

Law No. 91-020 of 16 December 1991 laying down Conditions Governing the Election of Members of Parliament

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

PART I : GENERAL PROVISIONS

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

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

(3) All the seats in the National Assembly shall be renewed every five years.

(4) Elections shall be held not later than the last Sunday preceding the expiry of the term of the National Assembly.

(5) The term of office of the Members of Parliament shall commence on the first day of the ordinary session following the election.

(6) The National Assembly shall meet as of right in ordinary session on the second Tuesday following the proclamation of the legislative elections by the Constitutional Council.

SECTION 2.- The National Assembly shall have one hundred and eighty members.

SECTION 3.- The division shall constitute an electoral constituency. However, certain electoral constituencies could be warded on the grounds of their peculiar situation by statutory instrument.

SECTION 4.- A decree shall fix the number of members representing each constituency, taking into account the size and distribution of the population over the national territory.

SECTION 5.- (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) However, in constituencies having only one seat, voting shall be by the uninominal single ballot majority system.

(3) Each political party existing legally shall submit a complete list having the same number of candidates chosen from its members as the seats to be filled.

(4) Each list shall take into consideration the various sociological components of the constituency concerned.

SECTION 6.- (1) Members of Parliament shall be elected through a mixed single round ballot, comprising a majority system and a proportional representation system.

(2) After the ballot :

- In single member constituencies, the candidate with a relative majority of the votes cast shall be declared elected ; should there be a tie, the oldest candidate shall be declared elected ;
- 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 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.

(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 7.- For the application of the provisions of Section 6 above, the seats

Shall be allocated according to the table below :

TOTAL NUMBER OF SEATS TO BE ALLOCATION FILLED	50 %	50 %
2	1	1
3	2	1
4	2	2
5	3	2
6	3	3
7	4	3
8	4	4

9	5	4
10	5	5
11	6	5
12	6	6
13	7	6
14	7	7
15	8	7

SECTION 8.- If any candidate (s) on any list should die or be disqualified before the day of the election, he/they may be replaced before the commencement of the poll.

SECTION 9.- (1) For every seat to be filled, there shall be two candidates, a substantive candidate and an alternate candidate, both of whom shall go before the electorate at the same time.

(2) 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 in accordance with the provisions of this law and in all cases of vacancy provided for herein.

SECTION 10.- (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 twelve months following the occurrence of the vacancy.

(2) By-elections shall be held in the electoral constituency in the manner specified in Sections 5, 6 and 7 above.

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

PART II : QUALIFICATIONS OF ELECTORS

CHAPTER ONE : RIGHT TO VOTE

SECTION 11.- Every person of Cameroonian nationality or any naturalized Cameroonian, of either sex, who has reached the age of 20 years and is not under any of the disqualifications laid down by law, shall be entitled to be an elector.

SECTION 12.- (1) Every Cameroonian citizen enjoying the right to vote as defined in Section 11 above who has a place of abode either in an administrative unit or has actually been resident therein for at least the last six months shall be entitled to have his name entered on the register of electors in such administrative unit.

(2) Every Cameroonian citizen who does not satisfy the age and residence requirements specified in Sub-Section (1) above at the time of the revision of the registers of electors shall further be entitled to have his name entered on the register of electors provided he satisfies such requirements on or before the date on which the register is finally closed.

(3) Every member of the Armed Forces and every person having that status shall have his name entered on the register of electors for the area in which his unit or home port is established without taking into account the residence condition.

SECTION 13.- (1) Every citizen who shows that his name is on the income tax assessment list of a given administrative unit for the fifth consecutive year shall likewise be entitled to have his name entered on the register of electors for such unit.

(2) In such case, any application for registration shall be accompanied by an attestation issued by the administrative authority having jurisdiction over the applicant's place of abode or customary residence to the effect that the applicant is not registered or that he has been struck off the register of electors.

SECTION 14.- Every Cameroonian citizen who has settled abroad shall be entitled to have his name on the register of electors on which he was registered prior to his departure from Cameroon if he so requests.

CHAPTER II : ELECTORAL DISQUALIFICATION

SECTION 15.- No person shall be entitled to have his name entered on a register of electors and, if so registered, to vote, who :

- Has been convicted of a felony, even by default ;
- Has been sentenced to a term of imprisonment, without suspension, of more than three months ;
- Has been sentenced to a term of imprisonment, accompanied by suspension of sentence or probation, of more than six months ;
- Is the subject of a warrant of arrest ;
- Is an undischarged bankrupt who has been so adjudged either by a Cameroonian court or a foreign judgment enforceable in Cameroon ;
- Is an insane person or is of an unsound mind.

SECTION 16.- (1) No person who has been convicted of any offence against the security of the State, without being rehabilitated or granted amnesty, shall be entitled to have his name entered on any register of electors for a period of ten years.

(2) The period of ten years provided for in Sub-Section (1) above shall run from the day of release in the case of persons sentenced to a term of imprisonment and from the day of the payment of a fine.

PART III : QUALIFICATIONS OF CANDIDATES

SECTION 17.- No person shall be entitled to be nominated as a candidate for election to the National Assembly unless he is a Cameroonian citizen, of either sex, enjoys the right to vote and is entered on a register of electors, is aged twenty-three years at the date of the election and can read and write English or French.

SECTION 18.- Any alien who has acquired Cameroonian nationality by naturalisation shall be entitled to stand for election under the conditions provided for by the Nationality Code.

SECTION 19.- (1) No person shall be eligible for election if, by virtue of his own act, he has placed himself in a position of dependence on a foreign power of State or is an intelligence agent thereof.

(2) On the application of any interested person(s), such ineligibility shall be established by an order of the President of the High Court within three days of its being seized after hearing the Legal Department.

