REPUBLIC OF CAMEROON **PEACE – WORK – FATHERLAND**

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Law No. 2012/001 of 19 April
relating to the Electoral Code

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

PART I

GENERAL PROVISIONS

SECTION 1.- (1) This law relates to the electoral code.

(2) In particular, it lays down:

- Provisions specific to the body responsible for the organization, management and supervision of all election and referendum operations;
- Common provisions governing the election of the President of the Republic, Members of Parliament and Municipal Councillors and to Referendums;
- Provisions specific to the vacancy of and election to the Presidency of the Republic;
- Provisions specific to the election of Members of Parliament to the National Assembly;
- Provisions specific to the election of municipal councillors;
- Provisions specific to referendums;
- Provisions applicable to the election of senators;
- Provisions applicable to the election of Regional councillors;
- Provisions specific to voting by Cameroonian citizens based or resident abroad;
- Provisions specific to the funding of political parties and election campaigns and referendums.

SECTION 2.- (1) Elections shall be by universal suffrage and by equal and secret ballot.

(2) Suffrage may be direct or indirect under the terms and conditions provided for by the Constitution and by this law.

SECTION 3.- The organization, management and supervision of all election and referendum operations shall devolve upon “Elections Cameroon”, abbreviated as “ELECAM”.

PART II

PROVISIONS SPECIFIC TO THE BODY RESPONSIBLE FOR THE ORGANIZATION, MANAGEMENT AND SUPERVISION OF ALL ELECTION AND REFERENDUM OPERATIONS

CHAPTER I

GENERAL PROVISIONS

SECTION 4.- (1) "Elections Cameroon" shall be an independent body responsible for the organization, management and supervision of all election and referendum operations.

(2) Elections Cameroon shall perform its duties in keeping with the Constitution and laws and regulations in force.

(3) Elections Cameroon shall have legal personality and management autonomy.

(4) The Head Office of Elections Cameroon shall be in Yaounde.

SECTION 5.- (1) Members of Elections Cameroon shall refrain from any act that may undermine the independence and dignity of their duties. They shall specifically, during their tenure of office, refrain from using their status for purposes other than those relating to their mandate.

(2) Members of Elections Cameroon shall, under no circumstances, seek or receive instructions or orders from a public or private authority, be it national or foreign, during the performance of their duties.

SECTION 6.- (1) Members of Elections Cameroon may not be prosecuted, investigated, arrested, detained or tried for their views expressed in the performance of their duties.

(2) Save in cases of *flagrante delicto*, members of Elections Cameroon may not be prosecuted during their tenure of office.

CHAPTER II

DUTIES

SECTION 7.- (1) Elections Cameroon shall be responsible for the organization, management and supervision of election and referendum operations.

(2) In this respect, Elections Cameroon shall be vested with all the requisite powers to perform its duties.

CHAPTER III

ORGANIZATION AND FUNCTIONING

Section 8.- Elections Cameroon shall perform its duties through the following organs:

- The Electoral Board (EB);
- The General Directorate of Elections (GDE).

SECTION 9.- (1) Elections Cameroon shall be under the authority of the Electoral Board.

(2) The Electoral Board shall ensure the smooth functioning of Elections Cameroon.

I – THE ELECTORAL BOARD

A - DUTIES

SECTION 10.- (1) The Electoral Board shall ensure compliance with the electoral law by all stakeholders for the purpose of guaranteeing regular, impartial, free, fair, transparent and credible polls.

(2) In this respect, the Electoral Board shall:

- carry out any verifications and controls it may deem appropriate;

- scrutinize candidacy papers and publish the final list or lists of candidates contesting presidential, legislative, senatorial, regional and municipal elections;
- forward election reports to the Constitutional Council or bodies provided for by law;
- ensure the timely publication and notification of the list of members of local polling commissions to the appropriate persons specified in the electoral law, notably representatives of lists of candidates or candidates;
- control the preparation of election material and election documents within the deadlines laid down by law;
- hear and determine claims and petitions regarding pre-election and election operations, subject to the jurisdiction of the Constitutional Council and appropriate courts or authorities;
- order corrections warranted following consideration of claims or petitions filed in respect of elections or referendums.

SECTION 11: (1) Within the framework of its duties, the Electoral Board shall:

- adopt the by-laws of Elections Cameroon;
- submit reports and/or proposals to the relevant authorities on issues that fall within their competence;
- examine and approve draft budgets prepared by the Director General of Elections;
- approve the action programme prepared by the Director General of Elections;
- approve progress reports drawn up by the Director General of Elections;
- give its opinion or make suggestions on any election-related draft instrument submitted to it;
- on the proposal of the Director General of Elections, determine the organization and conditions of functioning of branches;

(2) The Electoral Board shall hold consultations with the Administration, the judiciary, political parties and, where necessary, civil society within the framework of the management of the electoral process.

B - COMPOSITION AND TENURE OF OFFICE

SECTION 12: (1) The Electoral Board shall comprise eighteen (18) members, including 1 (one) Chairperson and 1 (one) Vice-Chairperson.

(2) Members of the Electoral Board shall be designated from among independent personalities of Cameroonian nationality, recognized for their competence, moral uprightness, intellectual honesty, patriotism, neutrality and impartiality.

(3) The Chairperson, Vice-Chairperson and members of the Electoral Board shall be appointed by decree of the President of the Republic upon consultation with political parties represented in the National Assembly and civil society.

(4) The Chairperson and Vice-Chairperson of the Electoral Board shall be the Chairperson and Vice-Chairperson of Elections Cameroon.

(5) The term of office of members of the Electoral Board shall be four (4) years, renewable as appropriate.

(6) Before assuming office, members of the Electoral Board shall take the following oath before the Constitutional Council: ***"I swear to fully and faithfully discharge my duties and to exercise my office without fear or favour in accordance with the Constitution and laws in force, to ensure the confidentiality of proceedings and votes, to abstain from taking public positions and to decline any consultation on matters falling within the purview of Elections Cameroon."***

(7) They shall be bound to declare their property and assets.

SECTION 13: (1) An Electoral Board member's term of office shall expire in one of the following cases:

- non-renewal of the term;
- resignation;
- death.

(2) The resignation referred to in Sub-section (1) above shall be duly established by the Electoral Board. In such case, the member whose

resignation has been established shall be replaced by the President of the Republic, upon consultation with the Chairperson of the Electoral Board. The member appointed shall serve the remainder of the term of the person resigning. He shall take the oath as set out in Section 12 (6) above.

SECTION 14: (1) Temporary incapacity of a member shall be duly established by Elections Cameroon. Where such incapacity exceeds 6 (six) months, the duties of such member may be terminated by decree of the President of the Republic.

(2) The member appointed to replace the incapacitated member shall serve the remainder of the latter's term. He shall take the oath as set out in Section 12 (6) above.

SECTION 15: An Electoral Board member's term of office may be terminated in one of the following cases:

- physical or mental incapacity duly established by the Electoral Board;
- gross misconduct, notably breach of oath, duly established by the Electoral Board;
- penalty imposed for a felony (life or fixed-term imprisonment coupled with banishment and civic disqualification).

SECTION 16: A member whose term comes to an end, pursuant to the provisions of Sections 13, 14 and 15 above, shall not be candidate for any election following the end of such term.

C - INCOMPATIBILITIES

SECTION 17: The duties of Chairperson, Vice-Chairperson and member of the Electoral Board shall be incompatible with those of:

- Member of Government and persons ranking as such;
- Member of the Constitutional Council;
- Judicial/Legal Officer in active employment;
- Secretary-General of a ministry and persons ranking as such;
- General Manager of a public establishment, public and semi-public enterprise;
- Central administration director and persons ranking as such;
- Person holding an elective office in a national, regional or local body;
- Governor,
- Senior Divisional Officer, Sub-divisional Officer and their Assistants;

- Traditional ruler;
- President of Trades Chamber;
- Official and personnel of the forces of law and order in active employment;
- Person disqualified or ineligible for elections;
- Candidates standing for the elections supervised by Elections Cameroon;
- Members of a political party or support group of a political party, list of candidates or candidate.

D - FUNCTIONING

SECTION 18: The Electoral Board shall hold 4 (four) ordinary sessions each year when convened by its Chairperson. However, when the need arises or at the request of 2/3 (two-thirds) of its members, the Board shall meet in extraordinary session.

SECTION 19: (1) During an election period, the Electoral Board shall meet as often as necessary.

(2) The Electoral Board shall meet at least once every fortnight upon the convening of the electorate.

SECTION 20: Meetings of the Electoral Board shall be convened by the Chairperson or, where the latter is unavailable, by the Vice-Chairperson.

SECTION 21: (1) Decisions of the Electoral Board shall be taken by consensus or, failing that, decisions shall be taken by a simple majority of members present. In the event of a tie, the Chairperson shall have the casting vote.

(2) The quorum shall be at least 2/3 (two-thirds) of members present.

(3) Minutes of Electoral Board meetings shall be taken, and shall be signed by the Chairperson and Secretary.

(4) The secretarial services of Electoral Board meetings shall be provided by the General Directorate of Elections.

CHAPTER IV

GENERAL DIRECTORATE OF ELECTIONS

SECTION 22: The General Directorate of Elections shall be responsible for the preparation and material organization of election and referendum operations, under the supervision of the Electoral Board.

SECTION 23: (1) The General Directorate of Elections shall be under the authority of a Director General, who may be assisted by a Deputy Director General.

(2) The duties of Director General and Deputy Director General shall be incompatible with the duties or offices referred to in Section 17 of this law.

I – APPOINTMENT

SECTION 24: (1) The Director General and the Deputy Director General of Elections shall be appointed by decree of the President of the Republic for a term of 5 (five) years, which may be renewable upon consultation with the Electoral Board.

(2) In the event of vacancy of the office of Director General or Deputy Director General of Elections, he/she shall be replaced in accordance with the procedure laid down in Sub-section (1) above, to serve for the remainder of the term.

SECTION 25: (1) The duties of Director General or Deputy Director General of Elections shall be terminated in one of the following cases:

- non-renewal of the term of office;
- resignation;
- death.

(2) The term of office of the Director General or Deputy Director General of Elections may be terminated in one of the following cases:

- physical or mental incapacity duly established by the Electoral Board;
- gross misconduct, duly established by the Electoral Board;
- penalty imposed for a felony (life or fixed-term imprisonment coupled with banishment and civic disqualification).

II – DUTIES

SECTION 26: (1) The Director General of Elections shall be responsible, under the authority of the Electoral Board, for all election and referendum operations, in particular:

- drawing up, managing, updating and keeping the national voters' register as well as election documents and materials;
- procuring and distributing election materials and documents;
- drawing up electoral registers, in conjunction with the relevant joint commissions;
- publishing electoral registers;
- issuing voter cards;
- distributing voter cards, in conjunction with the relevant joint commissions
- organizing or supervising the training of electoral personnel;
- preparing the annual draft budget of the Electoral Board and of the General Directorate of Elections;
- preparing draft budgets of elections;
- executing the budget of General Directorate of Elections and the budgets of elections;
- managing sundry resources and equipment placed at his disposal;
- receiving and forwarding to the Electoral Board candidacy papers for presidential, legislative, senatorial, regional and municipal elections;
- receiving and forwarding to the Electoral Board applications to participate in referendum campaigns;
- distributing, within the statutory time-limit, samples of ballot papers to candidates or political parties taking part in the polls for election or referendum campaign purposes;
- coordinating the work of observers accredited by the appropriate national authorities;
- organizing polling stations;
- coordinating all bodies responsible for election operations;
- coordinating the forwarding of election reports and other election documents from polling stations to the head office of Elections Cameroon;
- forwarding election reports to the Electoral Board.

(2) In this respect, the Director General of Elections shall be vested with all powers necessary for the performance of his duties.

(3) He shall report on his activities to the Electoral Board at least once every three months and as often as may be necessary in an election period.

(4) After every election, the Director General of Elections shall be responsible for centralizing and keeping all election documents and materials.

(5) He shall draw up the final report on the conduct of the poll.

SECTION 27: (1) The Director General of Elections shall be responsible, under the authority of the Electoral Board, for the administration of Elections Cameroon.

(2) He shall attend Electoral Board meetings in an advisory capacity.

(3) He shall represent Elections Cameroon within the framework of his duties and may go to law.

(4) The Deputy Director General of Elections shall perform such duties and carry out such missions as shall be entrusted to him by the Director General of Elections within the framework of the administration of Elections Cameroon.

III – SUPPORT BODIES

SECTION 28: (1) The General Directorate of Elections shall have support bodies.

(2) The organization and functioning of support bodies referred to under Section 28 (1) above shall be laid down by the Electoral Board, upon the proposal of the Director General of Elections.

(3) Officials of support bodies shall be appointed by the Director General of Elections, upon the approval of the Electoral Board.

IV – STAFF

SECTION 29: (1) The Director General of Elections shall recruit staff on behalf of Elections Cameroon, in keeping with the laws and regulations in force.

(2) He may also request the secondment of civil servants or transfer of State contract workers governed by the Labour Code and Categories 1-6 State employees.

(3) Staff of Elections Cameroon shall be governed by the in-house staff rules adopted by the Electoral Board in keeping with the laws and regulations in force.

(4) Throughout their employment, civil servants seconded or transferred, shall be governed by labour laws, subject to the general rules and regulations of the Civil Service in respect of retirement, advancement and end of secondment.

(5) During the election period, the Director General of Elections may hire temporary staff for the period required to perform specific duties.

V - BRANCHES

SECTION 30: (1) Elections Cameroon shall have branches at regional, divisional and council levels.

(2) The organization and functioning of branches shall be laid down by the Electoral Board, upon the proposal of the Director General of Elections.

(3) Officers of the regional branches shall be appointed by the Electoral Board, on the recommendation of the Director General of Elections.

(4) Officials of the divisional and council branches shall be appointed by the Director General of Elections, upon the approval of the Electoral Board.

CHAPTER V

FINANCIAL PROVISIONS

SECTION 31: The resources of Elections Cameroon shall be public funds managed in compliance with public accounting rules.

SECTION 32: (1) Elections Cameroon shall have an annual budget and an elections budget in an election year.

(2) The Director General of Elections shall be the authorizing officer of the budget of Elections Cameroon and of the elections budget.

SECTION 33: (1) The draft budgets referred to in Section 32 above shall be prepared by the Director General of Elections and approved by the Electoral Board.

(2) The Chairperson of the Electoral Board shall forward the draft budgets referred to in Sub-section (1) above to Government for concerted consideration and tabling before Parliament for adoption as part of the Finance Law.

SECTION 34: (1) The Electoral Board shall have a special appropriation set out in the Finance Law, to be used to pay the staff referred to in section 41 below.

(2) The Treasury Accounting Officer provided for in Section 36 below shall execute the expenditure of the Electoral Board in accordance with the instruments in force.

(3) At the end of the financial year, he shall prepare a statement of expenditure which he shall submit to the Minister in charge of finance for auditing. Such statement of expenditure shall be accompanied by the other accounting documents to be forwarded to the Audit Bench.

