

PART V

Judicial Power

➤ *Article 37*

(1) Justice shall be administered In the territory of the Republic in the name of the people of Cameroon.

(2) Judicial power shall be exercised by the Supreme Court, Courts of Appeal and Tribunals. The Judicial Power shall be independent of the executive and legislative powers. Magistrates of the bench shall, in the discharge of their duties, be governed only by the law and their conscience:

(3) The President of the Republic shall guarantee the independence of judicial power. He shall appoint members of the bench and for the legal department.

He shall be assisted in this task by the Higher Judicial Council which shall give him its opinion on all nominations for the bench and on disciplinary action against judicial and legal officers. The organization and functioning of the Higher Judicial Council shall be defined by law.

➤ *Article 38*

(1) The Supreme Court shall be the highest court of the State in legal and administrative matters as Well as in the appraisal of accounts.

(2) It shall comprise:

- a judicial bench;
- an administrative bench;
- an audit bench.

➤ *Article 39*

The judicial bench shall give final rulings on:

- appeals accepted by law against final rulings given by the various courts and tribunals of the judicial system;

- judgements passed, by the lower courts of the judicial system that have become final in cases where the application of the law is challenged,
- all matters expressly devolving upon it by law.

➤ *Article 40*

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

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

➤ *Article 41*

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

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

➤ *Article 42*

(1) The organization, functioning, composition and duties of the Supreme Court and the benches it comprises, the conditions for referring matters to them as well as the procedure applicable before them shall be laid down by law.

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