SECTION 20.- (1) All heads of departments or services, all officials and employees 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 six months following the termination of their service by resignation, dismissal, transfer or by any other manner.

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

SECTION 21.- Any public servant or employee who is elected Member of Parliament shall, as of right, be seconded to the National Assembly for the whole term of this office.

SECTION 22.- (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 in the National Assembly of any member or alternate who, during his term of office, is expelled or resigns from his party, shall likewise automatically become vacant.

(4) The seat shall be declared vacant by the Bureau of the National Assembly. For the alternate the vacancy shall be automatic.

PART IV : INCOMPATIBILITIES

SECTION 23.- The office of Member of Parliament shall be incompatible with the office of member of Government or of persons ranking as such and of member of the Economic and Social Council.

SECTION 24.- The office of Member of Parliament shall further be incompatible with the office of board chairman or with the status of wage earner in a public or para-public establishment.

SECTION 25.- (1) The occupation of one of the posts referred to in Section 23 and 24 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.

PART V : ELECTORAL COMMISSIONS

SECTION 26.- Joint electoral commissions shall be set up and charged respectively with preparing electoral activities, organizing and supervising polling operations and returning operations.

CHAPTER ONE : COMMISSIONS CHARGED WITH PREPARATORY ACTIVITIES

SECTION 27.- Preparatory activities shall include the establishment and revision of registers of electors as well as the establishment and distribution of registration cards.

I. Commission charged with the revision of the register of electors

SECTION 28.- Registers of electors shall be established by the administrative authority, in close collaboration with representatives of legally authorized political parties operating within his area of jurisdiction.

SECTION 29.- (I) In every council, subdivision or district, there shall be a commission charged with the revision of registers of electors. Where the area or the size of the population of the council, subdivision or district so justifies, the Senior Divisional Officer may set up several Revision Commissions.

(2) The Revision Commission shall consist of the following :

-Chairman :

(a) A representative of the administration appointed by the Senior Divisional Officer.

- Members :

(b) The Mayor or a Deputy Mayor or a Municipal Councillor appointed by the Mayor or failing that, the Municipal Administrator or a Municipal Councillor nominated by the Municipal Administrator ;

(c) A representative of each legally authorized political party operating within the jurisdiction of the council or subdivision.

(3) Each political party shall at least two days before revision commences, notify the Subdivisional Officer or District Head of the names of its representatives, both substantive and alternate, who shall be selected from amongst electors whose names appear on the register of electors for the area.

(4) The composition of every Commission shall thereupon be fixed by order of the Senior Divisional Officer.

(5) No person may sit on several Revision Commissions save where such commissions fall within the same town council or subdivision.

(6) Where a political party fails to appoint a representative in good time, the Senior Divisional Officer may, after a formal notification without reply, appoint civil servants or employees of the Administration to assist the chairman of the commission.

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

(8) Membership of a Revision Commission shall be honorary.

II. Commissions charged with supervising the establishment of registration cards

SECTION 30.- (I) In every subdivision there shall be a commission charged with supervising the establishment and distribution of registration cards. This commission shall comprise the following :

-Chairman :

(a) A representative of the Administration appointed by the Senior Divisional Officer ;

-Members :

(b) The Mayor, a Deputy-Mayor or a Municipal Councillor appointed by the Mayor or, failing that, the Municipal Administrator or a Municipal Councillor appointed by the Municipal Administrator,

(c) A representative of each political party operating in the constituency.

(2) To this end, each list of candidates with receipts to attest to their candidacy shall notify the Senior Divisional Officer, not later than the fifteenth day before the date of the poll, of the names of representatives, one substantive and one alternate, selected from among persons entered on the register of electors of the division.

(3) The Senior Divisional Officer shall issue a receipt for such notification.

(4) The composition of commissions shall be fixed by order of the Senior Divisional Officer.

CHAPTER II : LOCAL POLLING COMMISSIONS

SECTION 31.- (1) Every polling station shall have a local polling commission consisting of the following members :

-Chairman :

A representative of the Administration, appointed by the Senior Divisional Officer;

-Members :

-A representative of each candidate or list of candidates.

To this end, the representative of each list may, not later than the fourth day before the day of election, appoint a polling agent for each polling station from among electors whose names appear in the register of electors for such station.

(2) The declaration shall be made to the Subdivisional Officer who shall thereupon issue a decision fixing the composition of the Commission.

(3) Each list may further appoint two scrutineers in each polling station.

SECTION 32.- (1) No local Polling Commission shall consist of less than five members, including the Chairman.

(2) Where the number of polling agents designated by lists is lower than four or where one or more of such agents is/are absent when the poll commences, the Chairman of the Commission shall by decision recorded in the report fill up the vacancies by appointing to the Commission electors whose names appear in the register of electors for the polling station.

(3) He shall appoint in priority electors who can read and write English or French.

If there are no electors who can read and write, he may appoint illiterate electors and shall record such fact in his report.

SECTION 33.- (1) At least three members of the Commission shall be in or close to the station throughout polling.

(2) However, where the Chairman finds it absolutely impossible to constitute the Commission, he shall open the station at the time fixed for the commencement of the poll. The Chairman shall mention in his report the time at which members of the Commission were designated and took up their functions.

SECTION 34.- Representatives of lists of candidates who are not present at the time of commencement of the poll and have been replaced by the Chairman under the conditions specified in Section 32 shall have no right to sit on the Commission or to exercise control over the conduct of the poll.

SECTION 35.- Each list of candidates may appoint a polling agent for each subdivision who shall have free access to all the polling stations of the subdivision. Such agent shall be expelled from a station only if he is guilty of a breach of the peace. Such expulsion shall be recorded in the report. The agent may make to the Local Polling Commission any comments on conduct of the poll. Such comments shall be recorded in the report.

