

PART II

Executive Power

CHAPTER I

The President of the Republic

➤ *Article 5*

(1) The President of the Republic shall be the Head Of State.

(2) Elected by the whole Nation, he shall be the symbol of national unity.

He shall define the policy of the nation.

He shall ensure respect for the Constitution.

He shall, through his arbitration, ensure the proper functioning of public authorities.

He shall be the guarantor of the independence of the Nation and of its territorial integrity, of the permanency and continuity of the State and of the respect of international treaties and agreements.

➤ *Article 6*

The President of the Republic shall be elected by a majority of the votes cast through direct, equal and secret universal suffrage.

(2) The President of the Republic shall be elected for a term of office of 7 (seven) years. He shall be eligible for re-election once.

(3) The election shall be held not less than 20 (twenty) days and not more than 50, (fifty) days before the expiry of the term of the President of the Republic in office.

(4) Where the office of President of the Republic becomes vacant as a result of death, resignation or permanent incapacity duly ascertained by the Constitutional Council, the polls for the election of the new President of the Republic must be held not less than 20 (twenty) days and not, more than 40 (forty) days after the office becomes vacant.

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

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

(5) Candidates for the office of President of the Republic must be Cameroonian by birth, enjoy their civic and political rights and must have attained the age of 35 (thirty-five) by the date of the election.

(6) the conditions for electing the President of the Republic shall be laid down by law.

➤ *Article 7*

(1) The president-elect shall assume office once he has been sworn in.

(2) He shall take the oath of office before the Cameroonian people, in the presence of the members of Parliament, the Constitutional Council and the Supreme Court meeting in solemn session.

He shall be sworn in by the President of the National Assembly.

(3) The wording of the oath and the procedure for implementing the provisions of paragraphs (1) and (2) above shall be laid down by law.

(4) The office of President of the Republic shall be incompatible with any other elective public office or professional activity.

➤ *Article 8*

(1) The President of the Republic shall represent the State in all acts of public life.

(2) He shall be Head of the Armed Forces.

(3) He shall ensure the internal and external security of the Republic.

(4) He shall accredit ambassadors and envoys extraordinary to foreign powers. The ambassadors and envoys extraordinary of foreign powers shall be accredited to him.

(5) The President of the Republic shall enact laws as provided for in Article 31 below.

(6) The President of the Republic shall refer matters to the Constitutional Council under the conditions laid down by the Constitution.

(7) He shall exercise the right of clemency after consultation with the Higher Judicial Council.

(8) He shall exercise statutory authority.

(9) He shall set up and organize the administrative services of the State.

(10) He shall appoint to civil and military posts of the State.

(11) He shall confer the decorations and honorary distinctions of the Republic.

(12) The President of the Republic may, if necessary and after consultation with the Government, the Bureaux of the National Assembly and the Senate, dissolve the National Assembly. The election of a new Assembly shall take place in accordance with the provisions of Article 15 (4)

➤ *Article 9*

(1) 'The President of the Republic may, where circumstances so warrant, declare by decree a state of emergency which shall confer upon him such special powers as may be provided for by law.

(2) In the event of a serious threat to the nation's territorial integrity or to its existence, its independence or institutions, the President of the Republic may declare a state of siege by decree and take any measures as he may deem necessary. He shall inform the Nation of his decision by message.

➤ *Article 10*

(1) The President of the Republic shall appoint the Prime Minister and, on the proposal of the latter, the other members of Government.

He shall define their duties.

He shall terminate their appointment.

He shall preside over the Council of Ministers.

(2) The President of the Republic may delegate some of his powers to the Prime Minister, other members of Government and any other senior administrative officials of the State, within the framework of their respective duties.

(3) Where the President of the Republic is temporarily unable to, perform his duties, he shall delegate the Prime Minister and, should the latter also be unavailable, any other member of Government to discharge his duties within the framework of an express delegation of some of his powers.

CHAPTER II

The Government

➤ *Article 11*

The Government shall implement the policy of the nation as defined by the President of the Republic.

It shall be responsible to the National Assembly under the conditions and procedures

provided for in Article 34 below.

➤ *Article 12*

(1) The Prime Minister shall be the Head of Government and shall direct its action.

(2) He shall be responsible for the enforcement of the laws.

(3) He shall exercise statutory authority and appoint to civil posts, subject to the

prerogatives of the President of the Republic in such areas.

(4) He shall direct all the government services required for the accomplishment of his duties.

(5) He may delegate some of his powers to members of Government and to senior State officials.

➤ *Article 13*

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