REPUBLIC OF CAMEROON

PEACE – WORK – FATHERLAND

LAW No 2017/009 **OF** 12 JUIL 2017

TO LAY DOWN THE POWERS, ORGANIZATION AND FUNCTIONING OF THE ECONOMIC AND SOCIAL COUNCIL OF CAMEROON

PRESIDENCE DE LA REPUBLIQUE
SECRETARIAT GENERAL
SERVICE DU FICHIER LEGISLATIF ET REGLEMENTAIRE
COPIE CERTIFIEE CONFORME

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

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Chapter I
General Provisions

Section 1: This law lays down the powers, organization and functioning of the Economic and Social Council, abbreviated "ESC", hereinafter referred to as "the Council", in pursuance of the provisions of Section 54 of the Constitution.

Section 2: The Economic and Social Council shall be a consultative assembly composed of representatives of various professional categories in the economic, social, cultural and environmental areas.

Chapter II
Duties and Powers

Section 3: The duty of the Economic and Social Council shall be to advise the Executive power on economic, social, cultural and environmental issues.

Section 4: (1) The Council shall give its opinion on bills, draft ordinances or draft decrees submitted to it by the President of the Republic.

(2) The President of the Republic may also consult the Economic and Social Council for studies or opinions on issues falling within its sphere of competence.

(3) The Council may, at the behest of the Head of Government, conduct studies on the implementation of economic, social, cultural and environmental development plans, and on prevailing economic trends, and propose measures likely to boost production and consumption.

(4) It may be involved to evaluate the government's economic, social, cultural and environmental policies.

(5) In the cases provided for in Section 4 (2) and (3) above, it shall give its opinion when due.

Section 5: The Council may, as and where necessary, submit to the President of the Republic or the Government to reforms it deems necessary in areas falling within its sphere of competence.

Section 6: (1) Each year, the Council shall prepare a work programme for the following financial year, which it shall submit to the President of the Republic for approval.

(2) The programme referred to in Section 6 (1) above shall be submitted to the President of the Republic no later than 30 November.

Section 7: (1) The Council shall submit to the President of the Republic a half-yearly report on the economic, social, cultural and environmental situation of the country.

(2) At the end of each year, the Council shall submit an annual report to the President of the Republic.

Chapter III
Organization

I-Composition

Section 8: The Economic and Social Council shall be composed of 1 (one) President and 150 (one hundred and fifty) members.

Section 9: The Council President shall be a personality appointed by decree of the President of the Republic. His/Her duties shall be terminated by decree.

Section 10: (1) The Council members shall be appointed by decree of the President of the Republic, from among personalities who, on account of their skills or activities, contribute to the economic, social, cultural and environmental development of Cameroon.

(2) They shall be chosen from the following categories:

(a) economy, social development, employment, education, health, culture, sports, scientific and technical research, press, environment and sustainable development, new information and communication technologies;

(b) industry, trade and handicraft;

(c) agriculture, livestock, fisheries and forestry;

(d) banking and credit;

(e) trade unions;

(f) associations,

(g) women and youth movements;

(h) Liberal professions.

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(3) A decree of the President of the Republic shall determine the breakdown of members by category as well as the terms and conditions of their designation.

Section 11: The term of office of the Council members shall be 5 (five) years renewable once.

Section 12: (1) Where a Council member loses the capacity on account of which he/she was appointed, he/she shall cease to be a member of the Council and the loss of membership shall be automatically established by the Council Bureau.

(2) He shall be replaced under the same conditions as for his/her designation. The designated member shall complete the term of office of the member whose loss of membership has been ascertained.

Section 13: (1) In case of permanent impediment or death of a member, he/she shall automatically be replaced under the same conditions as for his/her appointment. The designated member shall complete the term of office of the deceased member.

(2) The permanent impediment of the member referred to in (1) above shall be duly established by the Council Bureau.

Section 14: The term of office of a member may be terminated in one of the following cases:

- physical or mental incapacity, duly established by the Council Bureau;
- gross misconduct, duly established by the Council Bureau;
- final sentencing involving afflictive penalty or loss of civic rights.

