section 107: (New) The civil servant whose salary has been suspended under measures of conservation shall retain all his/her family allowances where necessary.

Section 112: (2) (new) The official testimony of satisfaction and honourable mention shall be awarded by the Minister in charge of Public Service, on the reasoned proposal of the immediate superior and recommendation of the Minister under whom the civil servants are serving.

However, where honourable mention is concerned, the decision of the Minister in charge of Public Service shall be given after the opinion of the Joint Administrative Board as provided for in Section 88 above.

(3) (New) The diploma of excellence shall be awarded by order of the Prime Minister on the proposal of the Minister in charge of Public Service supported by a detailed report, and after the opinion of the Joint Administrative Board as provided for in Section 88 above.

It shall be officially given to the laureate by the Minister in charge of Public Service.

(4) (New) Honourable status shall be conferred by Decree of the President of the

Republic, on the proposal of the Prime Minister, supported by a detailed report, and after the opinion of the Joint Administrative Board as provided for in Section 88 above.

Honorary status shall be conferred *honoris causa* to the retired civil servant who, during his/her career, had obtained at least an honourable mention or diploma of excellence.

The status of honorary civil servant shall be defined by decree of the Prime Minister.

Section 118: (New) Without prejudice to the provisions of Section 19 (1) of this decree, termination of service shall mean the permanent exclusion of the civil servant from the Public Service for cases that do not come under disciplinary sanctions.

Section 119: (1) (new) Termination of the service of a civil servant may result from:

- a) Permanent physical disablement which is incompatible with the job position held;
- b) Professional incompetence attested to by the results of his/her assessment in particular where the civil servant does not advance in incremental position for 4 (four) years;
- c) Special instruments providing for reorganisation of services and entailing the abolition of job positions without any possibility of redeploying personnel.

Section 127: (5) (new) A joint order of the Minister in charge of Public Service and the Minister in charge of Finance shall define the costs relating to the confining of the deceased civil servant.

Section 128: (1) c) (new) When two civil servants residing in different localities are united by marriage, it shall be up to the respective Ministers under whom they are serving to give them, in accordance with their jointly expressed wish, one of the job position corresponding to their qualification either in the locality where the husband works or in the one where the wife works.

The rest remains unchanged.

Section 2. As a transitional measure, the provisions of the special regulations and other texts issued pursuant to Decree No.74/138 of 11 February 1974 to lay down the rules and regulations of the Public Service non-repugnant to this Decree shall remain in force as long as they are not repealed or replaced.

Section 3: This decree shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

Yaounde, 12 October 2000.

(signed) Paul Biya,
President of the Republic

Decree No. 2017/013 of 23 January 2017**To lay down the Establishment, Organization and Functioning of the National Commission on the Promotion of Bilingualism and Multiculturalism****THE PRESIDENT OF THE REPUBLIC,**

Mindful of the Constitution,

HEREBY DECREES AS FOLLOWS**CHAPTER 1**
GENERAL PROVISIONS

1. (1) This decree lays down the establishment, organization and functioning of the National Commission on the Promotion of Bilingualism and Multiculturalism, abbreviated as "NCPBM", hereinafter referred to as "the Commission".
 - (2) The Commission shall be placed under the authority of the President of the Republic.
 - (3) It shall be headquartered in Yaounde.
 - (4) The terms and conditions for the organization and internal functioning, and the rules of procedure of the Commission shall be laid down in the Internal Rules and Regulations.
2. The Commission shall be an advisory body with legal personality and financial autonomy.

CHAPTER 2
DUTIES

3. (1) Under the authority of the President of the Republic, the Commission shall be responsible for promoting bilingualism and multiculturalism in Cameroon with a view to maintaining peace, consolidating the country's national unity and strengthening its people's willingness and day-to-day experience with respect to living together.

(2) In this capacity, it shall be responsible notably for:

- submitting reports and recommendations on issues relating to the protection and promotion of bilingualism and multiculturalism to the President of the Republic and the Government;
- monitoring the implementation of constitutional provisions establishing English and French as two official languages of equal status, and especially ensuring their use in all government services, semi-public bodies as well as any State-subsidized body;
- conducting any study or survey and proposing measures likely to strengthen Cameroon's bilingual and multicultural character;
- preparing and submitting to the President of the Republic draft instruments on bilingualism, multiculturalism and togetherness;
- popularizing legal instruments on bilingualism, multiculturalism and togetherness;
- receiving petitions against discriminations arising from non-compliance with the constitutional provisions on bilingualism and multiculturalism, and reporting thereon to the President of the Republic;
- performing any other task assigned to it by the President of the Republic, including mediation.

CHAPTER 3
ORGANIZATION

4. (1) The Commission shall comprise fifteen (15) members, including one (1) Chairperson and one (1) Vice-Chairperson.
- (2) The Commissioners shall be chosen from among personalities of Cameroonian nationality with recognized competence, moral rectitude, intellectual honesty and patriotism.
- (3) The Chairperson, Vice-Chairperson and Commissioners shall be appointed by the President of the Republic. The appointments shall be terminated in like manner.
5. The tenure of Commissioners shall be five (5) years renewable.
6. In case of death during the tenure or in all cases where the Chairperson, Vice-Chairperson or Commissioner can no longer perform his/her duties, he/she shall be replaced.
7. In case of temporary impediment of the Commission Chairperson, the Vice-Chairperson shall deputize for the period of impediment.
8. The tenure of the Chairperson, Vice-Chairperson and members of the Commission may also terminate in any of the following cases.
- non-renewal of tenure;
 - - resignation; or
 - death.
9. The Chairperson, Vice-Chairperson and Commissioners shall be subject to the restrictions and incompatibilities provided for by the laws in force.
10. For the purposes of discharging its duties, the Commission shall have a Secretariat General.
11. (1) The Secretariat General of the Commission shall comprise administrative and technical services.
- (2) The Secretariat General shall be headed by a Secretary General appointed by decree of the President of the Republic.
- (3) The Secretary General shall report to the Chairperson of the Commission.
12. (1) The Secretary General shall be responsible for managing and coordinating all the administrative and technical services of the Commission.
- In that capacity, he or she shall:
- (a) take the necessary steps to prepare for and organize the Commission's work;
 - (b) ensure administrative coordination and implementation of the Commission's activities;
 - (c) prepare the Commission's annual financial statements, work programmes and progress reports;
 - (d) prepare documents to be submitted to the Commission for consideration;
 - (e) act as secretary at Commission meetings;
 - (f) monitor the implementation of resolutions and recommendations of the Commission, following approval by the President of the Republic;
 - (g) ensure training and re-training of staff of the Secretariat General;
 - (h) centralize and keep the Commission's records and documents;
 - (i) perform all other duties assigned to him or her by the Chairperson of the Commission;
 - (j) conduct studies falling within the sphere of competence of the Commission;
 - (k) prepare the draft budget to be submitted to the Commission for approval;
 - (l) prepare draft work programmes to be submitted to the Commission for approval; and
 - (m) manage Commission staff.
- (2) The Chairperson of the Commission shall delegate signature to the Secretary General with respect to administrative and financial matters.

- 13.** (1) In case of temporary impediment of the Secretary General for a period not exceeding three (3) months, the Chairperson of the Commission shall appoint a senior staff member of the Secretariat General to deputize.
- (2) In case of vacancy of the position of Secretary General due to death, resignation or permanent incapacity duly established by the Commission and, pending the appointment of a new Secretary General by the competent authority, the Commission shall take all the necessary steps to ensure the smooth running of the Secretariat General.

CHAPTER 4 FUNCTIONING

- 14.** (1) The Commission shall meet at least once every six (6) months when convened by its Chairperson,
- (2) At the behest of its Chairperson or when requested by the President of the Republic, the Commission may also meet in extraordinary session where circumstances so warrant.
- (3) The Commission may validly deliberate only if at least two-thirds (2/3) of its members are present or represented.
- (4) Any Commissioner who is unable to attend commission meetings may be represented at such meetings by another Commissioner. However, no Commissioner may represent more than one other Commissioner at the same meeting.
- (5) Decisions of the Commission shall be taken by a simple majority of votes of the Commissioners present or represented. In the event of a tie, the Chairperson shall have the casting vote.
- (6) The Chairperson of the Commission may, as and when necessary, invite any natural or legal person, by virtue of their expertise on an agenda item, to take part in the proceedings of the Commission in an advisory capacity.
- 15.** (1) The Chairperson of the Commission shall preside over Commission meetings and monitor the implementation of its recommendations.
- (2) He or she shall represent the Commission in all acts of civil and public life.
- (3) The Secretary General shall act as secretary at Commission meetings.
- 16.** (1) Convening notices and documents relating to Commission meetings shall be sent by electronic mail, telegram, fax or by any other means leaving a paper trail, addressed to the Commissioners at least fifteen (15) days before the date of the meeting. In case of emergency, such period shall be reduced to seven (7) days
- (2) Convening notices shall specify the date, venue, time and agenda of meetings.
- 17.** (1) The Chairperson, Vice-Chairperson, Commissioners, as well as personalities invited in an advisory capacity shall be entitled to a session allowance and may claim reimbursement of expenses arising from the session, upon presentation of supporting documents.
- (2) The session allowance referred to in paragraph (1) above shall be fixed by a separate instrument of the President of the Republic.
- 18.** (1) The Commission shall submit to the President of the Republic an annual report on the status of implementation of its activities.
- (2) The said report shall be published.

CHAPTER 5 RIGHTS AND OBLIGATIONS OF COMMISSIONERS

- 19.** (1) Commissioners shall be bound to reserve and professional secrecy.
- (2) They shall furthermore refrain from any behaviour that may affect the dignity of their functions.

- 20.** (1) A decree of the President of the Republic shall fix the protocol ranks and privileges of the Chairperson, Vice-Chairperson, Commissioners and staff of the Secretariat of the Commission.
- (2) The Chairperson, Vice-Chairperson, Commissioners and staff of the Secretariat shall receive a monthly remuneration and benefits in kind.
- (3) The monthly remuneration and benefits referred to in paragraph (2) above shall be fixed by decree of the President of the Republic.