SECTION 35: (1) Upon adoption of the State budget by Parliament, the Minister in charge of finance shall disburse funds to Elections Cameroon as priority State expenditure as set out in the appropriations of the Finance Law.

(2) Where elections are held in a non-election year, the State shall take appropriate measures to allocate requisite resources to Elections Cameroon for the organization of the elections.

SECTION 36: The Minister in charge of finance shall appoint a Treasury Accounting Officer to Elections Cameroon. .

SECTION 37: (1) An Auditor shall be appointed to Elections Cameroon by the Minister in charge of finance for a term of office of 3(three) years, renewable once.

(2) At the end of every financial year, the Auditor shall submit to the Minister in charge of finance a report on the financial management of Elections Cameroon.

SECTION 38: The administrative accounts and management accounts of Elections Cameroon shall be submitted annually to the Minister in charge of finance and to the Audit Bench of the Supreme Court.

SECTION 39: The accounts of Elections Cameroon shall be audited annually by the relevant State services.

CHAPTER VI

MISCELLANEOUS PROVISIONS

SECTION 40: A decree of the President of the Republic shall lay down the protocol ranks and privileges of the Chairperson and Vice-Chairperson of the Electoral Board, members of the Electoral Board, as well as the Director General and Deputy Director General of Elections.

SECTION 41: (1) The Chairperson and Vice-Chairperson of the Electoral Board shall be entitled to monthly remuneration and benefits in kind.

(2) Members of the Electoral Board shall be entitled to session allowance during Electoral Board meetings and shall be reimbursed all expenses incurred in respect of such meetings upon production of supporting documents.

(3) Allowances and mission allowances shall be granted to members of the Electoral Board.

(4) The monthly remuneration, session allowances, allowances and mission allowances referred to in Sub-sections 1, 2 and 3 above shall be determined by decree of the President of the Republic.

SECTION 42: The rules of procedure and *modus operandi* of Elections Cameroon shall be laid down by by-laws.

SECTION 43 (1) Government services shall collaborate with and support Elections Cameroon in the performance of its statutory duties.

(2) The Minister in charge of territorial administration shall ensure permanent liaison between Government and Elections Cameroon. In this respect, the latter shall submit copies of minutes and progress reports to him.

SECTION 44: (1) In the event of shortcomings or dysfunctions on the part of Elections Cameroon, the President of the Republic shall take the remedial measures he deems necessary.

(2) Pursuant to Articles 5 and 8 of the Constitution, the President of the Republic may terminate, as the case may be, the duties of the Chairperson, Vice-Chairperson and members of the Electoral Board as well as those of the Director General and Deputy Director General of Elections.

PART III

COMMON PROVISIONS RELATING TO THE ELECTION OF THE PRESIDENT OF THE REPUBLIC, MEMBERS OF PARLIAMENT, MUNICIPAL COUNCILLORS AND REFERENDUMS

CHAPTER I

THE ELECTORATE

I - QUALIFICATION OF ELECTORS

SECTION 45: Every person of Cameroonian nationality of either sex, who has reached the age of 20 (twenty) years, is registered on an electoral register and is free from all cases of disqualification provided for by law, shall be entitled to be an elector.

SECTION 46: (1) Every Cameroonian citizen enjoying the right to vote who has their home of origin or place of abode within a council area or has

actually been resident therein for at least the last 6 (six) months may be entered in the electoral register in such council area.

(2) Every Cameroonian citizen who does not satisfy the age or residence conditions at the time of revision of electoral registers may also be entered in the electoral register, provided they satisfy such conditions before final closure of the said register or, if need be, polling day.

(3) Every member of the Armed Forces and person of equivalent status in any corps may be entered in the electoral register of the place where their unit or home port is established without taking into account the residence condition.

(4) Every citizen who proves that their name is on the income tax assessment list of a given constituency for the fifth consecutive year may likewise be entered on the electoral register of such constituency.

(5) In the case referred to in Sub-section (4) above, any application for registration shall necessarily be accompanied by a certificate issued by the Council Branch of Elections Cameroon having jurisdiction over the applicant's place of abode or habitual residence to the effect that the applicant is not registered or that they have been struck off the electoral register.

II - ELECTORAL DISQUALIFICATIONS

SECTION 47: Whoever:

(a) has been convicted of a felony, even by default;
(b) has been sentenced to a term of imprisonment, without suspension, of more than 3 (three) months;
(c) has been sentenced to a term of imprisonment, accompanied by suspension of sentence or probation, of more than 6 (six) months;
(d) is the subject of a warrant of arrest;
(e) is an un-discharged bankrupt who has been so adjudged either by a Cameroonian court or a foreign judgment enforceable in Cameroon;
(f) is insane or of unsound mind,

shall not be entered on the electoral register.

SECTION 48: (1) Whoever has been convicted of any offence against the security of the State, without being rehabilitated or granted amnesty, may not be entered on any electoral register for a period of 10 (ten) years.

(2) The period of 10 (ten) years provided for in Sub-section (1) above shall run from the day of release for persons sentenced to a term of imprisonment or from the day of payment of the fine, where applicable.

CHAPTER II

ELECTORAL COMMISSIONS

SECTION 49: Joint electoral commissions shall be set up and charged respectively with preparing electoral activities, organizing and supervising election operations, polling operations and the final counting of votes.

I - COMMISSIONS CHARGED WITH PREPARING ELECTORAL ACTIVITIES

SECTION 50: Preparing electoral activities shall include drawing up and revising electoral registers as well as the issuance and distribution of voters' cards.

A - Commissions Charged with the Revision of Electoral Registers

SECTION 51: Electoral registers shall be drawn up by the branches of Elections Cameroon, in conjunction with the competent joint commissions.

SECTION 52: (1) In every council, there shall be a commission charged with the revision of the electoral registers. Where the area or size of the population of the council so warrants, the Director General of Elections may set up several electoral register revision commissions.

(2) The electoral register revision commission shall comprise:

Chairman: a representative of Elections Cameroon, appointed by the officer of the divisional branch of Elections Cameroon;

Members:

- a representative of the Administration, appointed by the Sub-divisional Officer;
- the Mayor, or a Deputy Mayor or a Municipal Councillor, appointed by the Mayor;
- a representative of each legalized political party operating within the territorial jurisdiction of the council concerned.

(3) The Sub-divisional Officer, the Mayor and each political party must, within at least 15 (fifteen) days before the revision of the electoral register commences, notify the Council Branch of Elections Cameroon of the names of their representatives appointed to sit on the commission.

(4) Where a political party fails to appoint a representative in good time, the Head of the Council Branch of Elections Cameroon may, after a formal notice remains unheeded, appoint a civil society personality to the commission.

(5) Where the Mayor fails to appoint a representative in good time, the Head of the Council Branch of Elections Cameroon shall, after a formal notice remains unheeded, refer the matter to the Senior Divisional Officer who shall appoint a council official to sit on the commission as the representative of the Council.

(6) The composition of each voter register revision commission shall be approved by a decision of the Head of the Divisional Branch of Elections Cameroon.

(7) The duties of member of the revision commission shall be honorary.

(8) The work of the commission may be validly carried out by a single member provided that all the other members are kept informed of such work prior to its completion.

(9) At the end of its proceedings, the voter register revision commission shall draw up a report, signed by the President and commissioners.

B - <u>Commissions charged with supervising the issuance and distribution of voter cards</u>

<u>SECTION 53</u>: (1) In every Council, there shall be one or several commissions charged with supervising the issuance and distribution of voter cards.

(2) This commission referred to in (1) above shall comprise the following:

Chairperson: a representative of Elections Cameroon, appointed by the Head of the Divisional Branch of Elections Cameroon;

Members:

- a representative of the Administration, appointed by the Sub-divisional Officer;
- the Mayor, or a Deputy Mayor or a Municipal Councillor, appointed by the Mayor;

- a representative of each legally authorized political party operating within the jurisdiction of the council concerned.

(3) The composition of the commission charged with supervising the preparation and distribution of voter cards shall be approved by a decision of the Head of the Divisional Branch of Elections Cameroon who, at least 15 (fifteen) days before the distribution of voter cards commences, shall transform the commissions charged with the revision of electoral registers into commissions charged with supervising the preparation and distribution of voter cards.

(4) At the end of its deliberations, the commission charged with supervising the preparation and distribution of voter cards shall draw up a report, signed by the Chairperson and commissioners.

II - LOCAL POLLING COMMISSIONS

SECTION 54: (1) Every polling station shall have a Local Polling Commission comprising:

Chairperson: a personality appointed by the Head of the Divisional Branch of Elections Cameroon.

Members:

- a representative of the Administration, appointed by the Subdivisional Officer;
- a representative of each candidate, list of candidates or political party.

(2) The names of representatives of the Administration and candidates, list of candidates or political parties chosen from among electors registered in the electoral register of the polling station concerned shall be notified to the Council Branch of Elections Cameroon, no later than the sixth day before the election day.

(3) The composition of each Local Polling Commission shall be approved by a decision of the Head of the Divisional Branch of Elections Cameroon.

SECTION 55: During vote counting, the Chairperson of the Local Polling Commission shall appoint 4 (four) electors from among electors registered on the electoral register of the polling station to serve as scrutineers.

SECTION 56: Where one or more representatives of candidates, lists of candidates or political parties is/are absent at the opening of the poll, the Chairperson of the Local Polling Commission must, by decision recorded in the report, fill up such vacancies in the Commission by appointing electors whose names feature in the electoral register of the polling station and who can read and write English or French.

SECTION 57: (1) At least 3 (three) members of the Local Polling Commission must be present at the polling station or its immediate vicinity throughout polling.

(2) However, where the Chairperson finds it absolutely impossible to form the Local Polling Commission, they may open the polling station at the time fixed for the commencement of the poll. The Chairperson shall mention in their report the time when Commissioners were appointed and assumed duty.

SECTION 58: Representatives of candidates, lists of candidates or political parties who, for no valid reasons, are not present at the time of commencement of polling and have been replaced by the Chairperson under the conditions specified in Sections 56 and 57 above, shall not be entitled to sit on the Local Polling Commission.

SECTION 59: Every candidate, list of candidates or political party may appoint 3 (three) polling agents for each Subdivision who shall have free access to all the polling stations of the Subdivision. Such agents may be expelled from a polling station only if they cause a breach of the peace. Such expulsion shall be recorded in the report. The agents may make comments on the conduct of the poll to the Local Polling Commission. Such comments shall be recorded in the report.

SECTION 60: (1) The Chairperson of the Local Polling Commission shall alone be responsible for maintaining law and order at the polling station.

(2) They shall order the expulsion from the polling station of any person who is not an elector registered under the polling station, with the exception of candidates, heads of administrative units within whose territorial jurisdiction the station is situated and their representatives.

(3) They shall prohibit anyone from obstructing the polling station. They may requisition the forces of law and order to restore order in the polling station or to cause the station to be vacated.

(4) No elector may be allowed to enter the polling station if they are carrying any weapon whatsoever.

SECTION 61: (1) The Local Polling Commission shall rule on any difficulties relating to the organization and conduct of the poll and vote counting. In case of a tie, the President shall have the casting vote.

(2) Where the decision of the Local Polling Commission is impugned either, by a Commissioner , an elector affected, a candidate, or an agent of a list of candidates or political party, mention of such decision, the reasons therefor and the dispute shall be made in the report.

SECTION 62: (1) The Local Polling Commission shall prepare a report on all polling operations. The said report shall be signed by the Chairperson and members present and forwarded to the Head of the Divisional Branch of Elections Cameroon.

(2) The Head of the Council Branch of Elections Cameroon shall, within 48 (forty-eight) hours of the close of polling operations, forward a copy of the reports of Local Polling Commissions and appended documents to the Divisional Supervisory Commission or the Council Supervisory Commission, if need be.

(3) The Divisional Supervisory Commission shall, within 72 (seventy-two) hours, forward the report of its proceedings to the National Commission for the Final Counting of Votes.

III - DIVISIONAL SUPERVISORY COMMISSIONS

SECTION 63: A Divisional Supervisory Commission shall be set up in each Division and shall be responsible for ensuring the smooth conduct of election preparations and election operations proper. To this end, the Divisional Supervisory Commission shall:

- supervise operations for drawing up, keeping and revising electoral registers;
- examine all protests or claims relating to electoral registers or voter cards;
- supervise the distribution of voter cards;
- authorize any corrections it deems necessary after examining protests or claims against the decisions of the competent commissions relating to the electoral register or voter cards;
- centralize and check returning operations carried out by Local Polling Commissions and documents relating thereto. In case of a minor irregularity, it may request immediate regularization by members of the Local Polling Commission.

SECTION 64: (1) The Divisional Supervisory Commission, whose seat shall be the chief-town of the Division, shall comprise:

Chairperson: the President of the High Court with territorial jurisdiction.

Members:

- 3 (three) representatives of the Administration, appointed by the Senior Divisional Officer;
- 3 (three) representatives of Elections Cameroon, appointed by the Head of the Divisional Branch of Elections Cameroon;
- a representative of each candidate.

(2) The composition of the Divisional Supervisory Commission shall be approved by decision of the Head of the Regional Branch of Elections Cameroon.

(3) Notwithstanding the provisions of Sub-section (1) above, the Divisional Supervisory Commission shall be presided over by a Judicial /Legal Officer appointed by the President of the Court of Appeal with territorial jurisdiction where there is no High Court in the Division, or where the President of the said High Court is unavoidably absent, as the case may be.

(4) The defaulting member may, by simple notification to the Chairperson of the Divisional Supervisory Commission, be replaced by the authority or candidate who appointed them.

SECTION 65: (1) The list of members of the Divisional Supervisory Commission shall be kept permanently at the Registry of the High Court, at the Senior Divisional Office, and at the Divisional Branch of Elections Cameroon.

(2) It may be consulted by any elector of the constituency.

SECTION 66: The duties of Chairman and of member of the Divisional Supervisory Commission shall be honorary.

SECTION 67: (1) The proceedings of the Divisional Supervisory Commission shall be conducted on the basis of reports forwarded by officials of Council Branches of Elections Cameroon.

(2) In case of miscalculation, the Divisional Supervisory Commission may correct the corresponding reports. However, it shall not cancel them. In case of rectification or adjustment, the Divisional Supervisory Commission must explain its decision and mention it in its report.

(3) The deliberations of the Divisional Supervisory Commission shall be recorded in reports signed by the Chairperson and commissioners.

The report and appended documents from Local Polling Commissions shall be forwarded to the National Commission for the Final Counting of Votes within 72 (seventy-two) hours.

(4) A copy of the said report shall be forwarded to the General Directorate of Elections.

IV - THE NATIONAL COMMISSION FOR THE FINAL COUNTING OF VOTES

SECTION 68: (1) A National Commission for the Final Counting of Votes is hereby set up. It shall be composed as follows:

***Chairperson**:* a member of the Constitutional Council, appointed by the President of the Constitutional Council;

***Members*:**

- 2 (two) Judicial Officers appointed by the Chief Justice of the Supreme Court;
- 5 (five) representatives of the Administration, appointed by the Minister in charge of territorial administration;
- 5 (five) representatives of Elections Cameroon, appointed by the Director General of Elections;
- 1 (one) representative of each candidate or political party taking part in the election, appointed by the candidate or his political party.