Section 15: (1) The functions of President, Vice-President and member of the Economic and Social Council shall be incompatible with the functions or capacity of:

- Member of Government and personalities ranking as such;
- Member of the Constitutional Council;
- Magistrate in active service;
- Secretary-General of a Ministry and persons ranking as such;
- Director-General of a public establishment or enterprise of the public and semi-public sector;
- Central administration Director and persons ranking as such;
- Diplomatic official;
- Person holding a national, regional or local elective office;
- Governor, Secretary-General and Inspector-General in Governor's Office;
- Divisional Officer, Subdivisional Officer and their assistants;
- Government Delegate to a city council;
- Law enforcement official or personnel in active service.

(2) The Economic and Social Council shall ensure the implementation of the provisions of Section 15 (1) above, under the conditions laid down in the Internal Regulations.

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II-Council Organs

Section 16: (1) To discharge its duties, the Economic and Social Council shall have the following organs:

- Plenary Assembly;
- Council Bureau;
- Specialized Committees.

(2) The Council may set up internal ad hoc committees or working groups to examine specific issues falling within its sphere of competence.

Paragraph I
Plenary Assembly

Section 17: (1) The Plenary Assembly shall be composed of the members referred to in Section10 above.

(2) It shall be responsible for:

- adopting the Council's annual activity action plan;
- approving draft opinions and recommendations made by the Council and authorizing the studies and research provided for in Chapter 2 of this law.
- adopting the Internal Regulations of the Council, prior to its submission to the President of the Republic;
- voting the draft budget;
- adopting the draft report of the Council provided for in Section 7 above.

Paragraph II
Council Bureau

Section 18: (1) The Council Bureau of the Economic and Social Council shall comprise the following:

- one (1) President;
- two (2) Vice-Presidents;
- two (2) Questors;
- three (3) Secretaries;
- chairpersons of specialized committees;
- Secretary-General.

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(2) Apart from the President and the Secretary-General, the other members of the Council Bureau referred to in (1) above shall be elected yearly.

(3) The conditions for such election shall be laid down by the Internal Regulations.

Section 19: The Council Bureau shall prepare the agenda of the Plenary Assembly and adopt action programmes of the committees and working groups set up within the Council. It shall ensure the implementation of Plenary Assembly decisions.

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Paragraph III
Specialized Committees

Section 20: (1) The Specialized Committees shall be composed of representatives of each of the categories referred to in Section 10 above.

(2) Every Council member must belong to one of the Specialized Committees set up.

Section 21: (1) Each specialized committee shall be responsible, according to the powers devolved on it by the Internal Regulations, for preparing draft opinions and conducting studies and research requested by the President of the Republic or Head of Government.

(2) However, 2 (two) or more Specialized Committees may, at the request of the Council Bureau, prepare one draft opinion, or conduct one study or a research work. In such case, they shall work concertedly and coordinate their actions.

Chapter IV
Functioning

Section 22: (1) The Council President shall chair Plenary Assembly and Council Bureau meetings. He shall coordinate the activities of committees and working groups set up within the Council, under the terms and conditions laid down in the Internal Regulations.

(2) He shall represent the Council in all public events, before the law courts and government authorities and services as well as in foreign and international organizations and institutions.

(3) The President of the Economic and Social Council may delegate some of his/her powers to members of the Council Bureau.

Section 23: (1) The Plenary Assembly of the Economic and Social Council shall hold 3 (three) sessions per year, and as and when necessary, when convened by its

President and, in the absence of the latter, by its Vice-President. The duration of each session may not exceed 15 (fifteen) days.

(2) Where circumstances so warrant, it may also meet in extraordinary session at the request of 2/3 (two-thirds) of its members or at the request of the President of the Republic.

(3) The Plenary Assembly may validly deliberate only when 2/3 (two-thirds) of its members are present. Where the quorum is not reached at the first convening, the quorum for the second convening shall be reduced to half of its members present.

(4) Any member who is unable to attend may be represented by another member. However, no member may represent more than one other member during the same session.

Section 24: Council decisions shall be taken by consensus or, failing that, by a simple majority of members present or represented. In the event of a tie, the President shall have the casting vote.

Section 25: Council sessions shall not be public. Members of Government, assisted if need be by their close aides, may attend sessions and take the floor if they so request.

Section 26: The Council may invite experts in one of its spheres of competence, under the terms and conditions laid down in the Internal Regulations.

Section 27: To discharge its duties, the Council shall have a Secretariat General.

Section 28: (1) The Secretariat General of the Council shall comprise all the administrative and technical services required for its functioning.