CHAPTER 6 **FINANCIAL PROVISIONS**

21. (1) The funds necessary for the functioning of the Commission shall be provided for under the State budget.

(2) The Chairperson of the Commission shall be the principal authorizing officer of the Commission's budget. He may, if need be, designate secondary authorizing officers.

22. (1) A Finance Controller shall be appointed to the Commission by order of the Minister in charge of finance.

(2) The Finance Controller shall perform his or her duties in accordance with the regulations in force

23. The resources provided for under the budget of the Commission shall be subject to public accounting rules and managed in accordance with the laws and regulations in force.

CHAPTER 7 **PROVISIONS RELATING TO HUMAN RESOURCES**

24. (1) The Commission's staff shall comprise civil servants on secondment or State employees placed at its disposal or transferred by government services.

(2) However, if need be, the Commission may recruit its own staff, after the prior approval of the Commission.

(3) The Commission may engage casual staff or experts in any of its spheres of competence.

25. The staff rules and regulations as well as the benefits and types of benefits they might be entitled to, shall be fixed by the Commission.

CHAPTER 8 **FINAL PROVISIONS**

26. This decree shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

Yaounde, 23 January 2017
(signed) Paul Biya
President of the Republic

**Decree No. 2012/079 of 9 March 2012 to lay down regulations
governing the deconcentration of
the Management of State Personnel and Salaries**

The President of the Republic,

Mindful of the Constitution;

Mindful of Decree No. 78/484 of 9 November 1978 to lay down common conditions applicable to State employees governed by the Labour Code;

Mindful of Decree No. 94/199 of 7 October 1994 to lay down the General Rules and Regulations of the Public Service, as amended and supplemented by Decree No. 2000/28 of 12 October 2000;

Mindful of Decree No. 2005/086 to organize the Ministry of the Public Service and Administrative Reform;

Mindful of Decree No. 2008/365 of 8 November 2008 to organize the Ministry of Finance;

Mindful of Decree No. 2011/408 of 9 December 2011 to organize the Government,

Hereby Decrees as follows:

**CHAPTER 1
GENERAL PROVISIONS**

1. This decree lays down the scope of application of the deconcentration of the management of State personnel and salaries, and specifies the terms and conditions of its implementation.
2. The purpose of deconcentration of the management of State personnel and salaries shall be to grant sufficient autonomy to various ministries in the management of their personnel and salaries, for efficient control of the wage bill and payroll.
3. Some activities relating to the management of the careers and salaries of State employees entrusted to the Ministry in charge of the public service and that in charge of finance shall be transferred to the various user ministries.
4. The computer applications relating to the management of State personnel, notably the Computer System for the Integrated Management of State Personnel and Salaries (SIGIPES) and the National Application for the Computer and Logistic Management of State Personnel (ANTILOPE), shall be the technical tools of deconcentration.

**CHAPTER 2
CAREER MANAGEMENT ACTIVITIES TRANSFERRED**

5. The user Ministries shall be authorized to process the following human resources management instruments:

(1) Advancement Instruments:

- Advancements in incremental positions for established personnel and State employees governed by the Labour Code;
- Advancements in class;
- Granting of incremental position bonus to established personnel and State employees governed by the Labour Code;

(2) Status Instruments:

Placement on secondment, save for civil servants of the General Administration corps;

- Termination of secondment, save for civil servants of the General Administration corps;
- Placement on reserve, save for civil servants of the General Administration corps;

- Termination of reserve, save for civil servants of the General Administration corps;
- Extension of reserve, save for civil servants of the General Administration corps;
- Suspension of enforcement of contract of employment.

(3) Pension Instruments:

- Normal retirement of a civil servant;
- Early retirement, upon the formal opinion of the Minister in charge of the public service;
- Old age pension for State employees governed by the Labour Code;
- Disability pension for established personnel and State employees governed by the Labour Code;
- Reversionary pension;
- Survivors' pension for State employees governed by the Labour Code

(4) Other Individual Entitlements Instruments:

- Death benefits;
- Quintupled death benefits, after the formal opinion of the Minister in charge of the public service;
- Death benefits including reimbursement of deductions;
- Death claims;
- Old age allowance;
- Survivors' allowance;
- Reimbursement of pension deductions.

(5) Disciplinary Instruments:

*For civil servants:

- Written warnings;
- Recorded reprimands
- Delayed increment for a period of one year
- After the opinion of the Public Service Standing Disciplinary Board:
- Demotion by one or at most two incremental positions;
- Demotion in class.

*For State employees governed by the Labour Code:

- Warning;
- Reprimand;
- Suspension of 1 to 8 days

(6) Operations to update the personnel card index:

- Postings within the same Ministry or attached services;
- Transfers within the same Ministry or attached services;
- Appointments.

6. The instruments and operations not listed in Article 5 above shall fall within the exclusive jurisdiction of the Minister in charge of the public service.

7. The career instruments referred to in Article 5 above shall be processed in accordance with the rules and regulations in force, under the supervision of the Minister in charge of the public service.

8. Soft copies of the instruments signed in pursuance of Article 5 of this decree shall be forwarded to the Minister in charge of the public service and to the Minister in charge of finance upon signature, and hard copies within five days of such signature.

9. (i) Instruments signed in pursuance of Article 5 above may, where necessary, be reversed by the Minister in charge of the public service.

(ii) The provisions of sub-paragraph 1 above shall apply only where the signatory of the instrument deemed irregular, duly notified by the Minister in charge of the public service, fails to review his decision within 15 (fifteen) j days of such notification.

10. Disciplinary sanctions shall be reasoned and shall comply with the rules and regulations in force.

CHAPTER 3

PAYROLL MANAGEMENT ACTIVITIES TRANSFERRED

11. User ministries shall be authorized to carry out the following financial management operations:

- (1) Salary inputting and validation based on the following career instruments:
 - management of recruitment instruments;
 - management of promotion instruments;
 - management of appointment instruments;
 - management of grade and cadre promotion instruments;
- (2) Salary inputting and validation of various allowances and bonuses;
- (3) Salary inputting and validation of family allowances;
- (4) Payroll database update:
 - suspension of salary in case of absence without leave, resignation prior to the opinion of the competent authority, secondment, death and leave of absence;
 - rationalization of salary entitlements;
 - absence without leave, secondment, death, leave of absence;
 - change of marital status;
 - change of place of residence;
 - change of job,
- (5) Preparation, calculation and signature concerning documents granting pension and life annuities after visa of the competent services
- (6) Preparation, calculation and signature concerning documents granting occupational accident and disease benefits upon visa by the competent services.

12. The salary suspension provided for in Article 11 above may, where necessary, be reversed by the Minister in charge of the public service.

13. Procedures not referred to in Article 11 above shall fall within the competence of the Minister in charge of finance.

14. Soft copies of documents signed pursuant to Article 11 above shall, where necessary, be forwarded to the Minister in charge of finance upon signature, and hard copies within 72 (seventy-two) hours of such signature.

15. (1) The financial effects of the said documents may be annulled by the Minister in charge of finance where it is discovered that they were signed in violation of the laws in force.

(2) Without prejudice to public funds safeguard measures, collection orders shall be issued against beneficiaries of undue payments where no valid justification is provided within 30 (thirty) days of notification of the irregularity by the user Minister.

CHAPTER 4

TRANSITIONAL AND FINAL PROVISIONS

16. Without prejudice to legal proceedings, staff found guilty of malpractices or unduly granting entitlements or benefits to State employees within the framework of State personnel and salaries management deconcentration shall be liable to disciplinary sanctions provided for by the laws in force.

17. Files pending in the Ministry in charge of the public service and the Ministry in charge of finance shall be processed in accordance with the laws and regulations in force prior to entry into force of this decree.

18. Pending their effective integration at the end of the ongoing modernization process, the SIGEPES and ANTILOPE applications referred to in Article 4 above shall remain respectively under the responsibility of the Minister in charge of the public service and the Minister in charge

19. of Finance.

20. This decree shall be registered and published in the *Official Gazette* in English and French.

Yaoundé, 9 March 2012

(signed) Paul Biya

President of the Republic

Decree No.2000/697/PM of 13 September 2000
To fix the Regulations Governing Continuing Education

The Prime Minister, Head of Government,

Mindful of the Constitution;
Mindful of Decree No.92/89 of 4 May 1992 to specify the Rights and Duties of the Prime Minister, as amended and supplemented by Decree No.95/145-a of 4 August 1995;
Mindful of Decree No.94/199 of 7 October 1994 to lay down the General Rules and Regulations of the Public Service of the State;
Mindful of Decree No.97/205 of 7 December 1997 to organise the Government, as amended and supplemented by Decree No.98/067 of 2 April 1998;
Mindful of Decree No.2009/206 of 7 December 1997 to Appoint a Prime Minister, Head of Government,

HEREBY DECREES AS FOLLOWS:

CHAPTER 1
GENERAL PROVISIONS

Section 1. This decree fixes the regulations governing continuing education for civil servants.

Section 2 (1). In order to increase the professional performance, efficiency and output of the civil servant in active service, the State shall be required to ensure continuing education.

(2) To this end, the civil servant shall benefit from at least one training session every 5 (five) year.

Section 3. Training or continuing training of the civil servant shall be done through training course or seminars organised in Cameroon or abroad.

Section 4 (1). Training courses shall be either further training courses or training courses that shall not exceed a period of 90 (ninety) days.

(3) Training courses and further training courses whatever the case may be, shall lead to obtaining a new title or improving the professional knowledge of the civil servant.

(4) They may give the right to absorption, change in class, rank or to a bonus in incremental position, in accordance with the provisions of the special or specific regulations.

Section 5. Seminars shall be training sessions of a period equal or less than 90 (ninety) days with the purpose of maintaining or honing the qualification of the civil servant and ensure his/her adaptation to the evolution of techniques or administrative structures, as well as the cultural, economic, social and scientific evolution.

Section 6 (1). The civil servant who is duly authorised to undertake a seminar, a further training course or further training shall be considered to be in active service.