(2) The composition of the National Commission for the Final Counting of Votes shall be approved by a resolution of the Electoral Board.

(3) The list of members of the National Commission shall be notified to the Constitutional Council and made available to the public.

SECTION 69: (1) The National Commission for the Final Counting of Votes shall carry out the final counting of votes, on the basis of reports and appended documents submitted by Divisional Supervisory Commissions.

(2) It shall correct any clerical errors in the counting of votes. However, it shall not cancel the corresponding reports.

(3) The final counting of votes shall be public and shall take place at the seat of the Constitutional Council.

(4) The National Commission for the Final Counting of Votes shall draw up a report on all its operations. The report, signed by the Chairperson

and Commissioners, together with appended documents, shall be forwarded within 5 (five) days to the Constitutional Council.

CHAPTER III
ELECTORAL REGISTERS

I - DRAWING UP OF ELECTORAL REGISTERS

SECTION 70: (1) Electoral registers shall be drawn up and kept in every Council. An electoral register shall also be drawn up for each polling station.

(2) The electoral registers shall be drawn up in alphabetical order.

(3) Every newly registered elector shall be issued a receipt bearing the date, place and registration number.

(4) The receipt referred to in subsection (3) above shall be used only for lodging complaints relating to voter registration operations and may not, for any reason whatsoever, be used in place of the voter card.

(5) The register shall contain the full name, date and place of birth, occupation, residence or place of abode of every elector.

SECTION 71: Entry on the electoral register shall be a right. It shall be carried out by the branches of Elections Cameroon, in collaboration with the relevant joint commissions.

SECTION 72: (1) The electoral register shall bear the names of all registered electors who have been residing in the council for at least 6 (six) months.

(2) The electoral register shall further contain the names of electors who have been registered under the provisions of Section 46 of this law.

(3) Such registration shall not be carried out automatically. It shall be done only at the express request of the elector who shall first adduce evidence that their name does not appear on any other electoral register.

SECTION 73: (1) No person may have their name entered on more than one electoral register or several times on the same register.

(2) Where an elector is registered several times on the same register, only one registration shall be valid. Such elector shall be automatically struck off the other registers.

(3) Where an elector is registered on several registers, only the last registration shall be valid, save otherwise requested by the elector. They shall be automatically struck off the other registers.

(4) Any refusal to register an elector must be justified and notified to the elector concerned. Such refusal may be disputed or challenged before the Divisional Supervisory Commission or the Electoral Board as the case may be.

II - ANNUAL REVISION OF ELECTORAL REGISTERS

Section 74: (1) Electoral registers shall be permanent. They shall be revised every year throughout the national territory.

(2) The annual revision of the electoral registers shall commence on 1 January and end on 31 August of every year.

SECTION 75 (1) The Director General of Elections may, after obtaining the assent of the Electoral Board, order by decision, a thorough recompilation of the registers at the time of annual revision.

(2) Notwithstanding the provisions of Sections 74 (2) and 75 (1) above, annual revision or, where applicable, the recompilation of electoral registers shall be suspended from the date of convening the electors.

(3) In case of recompilation of electoral registers, the Director General of Elections may extend the period provided for in Section 72 (2) above by no more than 3 (three) months.

(4) During the period of the revision of electoral registers, applications for expunging names or for modification shall be submitted to the commissions provided for under Section 52 above. Such commissions shall carry out the corresponding operations.

SECTION 76: (1) In case of recompilation, entirely new electoral registers shall be drawn.

(2) During the period of revision, the following persons shall be entered in the electoral register:

- citizens who meet the conditions laid down by law;
- citizens whose names were previously omitted.

(3) The commission shall expunge from the register the names of:

- deceased persons;
- persons ordered to be struck off the register by the competent judicial authority;
- persons who no longer meet the conditions laid down by law;
- persons found to have been wrongfully registered.

(4) Modifications shall be made to the electoral register following any change of residence or clerical errors noticed especially regarding the full name, parentage, date and place of birth of electors.

SECTION 77: (1) Operations to enter electors, expunge electors' names and make adjustments on the electoral register shall be carried out on the registers and forms provided for that purpose by Elections Cameroon.

(2) The registers referred to in Section 77 (1) above shall be kept and preserved at Council Branches of Elections Cameroon. Such registers may be consulted by any person who so desires.

(3) During the period of revision of electoral registers, any citizen whose name has been omitted from the electoral register may apply to be entered on the register.

SECTION 78: (1) The Chairperson of the Commission charged with the Revision of Electoral registers shall forward the report of the proceedings of the said Commission to the Divisional Branch of Elections Cameroon, no later than 5 September. All documents relating to deletion of names and modifications shall be appended to such report.

(2) After keying in, carrying out technical checks and drawing up the provisional electoral register of the Division, the Head of the Divisional Branch of Elections Cameroon shall forward the corresponding electoral registers to the Council Branches concerned for posting up no later than 20 October.

(3) Once the provisional electoral registers are published, any political party or elector may refer any irregularities or omissions noted to the Revision Commission or, where necessary, the Divisional Supervisory Commission.

SECTION 79: (1) The Commission charged with the Revision of Electoral registers shall forward a report on any corrections made on the provisional registers to the Divisional Branch of Elections Cameroon, no later than 10 November.

(2) Following the drawing up of the revised electoral register for the Division, the Divisional Branch of Elections Cameroon shall forward the

said register to the Director General of Elections, through the Regional Branch, no later than 10 December.

SECTION 80: At the end of the revision exercise, and based on the documents and data provided by the Regional Branches of Elections Cameroon, the Director General of Elections shall draw up and publish the national electoral register, no later than 30 December.

SECTION 81: (1) The Director General of Elections shall be responsible for keeping the national electoral register.

(2) Any political party, elector or representative of a political party or candidate may petition the Electoral Board for any case in particular of omission, error or multiple entry of an elector on the national electoral register.

(3) Where the petition is rejected, the person concerned may file an appeal to the Court of Appeal with territorial jurisdiction over Elections Cameroon, which shall give a final ruling, free of charge and with no particular procedure, within 5 (five) days of the filing of the appeal.

III - REGISTRATION OUTSIDE REVISION PERIODS

SECTION 82: (1) The following persons may be entered on the electoral register outside revision periods, without any residence requirements and where such changes lead to a change of residence:

(a) Civil Servants and State employees who have been either transferred or placed on retirement after the closing date for registration, as well as any members of their families who are living with them on the date of such transfer or retirement;

(b) Servicemen who have been demobilized after the expiry of the time limit for registration;

(2) The provisions of Section 82(1) (a) above shall also apply to private sector employees who have been either transferred or placed on retirement.

(3) Applications for entry on electoral registers outside the revision period shall be supported by all relevant information and filed with the Council Branch of Elections Cameroon.

SECTION 83: (1) Applications shall be examined by the (Council) Commission charged with the Revision of Electoral registers within a period of 9 (nine) days, and no later than 6 (six) days before polling day. The decisions of the Commission shall be notified forthwith to the parties concerned.

(2) The Commission shall enter the name of the elector in the electoral register and in the addendum which shall be published no later than 4 (four) days before the polling day.

CHAPTER IV

VOTER CARDS

SECTION 84: (1) Every elector whose name has been entered on an electoral register shall be issued a biometric voter card which shall bear their full name, date and place of birth, parentage, photograph, finger prints, occupation, domicile or residence.

(2) Voter cards shall be permanent.

(3) Where voter cards are renewed or new names are entered on the electoral register, the cards shall be distributed within a period of 40 (forty) days before the polling day.

SECTION 85: (1) The distribution of voter cards shall be carried out under the supervision of the Commission referred to in Section 53 of this law.

(2) Voter cards not delivered to their legal holders shall be left at the polling station where such holders are registered and shall remain at their disposal until the close of the poll.

(3) Such cards shall be delivered to the legal holders only upon the production of the identity card of each holder or the receipt referred to in Section 70 above.

(4) In every polling station, at the close of the poll, the Commission shall count the unclaimed cards, stamp and place them in a sealed packet which it shall take to the Council Branch of Elections Cameroon with the election report specifying the number of such cards.

CHAPTER V

CONVENING THE ELECTORS

SECTION 86: (1) Electors shall be convened by decree of the President of the Republic.

(2) No less than 90 (ninety) days shall elapse between the date of publication of the convening decree and the day of election.

(3) Polling shall take place on a Sunday or a day declared a public holiday and shall last a single day.

(4)The decree convening electors shall specify the time of opening and closing of polling stations.

CHAPTER VI

ELECTION CAMPAIGN

SECTION 87: (1) The election campaign shall open on the 15th (fifteenth) day preceding the election and close at midnight on the eve of the election day.

(2) Candidates may prepare circulars, manifestos or posters, at their own expense or that of the party presenting their candidatures.

(3) Such circulars, manifestos or posters shall be in the colour chosen for the candidate or party. They shall bear the initials chosen for printing the ballot papers.

(4) The maximum size of the posters prepared for the election campaign shall be determined by decision of the Director General of Elections.

SECTION 88: (1) The General Directorate of Elections shall, for every candidate, party or list of candidates running in the election, print a number of ballot papers equivalent to the number of electors registered, plus one quarter thereof, as well as campaign ballot papers.

(2) The size of ballot papers shall be determined by decision of the General Directorate of Elections, after consultation with the Electoral Board.

SECTION 89: (1) Such circulars, manifestoes and posters signed by the representative of the list, candidate or political party shall be submitted in duplicate to Elections Cameroon for prior endorsement.

(2) A copy of such circular, manifesto and poster shall be filed and the other copy, carrying the endorsement, shall be handed back to the

candidate or to the representative of the candidate, list or political party. The printed document shall make mention of the endorsement.

(3) The endorsement shall be withheld where a document is tantamount to a call to violence or undermines national territorial integrity, the Republican form of the State, State sovereignty, national unity or incites hatred against a State official or a citizen or a body of citizens.

(4) The endorsement shall indicate the colour and initials assigned to each candidate or political party.

SECTION 90: Any document published and circulated in contravention of the provisions of Sections 87, 88 and 89 shall, at the instance of Elections Cameroon, be seized by the Administrative Authorities without prejudice to such criminal prosecution as may be instituted against the authors of such documents and the disseminators thereof.

SECTION 91: (1) At the instance of Elections Cameroon, Council authorities shall make available to every candidate or list of candidates space for the display of posters and other campaign material.

(2) No public display of posters in relation to the election, albeit stamped, shall be allowed outside the authorized spaces, whether by candidates or by any other person or group.

(3) This prohibition shall equally apply to posters or notices displayed in a place open to the public or on private premises if they are not displayed by the owner of the premises.

(4) It is prohibited for candidates, lists of candidates or political parties to post up their campaign material on panels reserved for other candidates, lists of candidates or political parties.

(5) Elections Cameroon shall order any posters unlawfully displayed to be removed.

SECTION 92: (1) It is forbidden for any one to circulate or cause the circulation of any ballot papers, circulars, documents articles or objects related to the election in any way whatsoever, on election day.

(2) Any document or other articles circulated in violation of the provisions of Section 92 (1) above shall, at the behest of Elections Cameroon, be seized by the Administrative Authorities without prejudice to such criminal prosecution as may be instituted against the offenders.

SECTION 93: (1) During the election campaign period, the political parties running, or candidates or their representatives may organize meetings to explain and present electoral platforms and manifestoes to electors.

(2) For the purposes of Section 93 (1) above, the representative of each list or any other agent of each political party or candidate intending to hold election meetings shall submit the meeting schedule to the administrative authorities and the branches of Elections Cameroon so that steps can be taken to ensure the maintenance of law and order.

(3) In the absence of a meeting schedule, any public meeting organized as part of the election campaign must be declared with the Administrative Authorities and the branches of Elections Cameroon at least 24 (twenty-four) hours in advance, indicating the time and venue of the meeting.

SECTION 94: (1) Where public law and order are seriously threatened, the administrative authority may, by order, prohibit any such meeting(s).

(2) In such case, the administrative authority shall agree with the organizers on a new date or, where necessary, venue to enable them to hold such meeting(s). It shall inform the competent branches of Elections Cameroon of such arrangements.

SECTION 95: (1) Unless otherwise authorized by the competent administrative authorities with territorial jurisdiction, meetings may not be held on the public highway.

(2) The administrative authority may, having regard to local conditions, fix by order the hour after which no meeting may continue.

CHAPTER VII

THE POLL

I - POLLING STATIONS

SECTION 96: (1) The Director General of Elections shall draw up the list of polling stations for every council.

(2) Such list shall specify the area covered by each polling station.

(3) There shall be one polling station for a maximum of 500 (five hundred) electors.

(4) Every polling station shall be located in public premises or in premises open to the public.

SECTION 97: The list of polling stations shall be forwarded to Council Branches of Elections Cameroon for posting up at least 8 (eight) days before the day of election.

II - CONDUCT OF THE POLL

Section 98: (1) Every polling station shall have the electoral registers eligible to vote. One of such registers shall be used for electors to enter their signatures. One list shall be posted up at the polling station.

(2) Every polling station shall have the necessary election material for the conduct of the poll.

SECTION 99: (1) The Chairperson of the Local Polling Commission shall, at the start of polling, take note of the time of opening of the poll which they shall mention in the polling report.

(2) Before the first elector casts their vote, the Chairperson of the Local Polling Commission shall publicly open the ballot box to ascertain that it is empty and has no opening, then lock it under the control of the other members of the polling station and, where applicable, in the presence of any other accredited person.

SECTION 100: (1) The election shall be by secret ballot. Uniform and opaque envelopes shall be used in voting.

(2) In every polling station, the number of ballot papers of each candidate or list of candidates as well as envelopes must be more than the number of registered voters.

SECTION 101: (1) Any voter whose name is duly entered in the electoral register shall be entitled to vote.

(2) However, the right to vote shall be suspended for whoever is remanded in custody or is detained after conviction by a criminal court.

SECTION 102: (1) No person shall be allowed to vote unless their name appears on the electoral register of the polling station concerned.

(2) The provisions of Section 102 (1) above notwithstanding, the Chairperson and members of the Local Polling Commission shall be allowed to vote in the polling station upon producing their voter's cards.

(3) In case of appeal by an elector, any decision by the competent court ordering registration, as evidenced by an Order, shall be tantamount to registration of the said elector on the electoral register concerned.

Section 103: (1) On entering the polling station, the elector shall produce their voter's card. They shall also prove their identity by producing their national identity card.

(2) The Local Polling Commission may allow any elector registered in the polling station whom, for one reason or the other, may be unable to produce their voter's card. The Commission shall first check the elector's identity as provided for in Section 103 (1) above.

SECTION 104: (1) After having been identified, every elector shall themself take an envelope and each of the ballot papers placed at their disposal, and compulsorily enter the polling booth where they shall make their choice.

(2) They shall come out of the polling booth and, after satisfying the Commission that they hold a single envelope only, shall place such envelope in the ballot-box.