SECTION 36.- (1) The Chairman of the Commission shall alone be responsible for maintaining law and order in the polling station.

(2) He shall cause to be expelled from the polling station any person who is not an elector registered for the polling station, with the exception of candidates, Heads of administrative units within whose jurisdiction the station is situated, or their representatives.

(3) He shall prohibit electors who have already voted from remaining in the polling station. He may requisition the forces of law and order to restore order in the station or to cause the station to be evacuated.

(4) No elector shall be allowed to enter the station if he has any arms whatever.

SECTION 37.- (1) The Polling Commission shall rule any difficulties arising from the conduct of the poll. In case of a tie the Chairman shall have the casting vote.

(2) If the decision is impugned either by a member of the Commission or by the elector affected or by a candidate, mention of the decision and the reasons therefore or of the objection shall be made in the report.

SECTION 38.- The Commission shall make a report on all polling operations. Such report shall be signed by the members of the Commission. If one or more members of the Commission can neither read nor write English or French mention shall be made thereof in the report.

CHAPTER III : DIVISIONAL SUPERVISORY COMMISSIONS

SECTION 39.- (1) A Divisional Supervisory Joint Commission shall be set up in each division and shall be charged with ensuring the proper conduct of preliminary electoral operations and electoral operations per se.

(2) In this capacity, the Divisional Supervisory Commission shall :

- supervise operations for drawing up, preserving and revising registers of electors ;
- examine all claims and protests relating to the register of electors and registration cards ;
- supervise the checking and distribution of registration cards ;
- order, after examination, the corrections made necessary by the claims or protests against the decisions of the administrative authority relating to the register of electors or registration cards ;
- centralize and check returning operations done by local polling commissions.

(3) Minutes of the deliberations of the Divisional supervisory commission shall be entered in a report signed by all members present. The said minutes shall be sent to the National Commission for the Final Counting of Votes, together with the reports and documents from the local polling commissions.

A copy of the report shall be given to the Minister in charge of Territorial Administration and to each representative of the candidate or of the list of candidates.

SECTION 40.- (1) The Divisional Supervisory Commission, the seat of which shall be in the divisional headquarters, shall comprise the following :

- Chairman :

- The President of the High Court with jurisdiction ;

- Members :

- Three representatives of the Administration appointed by the Senior Divisional Officer ;
- An independent personality appointed by the Senior Divisional Officer in consultation with the legally authorised political parties present in the constituency ;
- One representative of each legally authorised political party participating in the election in the constituency.

The representatives can be changed at any time by the political parties which appointed them. It requires a mere notification to the Chairman of the Committee.

(2) The list of members of the Divisional Supervisory Commission shall be kept permanently at the Registry of the High Court, the Divisional Office and the Subdivisional Office.

It may be consulted by any elector of the constituency.

(3) Notwithstanding the provisions of sub-section (1) above, the Divisional Supervisory commission shall be chaired by a Judicial and legal officer appointed by the President of the Court of Appeal with jurisdiction in any division without a High Court, or as the case may be, in the event of the President of the said court being unavoidably absent.

(4) The composition of the commission shall be fixed by an order of the Senior Divisional Officer.

SECTION 41.- The duties of Chairman and of member of the Divisional Supervisory Commission shall be honorary.

SECTION 42.- In each Subdivisional Office there shall be a register which shall contain, by order of date, all the protests relating to the preparing, keeping and revision of registers of electors, as well as of registration cards. The Subdivisional Officer shall issue a receipt therefore and forward them to the Commission.

SECTION 43.- (1) Any elector whose name is entered in the register of electors of a constituency, any person who has applied for registration or disqualification or any legally authorized political party having an interest therein may petition the Commission to record any irregularities and, where necessary, to order the necessary corrections on the lists or in the preparation and distribution of registration cards.

(2) The Commission shall decide within eight days and shall fix, where applicable, the time-limit within which the irregularities noticed must be corrected.

(3) The decision of the Commission may be brought before the Court of Appeal which shall give a ruling in chambers within five days of its being seized.

(4) An appeal to the Court of Appeal, made within three days following the ruling, shall stay the execution of the decision of the Commission.

CHAPTER IV : THE NATIONAL COMMISSION FOR THE FINAL COUNTING OF VOTES

SECTION 44.- (1) A National Commission for the final Counting of Votes comprising the following is hereby set up :

-Chairman :

- A Supreme Court judge appointed by the President of the said Court ;

-Members :

- Two judicial officers appointed by the President of the Supreme Court;
- Ten representatives of the Administration appointed by the Minister in charge of Territorial Administration.
- Ten representatives of the candidates appointed by political parties which took part in the elections.

(2) The composition of the National Commission for the Final Counting of Votes shall be fixed by an order of the Minister in charge of Territorial Administration.

SECTION 45.- (1) The National Commissions for the Final Counting of Votes shall verify polling operations on the basis of reports and appended documents forwarded by the Divisional Supervisory Commissions.

(2) Within the purview of sub-section (1) above, the National Commission for the Final Counting of Votes shall :

- record any observations it deems necessary to make in the regularity of polling operations, but may not declare them null and void ;
- take into account the ballot papers appended to the report and, which, in its opinion, were wrongfully invalidated ;
- rectify any vote counting errors ;
- draw up a report on all these operations and forward it with all the reports and appended documents emanating from the Divisional supervisory commissions. A copy of the said report shall be sent to the Minister in charge of Territorial Administration.

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

SECTION 46.- The representative of each list or candidate shall be entitled to attend the proceedings of the Commission for the Final Counting of Votes and may submit any comments or claims.