(2) The Secretariat General shall be managed by a Secretary-General assisted if need be by a Deputy, both appointed by decree of the President of the Republic.

(3) He/she shall discharge his/her duties under the authority of the Council President.

Section 29: (1) The Secretary-General shall be responsible for coordinating all the administrative and technical services of the Council.

In that capacity, he/she shall:

(a) take measures necessary for the preparation and organization of the work of the Council;

(b) act as secretary for Plenary Assembly sessions;

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(c) ensure administrative coordination and implementation of the Council's activities;

(d) prepare the Council's annual financial statements, action programmes and activity report.

(e) prepare files to be considered by the Plenary Assembly;

(f) act as secretary for Council Bureau meetings;

(g) follow up the implementation of Council resolutions and recommendations, under the authority of the Council Bureau Président, upon validation by the President of the Republic;

(h) ensure Secretariat General staff training and capacity building;

(i) centralize and keep Council records and documents;

(j) coordinate studies regarding the Council's spheres of competence;

(k) prepare the draft budget to be submitted for validation by the Council;

(l) prepare the draft work programme to be submitted to the Council for approval;

(m) manage Council staff;

(n) perform all the duties assigned to him/her by the Council President.

(2)The Council President shall delegate administrative and financial signature to the Secretary-General.

Section 30: The organization and functioning of Council administrative and technical services shall be laid down by decree of the President of the Republic.

Section 31: (1) In the event of temporary impediment of the Secretary-General for a period not exceeding 3 (three) months, the Deputy Secretary-General shall deputize. In the event of impediment of the Deputy Secretary-General, the Council President shall designate a senior official of the administrative services to deputize.

(2) In case of vacancy of the office of Secretary-General due to death, resignation or permanent impediment duly established by the Council Bureau, and pending the appointment of a new Secretary-General by the competent authority, the President of the Council shall take all necessary measures for the smooth running of the Secretariat General.

Section 32: The rules of procedure and conditions for the functioning of the Economic and Social Council shall be laid down by the Internal Regulations.

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Chapter V
Financial Provisions

Section 33: (1) Appropriations required for the functioning of the Council shall be charged to the State budget.

(2) The President shall be the principal authorizing officer of the Council. He/she may, as appropriate, designate delegated authorizing officers.

Section 34: Council budget resources shall be public funds. Such resources shall be subject to public accounting rules and managed in accordance with the laws and regulations in force.

Section 35: (1) An accounting officer shall be appointed to the Council by the Minister in charge of finance.

(2) The accounting officer shall exercise his/her duties in accordance with the regulations in force.

Chapter VI
Provisions Relating to Human resources

Section 36: (1) The Council's staff shall comprise civil servants on secondment or State employees placed at its disposal or assigned by the Administration.

(2) However, where necessary, the Economic and Social Council may recruit its own staff, in accordance with the laws and regulations in force.

Section 37: The status of Council staff and the nature of their benefits shall be laid down by the Internal Regulations.

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Chapter VII
Miscellaneous and Final Provisions

Section 38: (1) The members of the Economic and Social Council shall be bound by reserve and professional secrecy.

(2) In addition, they must refrain from any conduct likely to undermine the dignity of their office.

Section 39: (1) The President and the Secretary-General of the Economic and Social Council shall receive a monthly salary and benefits in kind.

(2) The monthly salary and benefits in kind referred to in Section 39(1) above shall be laid down by decree of the President of the Republic.

(3) The members of the Economic and Social Council shall receive a session allowance and any travel expenses whose amount and allocation conditions shall be laid down by decree of the President of the Republic.

Section 40: (1) The members of the Council shall wear a distinctive insignia during official ceremonies and whenever they shall be required to show their capacity.

(2) They shall be provided with cockades for the identification of their vehicles.

(3) The features of the insignia and cockades referred to in Section 40 (1) and (2) above shall be laid down by the Internal Regulations.

Section 41: The President of the Republic shall approve the Internal Regulations of the Economic and Social Council by decree on the proposal of the Council Bureau.

Section 42: All provisions repugnant hereto, in particular those of Law No. 86/9 of 5 July 1986 to lay down the composition, powers and organization of the Economic and Social Council of the Republic of Cameroon and subsequent amendments thereto, are hereby repealed.

Section 43: This law shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French./-

YAOUNDE, 12 JUIL 2017

PAUL BIYA
PRESIDENT OF THE REPUBLIC