(2) Any civil servant who, without authorisation, undertakes a training course or further training course shall be considered to be in absence without leave or as having deserted his/her position. He/she shall therefore be subject to disciplinary sanctions.

CHAPTER 2
TERMS AND CONDITIONS FOR THE DESIGNATION OF CIVIL SERVANTS FOR CONTINUING EDUCATION

Section 7 (1). Each ministry shall establish, on the basis of its needs and at the beginning of the financial year, an annual plan for the continuing education of its employees.

(2) The plan referred to in subsection (1) above shall be submitted to the prior approval of the Prime Minister, by the Minister in charge of Public Service who shall also ensure follow-up.

Section 8 (1). Training course programmes for civil servants offered by foreign countries or bodies shall be made anonymously to the Government and the latter, depending on the case, shall propose candidatures or designate the beneficiaries.

(2) All the candidatures duly bearing the endorsement of the Minister under whom the civil servant is serving, shall be submitted to the Minister in charge of Public Service for the selection of nomination of candidates to the donor country or body.

(3) When the selection must be done by the donor country or body, the Minister in charge of Public Service shall submit them the candidatures received.

(4) When the selection must be done by the Government, the Minister in charge of Public Service shall submit the candidatures to the competent Board provided for in Section 10 below.

Section 9 (1). The Minister under whom the civil servant is serving shall select the candidatures to the seminars organised as part of continuing education.

(2) However, where the final selection must be done by a foreign country or body, the Minister under whom the civil servant is serving shall submit the candidatures received to the latter.

Section 10. A Training Board hereinafter referred to as the "Board" shall be set up in the Ministry in charge of Public Service. It shall be responsible for the selection of candidates for training courses or further training courses abroad.

Section 11.- (1) The Board shall comprise:

Chairperson: the Minister in charge of Public Service or his representative;

Members:

- A representative of the Minister in charge of Finance;
- A representative of the Minister in charge of Public Investments;
- A representative of the Minister in charge of Higher Education;
- A representative of the Minister in charge of External Relations;
- A representative of the Minister in charge of National Education;
- A representative of the Minister in charge of Employment;
- A representative of the minister of the training field concerned when the latter is not a statutory member.

(2) The Chairperson of the Board may invite any natural or legal person, by virtue of their expertise.

The Secretariat of the Board shall be ensured by the structure in charge of training in the ministry in charge of Public Service.

(3) The operating costs of the Board shall be borne by the budget of the ministry in charge of Public Service.

Section 12. A decision of the minister in charge of Public Service shall fix the list of the candidates selected by the Board.

CHAPTER 3
MANAGEMENT OF CIVIL SERVANTS UNDERGOING CONTINUING EDUCATION

Section 13 (1) Placement of the civil servants selected for training or further training on a training course shall be ascertained by order of the minister in charge of Public Service.

(2) Participation of the civil servant in a seminar as part of continuing education shall be ascertained by decision of the minister under whom he/she is serving.

Section 14. The civil servant placed on a training course or further training course shall retain his/her index treatment except for bonuses and allowances.

Section 45. The civil servant placed on training course or further training course abroad who is benefiting from a national or foreign training programme shall cumulate it with his/her index treatment.

Section 16. The amount of the national stipend granted to the civil servant placed on training course or further training course abroad shall be calculated on the basis of index 1005.

Section 17. The civil servant selected for a training course abroad shall, in addition be entitled, as the case may be, to the coverage of the following benefits by the State if they are not taken care of by a foreign stipend:

- tuition fees;
- equipment allowances for a training course equal or superior to an academic year;
- housing allowances;
- transportation costs of the civil servant concerned and his/her belongings;
- insurance.

Section 18 (1). Tuition fees shall include:

- registration fees;
- costs for practicum;
- costs for the printing of the dissertation or thesis;
- costs for study tours scheduled or previously approved by the minister who shall bear the cost of the training.

(2) The civil servant shall be entitled to the reimbursement of the above-mentioned tuition fees borne by himself/herself if applicable, upon presentation of supporting documents.

Section 19 (1). The equipment allowance shall be totally paid at the beginning of the training course where applicable.

(2) This allowance shall be F CFA F 500,000 (five hundred thousand).

Section 20. The housing allowance which shall be exclusive of any other similar allowance or benefit shall be fixed at 30 per cent of the stipend provided for in Section 18 above.

Section 21 (1). The State shall subscribe to a social security scheme, a health, maternity and accident insurance policy in the host country to the benefit of civil servants beneficiary of a Cameroonian stipend.

(2) The civil servant shall be entitled to the reimbursement of health and maternity insurance costs if they were covered by him/her, upon presentation of supporting documents.

Section 22 (1) The civil servant placed on training course abroad shall be entitled to a return ticket for his/her holidays in Cameroon, at the end of each academic year.

(2) The State shall cover the return costs of luggage by boat or by any other cheaper means of transport, within the time limits set by the texts regulating travel for civil servants.

Section 23 (1). The civil servant authorised to undergo a training seminar shall retain his/her full remuneration.

(2) The costs of participation in a training seminar shall be borne by the budget of the

ministry under which the civil servant concerned is serving. These costs shall include, where applicable, tuition fees, accommodation, insurance and transport.

(3) The civil servant authorised to undergo a training seminar may also benefit from a stipend offered by a foreign country or body. In this case, only the expenses not covered by this stipend shall be borne by the State budget.

CHAPTER 4 MISCELLANEOUS AND FINAL PROVISIONS

Section 24 (1). The period of the further training course or specialized training course may be exceptionally extended on the express authorisation of the minister in charge of Public Service. The request related thereto shall be addressed to this minister, at least 3 (three) months before the normal term of the training course.

(2) Extension authorisation shall only be granted once. It shall not exceed half of the initial period of the training course.

Section 25. The civil servant shall be required to submit an end-of-training report to the minister under whom he/she is serving and to the minister in charge of public service. The dissertations and theses possibly produced under the training shall not replace this report even though they shall also be required.

Section 26. The provisions of this decree shall apply mutatis mutandis to State employees governed by the Labour Code subject to the special texts governing this category of personnel.

Section 27. All previous provisions repugnant hereto in particular, those of Decree No.85/07 of 6 August 1985 to lay down the conditions for the designation and the scheme of remuneration of trainees shall be repealed.

Section 28: This decree shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

Yaounde, 13 September 2000

The Prime Minister, Head of Government

**Decree No.2018/9387 / CAB / PM of 30 November 2018
to lay down the Procedures for the Setting up, Organisation and
Functioning of Inter-ministerial and Ministerial Committees and Working
Groups**

The Prime Minister, Head of Government

Mindful of the Constitution,

Mindful of Law No.2018/012 of 11 July 2018 to lay down the financial reform of the State and other public entities,

Mindful of Law No. 2018/011 of 11 July 2018 on the Code of Transparency and Good Governance in the Management of Public Finance in Cameroon;

Mindful of Decree No.78.4484 of 09 November 1978 to lay down the Common Conditions Applicable to State Employees under the Labour Code;

Mindful of Decree No.92/089 of 04 May 1992 to specify the Powers of the Prime Minister as amended and supplemented by Decree No. 95/145-a of 04 August 1995;

Mindful of Decree 94/199 of 07 October 1994 to organise the Government, as amended and supplemented by decree 2000/287 of 12 October 2000;

Mindful of Decree No.94/199 of 07 October 1994 to lay down the General Rules and Regulations Governing the Civil Service of the State, as amended and supplemented by Decree No. 2000/287 of 12 October 2000;

Mindful of Decree No.2011/409 of 09 December 2011 to appoint a Prime Minister, Head of Government,

HEREBY DECREES AS FOLLOWS:

I. GENERAL PROVISIONS

Section 1: This decree sets out the procedures for the setting up, organisation and functioning of inter-ministerial and ministerial committees and working groups.

Section 2: This decree shall not apply to National Councils, Commissions and Committees subject to a special legal regime.

Section 3: For the purposes of this decree, the following definitions shall apply:

- **Committee:** Reflection body set up in order to address in a structural manner a specific and complex issue of a transversal nature over a period not exceeding one (01) year,
- **Inter-ministerial Committee:** A multi-sector think-tank set up to address, as a matter of urgency, a specific and complex issue of a cross-cutting nature involving several administrations and/or other actors from the sectors concerned over a period not exceeding one (01) year,
- **Working Group:** A think-tank set up to address, as a matter of urgency, a specific and complex issue of a cross-cutting nature over a period of between three (03) and six (06) months.
- **Ministerial Working Group:** A think-tank set up in a mid-ministerial department in order to address, as a matter of urgency, a specific and complex issue of a cross-cutting nature involving several internal structures of the said administration, over a period not exceeding three (03) months,

Inter-ministerial Working Group: A multi-sector think-tank set up to address, as a matter of urgency, a specific and complex problem of a cross-cutting nature involving several administrations and/or other actors in the sectors concerned over a period not exceeding six (06) months,

- **Permanent Committee and Working Group:** Committee or Working Group whose activities are the subject of structural reflection and are included in the Annual Work Plan of

the Ministerial Department.

II. SETTING UP OF A WORKING COMMITTEE OR WORKING GROUP

Section 4: - (1) The setting up of an inter-ministerial Committee or Working Group shall be justified by:

- carrying out tasks that cut across several administrations;
- the strategic, operational, structural or cyclical nature of the public policy areas to be regulated;
- the complexity and urgency of the issue to be examined;
- the high cost of outsourcing the service to a consultant.

(2) The setting up of a Ministerial Working Group shall be justified by:

- the performance of a complex task which goes beyond the competence of an internal structure of the ministry concerned;
- the urgent and synergistic nature of the problems involved.

(3) The instruments setting up the above-mentioned bodies shall specify their objectives, tasks, expected results and the deadlines for the fulfilment of their mandate.

The initiative for the setting up of a Committee or Working Group shall be taken by the President of the Republic, the Prime Minister, Head of Government and, as the case may be, Ministers.