SECTION 47.- (1) The Constitutional Council shall ensure the regularity of the election of members of the National Assembly.

In this capacity it shall verify all polling operations on the basis of the reports and appended documents forwarded by the National Commission for the Final Counting of Votes.

(2) Claims and challenges made by any candidate in the election may be forwarded directly within a maximum prescribed period of 4 (four) days with effect from

the closing day of the polls, to the Constitutional Council which may, if it deems necessary, hear any candidate or political party having participated in the election in the constituency concerned, or any person serving as a representative of the Government in the said election, and/or request, against receipt, supporting evidence.

(3) The Constitutional Council shall adopt and proclaim the results of the elections within a maximum period of 20 (twenty) days with effect from the closing date of polling.

(4) It shall draw up a report of all its operations in three copies, keep the original and forward the other two copies to the Minister in charge of Territorial Administration and to the National Assembly respectively.

PART VI : REGISTERS OF ELECTORS

CHAPTER ONE : DRAWING UP OF REGISTERS OF ELECTORS

SECTION 48.- (1) In each council and subdivision a register of electors shall be drawn up. In addition, a special register shall be drawn up for each polling station. Such register may be classified according to local conditions, by alphabetical order, quarter, or family group.

(2) The register shall be in the form fixed by an order of the Senior Divisional Officer.

(3) Every registered elector shall be allotted a registration number in the serial order of the register.

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

SECTION 49.- (1) The register of electors shall comprise :

(a) All electors who have resided in the council or subdivision for at least six months except where their names already appear on another register;

(b) Citizens who do not satisfy the age and residence requirements to be registered as electors at the time of compilation of the register but who will satisfy such requirements before the date on which the register is finally closed.

(2) Entry on the register of electors shall be as of right and shall be carried out by or under the control of the Subdivisional Officer in close collaboration with the political parties operating in his area of jurisdiction.

SECTION 50.- (1) The register of electors shall further contain the names of electors who have been registered under the provisions of Section 12 of this law.

(2) Such registration shall not be carried out automatically. It shall be done at the express request of the elector who shall first adduce evidence to show that his name does not appear on any other register of electors.

SECTION 51.- No person may have his name entered on more than one register of electors.

SECTION 52.- Registers of electors shall be permanent. They shall be revised every year throughout the Republic. Senior Divisional Officers may order a thorough recompilation of the registers at the time of the annual revision.

CHAPTER II : ANNUAL REVISION OF THE REGISTERS OF ELECTORS

SECTION 53.- The annual revision of registers of electors shall commence on 1 January of each year throughout the Republic and shall be carried out in accordance with the following provisions :

(a) Any citizen who satisfies the age and residence requirements to be registered as elector and any citizen who satisfies such requirements but whose name has been omitted from such register may apply for registration to the Subdivisional Officer, even outside the times fixed for the annual revision of registers ;

(b) A receipt shall be issued to him for his application which shall be entered in a special register and examined by the Revision Commission.

SECTION 54.- (I) The Revision Commission provided for under Section 29 of this law shall record in the register of elector the names of citizens whom it deems to have satisfied the requirements laid down by the law, those who satisfy the age and residence requirements before the end of the deliberations of the Revision Commission and whose names were previously omitted.

(2) The Commission shall expunge from the register the names of :

(a) Deceased persons;

(b) Persons whose names have been ordered to be struck off the register by the competent authority;

(c) Persons who no longer meet the conditions laid down by law, notwithstanding the fact that no objection was made against their registration;

(d) Persons who are found by the Commission to have been wrongly registered.

(3) The Commission may not enter the names of electors whose names previously appeared on a different register unless they expressly so request.

(4) Any person who applies to have his name transferred to another register of electors must also submit an application for his name to be struck off the register of electors of his previous place of residence. Such application shall be forwarded to the Subdivisional Officer of his electoral residence.

(5) The Commission shall, in respect of every registered elector, mention the council or subdivision in which such elector was previously registered and the date when his name was struck off the register.

(6) If an elector has never been registered, the fact shall be so mentioned.

SECTION 55.- (1) During the revision of registers of electors, a copy of the register shall be submitted to the council or subdivisional office and may be consulted by any person. During such period, any citizen whose name has been omitted from the register may apply for registration.

(2) There shall be kept in every subdivisional or district office a register in which applications are entered according to the date of receipt thereof. The Subdivisional Officer shall issue a receipt for the application and forward it to the Commission.

SECTION 56.- (1) Where the name of any elector is entered on more than one register, the Subdivisional Officer or failing that, any elector whose name appears on any such register may request the Revision Commission, at least eight days before the closing of the register, to have such elector opt for his name to be maintained on only one of such registers.

(2) If he fails to opt within eight days after he has been formally notified either through administrative channels or by registered letter, his name shall continue to appear on the register for the administrative unit in which he has actually been residing for the past six months but shall be expunged from all other registers.

(3) Any claims and objections in relation thereto shall be heard and determined by the Commission at the suit of the Subdivisional Officer or by the Commission charged with the revision of the register of electors in which appears the name of the elector requesting the option.

SECTION 57.- (1) Any elector whose name has been automatically struck off the register of electors by the Revision Commission or whose application for registration has been objected to before the Commission shall be notified thereof free of charge by the Subdivisional Officer and shall have an opportunity of submitting his comments.

(2) The decision of the Commission shall, within three days from the making thereof, be notified in writing personally to the parties concerned by the Administration.

(3) Any appeal against such decision shall be lodged with the Divisional Supervisory Commission within five days of such notification.