(3) The polling booth shall be set up in such manner as to ensure secrecy of the ballot.

SECTION 105: (1) Any elector suffering an infirmity or whose physical state makes them unable to carry out on their own, any of the operations described in Sections 103 and 104 above, may enlist the assistance of an elector of their choice.

(2) The elector chosen must be registered on the electoral register of the polling station concerned and shall not be a candidate or representative of a candidate, list of candidates or political party. They may not assist more than one elector on polling day.

SECTION 106: (1) The fact that an elector has voted shall be evidenced by affixing the elector's signature and finger print using indelible ink on the relevant column of the electoral register.

(2) Where the elector is unable to sign, the fact that such elector has voted shall be evidenced by affixing the elector's finger print using indelible ink on the relevant column of the electoral register.

SECTION 107: Initialled copies of the electoral register shall be kept by the Council Branch of Elections Cameroon. In case of dispute, such initialled copies shall be forwarded to the Constitutional Council for consultation or to the competent administrative court, at its instance.

III - COUNTING OF THE VOTES

SECTION 108: (1) Once the time set for the close of polls is up, the Chairperson of the Local Polling Commission shall declare the close of polls.

(2) No elector who arrives after the close of polls may be allowed to vote.

(3) However, any elector who, at the time of closing the polls is within the premises of the polling station or who has been waiting to enter the polling station shall be allowed to vote. The report of the Commission shall mention the time when voting actually ended.

SECTION 109: Vote counting and tallying shall take place in each polling station immediately after the actual end of voting, in the presence of voters who so desire provided the hall can contain them without obstructing the counting operation.

SECTION 110: (1) However, where public peace so warrant, the Chairperson of the Local Polling Commission shall seal the ballot box, under the supervision of members of the Local Polling Commission and the forces of law and order.

(2) The Chairperson shall thereupon, accompanied by the members of the Commission, take the ballot-box to the Council Branch of Elections Cameroon.

(3) The opening of the ballot-box and envelopes and the counting of votes shall be carried out in the presence of the head of the Council Branch of Elections Cameroon, or their representative and members of the Local Polling Commission.

SECTION 111: (1) Envelopes shall be checked and opened by members of the Local Polling Commission assisted by appointed scrutineers.

(2) The names of the appointed scrutineers shall be entered in the report of each Local Polling Commission.

SECTION 112: (1) The vote counting procedure shall be as follows:

a) The ballot box shall be opened and the number of envelopes contained therein checked;
b) One of the scrutineers shall take the ballot paper out of each envelope, unfold it and hand it to another scrutineer who shall read it aloud; the name of the candidate or list of candidates, or the choice “YES” or “NO” in case of referendum, appearing on the ballot paper shall be recorded by two scrutineers on specially prepared counting sheets. Where an envelope contains several ballot papers, such ballot papers shall be

invalid if they are different; they shall count as one vote if they are identical.

(2) The result of counting shall not take into account:

- Any ballot paper bearing any signs, marks or signature by which the elector may be identified;
- Ballot papers contained in envelopes bearing signs of a similar nature or in envelopes other than those officially made available to electors;
- Any ballot paper other than officially printed ballot papers.

(3) Ballot papers so declared invalid and, where applicable, envelopes containing such ballot papers shall be attached to the report which shall mention the number of such invalid ballot papers. Ballot papers found in the ballot box without any envelope and envelopes found empty shall likewise be regarded as invalid and mentioned in the report. Counting sheets shall be attached to the report.

SECTION 113: Once counting is over, the results obtained in each polling station shall be proclaimed.

SECTION 114: Any objections which may be raised by electors at the time of vote counting shall be decided upon by the Local Polling Commission and shall be recorded in the report.

SECTION 115: (1) The results of the poll shall forthwith be entered into a report. Such report, which shall be made in as many copies as there are members plus 2 (two), shall be closed and signed by all the members.

(2) A copy of the report shall be handed to each member of the Local Polling Commission present and having signed it.

(3) The Chairperson of the Local Polling Commission shall forward the original copy of the report to the Head of the Council Branch of Elections Cameroon for filing. The said original copy shall be authentic.

(4) A copy of the report shall be forwarded, within 48 (forty-eight) hours following the close of the poll, to the Chairperson of the Divisional Supervisory Commission or to the Chairperson of the Council Supervisory Commission, where necessary.

PART IV

PROVISIONS SPECIFIC TO VACANCY OF AND

ELECTION TO THE PRESIDENCY OF THE REPUBLIC

CHAPTER I

TERM OF OFFICE AND POLLING

Section 116: (1) The President of the Republic shall be elected for a term of office of 7 (seven) years by universal suffrage and by direct, equal and secret ballot.

(2) He shall be eligible for re-election.

(3) He shall be elected by a single-round majority ballot. Voting shall take place no less than 20 (twenty) days and no more than 50 (fifty) days before the expiry of the term of office of the incumbent President of the Republic.

(4) The candidate having obtained the majority of the votes cast shall be declared elected.

CHAPTER II
ELIGIBILITY AND INCOMPATIBILITIES

SECTION 117: (1) Candidates for the office of President of the Republic must be in full possession of their civic and political rights and must be aged 35 (thirty-five) years and above by the date of election.

(2) They shall be Cameroonian citizens by birth and show proof of having resided in Cameroon for an uninterrupted period of at least 12 (twelve) months and of having their names entered in the electoral register by the date of election.

SECTION 118: (1) All persons who, by their own doing, have placed themselves in a situation of dependence on or connivance with a foreign person, organization or power or foreign State shall not be eligible.

(2) Ineligibility shall be established by the Constitutional Council within 3 (three) days of referral to it, at the behest of any concerned person or the Legal Department.

SECTION 119: The office of President of the Republic shall be incompatible with any other public elective office or professional activity.

CHAPTER III

NOMINATION OF CANDIDATES

SECTION 120: Any candidate wishing to stand for presidential elections shall declare their candidature through a declaration bearing their authenticated signature.

SECTION 121: A candidate may be:

(1) Either put forwarded by a political party;

(2) Or independent, on condition that they are put forward by at least 300 (three hundred) dignitaries hailing from all the Regions, with 30 signatures from each Region. Persons who qualify to append such signatures shall be either Members of Parliament or of Trades Chambers, or Regional Councillors, Municipal Councillors, or First-Class Chiefs.

The said dignitaries shall affix to a candidate's papers their signatures authenticated by the administrative authorities with territorial competence. Each dignitary may affix their signature only once and for a single candidate.

SECTION 122: (1) The candidacy papers shall bear the following information:

- The full name, date and place of birth, occupation and residence of the candidate;
- The colour, emblem and title chosen for printing ballot papers.

(2) The candidacy papers shall be accompanied by:

(a) The list of the 300 signatures of dignitaries as required under Section 121 above, where applicable;
(b) A certified copy of the candidate's birth certificate, no more than 3 (three) months old;
(c) The presentation and nomination papers submitted by the party sponsoring the candidate, where applicable;

(d)A declaration whereby the candidate undertakes, on honour, to abide by the Constitution;
(e)A certificate of non-conviction (Criminal record form No.3), no more than 3 (three) months old;
(f) A tax or no-tax certificate;
(g)A certificate of nationality;
(h)The original copy of a certificate showing payment of the deposit.

(3) It shall be forbidden to choose an emblem bearing all the 3 (three) colours, namely GREEN, RED and YELLOW.

SECTION 123: (1) Candidacy papers shall be submitted in duplicate, within 5 (five) days of the date of convening of electors.

(2) Candidacy papers shall be submitted to the General Directorate of Elections. They may also be submitted to the Regional Branches of Elections Cameroon, which shall forward them within 24 (twenty-four) hours to the General Directorate of Elections.

(3) A copy thereof shall be forwarded forthwith to the Constitutional Council by the candidate or his representative, against an acknowledgement of receipt.

(4) Candidacy papers may further be delivered by registered mail with acknowledgement of receipt, which shall be addressed to the General Directorate of Elections with a copy sent to the Constitutional Council, provided that such registered letter is received within the time-limit provided for in Sub-section (1) above.

(5) Where candidacy papers are submitted, a provisional receipt shall be issued. Where they are forwarded by registered mail, the acknowledgement of receipt shall stand in lieu thereof.

SECTION 124: (1) Each candidate shall pay a deposit of CFA 30 000 000 (Thirty million) francs into the Treasury.

(2) The Treasury Services shall then issue a certificate, in triplicate, showing payment of the deposit referred to in Sub-section (1) above. One of the copies of the certificate shall be forwarded forthwith by the Treasury Services to the Constitutional Council. The original and the other copy shall be handed over to the candidate.

SECTION 125: (1) The Electoral Board may accept or reject a candidacy.

(2) The Director General of Elections shall notify the person concerned of the reasoned decision to reject their candidacy. A copy of the said decision shall be forwarded forthwith to the Constitutional Council.

(3) The decision to reject a candidacy or to publish candidacies may be appealed against before the Constitutional Council under the conditions laid down in Sections 128, 129, and 130 below.

SECTION 126: Within no less than 60 (sixty) days to the date of the poll, the Electoral Board shall draw up and publish the list of candidates. It shall forthwith notify the Constitutional Council of such list of candidates.

SECTION 127: (1) Where a candidate put forward by a political party dies before the opening of the election campaign, such candidate may be replaced on the initiative of the said political party.

(2) The replacement referred to in Sub-section (1) above may be possible only where fresh candidacy papers are submitted to the General Directorate of Elections no later than the 20th day preceding the day of election.

(3) Independent candidates may not be replaced.

SECTION 128: (1) Where a candidate put forward by a political party is disqualified by the Constitutional Council after the publication of the list of candidates, they may be replaced by another candidate of the same political party. The said candidate must fulfil the conditions of eligibility laid down by this law.

(2) Such replacement must take place within no more than 3 (three) days of the decision of the Constitutional Council.

SECTION 129: Objections or petitions relating to the rejection or acceptance of candidates, as well as those relating to the colour, initials or emblem adopted by a candidate may be brought before the Constitutional Council by any candidate or political party taking part in the election or any person serving as a Government representative in the said election, within a maximum period of 2 (two) days following the publication of the list of candidates.

Section 130: (1) Objections and petitions shall be filed through ordinary petitions to the Constitutional Council.

(2) Such petitions shall not stay execution.

(3) The petitions shall be recorded by the Constitutional Council.

(4) Under pain of rejection, petitions shall specify the alleged facts and means.

(5) Petitions shall be notified to all the parties concerned through any fast means leaving a paper trail, and posted up at the Constitutional Council within 24 (twenty-four) hours following the filing thereof.

(6) The written evidence of the person concerned shall be deposited within 24 (twenty four) hours of the notification or posting up of the petition. The Constitutional Council shall issue an acknowledgement of receipt thereof.

SECTION 131: (1) In case of objections or petitions relating to the rejection or acceptance of candidacies as well as those relating to the colour, initials or emblem chosen by a candidate, the Constitutional Council, before which the matter is brought, shall rule within no more than10 (ten) days of the filing of the petition.

(2) In case of a petition relating to the colour, initials or emblem adopted by a candidate, the Constitutional Council shall assign by priority to each candidate their habitual colours, initials or emblem by order of seniority of the political party which put forward the candidate and, as concerns the other cases, according to the date of submission of the candidacy papers, as evidenced by the submission receipt.

(3) Any decision following a petition against the rejection or acceptance of a candidacy, as well as that relating to the colour, initials and/ or emblem shall be notified forthwith to the Electoral Board and to the political parties concerned.

CHAPTER IV
ELECTORAL DISPUTES

SECTION 132: (1) The Constitutional Council shall ensure the regularity of the presidential election.

(2) The Constitutional Council shall rule on all petitions filed by any candidate, any political party which took part in the election or any person serving as a representative of the Administration for the election, requesting the total or partial cancellation of election operations.

SECTION 133: (1) All petitions filed pursuant to the provisions of Section **132** above must reach the Constitutional Council within no more than 72 (seventy two) hours of the close of the poll.

(2) The Constitutional Council may, if it deems it necessary, hear any applicant or request the submission of evidence, against a receipt.

(3) Under pain of rejection, the petition shall specify the alleged facts and means. It shall be posted up within 24 (twenty four) hours of its submission and notified to the parties concerned who shall be allowed 48 (forty-eight) hours to submit their replies, against a receipt.

SECTION 134: The Constitutional Council may, without prior adversarial hearing, issue a reasoned decision to reject any petition it considers inadmissible or to be based solely on objections which cannot influence the outcome of the election.

SECTION 135: (1) In the event of cancellation of the elections, notification thereof shall forthwith be made to the Minister of Territorial Administration and Elections Cameroon.

(2) Notwithstanding the provisions of Section 86 of this law, a new election shall be held within no less than 20 (twenty) days and no more than 40 (forty) days of the date of cancellation.

(3) The incumbent President of the Republic shall remain in office up to the election and swearing-in of the President-elect, and shall convene the electorate within the time-limit provided for in Sub-section (2) above.

SECTION 136: The decisions of the Constitutional Council relating to elections, election results and candidatures shall be final.

CHAPTER V

PROCLAMATION OF RESULTS

SECTION 137: The Constitutional Council shall adopt and proclaim the results of the presidential election within no more than15 (fifteen) days of the close of the poll.

SECTION 138: (1) Where, after the election, no candidate is declared President-elect of the Republic, the incumbent shall remain in office until a new President is elected and sworn in.

(2) In such case, a new election shall be held within the time-limit provided for under Section 135 above, from the expiry of the legal time-limit for the proclamation of the election results.

SECTION 139: (1) The election results shall be published according to the procedure of urgency and inserted in the Official Gazette in English and French.

(2) The publication provided for under Sub-section (1) above shall apply to any decision by the Constitutional Council to modify or cancel the said results.

CHAPTER VI

OATH TAKING

SECTION 140: (1) The President-elect shall assume office once he or she takes the oath within no less than15 (fifteen) days of the proclamation of the results by the Constitutional Council.

(2) He shall take oath of office before the Cameroonian people in the presence of Members of Parliament, the Constitutional Council and the Supreme Court meeting in solemn session in the manner and words prescribed hereinunder:

a. The President of the National Assembly shall administer the oath following a short address which he shall conclude in the following established form:

   "Mr. President of the Republic,

   Do you pledge yourself on your honour to faithfully perform the duties entrusted to you by the people, and do you solemnly swear before God and all men to devote all your efforts to preserving, protecting and defending the Constitution and the laws of the Republic of Cameroon, to watch over the commonwealth of the Nation, and to uphold and defend the unity, integrity and independence of the Cameroon Fatherland?"

b. The President-elect, standing, raising his right hand and facing the Members of Parliament, the Constitutional Council and the Supreme Court shall pledge himself by answering:

   "I SO DO SWEAR."

SECTION 141: (1) Five (5) authentic original copies shall be made of the oath taking, signed by the President of the National Assembly and co-signed by the Presidents of the Senate, the Constitutional Council and the Supreme Court.