(2) Depending on the nature and specificity of the issues to be examined:

- an Inter-Ministerial Committee is created either by decree or order of the Prime Minister, or by order of the Head of the ministry principally concerned, after prior authorisation by the Head of Government;
- an Inter-Ministerial Working Group is created either by decree or order of the Prime Minister or by order of the Head of the ministry mainly concerned, after prior authorisation by the Head of Government;
- a Ministerial Working Group is set up by decision of the competent Minister, with amplification to the Prime Minister, Head of Government.

(3) The aforementioned prior authorisation shall take the form of a written agreement given by the Prime Minister, Head of Government following a formal request by the Minister concerned, complemented in particular with a draft instrument of creation, the estimated expenditure statement and the Terms of Reference specifying the performance indicators of the Committee or the Working Group.

(4) The statement of estimates of expenditure referred to in paragraph 3 above must specify the number of persons sitting on the body envisaged, the number of sessions scheduled and the range of activities to be carried out.

Section 6:- The activities carried out within the framework of the bodies referred to in Section 5 above must be specific and distinct from those of the Committees and Working Groups previously identified and included in the Annual Work Plan of the administration concerned.

III. ORGANISATION AND FUNCTIONING OF AN INTER-MINISTERIAL COMMITTEE OR WORKING GROUP AND THE MINISTERIAL WORKING GROUP

Section 7: - (1) Placed under the supervision of the Prime Minister, Head of Government or his representative, and where appropriate, the Head of a ministry, any inter-ministerial Committee or Working Group shall be composed of a Chairman, possibly assisted by one or more Vice-Chairmen and members.

(2) Depending on the issues on the agenda, the Chairman of the Inter-Ministerial Committee or Working Group may invite any natural or legal person, on the basis of his or her skills or experience, to take part in the work in a consultative capacity.

Section 8: - (1) For the performance of its tasks, the Committee or the Inter-Ministerial Working Group shall have a Technical Secretariat or a Secretariat Pool, possibly assisted by

support staff.

(2) The number of members of the Technical Secretariat or Secretariat Pool must be proportional to the workload, without exceeding that of the main body.

Section 9: - (1) The Ministerial Working Group shall be chaired by a senior official designated by the Head of the ministry, having at least the rank of Director of the Central Administration.

(2) The Ministerial Working Party shall be composed, in addition to its Chairperson, of the heads of the structures of the ministry concerned by the examination of the question which led to its establishment.

(3) For the accomplishment of its tasks, the Ministerial Working Group shall be assisted by no more than three (03) rapporteurs.

Section 10: - (1) The Chairman of an inter-ministerial or semi-ministerial Committee or Working Group shall occupy a hierarchical position higher or equal to that of the other members.

(2) The Inter-Ministerial Working Committee shall be placed under the chairmanship of the Head of the minister mainly concerned or of the Secretary General and, where appropriate, of an official with the rank of Secretary General of the Ministry.

(3) The Inter-Ministerial or Ministerial Working Group shall be chaired by the Secretary General and, where appropriate, by an official having at least the rank of Director of the Central Administration.

Section 11:- Membership of the Inter-ministerial or Ministerial Committee or Working Group is subject to proven expertise or to the existence of a direct link between the member's function and the subject under examination.

Section 12:- (1) The composition of an Inter-ministerial Committee may not exceed fifteen (15) members.

(2) The composition of an Inter-Ministerial Working Group may not exceed twelve (12) members.

(3) The composition of a Ministerial Working Group shall not exceed ten (10) members.

(4) The act of setting up an inter-Ministerial Committee or Working Group shall specify the procedures for establishing its composition, as well as that of the Technical Secretariat or the Secretariat Pool.

Section 13: - (1) Invitation of experts by a Committee or Working Group shall be based on items on the agenda and may not exceed three (03) persons per session.

(2) The status of guest cannot be permanent.

Section 14: - (1) Inter-Ministerial Committees and Working Groups shall be required to submit progress reports at regular intervals to their establishing authorities.

(2) At the end of their deliberations, the above-mentioned bodies shall be compelled to submit the final report to their founding authorities.

(3) The reports may be made public, as the case may be, in accordance with the provisions of the instruments establishing the Committees and Working Groups.

Section 15: - (1) Notwithstanding the provisions of Section 3 of this Decree, the mandate of a Committee or Working Group may exceptionally be extended after the submission of the final report, due to the complexity of the issues or to cyclical or structural developments.

(2) The request for extension shall be subject to the prior authorisation of the Prime Minister, Head of Government, and to the due diligence of the authority setting up the body concerned. The said request shall be complemented with the documents provided for in Section 5 paragraph 3 of this decree and by the report of the deliberations submitted.

(3) The extension of the mandate of the Committees and Working Groups shall be entitled to the provision of additional operating costs provided that the additional time granted shall not exceed one third (1/3) of the time initially allotted for the accomplishment of their mission.

Section 16: - (1) Committees, inter-ministerial Working Groups and, where appropriate, the Ministerial Working Group shall benefit, when they are set up, from the operating costs, which shall include, inter alia, the sitting allowances of the members.

(2) The instruments setting up these bodies shall specify the source of their funding for this purpose.

Section 17: - (1) Sitting allowances shall be paid to the members of a Committee or Working Group and to persons invited in an advisory capacity for the performance of their duties.

(2) The amount of the above-mentioned sitting allowances shall be fixed by an order of the Prime Minister, Head of Government.

Section 18: - (1) The sitting allowances paid by the Committee or Working Group's accountant shall be in conformity with those provided for in the expenditure records formally prepared.

(2) Their payment shall be subject to the production of a progress report on the work, subject to repugnant provisions and evidence of the effective participation of the persons concerned in the said work.

(3) The payment of the above-mentioned sitting allowances shall be made in accordance with the regulations in force.

(4) The modalities of transparency and traceability of the payment of the above-mentioned sitting allowances shall be carried out in accordance with the provisions of Law No.2018/011 relating to the Code of transparency and Good Governance in the Management of Public Finances in Cameroon.

Section 19: - The operating resources of a Committee or Working Group shall be mobilized at the behest of the Chairperson of the Committee or Working Group upon creation, with the Ministry in charge of Finance or any other donor.

IV. TRANSITIONAL AND FINAL PROVISIONS

Section 20: - (1) Existing Committees, Inter-Ministerial Working Groups and Ministerial Working Groups, whose terms have elapsed, shall submit their reports no later than 31 December 2018.

(2) The Committees, Inter-Ministerial Working Groups and Ministerial Working Groups that do not meet the conditions provided for by this Decree and whose terms extend beyond 31 December 2018, shall have a maximum period of three (03) months from the entry into force of this Decree to comply, under penalty of being automatically dissolved.

Section 21: - A mechanism for monitoring-evaluation of the performance of Committees or Working Groups shall be set up, at the behest of the Prime Minister, Head of Government or the Minister, as the case may be.

Section 22: - The Ministers shall each, in their sphere of competence, be responsible for the application of this decree which shall take effect from 1st January 2019.

Section 23. – This decree shall be registered, published according to the emergency procedure and inserted in the Official Gazette in English and French.

Yaounde, 30 November 2018, Philemon YANG Prime Minister, Head of Government

**Circular No.001 / CAB / PM of 16 August 1991
on the Practice of Bilingualism in Public and Semi-public
Administrations**

The Prime Minister, Head of Government

To

- Ministers,
- Secretaries of State and Officials ranking as such,
- Governors of the Provinces

For almost a decade, the Government has been committed to providing an elaborated content to the option of bilingualism in our country. This commitment has been reflected in the opening of the School of Translators and Interpreters in Buea, the launch of the English Language Training Project for public employees, the importance given to the teaching of our two official languages in schools, etc.

The results achieved by this policy are today laudable, as evidenced by the ever-increasing number of bilingual Cameroonians.

However, despite these results, the fact remains that public institutions, which should serve as an example through their bilingualism, have not often been able to fulfil the aspiration of most of our fellow citizens or foreign partners to be served in our two official languages. For even when human resources were available, public and semi-public services were not always fully aware of the duties of a State towards its citizens and partners in a bilingual country like ours.

In order to further strengthen the national integration advocated by the President of the Republic, to promote the efficiency of our public and parastatal services and to enhance the image of a bilingual Cameroon, both within and outside our borders, I hereby specify the measures to be taken to make our country more bilingual. The administration already has a sufficient number of bilingual executives as well as well-trained translators and interpreters.

1 Every Cameroonian citizen in general and, every user of the public service in particular, has the fundamental right to address any public or semi-public service in French or English and to obtain an answer in the official language of his or her choice.

2 With a few exceptions (air traffic controllers and language teachers, for example), all public servants have the right to work in the official language of their choice without this affecting their career. However, it is the responsibility of civil servants who deal directly with the public to make themselves understood. The fact remains that the objective to be achieved is that any public officer who deals directly with the public be able to make himself/herself understood by the public.

3 Services offered and official documents published by public or semi-public services and intended for the general public (speeches, notices, regulations, inserts, press releases, examinations, circulars and forms, etc.) must be available in both official languages.

4 Posters, billboards, signs and notices concerning State services or goods and the use thereof must be written in both official languages on the same medium or on two distinct media placed side by side and in such a way that the text of each language is equally visible, apparent and available.

5 Any treaty and agreement concluded between Cameroon and foreign persons or bodies shall, at its signature or as soon as possible, be rendered in English and French, and

include a provision stipulating that both versions are equally authentic.

6 Judgements handed down by the Courts and, in particular, the Supreme Court's judgements must be made available to the public in both official languages as soon as possible, especially when the point of law raised is of obvious importance or interest to users.

7 A special effort must be made by the municipalities of big cities, especially those of Douala and Yaounde which are our showcase to the world and those which are home to tourist centres, as well as our diplomatic and consular missions and all the services or institutions which are in direct contact with the outside world, to fully reflect the bilingual nature of our Nation.

8 Bilingual services must be provided to all persons using the public or semi-public means of communication.

9 Public and semi-public services must encourage and help companies and other organisations under their supervision to reflect and promote the bilingual image of Cameroon, both within the country and abroad.