SECTION 58.- The list containing the additions and deletions shall be filed at the end of the month of February at the latest with the subdivisional office. Such list shall be communicated to any person who applies therefore. It shall be published on the day which it is filed by being displayed on the places chosen for that purpose.

SECTION 59.- (1) A copy of the list and of the Commission's report certifying that the formalities specified in the preceding Section have been complied with shall, at the same time, be forwarded to the Senior Divisional Officer of the Division with the comments, where applicable, of the Subdivisional Officer.

(2) If the Senior Divisional Officer considers that the formalities and time-limits prescribed by law have not been complied with, he shall, within three days from the receipt of the list, refer the work of the Revision Commission to the Divisional Commission responsible for supervising electoral activities.

(3) The Divisional Supervisory Commission shall give its ruling within ten days and prescribe, if necessary, the time-limit within which the activities declared invalid must be carried out afresh.

SECTION 60.- (1) All Court rights in respect of elections shall be exempt from any stamp duty and shall be registered free of charge.

(2) Copies of birth certificates that are necessary to establish the age of electors shall be issued free of charge on unstamped paper to any person who applies therefore.

Such copies shall state at the top of the page the specific purpose for which they are issued and may not be put to any other use.

SECTION 61.- (1) On the thirtieth day of April of each year, the Subdivisional Officer shall, after making all such amendments as are lawfully ordered, forward to the Senior Divisional Officer a list of the amendments and close the register(s) of electors for his administrative unit.

(2) The original of each register of electors shall be deposited at the subdivisional office and the list of amendments forwarded to the Senior Divisional Officer shall, together with a copy of the register of electors, be deposited at the divisional office. Registers of electors shall be kept in the archives of the administrative unit.

SECTION 62.- The register of electors shall remain unaltered until the thirtieth day of April of the following year, except for the names of deceased electors or of electors deprived of franchise by a final court judgement which may be struck off the register.

CHAPTER III : REGISTRATION OUTSIDE REVISION PERIODS

SECTION 63.- (l) The following persons may have their names entered on the register of electors outside revision periods without any residence requirements:

(a) Public servants and 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 end of the time-limit for registration.

(2) Applications for registration shall be supported by all relevant information and filed with the subdivisional office.

(3) They shall be admissible only up to the tenth day before the day of election.

SECTION 64.- (l) Applications shall be examined by the Subdivisional Officer within fifteen days and, in any event, not later than four days before the day of election. The decisions of the Subdivisional Officer shall be notified within two days to the party concerned either through administrative channels or by registered letter.

(2) The Subdivisional Officer shall enter the name of the elector in the register of electors and on the list of amendments which shall be published three days before the day of election.

PART VII : REGISTRATION CARDS

SECTION 65.- (l) Every elector whose name has been entered on a register of electors shall be issued a registration card which shall indicate his full name, date and place of birth, filiation, occupation, residence or place of abode.

(2) Registration cards shall be permanent. They may be kept by electors or deposited at the subdivisional office outside election periods.

(3) In case the cards are renewed or new names are entered on the register of electors, and where cards are deposited at the subdivisional office, registration cards shall be distributed within a period of fifteen days before the day of election.

SECTION 66.- (l) The distribution of registration cards shall be carried out under the control of the commission referred to in Section 30 of this law.

(2) Where it is not possible to deliver registration cards to their holders, the cards shall be left at the polling stations where such holders are registered and shall remain at their disposal until the close of the poll.

(3) Such a card shall be delivered to the legal holder only upon the production of identity documents or, failing this, upon such legal holder being introduced and his identity certified by two witnesses whose names appear on the register of the polling station.

(4) A report shall then be made of the operation which shall be signed by the legal holder and, where applicable, by the witnesses and initialled by the Chairman of the Commission in charge of distributing registration cards.

(5) In every polling station, unwithdrawn cards shall be counted at the close of the poll, placed in a sealed packet and taken to the subdivisional office with a report specifying the number of such cards.

PART VIII : PREPARING THE POLL

CHAPTER ONE : CONVENING THE ELECTORS

SECTION 67.- Electors shall be convened by decree. Not more than forty-five days shall elapse between the date of publication of the decree and the day of election.

SECTION 68.- Polling shall take place on a Sunday or on a public holiday or on a day declared a public holiday with compulsory abstention from work.

SECTION 69.- Polling shall last a single day. The convening decree shall specify the time of opening and closing polling stations.

CHAPTER II : NOMINATION OF CANDIDATE

SECTION 70.- (I) Lists of candidates shall, not later than forty days before the day of election, and before normal office closing hours, be made out in a nomination paper in three copies bearing the legalized signature of candidates. Such nomination paper shall be submitted to and registered at the office of the Senior Divisional Officer of the constituency concerned against a receipt.

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

(a) The full name, date and place of birth, filiation, occupation and residence of candidates ;

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

(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.

SECTION 71.- (1) The nomination paper referred to in Section 70 above shall include for each candidate, substantive or alternate :

- a copy of his birth certificate, not more than 3 (three) months old ;
- a criminal record (Bulletin No 3), not more than three months old ;
- a declaration by which he 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 ;
- a tax certificate.

(2) The nomination paper shall also include an attestation by which the political party puts up the person concerned as a candidate.

SECTION 72.- (1) Within twenty-four hours following the filing of nomination papers, the representative of the candidate(s) shall pay a deposit into the Treasury. The amount of the said deposit is fixed at fifty thousand francs per substantive candidate.

SECTION 73.- (1) The Senior Divisional Officer shall, within a maximum period of seven days, ensure that the candidate or the list of candidates is in conformity with the provisions of this law. He shall accept or reject it.

(2) Where it is rejected, the Senior Divisional Officer shall, within the same prescribed time-limit, state reasons for his decision, inform the representative thereof and forward the file to the Divisional Supervisory Commission.