(2) One of the originals of the oath-taking deed referred to in Sub-section (1) above shall be kept at the Secretariat General of the National Assembly, 3 (three) original copies shall be deposited with and kept as record or minutes of the respective registries of the Senate, the Constitutional Council and the Supreme Court.

(3) One original copy shall be handed over to the President of the Republic.

CHAPTER VII

VACANCY OF THE OFFICE OF PRESIDENT OF THE REPUBLIC

SECTION 142: Where the Presidency of the Republic becomes vacant as a result of death, resignation or permanent unavailability ascertained by the Constitutional Council, the powers of the interim President of the Republic shall be exercised as of right until the election of a new president by the President of the Senate. Where the latter is also unable to exercise the powers, they shall be exercised by the Vice-President following the order of precedence in the Senate.

SECTION 143: (1) In the event of vacancy of the Office of President of the Republic due to resignation, the resigning President shall so inform the nation in a message.

(2) The President of the Republic shall then tender his resignation to the President of the Constitutional Council, who shall send a copy thereof to the President of the Senate.

(3) The message referred to in Sub-section (1) above shall be published according to the procedure of urgency and inserted in the Official Gazette in English and French.

(4) The interim President of the Republic shall exercise his duties in accordance with Section 142 above.

SECTION 144: (1) The interim President of the Republic, that is, the President of the Senate or his Vice, may neither amend the Constitution nor reshuffle the Government. He may not organize a referendum or be a candidate in the Presidential election.

(2) However, in case of necessity related to the organization of the presidential election, the acting President of the Republic may, upon consultation with the Constitutional Council, reshuffle the Government.

SECTION 145: (1) The permanent unavailability of the President of the Republic shall be ascertained by a majority of 2/3 (two-thirds) of the members of the Constitutional Council.

(2) Such unavailability shall be referred to the Constitution Council by the President of the National Assembly under the conditions laid down by regulation.

(3) The declaration of the vacancy of the office of President of the Republic as duly ascertained in accordance with Sub-sections (1) and (2) above, shall be published by the Constitutional Council according to the procedure of urgency and inserted in the Official Gazette in English and French.

SECTION 146: In the cases referred to in Sections 143 and 145 above, the poll for the election of the new President of the Republic must be held no less than 20 (twenty) days and no more than 120 (one hundred and twenty) days of the vacancy of the office.

CHAPTER VIII

MISCELLANEOUS PROVISIONS

Section 147: (1) The deposit shall be refunded by the Public Treasury:

- Either to the candidate who withdraws their candidacy prior to the printing of ballot papers, upon presentation of a receipt of payment of such deposit and a certificate of withdrawal of candidacy duly established by the Director General of Elections; or
- To the elected candidate or candidate who obtained at least 10% of valid votes cast. In such case, the deposit shall be refunded upon presentation of a certificate of valid votes cast, issued by the Constitutional Council and having the value of a payment order; or

(2) In cases other than those specified above, the deposit shall remain in the Treasury.

PART V
PROVISIONS SPECIFIC TO THE ELECTION OF MEMBERS OF PARLIAMENT

CHAPTER I
TERM OF OFFICE AND POLLING

SECTION 148.- (1) Members of Parliament shall be elected for a term of 5 (five) years by universal suffrage and direct and secret ballot.

(2) They shall be eligible for re-election.

(3) All the seats in the National Assembly shall be renewed every 5 (five) years. Elections shall be held not later than 40 (forty) days to the expiry of the term of office of Members of Parliament.

(4) The term of office of Members of Parliament shall commence on the day of the session held as of right following the election.

(5) The National Assembly shall meet as of right in ordinary session on the second Tuesday following the proclamation of results of the election of Members of Parliament by the Constitutional Council.

SECTION 149.- (1) The division shall constitute an electoral constituency.

(2) However, certain electoral constituencies could be warded on the grounds of their peculiar situation by a decree of the President of the Republic.

SECTION 150.-(1) The National Assembly shall have 180 (one hundred and eighty) members.

(2) A decree by the President of the Republic shall fix the number of members representing each constituency.

SECTION 151.-(1) Voting shall be for a list of candidates without voters indicating any preference of candidates nor transferring candidates from one list to another.

(2) Each political party existing legally and willing to take part in the election in a constituency shall submit a complete list having the same number of candidates chosen from its members as the seats to be filled.

(3) Each list shall take into consideration the various sociological components of the constituency concerned. It shall also take into consideration gender aspects.

SECTION 152.-(1) Members of Parliament shall be elected through a mixed single round ballot, comprising a majority system and a proportional representation system.

(2) However, in constituencies having only one seat, voting shall be for a single candidate.

(3) After the ballot:

(a) In single member constituencies, the candidate with a majority of the votes cast shall be declared elected ; should there be a tie, the eldest candidate shall be declared elected ;

(b) In constituencies where the list system is applicable :

- the list that obtains an absolute majority of the votes cast shall win all the seats available;
- if no list obtains an absolute majority of the votes cast, the seats shall be shared as follows:

  * the list with the highest number of votes shall be allocated half of the seats rounded off, if need be, to the nearest whole number above ; where there is a tie between 2 (two) or more lists, the number of seats rounded off to the nearest whole number above shall be allocated to the list with the highest average age;

  * the remaining seats shall be allocated to the other lists through the application of proportional representation to the lists with the highest votes ; where there is a tie in the number of votes, the seat(s) shall be allocated to the list with the highest average age.

(4) Lists which obtain less than 5 % of the votes cast in the constituency concerned shall not be eligible for the proportional distribution of seats.

(5) Seats shall be allocated to candidates in the order in which they appear on each list.

SECTION 153.- For every seat to be filled, there shall be a substantive candidate and an alternate candidate, both of whom shall go before the electorate at the same time.

SECTION 154.- After their election, and in all cases of vacancy other than the death of the substantive member, the alternate shall take the seat of the Member of Parliament at the National Assembly until the expiry of the latter's term.

SECTION 155.- (1) Where one or more seats become vacant in a constituency either because of the death, resignation of the substantive or alternate member, or for any other reason, by-elections shall be held within a period of 12 (twelve) months following the occurrence of the vacancy.

(2) By-elections shall be held in the electoral constituency in the manner specified in Sections 153 and 154 above.

(3) Where a seat becomes definitively vacant in an electoral constituency with many seats, there shall be a single ballot.

(4) Only political parties that took part in the general elections in the constituency shall be allowed to take part in the by-elections.

(5) No by-election shall be held if the vacancy occurs less than a year before the end of the legislative period.

CHAPTER II
QUALIFICATION OF CANDIDATES

SECTION 156.- Any Cameroonian citizen, of either sex, who enjoys the right to vote and is entered on electoral registers, is aged 23 (twenty-three) years at the date of the election and can read and write English or French can be nominated as a candidate for election to the National Assembly.

SECTION 157.- Any lien who has acquired Cameroonian nationality by way of naturalization shall be eligible only after a prescription period of 10 (ten) years, with effect from the date of acquisition of such nationality.

SECTION 158.- (1) No person shall be eligible for election where, by virtue of his own act, he has placed himself in a position of dependency on an alien, a foreign organization, power or State or is an intelligence agent thereof.

(2) On application of the relevant government service or any interested person(s), such ineligibility shall be established by the Constitutional Council.

SECTION 159.- (1) All persons serving in defence and territorial security services, especially in the security and police forces, and members of the armed forces and the like shall likewise be ineligible and may not stand for election to

the National Assembly during the discharge of their duties and during the 6 (six) months following the termination of their service by resignation, dismissal, transfer or by any other manner.

(2) Such ineligibility shall apply, under the same conditions, to persons who are performing or have performed the duties referred to in sub-section (1) above for a period of at least 6 (six) months, even if they are not or had not been on the regular strength.

SECTION 160.-(1) Public servants elected to the office of Member of Parliament shall, as of right, be seconded to the National Assembly for the whole term of their office.

(2) For State employees governed by the Labour Code and for private sector employees, their employment contract shall be suspended for their whole term of office.

SECTION 161.- (1) Every member and every alternate shall meet the conditions for eligibility throughout his term of office.

(2) The seat in the National Assembly of a member or of an alternate shall automatically become vacant if, after the proclamation of the results of election, it is established that such member or alternate was ineligible or if during his term of office he is no longer eligible for membership under the conditions laid down in this law.

(3) The seat of a Member of Parliament shall be declared vacant by the Constitutional Council, at the behest of the bureau of the National Assembly. That of the alternate member shall be automatic.

(4) The seat in the National Assembly of any member or alternate who, during his term of office, is expelled or resigns from his party, shall likewise become vacant.

(5) Where a Member of Parliament is convicted and declared ineligible after an election the Constitutional Council shall establish such vacancy.

CHAPTER III
INCOMPATIBILITIES

SECTION 162.- (1) The office of Member of Parliament shall be incompatible with the office of member of Government or of persons ranking as such, member of the Constitutional Council and of member of the Economic and Social Council.

(2) The office of Member of Parliament shall further be incompatible with the office of Senator, mayor, government delegate to a city council, president of a regional council, with any other non-elective public office and with the duties of president of a consular chamber, board chairperson or with the status of wage earner in a public establishment or public and semi-public enterprise.

SECTION 163.-(1) The occupation of one of the posts referred to in Section 162 above shall render the parliamentary seat vacant.

(2) No Member of Parliament shall cause or allow his name to be followed by any reference to his capacity as Parliamentarian in any advertisement concerning a financial, industrial or commercial undertaking.

CHAPTER IV
NOMINATION OF CANDIDATES

SECTION 164.- (1) Candidatures shall, within 15 (fifteen) days from the convening of the electorate, be made out in nomination paper in triplicate, bearing the legalized signature of candidates.

(2) Such nomination paper shall be submitted and registered, against a receipt, at the General Directorate of Elections or at the divisional branch of Elections Cameroon of the constituency concerned. A copy thereof shall immediately be sent to the Constitutional Council by the candidate or his representative, against acknowledgement of receipt.

(3) Nomination papers submitted at the divisional branch of Elections Cameroon shall be sent forthwith to the General Directorate of Elections.

(4) The nomination paper shall contain the following particulars:

(a) the full name, date and place of birth, filiations, occupation and residence of candidates;

(b) the name of the list and the political party sponsoring such list;

(c) the symbol selected for the purpose of printing ballot papers or of identifying the party;

(d) the name of the representative, whether he is a candidate or not, and the address of his residence;

(e) evidence of representation of sociological components of the constituency in drawing up the list;

(f) evidence of consideration of gender in drawing up the list.

(5) Any emblem comprising all of the following 3 (three) colours: green, red, yellow ; shall be forbidden.

SECTION 165.- The nomination paper shall include for each candidate, substantive or alternate:

(a) a copy of his birth certificate, not more than 3 (three) months old;

(b) a certificate of nationality ;

(c) a criminal record (Bulletin No. 3), not more than three months old;

(d) a declaration by which the substantive or alternate candidate testifies, on his honour, that his name appears only on that list and that he is not the object of any of the disqualifications provided for by this law;

(e) a tax certificate or a tax exemption certificate;

(f) an attestation of registration on electoral registers ;

(g) the original receipt of payment of deposit ;

(h) an attestation by which the political party sponsors the person as candidate.

SECTION 166.- (1) The substantive candidate and his alternate shall both pay a deposit into the State Treasury in the amount of 5000 000 (five million) CFA francs, according to the form and terms of Section 122(2) of this law.

(2) The deposit shall be refunded by the State Treasury in the cases provided for by Section 147 of this law.

SECTION 167.- The provisions of Sections 125, 126, 129, 130 and 131 of this law relating to the nomination of candidates, disputes and complaints in respect of rejection or acceptance of candidatures as well as those on colour, initials or emblem chosen by a candidate or list of candidates shall be applicable to the election of Members of Parliament.

CHAPTER V
ELECTORAL DISPUTES AND PROCLAMATION OF RESULTS

SECTION 168.- (1) The Constitutional Council shall ensure the regularity of the election of Members of Parliament. It shall proclaim the results within a maximum period of 20 (twenty) days with effect from the date of closure of pools.

(2) Electoral disputes and organization of a new election, as the case may be, shall be carried out in pursuance of the provisions of Sections 132 to 136 of this law.

(3) The report on the conduct of electoral operations and proclamation of results shall be prepared by the Constitutional Council in four copies. It shall file the original copy and forward the other copies to the Ministry in charge of territorial administration, the National Assembly and the Electoral Board.

PART VI
PROVISIONS SPECIFIC TO THE ELECTION OF MUNICIPAL COUNCILLORS

CHAPTER I
TERM OF OFFICE AND POLLING

SECTION 169.- (1) (1) Municipal councillors shall be elected for a term of 5 (five) years by universal suffrage and direct and secret ballot.

(2) They shall be eligible for re-election.

(3) The election shall take place 20 (twenty) days before the expiry of the term of office of municipal councillors.

(4) The term of office of municipal councillors shall commence on the day of the first session held as of right following the proclamation of the results of the election. The said session shall hold on the second Tuesday following the proclamation of results.

SECTION 170.- (1) All the seats of municipal councillors shall be renewed every 5 (five) years at the same date.

(2) However, if need be, the President of the Republic may, by decree, extend or abridge the term of office of municipal councillors for a period not exceeding 18 (eighteen) months, after consultation with the Government and the Bureau of the Senate.

SECTION 171.- (1) Voting shall be for a list of candidates without voters indicating any preference of candidates nor transferring candidates from one list to another.

(2) Each council shall constitute an electoral constituency.

(3) Each list shall take into consideration:

- the various sociological components of the constituency concerned;
- gender aspects.

SECTION 172.- (1) Municipal councillors shall be elected through a mixed single round ballot, comprising a majority system and a proportional representation system.

(2) After the ballot :

a) the list that obtains an absolute majority of the votes cast shall win all the seats available ;

b) if no list obtains an absolute majority of the votes cast, the seats shall be shared as follows:

- the list with the highest number of votes shall be allocated half of the seats rounded off, if need be, to the nearest whole number above ; where there is a tie between 2 (two) or more lists, the number of seats rounded off to the nearest whole number above shall be allocated to the list with the highest average age;
- the remaining seats shall be allocated to the other lists, including the list with a relative majority, through the application of proportional representation to the lists with the highest votes ; where there is a tie in the number of votes, the seat(s) shall be allocated to the list with the highest average age.

(3) Lists which obtain less than 5% of the votes cast in the constituency concerned shall not be eligible for the proportional distribution of seats.

(4) Seats shall be allocated to candidates in the order in which they appear on each list.

SECTION 173.- (1) The number of municipal councillors shall be fixed as follows:

- councils with less than 50 000 (fifty thousand) inhabitants: 25 (twenty-five) councillors;
- councils with from 50 000 (fifty thousand) to 100 000 (one hundred thousand) inhabitants : 31 (thirty-one) councillors;
- councils with from 100 001 (one hundred thousand and one) to 200 000 (two hundred thousand) inhabitants: 35 (thirty-five) councillors;
- councils with from 200 001 (two hundred thousand and one) to 300 000 (three hundred thousand) inhabitants: 41 (forty-one) councillors;

- councils with more than 300 000 (three hundred thousand) inhabitants: 61 (sixty-one) councillors.