In these times of economic crisis where we need to consolidate our achievements, become more competitive and make more friends abroad, there is no need to insist on the need to fully exploit our image as a bilingual country, which is one of the features of our identity and ensures us a special place in Africa and in the world.

This is why I would like to express my determination to personally ensure the practice of bilingualism in public and semi-public administrations. In this respect, the Services of the Prime Minister's Office, through the Directorate of Linguistic Services, with sufficient human and technical resources, can provide public and semi-public administrations, at their request, with all the assistance they may need to promote the practice of bilingualism in their midst.

I therefore urge you to take the necessary steps, each in his own sphere, to ensure the urgent and permanent implementation of the measures contained in this circular and to follow up their application.

Yaounde, 16 August 1991

Sadou HAYATOU
Prime Minister, Head of Government,

**Circular No. 004/CAB/PR of 20 August
1991 on Official Endorsements**

The President of the Republic

To - The Prime Minister, Head of Government
- Ministers and Secretaries of State

My previous circulars instituted an official endorsement on the regulations and other instruments that members of Government have to sign in the discharge of their respective duties.

More than a simple administrative formality, the official endorsement was instituted in order, among other things, to rationalize the action of our administration, to allow or even facilitate the harmonisation or, in certain cases, the standardisation of government policies.

Although the official endorsement may appear to be an additional step in the sometimes lengthy decision-making process itself, its virtues have nevertheless enabled our administration to achieve appreciable results in its relations with users and third parties.

This is why, while continuing to further reflect on the relations that our administration should maintain with civil society and speeding up the implementation of the actions that the Government must take to improve the existing ones, I have decided to lighten the list of instruments that are subject to the official endorsement in order to make each of the Ministers and Secretaries of State more accountable in the discharge of their duties.

Thus, and without prejudice to the provisions of my previous circulars or to the specific texts having abolished the formality of the prior official endorsement for certain regulations that are still in force, only the instruments listed below are henceforth subject to the formality of the official endorsement:

They include:

- regulations;
- instruments relating to the health or veterinary map;
- instruments to appoint to the functions of Deputy Director, Sub-Director, Service Head, Deputy Service Head and officials ranking as such;
- the renewal of exploration permits for liquid or gaseous hydrocarbons and minerals;
- the designation of 2nd class traditional chiefs;
- the dismissal of 3rd class traditional chiefs;
- the award of the certificate of first notary clerk;
- the suspension of a Notary or a Bailiff;
- the appointment of an interim Bailiff;
- the determination of the number of Magistrates likely to be rolled on the promotion lists (headquarters and public prosecutor's office);
- the allocation of scholarships for higher education and professional training;
- assignment of Officers;
- advancement of Officers in incremental position;
- advancement in class and by selection for category "A" civil servants;
- bonuses in increment positions for category "A" civil servants;
- the dismissal of officials in categories "B", "C" and "D";
- the recruitment of contract staff in the administration;

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- the termination of the employment contract;
- suspension of the effects of the employment contract;
- the authorisation of credit institutions;
- the approval of general managers and deputy general managers of banks;
- the authorisation of insurance companies, their managing directors and deputy managing directors;
- tax relief, remission and moderation of taxes and duties in an amount exceeding ten (10) million francs.

Prior to signature by the Ministers, the draft regulations or individual instruments mentioned above shall be, as the case may be, subject to approval by the Prime Minister's Office for administrations falling within the Prime Minister's area of competence, or by the Secretariat General of the Presidency of the Republic for administrations under the direct control of the Presidency of the Republic.

For the decisions subject to the prior official endorsement formality and those not subject to this formality, two carbon copies of the signed, registered and dated instrument shall be sent, as the case may be, to the Prime Minister's Office or to the Secretariat General of the Presidency of the Republic, as a report and, possibly, for insertion in the Official Gazette.

I invite the Prime Minister, Head of Government, to ensure the strict application by Ministers and Secretaries of State of this circular, which repeals all previous provisions repugnant thereto.

Yaounde, 20 August 1991
Paul Biya
President of the Republic

**Instruction No.03 / CAB / PM of 30 May 1996
On the Preparation, Signature and Publication of the
Bilingual Version of Official Instruments**

As from the date of publication of this instruction, laws, decrees, orders, decisions, instructions, circulars and memoranda shall be prepared, signed and published in English and French.

To this end, the Directorate of Linguistic Services at the Presidency of the Republic will take all necessary steps to ensure that its own staff or its existing services in the ministries translate and revise texts as the laws and regulations procedures evolve.

At the end of this procedure, the final texts shall be sent for publication, according to the procedure of urgency, to the radio and television and the daily press and for publication in the Official Gazette only in their two language versions.

The Prime Minister, Head of Government, and the Secretary General at the Presidency of the Republic shall be responsible, each in his own sphere, for the strict application of this instruction, which shall be disseminated as necessary.

Yaounde, 30 May 1996
Paul Biya
President of the Republic

Instruction No. 03 / CAB / PM of 27 May 1992
On the Improvement of the Functioning of Public Services

The Prime Minister, Head of Government

To:

- **The Vice-Prime Minister;**
- **Ministers;**
- **Ministers and Secretaries of State**

General Instruction No.002 of 4 May 1992 relating to the organisation of government work entrusts the Prime Minister, in his capacity as Head of Government, with the task of ensuring the impetus, animation, coordination and control of government action.

In order to be effective, the performance of this assignment must be complemented by a profound change in the functioning of public services with a view to improving working relations as well as the decision-making and management methods within the Administrations under the State's jurisdiction. These new management methods must henceforth give priority to respect for the principle of solidarity.

The State's public services must be able to ensure, in the best conditions of equity and efficiency, the indispensable missions that are theirs, by taking better account of its aspirations and, correlatively, the respect of the very essence of the Administration.

Each one of you must be aware of and concerned by this decisive issue because public services, by their quality, are a determining factor in the competitiveness of our economy and occupy a key place in the daily life of the citizen.

It is to this end that I have decided to prescribe the following guidelines for ministerial departments, which are based on the following ideas:

- improving the services provided to users of public services;
- renovating working methods and strengthening discipline;
- the duty of consultation in the preparation of decisions;
- the need for systematic evaluation of public policies.

I- IMPROVING SERVICE PROVISION TO USERS OF PUBLIC SERVICES

The modernisation of our Administration necessarily calls for an improvement in relations with users, in particular through a better definition of their rights and obligations. The effort to humanise relations between the public services and users must therefore be pursued relentlessly. To this end, I would ask you to invite your staff responsible for the services under your authority, control or supervision to pay particular attention to speed, rigour and objectivity in the study and processing of files. Above all, I would stress the obligation of all public services, firstly, to respond imperatively to complaints lodged by users, whatever their nature, and secondly, to shorten the time taken to process cases.

In addition, as prescribed by the Head of State, it is necessary to continue and develop the provision of information to the public on the missions of the various public services of the State, and to ensure that access and reception of the elderly, foreigners or disabled persons is facilitated by assistance meeting their specific needs. This means that each ministerial department must develop a strategy to improve and intensify public information to this end, in

conjunction with the Prime Minister's Office and the Ministry of Communication.

One of the ways of improving relations between public services and users is undoubtedly to involve users more closely in discussions on the operation of public services. Indeed, the user of the public service should no longer feel obliged to choose between passivity and criticism; he should now be considered as an essential partner who, taking into account the real working conditions in the administrations, contributes with his proposals and suggestions to the improvement of their functioning. I therefore urge you, whenever necessary, to promote in a pragmatic way sector consultations leading to the gradual establishment of an effective partnership between the Administration and civil society.

I also insist on the obligation of public services to diligently rectify an error when it has been detected. This means that it is no longer necessary for all conflicts and misunderstandings between Administrations and users to always be resolved through litigation.

Without prejudice to respect for the rule of law to which they are bound, it is therefore incumbent on public services to develop conciliation procedures, or even equity mechanisms, in order to be ever more attentive to the aspirations and grievances of users.

II- THE RENOVATION OF WORKING METHODS AND THE STRENGTHENING OF DISCIPLINE

The above-mentioned General Instruction on the organisation of government work requires you to monitor the activities of all the services under your sphere of competence. To achieve this objective, you must ensure that discipline and hierarchical principles are reinforced among the staff under your authority, as well as the neutrality of the public service in order to avoid any drift or partisan temptation. You must also ensure the mobilisation as well as active and positive participation of public officials, particularly with regard to the performance of the tasks incumbent on public services. Indeed, human resources, through their qualifications, motivation and capacity for creativity, are the best guarantee of the effectiveness of our public services. In order to demand a thorough improvement in the functioning of these services, I urge you to be attentive to the aspirations of the personnel under your authority. Therefore I invite you in particular:

1 To emphasise the development of human resources through a more forward-looking management of jobs and staff strength, in order to promote consistency between, on the one hand, the evolution of missions, professions and qualifications and, on the other hand, the decisions you may take in terms of training, mobility or promotion of the staff placed under your authority. At a time when recruitment opportunities are becoming scarcer in the public services due to the constraints of structural adjustment, the human resources development policy may contribute to a more optimal allocation of staff to the needs of the various public services, according to the priorities that the Government will have previously defined.

2 As far as possible, the introduction of new technologies (information technology, office automation, etc.) should be encouraged in our services, and this should be systematically accompanied by a reflection on the organisation, content and streamlining of working conditions.

3 To promote human investment, not only as a measure to accompany any new physical investment, but also through actions of continuous training of agents, with a view to adapting their qualifications to the evolution of missions, trades and technologies. To this end, it is up to you to search for:

- the development of continuing training actions within the limits of available resources and

the possibilities offered by bilateral or multilateral cooperation, particularly in the public services where there is a clear deficit in the training effort;

- the determination in each administration of the priorities and objectives of continuing training, based on a study of the evolution of missions and professions and on an analysis of the needs expressed by staff;
- taking into account life-long learning in the management of assignments and promotions;
- the gradual and systematic introduction of the obligation to follow appropriate training courses organised for managerial positions.