(3) In any case, the Senior Divisional Officer shall forward the lists of candidates to the Minister in charge of Territorial Administration within a period of 10 (ten) days from the date he receives them.

SECTION 74.- The following shall be rejected :

- Incomplete lists ;
- List not containing the documents mentioned in Section 71 above;
- Lists including candidates who are not members of the party concerned.

SECTION 75.- No candidate may withdraw his candidature after the list has been submitted.

SECTION 76.- (1) The Minister in charge of Territorial Administration shall draw up and publish the list of candidates for election not later than 20 (twenty) days before the poll.

(2) The order shall be signed after the representative of the candidate or list presents to the Minister in charge of Territorial Administration a receipt for payment of the deposit provided for in Section 72 above.

SECTION 77.- If a candidate whose name appears on a list dies or is disqualified, he may be replaced any time before the opening of the poll according to the procedure for the nomination of candidates.

SECTION 78.- The decision to accept or reject a candidature or list of candidates may be challenged by the candidate or representative of the list concerned or by the representative of any other list or any elector whose name appears on the register of electors.

SECTION 79.- (1) The appeal shall be lodged with the Constitutional Council against a receipt, within a maximum period of 5 (five) days from the date of notification of the rejection of the candidature.

(2) The Constitutional Council shall rule within a maximum period of 15 (fifteen) days following the appeal referred to in sub-section (1) above.

(3) The decision of the Constitutional council shall be notified forthwith to the Senior Divisional Officer at the behest of the President of the Constitutional Council.

SECTION 80.- (1) The State shall bear the cost of paper and of the printing of ballot papers, the provision of envelopes and the dispatching of such ballot papers and envelopes to the Divisions and polling stations.

(2) The deposit shall be returned to the candidate or list if he or it is elected or if he or it has polled at least five per cent of the votes cast at the national level ; otherwise, the deposit shall be forfeited to the State.

CHAPTER III : CAMPAIGNING

SECTION 81.- There shall be printed for every candidate or list of candidates a number of ballot papers equivalent to the number of electors registered, increased by a quarter. The size of such ballot papers shall be fixed by an order of the Minister in charge of Territorial Administration.

SECTION 82.- (1) The election campaign shall open on the fifteenth day preceding the day of election and close at midnight on the eve of the day of election.

(2) Candidates may prepare, at their own expense, circulars, manifestoes and posters.

(3) Such circulars, manifestoes and posters shall be in the colour chosen for the candidate or list and shall bear the symbol selected for printing the ballot papers.

(4) The maximum size of posters shall be 45 centimetres by 65 centimetres.

SECTION 83.- (1) Two copies of such circulars, manifestoes and posters shall be submitted by the representative of the list or candidate to the Minister in charge of Territorial Administration for a visa. A copy of such circular, manifesto and poster shall be filed and the other copy shall be handed back to the representative of the candidate or list. The printed document shall make mention of the visa. The visa shall be withheld where a document amounts to an appeal to violence, undermines our national unity and territorial integrity or incites hatred against public authority or citizen or body of citizens.

(2) The visa shall indicate the colour and symbol assigned to the list or candidate.

SECTION 84.- The representative of every list or candidate shall submit, in addition to the filing in provided for by law, ten copies of every document printed to the office of the Senior Divisional Officer of the constituency concerned.

SECTION 85.- Any document prepared or circulated in contravention of the above provisions shall be seized by the administrative authorities without prejudice to such criminal proceedings as may be instituted against the author of such documents and the disseminators thereof.

SECTION 86.- (1) The Administration shall make available to every candidate or list of candidates space for the displaying of posters and other canvassing material. Such space shall be made available :

- Near every polling station ;
- Near subdivisional and council offices.

SECTION 87.- (1) During the election campaign, political parties which have actually presented a list of candidates or the candidates and their representatives may organize meetings to explain their programmes and manifestoes to electors.

(2) In this regard, the representative of each list or of each political party or candidate intending to organize political meetings shall submit the meeting schedule to the administrative authorities so that steps can be taken to ensure the maintenance of law and order.

(3) In the absence of a meeting schedule, all public meetings organized to this end must be made known to the administrative authorities at least 24 hours in advance. The time and venue of the meeting shall be specified.

SECTION 88.- In the event of obvious intimidation or serious disturbance of public law and order, the administrative authority may ban one or more of these meetings.

SECTION 89.- Meetings shall not be held on the public highway save where special authorisation has been granted by the competent administrative authorities. Senior Divisional Officers shall, having regard to local conditions, fix the time after which no meeting may continue.

SECTION 90.- (I) An administrative, judicial or police officer may be delegated by the administrative authority to attend the meeting.

(2) He may adjourn the meeting at the request of the committee or in the event of connivance or assault.

SECTION 91.- The members of the Committee and organizers of the meeting shall be liable for any offence against the provisions of Sections 87 and 89 above.

SECTION 92.- It shall be forbidden to distribute or cause to be distributed, on election day, ballot papers, circulars and other documents that are in any way connected with the election. Documents distributed in contravention of the provisions of this Section shall be seized by the administrative authority, without prejudice to criminal proceedings which may be instituted against the offenders.

SECTION 93.- (I) It shall be forbidden by any means whatever, during the two months preceding the election and while the election is taking place, to publish, distribute or comment on any opinion poll which is directly or indirectly connected with the said election.

(2) All commercial advertising through the media or by posters, to convey a political message that may influence the vote of an elector or electors shall be forbidden.

(3) Persons contravening the provisions of subsections I and 2 above shall be liable to the penalties laid down under Section 116 below.