(2) A decree of the President of the Republic shall fix the number of municipal councillors by council, on the basis of the official population census immediately preceding the municipal elections.

SECTION 174.-(1) By-elections shall be held where a municipal council loses at least two-fifths of its members. In such case, only political parties that submitted a list of candidates for the general municipal elections shall be allowed to submit an additional list of candidates.

(2) No by-election shall be held if the vacancy referred to in sub-section (1) above occurs less than a year before the end of the term of office of municipal councillors.

CHAPTER II
QUALIFICATION OF CANDIDATES AND INCOMPATIBILITIES

SECTION 175.- (1) Any Cameroonian citizen, of either sex, who enjoys the right to vote, is entered on electoral registers, is aged 23 (twenty-three) years at the date of the election, can read and write English or French and shows proof of effective residence of at least 6 (six) months within the area of the council concerned can be nominated as a candidate for municipal elections.

(2) Persons not resident within the area of the council concerned may stand for municipal elections if they have a place of abode therein.

(3) Any lien who has acquired Cameroonian nationality by way of naturalization shall be eligible only after a prescription period of 10 (ten) years, with effect from the date of acquisition of such nationality.

SECTION 176.- (1) No person shall be eligible for election if, by virtue of his own act, he has placed himself in a position of dependency on an alien, a foreign organization, power or State or is an intelligence agent thereof.

(2) On application of the relevant government service or any interested person(s), such ineligibility shall be established by the competent administrative court within 3 (three) days following referral of the matter.

SECTION 177.- (1) All persons serving in defence and territorial security services, especially in the security and police forces, and members of the armed forces and the like shall likewise be ineligible and may not stand for election to

the office of municipal councillor during the discharge of their duties and during the 6 (six) months following the termination of their service by resignation, dismissal, transfer or by any other manner**.**

(2) Such ineligibility shall apply, under the same conditions, to persons who are performing or have performed the duties referred to in sub-section (1) above for a period of at least 6 (six) months, even if they are not or had not been on the regular strength**.**

SECTION 178.- (1) The seat of a municipal councillor shall automatically become vacant if, after the proclamation of the results of election, it is established that such councillor was ineligible or if during his term of office he is no longer eligible for membership under the conditions laid down in this law.

(2) The seat of a municipal councillor who, during his term of office, resigns or is expelled from his party, shall likewise automatically become vacant.

(3) The vacancy shall be declared, after a deliberation of the municipal council, by an order of the Minister in charge of local and regional authorities. The said order may be challenged before the competent administrative court.

SECTION 179.- (1) The office of Governor, Secretary-General and Inspector-General at the governor's office, Senior Divisional Officer, Sub-Divisional and their deputies shall be incompatible during the tenure of such office with the office of municipal councillor within the administrative unit of their jurisdiction.

(2) The office of municipal councillor shall likewise be incompatible with the following positions held in the same area of jurisdiction:

- police officer, gendarme, serviceman, prison administration officer and persons ranking as such;
- secretary-general of a council, municipal revenue collector and municipal service head;
- legal and judicial officer.

SECTION 180.- (1) A municipal councillor who, subsequent to election, becomes ineligible for office as provided by this law, shall have to opt for his municipal office or the function concerned. Where no choice is made known within 15 (fifteen) days following accession to the said function, he shall be considered to

have resigned by an order of the Minister in charge of local and regional authorities.

(2) No candidate shall be on more than 1 (one) list, nor be member of more than 1 (one) municipal council.

CHAPTER III
NOMINATION OF CANDIDATES

SECTION 181.- (1) Candidatures shall, within 15 (fifteen) days from the convening of the electorate, be made out in nomination paper in 3 (three) copies, bearing the legalized signature of candidates and submitted at the council branch of Elections Cameroon against a receipt.

(2) The nomination paper shall contain the following particulars:

(a) the full name, date and place of birth, filiation and occupation of candidates;
(b) the name of the list and the political party sponsoring such list;
(c) the symbol selected for the purpose of printing ballot papers or of identifying the party;
(d) the name of the representative of the list, whether he is a candidate or not, and the address of his residence;
(e) evidence of representation of sociological components of the constituency in drawing up the list;
(f) evidence of consideration of gender aspects in drawing up the list*.*

(3) Any emblem comprising all of the following 3 (three) colours : green, red, yellow ; shall be forbidden.

SECTION 182.- The nomination paper shall include for each candidate :

(a) a copy of his birth certificate, not more than 3 (three) months old;

(b) a certificate of nationality ;

(c) a criminal record (Bulletin No 3), not more than three months old;

(d) a declaration by which the candidate testifies, on his honour, that his name appears only on that list and that he is not the object of any of the disqualifications provided for by this law;

(e) a tax certificate or a tax exemption certificate;

(f) an attestation of registration on electoral registers ;

(g) an attestation of abode or residence in the council concerned, issued by the competent administrative authority;

(h) the original receipt of payment of deposit ;

(i) an attestation by which the political party sponsors the person as candidate.

SECTION 183.- Each candidate shall pay a deposit into the Public Treasury in the amount of 100 000 (one hundred thousand) CFA francs. A certificate of payment of the deposit shall be issued by the treasury services in three copies.

SECTION 184.- The following shall be rejected :

- incomplete lists;
- lists not containing the documents and items referred to in this law ;
- lists including candidates who are not members of the party concerned.

SECTION 185.- (1) The council branch of Elections Cameroon shall, within 5 (five) days following the submission, ensure that the list of candidates conforms with the provisions of this law.

(2) In any case, it shall, within the time limit referred to in sub-section (1) above, forward to the Director-General of Elections all nomination papers received, including any observations.

SECTION 186.- After submission of lists no withdrawal of candidates or modification of the nomination of candidates shall be allowed.

SECTION 187.- The Electoral Board shall draw up and publish the lists of candidates at least 60 (sixty) days before the date of the poll.

SECTION 188.- If a candidate whose name appears on a list dies or is disqualified, he may be replaced, not later than 30 (thirty) days to the opening of the poll by another candidate, in accordance with the procedure for the nomination of candidates.

SECTION 189.- (1) The decision to accept or reject a list of candidates may be challenged before the competent administrative court by a candidate, the representative of the list concerned or of any other list or by an elector whose name appear on the electoral register of the council concerned.

(2) Disputes or complaints shall be filed by simple petition within 5 (five) days following the publication of lists of candidates.

SECTION 190.- (1) The competent administrative court shall rule within 5 (five) days following the filing of the petition.

(2) The decision of the competent administrative court shall be notified immediately to the Electoral Board of Elections Cameroon for enforcement and to the other parties concerned.

CHAPTER IV
COUNTING OF VOTES AND PROCLAMATION OF RESULTS

SECTION 191.- (1) A council supervisory commission shall be set up in each council, composed as follows :

Chairperon : a personality appointed by the Director-General of Elections.

Members :

- 3 (three) representatives of the administration, appointed by the Senior Divisional Officer;
- 1 (one) representative of each political party taking part in the polls;
- 3 (three) representatives of Elections Cameroon, appointed by the Director-General of Elections.

(2) The composition of Council Supervisory Commissions shall be established by the Director-General of Elections.

SECTION 192.- The Council Supervisory Commission shall be responsible for the centralization, verification of vote counts, on the basis of reports and documents forwarded by local polling commissions. It shall, as the case may be, correct, review or cancel the said reports.

SECTION 193.- (1) The Council Supervisory Commission shall proclaim the results of municipal elections in the electoral constituency concerned within 72 (seventy-two) hours following the close of the polls.

(2) The proceedings of the Council Supervisory Commission shall be minuted in a report signed by all commission members present.

(3) A copy of the said report shall be forwarded to the Senior Divisional Officer of the jurisdiction for on-ward transmission to the Minister in charge of local and regional authorities. Another copy shall be sent to the General Directorate of Elections.

CHAPTER V
ELECTORAL DISPUTES

SECTION 194.- (1) Any elector, candidate or person acting in the capacity of a government election officer may petition for the cancellation of elections in the council concerned before the competent administrative court.

(2) Disputes shall be a simple petition filed within 5 (five) days following the proclamation of results by the Council Supervisory Commission.

(3) The competent administrative court shall give a ruling within 40 (forty) days from the day the petition was filed.

SECTION 195.- (1) The municipal councillor whose election is challenged shall remain in office until a final decision is issued.

(2) Where all or part of the election is finally cancelled, by-elections shall be held within 60 (sixty) days following the cancellation.

(3) Only the lists of candidates submitted during the general municipal elections shall be allowed to take part in the by-elections.

CHAPTER VI
MISCELLANEOUS PROVISIONS

SECTION 196.- (1) The deposit shall be returned to the candidate:

- who is declared ineligible before the printing of ballot papers;
- whose candidature is definitively disqualified ;
- whose list obtained at least 5% of votes cast in the council concerned. In this case, the copy of the results proclamation report issued by the Council Supervisory Commission shall entail order to pay.

(2) The deposit referred to in sub-section (1) above may subsequently be collected by the representative of the candidate or list of candidates.

(3) In all cases other than those mentioned in sub-section (1) above, the deposit shall be retained by the Public Treasury.

PART VII
PROVISIONS SPECIFIC TO REFERENDUMS

CHAPTER I
INTRODUCTORY PROVISIONS

SECTION 197.- 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.

This shall apply in particular to:

- bills to organize public authorities or to amend the Constitution;
- bills to ratify international agreements or treaties having particularly important consequences;
- certain reform bills relating to laws on persons and property.

SECTION 198.- The bill submitted to a referendum shall be appended to the decree to convene electors. The said bill shall be widely disseminated.

SECTION 199.- The bill submitted to a referendum shall be adopted by a majority of votes cast.

SECTION 200.- The provisions of Sections 197 and 198 above shall equally apply to bills and private members' bills on the amendment of the Constitution submitted to a referendum.

CHAPTER II
REFERENDUM CAMPAIGN

SECTION 201.- The provisions of Sections 87 to 95 above shall be applicable to the referendum campaign, subject to those of this Chapter.

SECTION 202.- (1) The following may apply to take part in the referendum campaign:

- political parties represented at the National Assembly and/or the Senate;
- political parties which obtained at least 5% of votes cast in at least one constituency during the last election of Members of Parliament and/or Senators.

(2) The application referred to in sub-section (1) above shall indicate:

- the full address of the political party;
- the full name and domicile of the legal representative of the political party;

- the "YES" or "NO" vote on the bill submitted to the referendum.

SECTION 203.- (1) Applications to take part in the referendum campaign shall bear the legalized signature of the legal representative of the political party and must be submitted together with the original of the receipt for payment into the Public Treasury of a deposit fixed at 1 000 000 (one million) CFA francs.

(2) Applications shall be submitted in 2 (two) copies to the General Directorate of Elections Cameroon within 15 (fifteen) days following the convening of electors. A copy of the application shall be forwarded immediately to the Constitutional Council by the legal representative of the party against acknowledgement of receipt.

SECTION 204.- (1) The Electoral Board may accept or reject any application to take part in the referendum campaign. The legal representative of the party shall be notified of a reasoned decision to accept or reject an application. This decision shall be minuted in a report which shall be forwarded immediately to the Constitutional Council.

(2) An appeal may be lodged before the Constitutional Council against the decision to reject or accept an application, in accordance with the conditions and time limits fixed in Sections 132, 133 and 134 of this law.

CHAPTER III
REFERENDUM OPERATIONS

SECTION 205.- The ballot papers made available to voters shall be of different colours and respectively bear, in identical characters, the words "YES" or "NO".

SECTION 206.- Voters shall cast "YES" for or "NO" against the bill submitted to the referendum.

SECTION 207.- The other referendum operations shall be conducted in accordance with Sections 98 to 107 of this law.

SECTION 208.- The provisions of Sections 68 and 69 of this law shall apply for the counting of votes.

CHAPTER IV
REFERENDUM DISPUTES

SECTION 209- (1) The Constitutional Council shall ensure the regularity of referendums.

(2) It shall examine and give final ruling on all referendum complaints and disputes.

SECTION 210.- Any complaint relating to 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 Members the National Assembly or one-third of Senators, in accordance with the provisions of Sections 133 and 134 above.

SECTION 211.- Where the Constitutional Council has established the existence of irregularities in the conduct of the referendum, it may, considering the gravity of such irregularities, maintain the results or declare them wholly or partly null and void.

CHAPTER V
PROCLAMATION OF RESULTS

SECTION 212.- (1) The Constitutional Council shall proclaim referendum results within 15 (fifteen) days following the date of closing of the poll.

(2) It shall prepare a report on the results in two copies, file the original and forward the other copy to the President of the Republic.

SECTION 213.- (1) The referendum bill shall be adopted where, at the end of the referendum, “YES” carries the majority of the valid votes cast.

(2) The President of the Republic shall enact the law adopted within 15 (fifteen) days following the transmission of the results proclamation report.

(3) The law shall be preceded by the following:

> “The Cameroonian people have adopted by referendum of……., the President of the Republic hereby enacts the law set forth below”.

PART VIII
PROVISIONS RELATING TO THE ELECTION OF SENATORS

CHAPTER I
INTRODUCTORY PROVISIONS

SECTION 214.- (1) Each Region shall be represented in the Senate by 10 (ten) senators, 7 (seven) of whom shall be elected by indirect universal suffrage on a

regional basis and 3 (three) appointed by decree of the President of the Republic.

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

(3) Senators shall be eligible for re-election.

(4) The term of the appointed senators shall be renewable.

SECTION 215.-(1) The term of senators shall commence on the day of the ordinary session following the election, being the expiry date of the term of the incumbent senators.

(2) The Senate shall meet as of right in ordinary session on the third Tuesday following the proclamation of the results of senatorial elections by the Constitutional Council.

(3) The decree specified under Section 214 (1) above shall be published within 10 (ten) days following the proclamation of results by the Constitutional Council.

SECTION 216.-(1) The entire Senate shall be renewed every 5 (five) years.

(2) Senatorial elections shall be held no later than 40 (forty) days to the expiry of the current term of office.

CHAPTER II
POLLING

SECTION 217- (1) Each Region shall make up a constituency.

(2) Senatorial elections shall be by list system, with no changing of the serial order of candidate's names or vote splitting.

SECTION 218.- (1) Senatorial elections shall be a mixed single ballot, comprising a majority system and a proportionate representation system.

(2) Every political party taking part in the election shall present a full list of 7 (seven) candidates selected from among its members. For each seat, there shall be a substantive candidate and his alternate, both of whom shall appear before the Electoral College at the same time.

(3) The composition of each list must reflect:
- the various sociological components of the Region;
- gender aspects.

(4) Where a list obtains an absolute majority of the votes cast, it shall be declared the winner of the elections, filling all 7 (seven) seats.

(5) Where no list obtains an absolute majority of the vote cast, the list with a relative majority shall be awarded half of the seats to be filled rounded up to the next whole number, that is, 4 (four) seats.

(6) In case of a tie among winning lists, the 4 (four) seats shall be shared equally among the said lists; where applicable, the remaining seat shall be awarded to the list with the highest age average.