At the same time, I urge you to encourage personal training activities that could be initiated by the staff under your authority.

4 To develop centres of responsibility in the public services under your sphere of competence, in order to make more effective the policy of administrative decentralisation desired by the Head of State with a view to bringing users closer to the centres of decision.

III- THE DUTY TO CONFER IN THE DECISION-MAKING PROCESS

The General Instruction on the organisation of work, to which I have already referred to above, requires you, in the case of important texts, to involve the other ministries concerned in their preparation.

In order to obtain the maximum number of opinions and to enrich your decisions or proposals for decisions which you intend to take or submit to me or to the President of the Republic, as the case may be, it would be beneficial to involve representatives of civil society (technicians and professionals in the sector or any other person recognised for his or her competence) when they are, in one way or another, concerned by your decisions.

Correspondence transmitting your proposals to the Prime Minister's Office, whatever their nature or form, must henceforth, on the one hand, report on such consultations when they have taken place, and be accompanied, if necessary, by the relevant minutes or reports, and, on the other hand, highlight the points of divergence noted between the various parties involved or the arbitrations handed down by the initiating Minister, as well as any outstanding issues, those left to my decision or, where appropriate, that of the President of the Republic.

As stated in the General Instruction on the organisation of government work, the Prime Minister's Office cannot, under any circumstances, replace the competent Ministers in the preparation of decisions or in dealing with a case in its entirety. As they are not, therefore, study units called upon to take the place of your competent services, it is up to you to facilitate their task, on the one hand, by providing them with the documentation and all the details useful for a sound decision and, on the other hand, by only providing them with files that are ready to receive a decision.

IV- THE NEED FOR SYSTEMATIC EVALUATION OF PUBLIC POLICIES

The time has come to undertake an overall reflection on the evaluation of policies in public services. The absence of a system of evaluation discourages innovation, does little to encourage adaptation and results in a significant increase in the cost of actions because new public service tasks, made necessary by social change, are not taken on by the Administrations, whereas they could be at the lowest cost if they had been identified in time.

The evaluation in question must be understood as a mechanism or a tool that makes it possible to monitor these actions, programmes or policies initiated by your services. It should focus in particular on the choice of instruments for intervention by public services and allow for discrimination in the choice of these instruments. It should also be seen as a means of

increasing the responsibility of the staff under your authority. It should be done both before and after the event and, as such, it should be involved both in the decisions to be taken and in those that have already been taken.

The establishment by the Head of State, in relation with the entire Cameroonian people, of an advanced democratic system requires today more than before a systematic and periodic evolution of the actions of public services to enable them better adapt to the demands of the times.

I therefore urge you to evaluate, without complacency, the efficiency of your services through the use of modern management tools, adapted to the public administrations, in order to allow a better internal management and to facilitate external control by providing objective benchmarks.

To this end, I invite you to reflect on the best ways to ensure that the evaluation function in your respective administrations is genuinely and permanently taken over.

It goes without saying that the prescriptions contained in this Instruction will only be effective if they enjoy the support of all. Therefore, I invite you to ensure its strict application and to ensure its wide dissemination to the persons and public services under your authority.

Yaounde, 27 May 1992

The Prime Minister, Head of Government

**Circular No 004 / CAB / PM of 5 July 2004
on the Redeployment of Senior Staff within Public Administrations**

The Prime Minister, Head of Government

To:

- Ministers of State,
- Ministers,
- Ministers Delegate,
- Secretaries of State

I have noticed that many civil servants who have joined other Administrations following their appointment to duty posts continue to stay there after losing the functions that motivated the departure from their Service of Origin.

This situation not only reduces them to idleness while they continue to fully enjoy all their rights, but is also likely to disrupt the working atmosphere in the services where they have taken refuge.

Moreover, their service of origin and user Ministry have lost control over them, making it ipso facto even more difficult to control the workforce.

Therefore, in order to promote a rational and efficient management of this category of staff, I ask you to systematically return them to their Service of origin, as soon as they lose their duty posts.

I henceforth urge you to return to their Service of origin, with a view to their redeployment to specific positions, all the Senior staff who would find themselves in this situation within your respective ministries; such redeployment should also be carried out for Senior staff who, within their Service of origin, have lost the duty posts they held.

I attach utmost importance to the strict application of the provisions of this circular, of which you will be kind enough to acknowledge receipt.

Yaounde, 5 July 2004
Peter Mafany Musonge
Prime Minister

**Instruction No.003 / CAB / PM of 24 January 2001
on the Streamlining of Time Limits and Procedures for the
Processing of files in Public Services**

The Prime Minister, Head of Government

To:

- Ministers of State
- Ministers
- Secretaries of State
- Governors of Regions

By instruction No.001/CAB/PM of 27 May 1992, I had suggested, with a view to improving the services rendered to public services workers, to invite your close aides and managers of public services placed under your authority, control or supervision, to ensure in particular the speed, rigour and objectivity in the review and processing of files.

However, it must be noted that many public services seem to have lost sight of this at a time when the Government is engaged in a vast process of renovation and modernisation of its administration and through the adoption of the National Governance Programme.

Faced with this situation, which is highly detrimental to the image of the administration and the effectiveness of its action, I would ask you to take the necessary measures to regulate the procedures for handling cases within your various administrations, with particular emphasis on:

- processing times;
- the role and duties of the various actors;
- transparency;
- and ongoing information for users.

These internal measures of an immediate and specific nature will be supplemented and reinforced by the drafting of a Manual of Administrative Procedures (MPA) specific to each of your administrations.

To this end, I invite you to contact the Permanent Secretariat for Administrative Reform with a view to drawing up these Manuals of Procedures, for which funds will have to be made available in your respective budgets.

You will kindly report to me before 30 June 2001 on the internal measures taken to implement the above prescriptions and, if necessary, on the difficulties encountered.

The Minister of Public Service and Administrative Reform, for his part, will also submit me a report on the state of preparation of the Manuals of Administrative Procedures by the various ministerial departments before 30 December 2001.

I attach utmost importance to the strict observance of this instruction, of which you are requested to acknowledge receipt.

Yaounde, 24 January 2001

The Prime Minister, Head of Government

Circular No. 001 / CAB / PM of 14 January 2011
Relating to the Preparation of Draft Instruments of Implementation of Laws and Regulations

The Prime Minister, Head of Government

To

- Vice Prime Ministers
- Ministers of State
- Ministers
- Ministers Delegate

I have noticed that the ministries that initiate instruments often take months, even years, to submit for consideration, draft instruments of implementation of laws promulgated or regulations sanctioned in their sectors of activity.

Regularly, draft laws and regulations are sent to the Prime Minister's Office without their draft instruments of implementation.

This situation not only renders these laws and regulations partially or totally inapplicable once they have been adopted, but also hinders the implementation of public policies and thus reduces the effectiveness of government action.

It is important to review our practices in this area.

The process described in this circular not only ensures that the spirit and letter of the core text and instruments of implementation are consistent, but also guarantees that the initiating ministerial department will be able to gather the expertise needed for this work at the same time and in the same place, thus minimizing the expenses that would have been incurred if the drafting of the instruments of implementation had been postponed to a subsequent date.

I therefore invite you to ensure that from now on, bills and draft regulations are drafted concomitantly with their instruments of implementation, where applicable.

To this end, you will henceforth forward to the Secretariat General of the Prime Minister's Office, for further processing, the bills or draft regulations together with their draft instruments of implementation. Consequently, any bill or draft regulation submitted in violation of these provisions will be returned to its initiator.

I attach utmost importance to the strict respect and effective execution of the instructions of this circular, which you are kindly requested to acknowledge receipt of and report to me on any difficulties encountered in its execution.

Yaounde, 14 January 2011

Philemon YANG

Prime Minister, Head of Government

Circular No. 005/PM of 21 July 2000 on the Preparation of Collections of Instruments by Ministries

To:

- Ministers of State
- Ministers

Subject: Preparation of collections of instruments by ministries

Familiarity with the texts in force is a vital condition to the smooth preparation of the files for which your services are referred to.

In this respect, I have the honour to urge you to kindly prescribe your legal affairs units and divisions to identify and collect all the laws and regulations which you are in charge of applying and compile a corresponding compendium comprising an analytical directory.

Yaounde, 21 July 2000

(signed) Peter Mafany Musonge
Prime Minister

Circular No. 001/ CAB/PM of 4 January 2000
Bearing on the Functioning of Legal Structures in Ministries

The Prime Minister, Head of Government,

To:

- Ministers of State
- Ministers

The internal instruments of the various ministries have set up legal affairs structures in the form of Units, Divisions and Departments as the case may be, with the following missions:

- preparing and editing drafts laws and regulations initiated by the ministry or submitted for the signature of the minister;
- giving a legal opinion on important issues concerning the ministry;
- ensuring the lawfulness of the commitments of the ministry;
- ensuring the defence of the State interests in courts when the ministry is involved in a case.

In the current context characterised by the reassertion of the rules of law principles and adherence of the institutions to the republican legality, importance, specificity and sensitive nature of its missions need to be reminded.

Yet, my attention has been drawn on the fact that Legal Affairs Units, Divisions or Departments of the ministries are neither appropriately nor fully used for the missions they have been assigned.

These structures are marginalized and bypassed in the ministerial chain of preparation of instruments, and are victims of mistrust and partitioning of technical departments, and increased and unjustified resort to external legal expertise.

This has resulted in the unequal and insufficient control of the legal constraints of government work as reflected by continuous deterioration of the quality of draft texts and instruments produced in the ministries and poor follow-up of the State interests in courts.

In order to stop such practices, I urge you to enhance the legal and dispute functions in the ministries by ensuring the proper functioning of the specialised structures set up for this purpose.

I invite you in particular to initiate, through service notes, processes organising the role of legal procedures:

- 1) in the editing of draft instruments;
- 2) in the follow-up of cases of disputes;
- 3) in the prior monitoring of the lawfulness of instruments and decisions issued by ministries;
- 4) This service note shall also specify the procedures of permanent cooperation between the technical departments and legal structures, as well as any other measures likely to encourage the technical departments to usefully resort to the specialised services and opinions of legal structures.