SECTION 94.- (I) No candidate shall be allowed to injure the honour or reputation of another candidate by any means whatever in any place open to the public, or by any procedure intended to reach the public by imputations, direct or indirect, of facts which he is unable to prove.

(2) Without prejudice to criminal and/or civil proceedings which may be instituted against the offender and/or his accessories, the person defamed by virtue of sub-section (1) above, may lodge a petition with the Constitutional Council against receipt, in accordance with the laws in force. The Constitutional Council shall make a ruling within a

maximum period of 15 (fifteen) days effect from the day when the matter was referred to it.

(3) It may, where there is no proof of the truth of the imputation, declare the candidate who made the defamatory imputation disqualified.

However, where the constitutional council is called upon to rule after the polling operations, section 120 (new) of this law shall apply.

PART IX : THE POLL

CHAPTER ONE : POLLING STATIONS

SECTION 95.- (I) Upon the proposal of Senior Divisional Officers, the Minister in charge of Territorial Administration shall, by order, fix the list of polling stations in respect of every administrative area.

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

(3) There shall be set up one polling station for a maximum of eight hundred electors.

SECTION 96.- The list of polling stations shall be posted up in the chief towns of administrative units at least five days before the day of election.

SECTION 97.- An order of the Minister in charge of Territorial Administration shall determine the organization of polling stations. Polling booths and envelopes shall be made available to electors to ensure the secrecy of the vote.

CHAPTER II : CONDUCT OF THE POLL

SECTION 98.- (I) Every elector whose name appears in the register of electors shall be entitled to record his vote.

(2) Notwithstanding the provisions of sub-section (I) of this Section, the right to vote shall be withheld from :

(a) Any person against whom a warrant of committal has been issued ;

(b) Any person who is under administrative detention or judicial custody.

SECTION 99.- (I) No person shall be allowed to vote unless his name appears on the register of electors of the polling station concerned.

(2) The Chairman and Members of the Local Polling Commission may cast their vote at the polling station which they are supervising, if they are registered as electors in the same administrative unit. Their names shall in such a case be added to the marked copy of the register with the indication “Chairman” or a “Member of the Polling Commission”.

SECTION 100.- (1) On entering the polling station, the elector shall show his registration card. If required by the Commission, the elector shall prove his identity in accordance with the established rules and practice.

(2) The Local Polling Commission may allow any elector whose name appears on the register of electors to record his vote notwithstanding the fact that he is unable for any reason whatever to produce his registration card. The Commission shall first ascertain the identity of the elector in accordance with the established rules and practice.

SECTION 101.- Every elector shall, after taking an envelope, go to the compartment of the polling station screened from observation, put his ballot paper in the envelope and after satisfying the Commission that he holds a single envelope, place such an envelope in the ballot box.

SECTION 102.- The fact that an elector has voted shall be evidenced :

(a) By a member of the Commission who shall affix a sign in the column of the register of electors specially provided therefore ;

(b) By the date of the poll which shall be marked on the registration card in the space specially provided therefore.

SECTION 103.- Marked copies of the registers of electors shall be kept at the subdivisional office. Such copies may be used for several elections in succession. In case of a dispute as to the validity of the elections such marked copies shall be sent to the President of the National Assembly if he so requests.

CHAPTER III : COUNTING OF THE VOTES

SECTION 104.- (1) Immediately after the time fixed for the termination of voting, the Chairman of the Local Polling Commission shall declare the end of voting.

(2) No voter who arrives after the termination of voting shall be allowed to record his vote.

(3) Notwithstanding the provisions of subsections (1) and (2) of this Section, any voter who at the time of the termination of voting is within the precincts of the polling

station or who is waiting to enter the station shall be allowed to record his vote. The report of the Commission shall mention the actual time of termination of voting.

SECTIONS 105.- The checking of the envelopes and the counting of votes shall take place in each polling station immediately after the termination of the voting in the presence of such electors as may wish to attend the counting, provided their admission to the counting hall does not interfere with the conduct of the counting operations.

SECTION 106.- (1) Where the number of electors or members of the Local Polling Commission who can read and write English or French is insufficient to ensure that the envelopes are checked and opened and that the votes are counted in a fit and proper manner, the Chairman of the Polling Commission shall seal the ballot-box under the control of members of the Commission and in the presence of the electors who are in the polling station at the time of the termination of voting.

(2) The Chairman shall thereupon, accompanied by the members of the Commission, take the ballot-box to the subdivisional office.

(3) In such a case, the ballot-box and envelopes shall be opened and the votes counted, in the presence of the subdivisional Officer or his representative and of the members of the Local Polling Commission. Voters of the constituency shall be allowed in the hall where the counting takes place provided their admission into the counting hall does not interfere with the conduct of the counting.

SECTION 107.- (1) The Minister in charge of Territorial Administration shall issue an order fixing the electoral areas or sections in which the procedure described in Section 106 above shall be authorized.

(2) At least three days before the day of election, Senior Divisional Officers shall cause notices to be displayed indicating the polling stations to which the procedure specified in Section 106 shall be applied.

SECTION 108.- Envelopes shall be checked and opened by members of the Local Polling commission or, in the case contemplated in the Section referred to above, by scrutineers appointed by them from among electors present who can read and write. The names of the scrutineers so appointed shall be mentioned in the report for each polling station.

SECTION 109.- (1) The procedure for counting the votes cast shall be as follows :

The ballot-box shall be opened and the number of envelopes contained therein checked:

One of the scrutineers shall take the ballot paper out of the envelope, unfold it and hand it to another scrutineer who shall call out the name. The names of the lists or of the candidates appearing on the ballot papers shall be recorded by at least two scrutineers

on specially prepared counting sheets. Where an envelope contains several ballot papers, the ballot papers shall be invalid if such ballot papers bear different lists or names. Such ballot papers shall count as one vote where they bear the same candidate or list of candidates.