(7) After the sharing of the seats as stipulated in sub-sections (4), (5) and (6) above, the remaining 3 (three) seats shall be shared amongst all the lists, including those that obtained a relative majority in proportionate representation, following the highest remainder rule. List with less than 5% of the votes cast in the Region shall be excluded from the sharing.

(8) Seats shall be awarded to candidates in the order in which they appear on each list.

(9) Where several lists have the same average for the award of the last seat, the seat shall be awarded to the list having obtained the highest number of votes. Where there is a tie in the number of votes obtained, the seat shall be awarded to the eldest candidate.

SECTION 219.- (1) In case of death of an elected Senator and in compliance with the provisions of Section 155 above, by-elections shall be held in the Region concerned.

(2) By-elections shall be held under the conditions stipulated in Section 218 above. However, where there is only one vacant seat to be filled, a single ballot uninominal majority election shall be held.

(3) In case of death of an appointed Senator, at the behest of the President of the Senate, a new Senator shall be appointed to complete his term.

CHAPTER III
QUALIFICATION OF CANDIDATES AND INCOMPATIBILITIES

SECTION 220.- (1) Candidates for the office of Senator, as well as the personalities appointed to the said office must have reached the age of 40 (forty) by the date of election or appointment.

(2) The candidate must be of Cameroonian nationality and must provide evidence of effective residence in the territory of the Region concerned.

SECTION 221.- The other qualifications of candidates and incompatibilities shall be the same as those fixed under Sections 156 to 163 above.

CHAPTER IV
ELECTORAL COLLEGE

SECTION 222.- (1) Senators shall be elected in each Region by an electoral college comprising regional and municipal councillors.

(2) Regional and municipal councillors whose election is contested shall exercise their voting right, pending a final ruling by the competent court

CHAPTER V
ELECTORAL REGISTERS

SECTION 223- (1) In each Region, a list of senatorial electors comprising regional and municipal councilors shall be drawn up and updated by the regional branch of Elections Cameroon.

(2) The list shall feature in alphabetical order, each elector's full name, date and place of birth, type of elective office, profession and domicile or place of residence.

SECTION 224.- (1) On publication of the decree convening the Electoral College, the list of senatorial electors shall be updated

(2) The updated list of senatorial electors shall, where applicable, show the additions and deletions resulting notably from death, loss of voting rights, by-elections and various cases of ineligibility and disqualification for membership as provided by law.

(3) The updated list of senatorial electors shall be published at least 30 (thirty) days before the voting date. It may be copied or notified to any person on request.

CHAPTER VI
VOTER CARDS

SECTION 225.- (1) Senatorial electors shall each receive a registration card which must feature their full name, date and place of birth, photograph, finger prints, type of elective office, filiation, profession, domicile or place of residence.

(2) The abovementioned registration cards shall be used only during senatorial elections.

SECTION 226.-(1) Registration cards shall be distributed by the divisional branches of Elections Cameroon, within the 20 (twenty) days preceding the elections.

(2) Cards not distributed shall remain at disposal of their holders until the close of the poll at the divisional branch of Elections Cameroon.

CHAPTER VII
POLLING STATIONS

SECTION 227- (1) Voting shall be conducted in the headquarters of each division.

(2) Members of the electoral college, under pain of loss of their voting right, shall be bound to take part in the polls.

(3) However, where unavoidably absent, a member of the electoral college may issue a proxy to another member. No member of the electoral college shall have more than one proxy.

(4) The State shall defray the costs relating to the participation of members of the Electoral College in the polls, in accordance with the conditions laid down by regulation.

SECTION 228.- The Director-General of Elections shall fix the list of polling stations as well as the distribution of electors within the said stations.

SECTION 229.- The table of the list of polling stations and of the distribution of senatorial electors shall be posted at the divisional branches of Elections Cameroon at least 15 (fifteen) days before the voting.

CHAPTER VIII
CONVENING THE ELECTORAL COLLEGE AND NOMINATION OF CANDIDATES

SECTION 230.- In view of the election of Senators, the electoral college shall be convened by the President of the Republic at least 45 (forty-five) days before the date of the poll, in accordance with the provisions of Section 86 above.

SECTION 231.- The nomination of candidates for the election of senators shall be conducted pursuant to Sections 164 and 167 of this law.

CHAPTER IX
ELECTORAL CAMPAIGN

SECTION 232.- The provisions of Sections 87 and 95 of this law shall apply to the campaign for the election of Senators.

CHAPTER X
ELECTION OPERATIONS

SECTION 233.- Subject to the provisions of this Chapter, election operations shall be conducted in accordance with Sections 95 and 115 of this law.

SECTION 234.- (1) Polling results for the election of Senators in each polling station shall be minuted in a report.

(2) The report, drafted in two copies, shall be signed by the President and all members of the polling station present.

(3) The two copies shall be forwarded to the regional branch of Elections Cameroon. Invalid ballots, envelopes containing contested ballot papers, tally sheets signed by each of the supervisors as well as any other relevant documents on the conduct of the election shall be appended to the said report.

(4) A copy of the report shall be filed at the regional branch of Elections Cameroon. The other copy shall be forwarded to the regional supervisory commission, at the behest of the said regional branch of Elections Cameroon.

CHAPTER XI
COUNTING OF VOTES

SECTION 235.- (1) A regional supervisory commission shall be set up in each Region as follows:

Chairperson: a magistrate of the Court of Appeal, designated by the President of the Court of appeal of the jurisdiction;

Members :

- 3 (three) representatives of the Administration, designated by the Governor;
- 1 (one) representative of each political party taking part in the election ;
- 3 (three) representatives of Elections Cameroon, designated by the Director-General of Elections.

(2) The composition of the regional supervisory committee shall be established by the Director-General of Elections.

SECTION 236. (1) The list of members of the regional supervisory commission shall be kept permanently at the regional branch of Elections Cameroon.

(2) It may be consulted by any elector of the constituency.

SECTION 237. (1) The regional supervisory commission shall centralize, ensure the counting and verification of vote-counting operations, on the basis of reports forwarded by polling stations.

(2) The regional supervisory commission shall not undertake to cancel the reports referred to in sub-section (1) above.

(3) However, in case of a computing error or wrong data, it may review the said reports. In this case, it shall be bound to reason its decision and state such reasons in its report.

(4) The regional supervisory commission shall mention in its report all cases of inconsistency or doubt on the fairness of election operations. It shall forward such report, together with its observations, to the national final vote counting commission.

SECTION 238.- The counting of votes at national level shall be conducted in accordance with the provisions of Sections 68 and 69 of this law, subject to the replacement of divisional supervisory branches by the regional supervisory branches.

CHAPTER XII
ELECTORAL DISPUTES AND PROCLAMATION OF RESULTS

SECTION 239.-(1) The Constitutional Council shall ensure the regularity of the election of senators.

(2) Senatorial elections disputes shall be settled in accordance with the provisions of Sections 133 and 136 of this law.

SECTION 240.- (1) The constitutional council shall proclaim the results of the election of senators within 15 (fifteen) days following the close of the poll.

(2) The report on the conduct of elections and proclamation of results shall be prepared by the Constitutional Council in four copies. It shall file the original and send the 3 (three) other copies to the Senate, the Ministry in charge of local and regional authorities and the Electoral Board, respectively.

(3) The results of the election shall be publish according to the procedure of urgency and inserted in the Official Gazette in English and French.

CHAPTER XIII
MISCELLANEOUS AND TRANSITIONAL PROVISIONS

SECTION 241.- The deposit paid by candidate for the election of Senators shall be refunded under the conditions fixed in Section 147 of this law.

SECTION 242.- Notwithstanding the provisions of Section 222 (1) above, where the Senate is put in place before Regions, the electoral college for senatorial elections shall exclusively comprise municipal councillors.

PART IX
PROVISIONS RELATING TO THE ELECTION OF REGIONAL COUNCILLORS

CHAPTER I
INTRODUCTORY PROVISIONS

SECTION 243.- (1) Regional councillors shall be:

- Delegates of divisions elected by indirect universal suffrage ;
- Representatives of traditional rulers elected by their peers.

(2) The term of office of regional councillors shall be 5 (five) years. They shall be eligible for re-election.

SECTION 244.- Elected regional councillors shall meet as of right in ordinary session of the Regional Council on the second Tuesday following the proclamation of election results by the regional supervisory commissions.

SECTION 245.- (1) All the seats in the regional councils shall be renewed every 5 (five) years. Elections shall be held not later than 20 (twenty) days to the expiry of the term of office of regional councillors.

(2) In all the regions, electoral colleges shall be convened the same day, according to the conditions and deadlines fixed under Section 230 of this law.

SECTION 246.- (1) The regional council shall reflect:

- the various sociological components of the region;
- gender aspects.

(2) The number, proportion per category and allowances of regional councillors shall be fixed by a separate law.

SECTION 247.-(1) Each division shall constitute a constituency for the election of regional councillors.

(2) However, certain electoral constituencies could be warded on the grounds of their peculiar situation by a decree of the President of the Republic.

CHAPTER II
POLLING

SECTION 248.- (1) Delegates of divisions shall be elected by an electoral college comprising municipal councillors.

(2) Representatives of traditional rulers shall be elected by an electoral college composed of 1st, 2nd and 3rd degree native traditional rulers whose designation has been approved in accordance with the regulation in force.

(3) Traditional rulers holding the office of municipal councillor shall cast their vote in only one electoral college.

SECTION 249.- Conditions for the composition of the electoral colleges provided for in Section 248 (1) and (2) above shall be fixed by regulation.

SECTION 250.- (1) Delegates of divisions shall be elected through a mixed single round ballot, comprising a majority system and a proportional representation system.

(2) The vote for representatives of traditional rulers shall be of a single candidate majority system.

(3) Notwithstanding the provisions of sub-sections (1) and (2) above, the vote shall be for a single candidate where there is only one seat for the division or, as the case may be, in a constituency, as a result of the warding provided for under Section 247(2) above.

CHAPTER III
QUALIFICATION OF CANDIDATES AND INCOMPATIBILITIES

SECTION 251.- (1) No person may stand for election into a regional council unless effectively resident in the region concerned.

(2) However, non-residents of a region may stand for election into a regional council if they are domiciled within the territory of the region concerned.

SECTION 252.- The qualification of candidates provided for under Sections 175 to 180 above shall be applicable to the election of regional councillors.

SECTION 253.-(1) Heads of administrative units and/or their assistants may not stand for election into regional councils during their tenure of office.

(2) The incompatibility cited in sub-section (1) above shall be equally be applicable, under the same conditions and during their tenure to:

- police, gendarmerie and prison administration officials;
- regional administration officials and employees;
- servicemen and servicewomen;
- judicial and legal officers;
- civil servants and public employees having to take cognizance of the finances or accounts of the region concerned.

(3) The incompatibility provided for in sub-sections (1) and (2) above shall remain in force for a period of one year following the end of their tenure of office.

SECTION 254.-(1) Any regional councillor found to be in any of the positions of incompatibility stipulated under Section 253 (1) and (2) above, shall be bound, within no more than 1 (one) month to opt for his elective office or for his current office

(2) The councillor concerned shall, through any written means, inform the State representative in his region of his choice. The latter shall inform the President of the regional council thereof.

(3) Where a regional councillor fails to make a choice, as provided for under sub-sections (1) and (2) above, he shall be automatically declared to have resigned from his office, by order of the Minister in charge of regional and local authorities.

SECTION 255.- (1) Any regional councillor who, for reasons previous to his election, finds himself in a situation of ineligibility and/or incompatibility provided for under this law shall be declared to have resigned automatically by an order of the minister in charge of local and regional authorities.

(2) The provisions of sub-section (1) above shall equally be applicable to any regional councillor deemed ineligible.

(3) The order provided for in sub-section (1) above may be challenged before the competent administrative court.

(4) Where a regional councillor is declared to have resigned automatically following a final penal sentence leading to the loss of his civic and voting rights, the petition referred to in sub-section (3) shall not have a suspensory effect.

SECTION 256.- No person may stand for election on more than one list or be member of more than one regional council.

SECTION 257.- The provisions of Sections 181 and 190 above shall be applicable to the nomination of candidates in view of the election of regional councillors, subject to the replacement of the council branch by the divisional branch of Elections Cameroon.

CHAPTER IV
PREPARING THE POLLS

SECTION 258.- (1) The divisional branch of Elections Cameroon shall draw up an electoral list comprising members of the 2 (two) electoral colleges provided for under Section 248 above.

(2) The list of members of the electoral colleges shall be updated, approved and published within 15 (fifteen) days following the convening of the electoral colleges.

(3) Members of the electoral college composed of representatives of traditional rulers must be domiciled within the territory of the subdivision concerned.

(4) Registration cards shall be distributed within the time limit provided for under Section 226 above.

SECTION 259.- (1) Any decision to accept or reject a candidature or list of candidates may be challenged by the candidate concerned, any representative of a list concerned and/or any other list, and any other member of the electoral college.

(2) The petition shall be lodged with the competent administrative court, within no more than 5 (five) days of the notification of the rejection or acceptance decision.

(3) The court referred to under sub-section (2) above shall give a ruling within 7 (seven) days of lodgement of the petition. Its decision shall be communicated forthwith to the Electoral Board, for enforcement.

SECTION 260.- (1) During the election campaign, all complaints in respect of the colour, acronym or symbol chosen by a candidate or list of candidates shall be lodged with the competent administrative court no more than 3 (three) days of the date of publication of candidatures or of the cognizance of the allegations. The competent administrative court shall give a ruling within 4 (four) days of lodgement of the petition.

(2) Complaints in respect of acts of injuring the character of candidates or other offences shall be lodged with ordinary law courts that shall be seized by simple application. The ordinary law court shall give a ruling within 4 (four) days of lodgement of the complaint and may disqualify one or more candidates.

CHAPTER V
POLLING

SECTION 261.- (1) Voting shall be conducted in the headquarters of each division.

(2) Polling stations shall be determined by a decision of the Director-General of Elections.

SECTION 262.- Polling shall be conducted in accordance with the provisions of Sections 96 to 115 of this law. The reports of the local polling stations shall be forwarded to regional supervisory commission for centralization and verification.

CHAPTER VI
COUNTING OF VOTES AND PROCLAMATION OF RESULTS

SECTION 263.- (1) A regional supervisory commission is hereby set up in each region comprising the following:

Chairperson: a magistrate of the Court of appeal designated by the President of the Court of Appeal of the jurisdiction.

Members :

- 3 (three) representatives of the administration designated by the Governor;
- 1 (one) representative of each political party participating in election;
- 3 (three) representatives of Elections Cameroon designated by the Director-General of Elections.

(2) The composition of the regional supervisory commission shall be established by the Director-General of Elections.

SECTION 264.- (1) The regional supervisory commission shall centralize, ensure the counting and verification of vote-counting operations, on the basis of reports forwarded by local polling commissions.

(2) It shall, where necessary, correct, review or cancel the said reports.