Any resort to legal expertise out of the Service shall be exceptional and shall be of proven necessity.

It shall be submitted to the opinion of the legal services of the ministries which in turn shall be dissuaded from having their tasks performed by private professionals especially when the cost is very high.

I urge you to provide your support to these structures by giving them your personal trust and by ensuring that all the other bodies of the ministries involved them better in the various work procedures.

I equally invite you to put human and material resources at their disposal and ensure that only seasoned legal minds are designated in these structures and that their personnel should benefit from regular sessions of continuing education.

I would not hesitate whenever necessary to ensure, on a case-by-case basis, that these services are fully associated in government work.

I attach importance to the strict respect and effective implementation of the prescriptions of this Circular.

Yaounde, 4 January 2000

(signed) Peter Mafany Musonge

Prime Minister, Head of Government

Service Note No.00000079/MINEPAT/SG/DSR/CS of 7 February 2019 Bearing on the Ministerial Charter of the Management of MINEPAT Programmes.

To

- Programme Managers
- Officials responsible for actions
- Heads of Administrative Units
- The Management Audit Coordinator
- Management Auditors.

The purpose of this service note is to specify the principles to be observed in the management of programmes and to prescribe appropriate measures to improve the overall performance of the ministry, in keeping with Law No. 2018/012 of 12 July 2018 on the Financial Regime of the State, Circular No. 003/PM of 6 July 2015 relating to Management Audit in the framework of the preparation and execution of the State budget, and Circular No. 001/C/MINFI of 28 December 2018 on instructions relating to the execution of finance laws, monitoring and control of the execution of the State budget, and other public entities for the financial year 2019.

It is structured around the following points:

- the conditions and schedule for the elaboration and management of programmes;
- performance monitoring;
- the conditions and schedule for preparing quarterly reports, the 2018 annual performance report and MINEPAT 2020 performance plan;
- organisation of management dialogue, management audit procedures, circulation of information, financial management and reporting rules.

1. CONDITIONS AND SCHEDULE FOR THE ELABORATION AND MANAGEMENT OF PROGRAMMES

The programme development and management schedule is broken down according to the different phases of the Planning-Programming-Budgeting-Monitoring/Evaluation chain.

Planning

The programme manager is required to produce the review/update document of his/her programme and to send it to the management audit coordination before the end of March for consolidation according to the framework defined by MINEPAT Planning and Strategic Planning Division.

The programme manager is also required to evaluate the results chain of his programme and to submit it to the management audit coordination before the end of March following the framework defined by Division of Forecast and Preparation of Programmes and Projects of MINEPAT.

Programming

On the basis of the programme review/update documents and the results chain assessment, the Director of General Affairs coordinates the development of MINEPAT Medium-Term Expenditure Framework (MTEF). In this capacity, he is responsible for preparing, in conjunction with the Management Audit Coordinator and Management Auditors, MINEPAT transition to the current Expanded Programming Conferences (CEP) in the month of June. The budget request of the MTEF of the programme must take into account the needs of all

the structures attached to the programme on the basis of mature projects/activities. The MTEF must be in line with the framework defined by the Programme and Project Preparation and Forecast Division of MINEPAT and made available before the end of May.

Budgeting

Placed under the supervision of the Secretary General, Chairman of the Internal PPBS Committee, the preparation of MINEPAT performance plan for the financial year 2020 is coordinated by the Director of General Affairs assisted by the Coordinator of Management Audit, the Assistant Director of Budget and Management Audits. This technical team is responsible for:

- identifying the activities to be carried out and define a work schedule;
- identifying all the stakeholders in the process and the terms and conditions of their involvement;
- analysing the needs of central and decentralised services and of the attached and supervised structures;
- proposing an overall breakdown of the budget by programme on the basis of a methodology drawn up and adopted by the PPBS committee;
- preparing the passage of MINEPAT before the CIEP;
- producing the draft PPA for MINEPAT;
- preparing the passage of MINEPAT before the pre-conferences and budget conferences;
- preparing MINEPAT's passage before the budget committees of the National Assembly and the Senate.

The Management Auditor analyses, summarises and ensures the consistency of this information and produces the draft review/update document, results chain and medium-term expenditure framework for the programme. These documents are respectively examined during the management meetings in April and May.

The main output of the budgeting stage is the lower part of the programme performance plan. On the basis of the programme and MTEF project review documents, the Auditor, under the supervision of the Programme Manager and the Action Managers, prepares the lower part of the programme's PPA.

Monitoring and evaluation

Monitoring the implementation of the programme is an ongoing activity. The management audit is responsible for making available to those involved in the implementation of the programme the tools for monitoring and evaluating actions and activities.

Action managers shall make available to the management controller, at the end of each month and no later than 10 days after the end of the month, information relating to the performance of the action. On the basis of this information, Management Auditors shall produce each month the consolidated programme monitoring performance chart and, at the end of the quarter, the quarterly programme implementation report. The quarterly programme implementation reports are reviewed during management meetings in April, July and October.

The Management Controller prepares the draft annual programme performance report for the previous year no later than 30 April, taking into account the additional information for the current year from January onwards, and the draft annual programme performance report for the previous year. He shall prepare the programme's contribution to the ministerial department's participation in the Inter-Ministerial Programme Review Committee. The draft annual programme performance report for the previous year is examined at the May meeting.

The quarterly summary reports resulting from the implementation of the programme are sent to the Management Audit Coordinator no later than five (05) days after the end of the quarter concerned, so that the latter can organise the strategic management dialogue.

The programme manager is required to prepare the annual performance report of his/her programme and transmit it to the Management Audit Coordinator before the end of April for consolidation, translation and forwarding to the Ministry of Finance before the end of May.

On the basis of these documents, the Management Auditor, in conjunction with the Management Controller's representatives, prepares the preliminary draft annual programme performance report for the previous financial year.

On the basis of the draft performance of the administrations in Chapter 22, as voted in Parliament, and other related documents, the action managers shall prepare and send to the programme manager, no later than the end of the first quarter of January, the annual work plan and the steering framework for the action for the current financial year.

By the same deadline, the Management Controller, in conjunction with the activity managers, updates the procurement plan and the action's commitment plan. The Financial Controller thus prepares the consolidated procurement plan of the programme and the draft annual work plan of the programme for the current financial year, from which the programme's action plan and the programme's actions to be included in the ministerial department's roadmap are drawn up.

The draft annual programme performance report for the previous year, the annual programme work plan, the procurement plan and the credit consumption plan are reviewed during the January and February programme management meetings.

2. PERFORMANCE MONITORING

The relationship between the different actors in MINEPAT's performance, as defined in the budget steering and execution manual, resulting from the combination of the allocations defined by the organic framework and all the regulations governing the administration, as well as the responsibilities inherent to the budget management in programme mode.

2.1-1 Programme supervision

The Minister, assisted by the Minister Delegate, ensures the supervision of all the programmes of the ministry. In this capacity, he shall be responsible for:

- validating the strategic framework of the ministry's programmes;
- validating the programme management protocols;
- designating the performance actors as defined in the programme budget;
- validating the initial budget allocations of each programme;
- validating the formats of the technical tools for monitoring performance;
- validating all the technical productions of the planning-programming-planning-budgeting-monitoring chain (PPBS).

2.2- Programme coordination

The Secretary General, assisted by the Management Audit Coordinator, is the coordinator of programmes. In this capacity, he ensures the overall coherence of the programmes and the achievement of the overall objective of the ministerial department. He chairs the internal

management committee of the PPBS chain, which is responsible for:

- defining the ministerial strategic objective;
- defining the logical framework of programmes;
- producing all the technical documents of the PPBS chain, namely:
 - * Review and updating of programmes;
 - * Evaluation of the results chain;
 - * the Medium-Term Expenditure Framework (MTEF);
 - * the MINEPAT performance project;
 - * Quarterly public investment budget monitoring reports;
 - * the annual performance report (RAP).

The Secretary General, assisted by the Management Audit Coordinator, consolidates the quarterly programme performance monitoring reports and submits them to the Minister.

2.3- Programme steering

Steering consists of the ability of a programme or action manager to make an initial or corrective decision, based on knowledge of costs, activities and results.

Strategic steering reduces the development of logical frameworks for programmes integrated into the strategic framework of the ministerial department, with a view to improving the logic of programme intervention, increasing the probability of achieving results, reducing the influence of risks, determining monitoring indicators and facilitating evaluations.

For the steering of a programme in MINEPAT, performance actors include the programme manager, the management controller, action managers, heads of administrative units and activity managers.

a- The programme manager

The programme manager is responsible for steering and coordinating the implementation of the programme's actions under the authority of the Minister, assisted by the Minister Delegate and the Secretary General. He/she ensures that the implementation of the programme approach is consistent with the organic framework of the ministry.

In this capacity, he shall be responsible for:

- ensuring the formulation of the programme;
- supporting the definition of the institutional framework for the implementation of the programme:
- developing the programme strategy, including the definition of its objectives and performance indicators;
- ensuring the coherence of the programme's actions
- ensuring that the means are consistent with the expected results;
- producing, in his/her sphere of competence, the technical documents expected from the PPBS chain.

Within the framework of the animation of the programme, the programme manager will:

- establish a strategic and operational steering mechanism;
- formulate the programme management protocol;
- coordinate the implementation and monitoring/evaluation of the programme's actions, activities and tasks;
- support the implementation of management audit and its tools (programme management chart, indicator sheet, monitoring sheet, programme mapping, etc.);
- produce the monitoring report on the performance of the programme on a quarterly basis

and make it at the disposal of the Secretary General, no later than 5 days after the end of the period.

b- The Management Controller

The main mission of the Management Controller is to support the Programme Manager in achieving the objectives assigned to him/her as part of the implementation of the Finance Law. He comes in upstream and downstream of the budget process, particularly in the phases of preparation, execution and monitoring-evaluation of the finance law. In this respect, he/she provides the elements that enable the management dialogue to be conducted and managed objectively.