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

- Any ballot papers other than officially printed ballot papers ;
- Ballot papers bearing any marks or signatures ;
- Ballot papers contained in envelopes other than those officially made available to voters.

(3) Ballot papers 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 and blank papers shall likewise be regarded as invalid and mentioned in the report.

(4) Counting sheets shall be attached to the report.

SECTION 110.- Immediately after termination of the counting, the results obtained in each polling station shall be proclaimed.

SECTION 111.- Any objections which may be raised by electors at the time of the counting shall be decided by the Local Polling Commission and shall be recorded in the report.

SECTION 112.- The result of the poll shall be entered in the report forthwith. Such report which shall be made in duplicate, shall thereafter be closed, signed by all the members of the Local Polling commission present and handed to the Subdivisional Officer.

SECTION 113.- The Subdivisional Officer shall verify that the report is in due and proper form. In the event of an error in procedure he may request members of the Local Polling Commission to correct it. He shall make a report thereon which shall be attached to the report of the Commission.

SECTION 114.- (1) A copy of the reports shall immediately be forwarded with all relevant documents by the Subdivisional Officer to the Senior Divisional Officer who in turn shall promptly dispatch them to the Divisional Supervisory Commission.

(2) The other copy shall be kept in the archives of the Subdivisional Office.

PART X : PENALTIES AND MISCELLANEOUS PROVISIONS.

SECTION 115.- (1) Whoever :

Causes his name to be entered on a register of electors under a false identify and, on causing himself to be registered conceals a disqualification provided for by this law or claims the entry of his name on two or more registers ;

Causes his name to be improperly entered on a register of electors by means of fraudulent statements or false certificates, or by similar devices wrongly enters on or strikes off a register of electors the name of any citizen ;

Having been deprived of the right to vote participates in the election ;

Records a vote either by virtue of being fraudulently registered or by impersonating a registered elector:

By reason of the fact that his name appears on more than one register of electors votes more than once;

Being responsible at the polls for the receiving, counting or verifying of the envelopes containing the ballot papers withdraws, adds to or alters any ballot paper or reads a name other than the name actually appearing thereon ;

By spreading false news, false rumours or by other fraudulent devices reduces the number of votes or misappropriates same and influences an elector or electors to refrain from voting;

In any of the commissions provided for in this law, either in a polling station or in a Government Office before, during or after the election, by disregard of the laws and regulations or by any other fraudulent device, violates the secrecy of the ballot, affects the genuineness of the election, obstructs the counting of votes or alters the result thereof;

Is guilty of fraud in the issue or production of a certificate showing that the name of a person is entered on or has been struck off the register of electors;

On the day of election either as principal offender or accomplice, whether or not with force, fraudulently removes or takes away a ballot-box shall be liable to the penalties laid down under section 122 of the Penal code.

(2) Where the offender or this accomplice is a public servant within the meaning of section 131 of the Penal Code, he shall be liable to the penalties laid down under Section 141 of the Penal Code.

SECTION 116.- Whoever :

By unlawful assembly, riots or threatening demonstrations, disrupts electoral activities or interferes with the exercise of the right to vote or with the freedom of voting ;

On the day of election, is guilty of contempt or assault on the Local Polling Commission or on any member thereof, or by interference or by threat of any kind, delays or prevents the conduct of the polling operations;

Directly or by any other person on his behalf, makes any gift, donation, promise or grant of any employment, whether in the public or private sector, or other individual benefits in order to influence the vote of an elector or electors and has obtained the vote of such elector or electors ;

Directly or by any other person on his behalf, solicits or accepts from the candidates any gift, donation, favour or benefits referred to in sub-Section (c) hereinabove;

By interference, force or threat upon or against an elector, influences his vote by threatening to make such elector lose his employment or by threatening damage to his person, family or property shall be liable to the penalties laid down under section 123 of the Penal Code.

SECTION 117.- (1) Whoever enters a hall where election is taking place conspicuously carrying a weapon shall be liable to a fine not exceeding 250,000 francs or to a term of imprisonment not exceeding two months or to both such imprisonment and fine.

(2) In the case where the weapon was concealed, the term of imprisonment may be increased to four months and the fine to 500,000 francs.

SECTION 118.- (1) No political activity, rally or procession shall be allowed in public establishments as well as in school and university institutions.

(2) Any violation of the provisions of Subsection (1) above shall be punished with a fine not exceeding 250,000 francs or with imprisonment not exceeding four months or with both such imprisonment and fine.

SECTION 119.- No proceedings shall be instituted against a candidate for violation of the provisions of this law before the result of the poll is proclaimed, save in cases where such candidate is arrested for an offence committed flagrante delicto.

SECTION 120.- (1) The Constitutional Council shall rule on any matter pertaining to the qualification or disqualification of members of the National Assembly, except in cases provided for by the law.

(2) In this respect, any dispute relating to the disqualification of a Member shall be referred to the said Constitutional Council within a maximum period of 4 (four) days following the end of polling operations. The petition shall be lodged, against receipt, with the Constitutional Council.

(3) In the event of cancellation of all or part of the electoral operations, fresh elections shall be organised for the electoral constituency or constituencies concerned within a maximum period of 60 (sixty) days of the date of cancellation.

(4) The partial cancellation of an election shall not bar the holding of any session of the National Assembly where the quorum as provided for by the law laying down the standing orders of the said Assembly has been reached.

(5) Any legal action to challenge the final results of elections into the National Assembly shall be inadmissible before any court of law”.

Yaounde, 16th december 1991

Paul BIYA,

President of the Republic.