SECTION 265.- (1) The regional supervisory commission shall proclaim the results of the election of regional councillors at the level of the constituency concerned, within 72 (seventy-two) hours following the close of the poll.

(2) The proceedings of the regional supervisory commission shall be minuted in a report signed by all the members present.

(3) A copy of the report shall be forwarded to the representative of the State for onward transmission to the Minister in charge of local and regional authorities. A copy of the report shall equally be forwarded to the General Directorate of Elections.

SECTION 266.- After the elections :

- In the case of a single-member ballot, the candidate with the majority of votes shall be declared elected; in case of a tie, the eldest candidate shall be declared elected ;
- In the case of a list of candidates:

(a) for delegates of divisions:

- where a list obtains an absolute majority of votes cast, it shall fill all the seats;
- where no list obtains an absolute majority of votes cast, the seats shall be shared as follows:

  * the leading list shall obtain a number of seats equal to half of the seats to be filled rounded up, where applicable; in case of a tie between 2 (two) or several lists, this number of seats rounded down shall be awarded to the list whose candidates have the highest average age;

  * the remaining seats shared among all the lists, by applying the winner-takes more rule; in case of a tie vote, the list having the highest average age shall be preferred.

(b) for representatives of traditional rulers:

- the list which obtains the majority of votes cast shall fill all the seats;
- the list that obtains less than 5 (five) per cent of votes cast in the constituency shall not be considered in the proportional allocation of seats;
- Seats shall be allocated to candidates according to the order in which they appear on each list.

CHAPTER VII
ELECTION DISPUTES

SECTION 267.- (1) Any elector, candidate or the state representative in the region may request the total or partial cancellation of the election operation in the region concerned by simple application to the court with jurisdiction.

(2) The application must be lodged within 5 (five) days of the date when the results were announced.

(3) The court seized of the application shall make a ruling within 40 (forty) days. Its decision can be challenged.

SECTION 268- (1) Regional councillors whose election is challenged shall remain in office pending a final decision.

(2) Where cancellation of all or part of the election is final, electors shall be convened within no more than 60 (sixty) days of such cancellation.

(3) Only the lists of candidates that took part in the general elections shall be allowed to participate in the by-elections.

CHAPTER VIII
MISCELLANEOUS PROVISIONS

SECTION 269.- (1) Members of electoral colleges provided for under Section 248 above shall be required to take part in the poll.

(2) The state shall defray the expenses related to the participation of members of electoral colleges in the poll, in compliance with conditions laid down by regulation.

SECTION 270.- (1) The deposit shall be refunded to the candidate:

- who is declared ineligible before the printing of ballot papers;
- whose candidature is finally disqualified ;
- whose list obtained less than 5% of votes cast in the region concerned. In this case, the copy of the results proclamation report delivered by the competent regional supervisory commission shall entail order to pay.

(2) The deposit referred to in sub-section (1) above may subsequently be collected by the representative of the candidate or list of candidates.

(3) In all cases other than those mentioned in sub-section (1) above, the deposit shall be retained by the public treasury.

PART X
PROVISIONS SPECIFIC TO VOTING BY CAMEROONIAN CITIZENS SETTLED OR RESIDING ABROAD

SECTION 271.- Cameroonian citizens settled or residing abroad shall exercise their right to vote through their participation in the election of the President of the Republic and in referendums.

SECTION 272.- (1) Cameroonian citizens settled or residing abroad shall be entered on the registers of electors opened at diplomatic representations and consular posts in their countries of residence or attachment.

(2) They must enjoy their civic and political rights and fulfil all the required legal conditions to be an elector.

(3) On the proposal of Government, polling stations shall be set up in diplomatic representations and consular posts.

SECTION 273.-(1) In view of the participation of Cameroonian citizens settled or residing abroad in the election of the President of the Republic or in referendums, the following structures shall be set up in diplomatic representations and consular posts:

- commissions charged with the drawing up and revision of registers of electors;
- commissions charged with the issuance and distribution of voters' cards;
- local polling commissions.

(2) The Electoral Board of Elections Cameroon (ELECAM) shall hold consultations with diplomatic representations, consular posts and political parties with a view to setting up the commissions provided for in sub-section (1) above.

(3) The composition of the commissions referred to in sub-section (1) above shall be established by the Director-General of Elections.

(4) The composition and functioning of the commissions referred to in sub-section (1) above shall be determined by regulation.

SECTION 274.- Specific rules applicable to preparatory activities for the election of the President of the Republic and referendums, the organization and supervision of elections and referendums, polling and the counting of the votes of Cameroonian citizens settled or residing abroad shall be laid down by regulation.

PART XI
PROVISIONS SPECIFIC TO THE PUBLIC FUNDING OF POLITICAL PARTIES AND ELECTION AND REFERENDUM CAMPAIGNS

CHAPTER I
INTRODUCTORY PROVISIONS

SECTION 275.- (1) Political parties and groups shall help the electorate in the making of voting decisions.

(2) As such, they may receive public funding in the context of their missions, according to conditions fixed under this law.

SECTION 276.- (1) Public financing shall concern both the routine activities of political parties and those devoted to the organization of election and referendum campaigns.

(2) Funds derived from public funding shall be public funds.

(3) The public funding of political parties or candidates shall not be a source of personal enrichment.

SECTION 277.-(1) A control commission is hereby instituted to verify, on the basis of supporting documents, that the use of funds by political parties or candidates conforms to the purpose of this law.

(2) Political parties or candidates receiving public funding shall be bound to keep an account thereof.

(3) The organization, composition, powers and functioning of the commission referred to in sub-section (1) above shall be fixed by the President of the Republic.

SECTION 278- (1) It shall be forbidden for any political party to receive subsidies or funding from abroad foreign persons, organizations, powers or States.

(2) Conditions for the private funding of political parties and election and referendum campaigns shall be fixed by a special instrument.

CHAPTER II
PUBLIC FUNDING OF POLITICAL PARTIES

SECTION 279.- Each year, the finance law shall include a subsidy to cover certain operating costs of legally recognized political parties, in accordance with Section 281 below.

SECTION 280.- The subsidy referred to in Section 279 above shall be provided by the State to a political party to cover inter alia:

- recurrent administrative expenses;
- the dissemination of its political programme ;

- the co-ordination of the political activities of its members ;
- preparation for elections and referendums.

SECTION 281.- The subsidy shall be divided in 2 (two) equal parts:

- the first, to be allocated to political parties represented in the National Assembly, the Senate, the regional council and/or the municipal council;
- the second, to be allocated to political parties in accordance with the results of the last election of Members of Parliament, Senators and/or regional and municipal councillors.

SECTION 282.- (1) The part allocated to the funding of political parties represented in the National Assembly, the Senate, the regional council and/or the municipal council shall be paid in proportion to their respective number of seats.

(2) The Bureaux of the National Assembly, the Senate, the regional council and/or the municipal council shall furnish a list of Members of Parliament, Senators, regional councillors and municipal councillors representing each political party.

SECTION 283.- (1) The part allocated to the functioning of political parties in accordance with the results obtained at the last election of Members of Parliament, Senators, regional councillors and municipal councillors shall be paid to parties which obtained at least 5% of the votes cast in at least one constituency at the said elections.

(2) The distribution shall be in proportion of results obtained.

CHAPTER III
PUBLIC FUNDING OF ELECTION AND REFERENDUM CAMPAIGNS

SECTION 284.- (1) The State shall contribute to the funding of election campaigns by defraying some expenses of political parties or candidates.

(2) The State's contribution in respect of the expenses referred to in sub-section (1) above shall be included in the finance law of each election or referendum year.

SECTION 285.- Public funds earmarked for the funding of election campaigns for the election of Members of Parliament, Senators, regional or municipal

councillors, shall be shared in 2 (two) equal parts among the political parties taking part in the elections as follows :

- the first part shall be paid after publication of the lists of candidates to all parties depending on the lists submitted and endorsed in the various constituencies ;
- the second part shall be paid after the proclamation of results to parties proportionately to the number of seats obtained.

SECTION 286.- (1) Funds earmarked for the funding of election campaign for presidential election, shall be divided in 2 (two) equal parts to candidates as follows :

- a first part, after publication of the list of candidates, allotted equally to the various candidates ;
- a second, served after proclamation of results to candidates with more than 5% of votes cast, proportionately to the results obtained.

(2) Any candidate who withdraws before the polls or who does not participate effectively in the election campaign shall be required to refund the totality of the amount received in respect of the first part referred to in sub-section (1) above.

SECTION 287.- (1) Public funds earmarked for the funding of the referendum campaign shall be shared in 2 (two) equal parts as follows :

- the first part, after the publication of the list of political parties authorized to take part in the referendum campaign, paid to the various political parties proportionately to their results at the last election of Members of Parliament and/or Senators.
- the second part, after the proclamation of results, paid proportionately to the results of each party concerned in the last election of Members of Parliament and/or Senators.

(2) Any political party that withdraws before the polls or that does not participate effectively in the election campaign shall be required to refund the totality of the amount received in respect of the first part referred to in sub-section (1) above.

PART XII

PENAL, MISCELLANEOUS AND FINAL PROVISIONS

CHAPTER I
PENAL PROVISIONS

SECTION 288.- (1) Section 122-1 of the Penal Code shall apply against any person who:

- registers on electoral registers using a false identity or who, during his registration, conceals any of the ineligibilities provided for under this law;
- through false statements or certificates, registers himself unduly on an electoral register or who, through the same means, unduly registers or cancels the name of a citizen ;
- upon losing his right to vote, participates in the poll ;
- votes, either by virtue of a false registration or by using the name and capacity of other registered voters;
- votes several times, following multiple registrations ;
- charged during an election with receiving and counting the vote of citizens, subtracts, adds or modifies the ballot papers or includes a name that is not registered ;
- through false information, slanderous statements or any other fraudulent acts, cancels or diverts votes or causes one or several voters to abstain from the vote ;
- before or after the poll, failing to comply with legislative or regulatory provisions or through any other fraudulent act, violates secrecy of the pool, prejudices its fairness, breaches the conduct of the poll and modifies the results thereof ;
- is found guilty of fraudulent acts in the issuance or production of certificates of registration or striking off from electoral registers ;
- uses personal data contained in the electoral register for purposes other than elections ;
- on polling day, with or without violence, is found to be the author or an accomplice of the stealing of a ballot box or any other election material.

(2) Where the author of the offence or his accomplice is a public servant, in the sense of Section 131 of the Penal Code, he shall be liable to the penalties provided for under Section 141 of the Penal Code.

SECTION 289.- Section 123-1 of the Penal Code shall apply to any person who:

- through menacing gatherings, clamours or demonstrations, disrupts election operations or infringes the exercise of the right or freedom to vote;
- on polling day, is found guilty of insult or violence against the local polling commission or any of its members, or through assaults or threats, delays or obstructs election operations ;
- through gifts, generosity, favours, promise of public or private employment or any other specific benefits offered with the purpose of influencing the vote of one or several electors, obtains their vote, either directly or through a third party ;
- directly or through a third party, accepts or requests from candidates the above-mentioned gifts, generosity, favours or benefits;
- through assault, violence or threats against an elector, either by making him fear to lose his job or expose himself, his family or fortune to a danger, influences his vote ;

SECTION 290.- (1) Any person who enters a polling station with a visible weapon shall be punished with a fine of 25 000 (twenty-five thousand) CFA francs and imprisonment of from 10 (ten) days to 2 (two) months or only one of the two penalties.

(2) The imprisonment term may be extended to 4 (four) months, and the fine to 500 000 (five hundred thousand) if the weapon is hidden.

SECTION 291.- (1) Any activity or manifestation of a political character shall be prohibited within public establishments, as well as in school and university establishments.

(2) Any infringement of the provisions of sub-section (1) above shall be punished with a fine of from 25 000 (twenty-five thousand) to 250 000 (two hundred and fifty thousand) CFA francs, and imprisonment of from 10 (ten) days to 4 (four) months, or only one of the two penalties.

SECTION 292.- Any person who, acting on his personal behalf or on behalf of a political party, uses funds received in the context of public funding for purposes other than those provided for under this law shall be liable to the punishment provided for under Section 184 of the Penal Code.

SECTION 293.- Save in case of flagrante delicto, no penal proceedings shall be instituted against a candidate for infringement of any of the provisions of this law before the proclamation of the election results.

CHAPTER II
MISCELLANEOUS AND FINAL PROVISIONS

SECTION 294.- (1) The cost of paper , printing of ballot papers, envelopes and various election documents, as well as the cost of transportation or production of election materials or documents shall be defrayed under the elections budget.

(2) The functioning of electoral commissions shall be charged to the budget of Elections Cameroon and/or the elections budget.

SECTION 295.- (1) All judicial deeds concerning elections shall be exempted from stamp and registration duties.

(2) Copies of birth certificate required for determining the age of electors and candidates shall be issued free of charge on an unstamped paper upon request. They shall mention, at the top of the page, the purpose for which they are issued and shall not be used for any other purpose.

SECTION 296.- (1) Concerning the supervision of the election and referendum process, Elections Cameroon may collaborate with accredited national and international observers.

(2) National observers shall be accredited by the Minister in charge of territorial administration.

(3) International observers shall be accredited by the Minister in charge of territorial administration, after the opinion of the Minister in charge of external relations.

(4) The Minister in charge of territorial administration, in consultation with Elections Cameroon, shall establish the code of conduct of election observers.

SECTION 297.- (1) The provisions of this law shall repeal and replace those of:

- Law No. 91/20 of 16 December 1991 to lay down conditions governing the election of Members of Parliament, as amended and supplemented by Law No. 97/13 of 19 march 1997 and Law No. 2006/9 of 29 December 2006 ;
- Law No. 92/2 of 14 August 1992 to lay down conditions for the election of municipal councillors, as amended by Law No. 95/24 of 11 December 1995 and Law No. 2006/10 of 26 December 2006 ;
- Law No. 92/10 of 17 September 1992 to lay down conditions governing the vacancy of and election to the Presidency of the Republic, as amended and supplemented by Law No. 97/20 of 9 September 1997 and Law No. 2011/002 of 6 May 2011 ;

- Law No. 97/6 of 10 January 1997 to determine the period for the revision and recompilation of registers of electors;
- Law No. 2000/15 of 19 December 2000 relating to the funding of political parties and election campaigns;
- Law No. 2006/4 of 14 July 2006 to lay the down conditions governing the election of regional councillors;
- Law No. 2006/5 of 14 July 2006 to lay down conditions governing the election of Senators;
- Law No. 2010/3 of 13 April 2010 to lay down the referendum procedure ;
- Law No. 2006/11 of 29 December 2006 to set up and lay down the organization and functioning of Elections Cameroon (ELECAM), as amended and supplemented by Law No. 2008/5 of 29 June 2008, Law No. 2010/5 of 13 April 2010 and Law No. 2011/1 of 6 May 2011 ;
- Law No. 2011/13 of 13 July 2011 relating to voting by Cameroonian citizens settled or residing abroad.

SECTION 298.- The implementation arrangements of this law shall be specified, as necessary, by regulatory instruments.

SECTION 299.- This law shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.