During the drafting phase of the Finance Law, the controller:

- ensures the consistency of the objectives contained in the strategic planning and financial programming instruments and contributes to their development;
- provides objective and quantitative elements for analysing costs and results of activities;
- participates in drawing up the programmes included in the administrations' performance projects;
- contributes to the setting of objectives and the definition of indicators;
- assesses the realism and ambition of the result targets proposed by those responsible for activities and ensures that their aggregation makes it possible to achieve the programme's targets.

In the implementation phase of the Finance Law, the Management Controller:

- collects and analyses management information;
- ensures that the programme's strategy and objectives are communicated to central and decentralised services;
- coordinates the implementation of objectives and indicators related to actions or activities falling under the responsibility of central or decentralised services;
- ensures that all stakeholders disseminate and take ownership of the performance management approach and tools.

The Management Controller actively participates in the programme's monitoring-evaluation. In this capacity, he:

- Designs and provides information for the programme manager's management chart;
- prepares and ensures the follow-up of the measures adopted to steer the programme for the benefit of the managers;
- draws up a monthly report on the state of implementation of the programme, which he submits to the monitoring unit responsible for coordinating management audit;
- under the supervision of the programme manager, he/she draws up the technical programme documents expected from the PPBS chain.

The function of Management Controller is incompatible with that of Programme Manager and Action Manager.

c- Action Managers

The Action Manager is responsible for steering the action. In this capacity, he shall be responsible for:

- defining the objectives and performance indicators of the action;
- ensuring the overall coherence of the action's activities;
- defining the logical framework for the implementation of the action for which he is responsible.

d- Heads of Administrative Units

As a reminder, administrative units are regional delegations, divisional delegations and the diplomatic and consular missions.

Heads of administrative units are responsible for activities that may belong to different actions and even programmes. To this end, they are required to produce consolidated activity reports presented according to the programmes and actions in which they intervene. They are also responsible for:

- the coordination of all activities or tasks carried out in their area of competence;
- reporting on the preparation and implementation of finance laws at central level by programmes and actions.

c- Activity managers

The Activity Manager is the person responsible for the implementation of the activity in the programme budget. He is accountable for the results of the activity to the Action Manager or the Administrative Unit, as appropriate. It should be noted that the function of Activity Manager is dissociated from the function of vote holders. The Activity Manager must ensure:

- breaking down the activities into tasks and evaluating their costs;
- filling in the activity implementation schedule to facilitate monitoring by the Programme Manager;
- identifying the indicators for monitoring the activity to facilitate the evaluation of progress towards results;
- the follow-up of the activity until its completion (consultation file for companies, physical and financial follow-up, etc.);
- producing any information required for programme implementation reports.

The designation of the performance actors is subject to specific texts of the Ministry of the Economy, Planning and Regional Development.

3. CONDITIONS AND SCHEDULE FOR THE PREPARATION OF QUARTERLY REPORTS, THE 2018 ANNUAL PERFORMANCE REPORT AND MINEPAT 2020 PERFORMANCE PLAN

The quarterly summary reports resulting from the implementation of each programme shall be submitted to the Ministry no later than five (5) days after the end of the quarter concerned, so that the latter can validly organize management dialogue, at their respective levels. The reports of the first two quarters shall also feed into the mid-term finance law implementation report.

Each Programme Manager is required to prepare an Annual Performance Report for his/her programme and send it to the Management Audit Coordination Unit before the end of April for consolidation, translation and forwarding to the Ministry of Finance before the end of May.

It will be about:

- making a balance sheet of the technical implementation of ministerial programmes, action by action, for the 2018 financial year;
- analysing the factors accounting for performance or counter-performance.

The 2018 APR must be sent to MINFI before the end of May 2019.

The preparation of the draft performance of MINEPAT for the financial year 2020 is coordinated by the Director of General Affairs assisted by the Management Audit Coordinator, the sub-Director of the Budget and Management Auditors. This technical team is responsible for:

- identifying the activities to be carried out and defining a work schedule;
- identifying all the stakeholders in the process and the conditions for their involvement;
- analysing the needs of central and decentralised services as well as those of attached and supervised structures;
- proposing an overall breakdown of the budget by programme on the basis of a methodology drawn up and adopted by the PPBS committee;
- preparing the transition from MINEPAT to CIEP;
- producing the draft PPA of MINEPAT;
- preparing the passage of MINEPAT at the preliminary conferences and budget conferences;
- prepare MINEPAT passage before the budget committees of the National Assembly and the SENATE.

4. ORGANISATION OF MANAGEMENT DIALOGUE, MANAGEMENT AUDIT CONDITIONS AND INFORMATION FLOW

4.1- Management dialogue

Management dialogue is a permanent consultation mechanism set up within the framework of a programme to ensure that the activities implemented by the various programme stakeholders contribute to the achievement of the expected results. The aim of this mechanism is to correlate the trajectory of achievement of the programme's strategic objectives with the target set in the Performance Plan of Administrations.

a- Strategic management dialogue

Under the chairmanship of the Minister, assisted by the Management Audit Coordinator, the ministerial dialogue meeting will bring together all the actors concerned by the achievement of the Ministry's objectives: the Programme Managers, the Heads of Public Establishments contributing to the achievement of the Ministry's strategic objectives, the Director of General Affairs, and, where applicable, the Financial Controller and the Designated Public Accountant. The relevant meetings are held at least once a quarter. At the end of each session, a report is sent to the Minister within 48 hours. Under his authority, the Management Audit Coordinator consolidates the quarterly summary reports of the programmes and forwards them to the Minister of Finance no later than 10 days after the end of the quarter. The sessions of the strategic management dialogue may be extended to Regional Delegates.

Management dialogue sessions are also organised as a means of validating the main outputs of the PPBS chain, in particular:

- Review and updating of programmes;
- Evaluation of the results chain;
- the medium-term expenditure framework (MTEF);
- the Administration Performance Plan (APP);
- the annual performance report (APR);
- Quarterly public investment budget monitoring reports.

The strategic management dialogue meetings are prepared by the Follow-up and Reminder Division, which is responsible for the performance chart of the ministerial department.

b- Management dialogue within a programme

The internal management dialogue within each programme is organised according to a Management Protocol to be drawn up by the Programme Manager. It will serve as a support for communication and harmonisation of work processes. This dialogue offers each programme manager an opportunity to make the programme a dynamic reality. The role of

the management audit function is to facilitate this dialogue. Through this management dialogue, the different levels of responsibility of programmes are exchanged, under the authority of the person in charge, on:

- the strategic objectives linked to a public policy, the indicators for measuring these objectives and the targets to be achieved;
- the financial, human and material resources to be provided or made available to achieve the objectives set;
- the results obtained from the selected indicators, in particular the monitoring of the performance of the programme and the analysis of gaps;
- the main outputs expected from the programme, particularly those noted in the preceding points.

Each Programme Manager is expected to hold at least one management dialogue meeting per month. At the end of each session, a report is sent to the Secretary General, with a copy to the Minister, within 48 hours.

4.2- The performance information system

The performance information system is the operational mechanism for collecting, processing and disseminating information on programme performance. It relies on the procedures, human, material and software resources organised to perform this function.

Each manager identifies, in conjunction with action managers and, if necessary, the heads of administrative units, management audit reference persons (focal points) according to the programme performance information needs. The management audit representatives are responsible, at action and administrative unit level (central or decentralised services), for preparing information relating to the monitoring of programme performance.

In the reporting process, the Activity Manager is required to report to the Action Manager, who in turn reports to the Programme Manager. The purpose of reporting is to identify any deviations and propose corrective measures to reduce the risk of not achieving the objectives.

The standard aides and technical tools relating to performance information will be designed or developed by the Follow-up and Reminders Division, the Management Audit Coordinator, who is responsible for leading the network of Management Controllers with a view to capitalizing on practical milestones.

4.3- Financial management and reporting rules

The management report presents the international and national environment in which the budget was implemented. It sets out the rules and procedures that were used throughout the year to illustrate that the budget was indeed implemented in strict compliance with orthodoxy.

I attach utmost importance to the implementation of these prescriptions.

Alamine Ousmane Mey

Minister of the Economy, Planning and
Regional Development

**Circular Letter No. 001/CAB/PM of 24 January 2006
relating to the Defence of the State in Courts**

**The Prime Minister, Head of Government
To**

- Vice Prime Ministers
- Ministers of State
- Ministers
- Ministers Delegate

I have noticed that most of the contentious appeals involving the State at the level of the Administrative Bench of the Supreme Court are judged in the absence of representatives of ministries, thus leading to frequent convictions in absentia.

The consequence of these condemnations is, on the one hand, the degradation of the image of the Administration which thus appears to the public eye as having little concern for the respect of the law and, on the other hand, a burden to the Public Treasury through the payment by the State of heavy damages and interests.

However, the organic texts of the various ministries have instituted, in the form of Division or Directorate, as the case may be, legal structures responsible in particular for ensuring the defence of the State's interests in court when the State is a party in a case.

Moreover, in keeping with the relevant provisions of Law No. 75/17 of 8 December 1975 establishing the procedure before the Supreme Court ruling in administrative matters, the high court has always taken care to inform the heads of ministries of the appeals lodged against the administrations placed under their authorities so that they can designate the person or persons responsible for defending the interests of the State, within the prescribed time limits.

However, this procedure has regularly been looked on, or even neglected, which is, to say the least, inadmissible.

In order to put an end to such an attitude, I would urge you to ensure that the legal structures responsible, inter alia, for defending the State in court function optimally from now on. This implies the reevaluation of the litigation function within your ministries.

This requires that the structures concerned be provided with adequate human and material resources and that experienced lawyers be appointed to them.

In addition, you will ensure that you follow up with all due attention the trials in which your ministries are involved, so as to put an end to convictions in absentia of the State.

Finally, I request you to send me a report at the end of each litigation procedure involving your respective ministries.

I attach utmost importance to the strict observance and effective implementation of the provisions contained in this circular letter.

Yaounde, 24 January 2006

Inoni Ephraim

Prime Minister, Head of Government