

Article 60. — For the purposes of this Constitution the population of the Federated States shall be taken on the basis of United Nations statistics, to be as follows :

East Cameroon: 3.200.000 inhabitants; West Cameroon: 800.000 inhabitants.

If significant changes in these figures are revealed by future censuses, they may be amended by a federal law.

Yaounde, 1st of September, 1961.

Ahmadou AHIDJO.

APPENDIX II

WEST CAMEROON CONSTITUTION

His Excellency the President of the Federal Republic of Cameroon
Ahmadou AHIDJO

TITLE	A LAW TO ESTABLISH A CONSTITUTION FOR THE FEDERATED STATE OF WEST CAMEROON
Commencement. Enactment.	(1st October, 1961)
Short title and commencement.	BE IT ENACTED by the Legislature of West Cameroon as follows: 1. This Law may be cited as the West Cameroon Constitution Law, 1961, and, save as is herein otherwise expressly provided, shall be deemed to have come into force on the 1st day of October, 1961.
Establishment of Constitution.	2. Subject to the provisions of this Law, the Constitution of the Federated State of West Cameroon set out in the Schedule of this Law shall come into effect at the commencement of this Law.

SCHEDULE

(Section 2)

The Constitution of West Cameroon

THE HEAD OF THE GOVERNMENT

1. (1) There shall be a Head of the Government of the Federated State of West Cameroon.
2. The Prime Minister of the State shall be Head of the Government.

Establishment of
office of Head
of Government.

Oath to be taken by Prime Minister as Head of State.

The Prime Minister shall, before entering upon the duties of the office of the Head of the Government, take and subscribe the oaths of Allegiance and Office in the forms set out in the Schedule to this Constitution.

Powers and duties of Prime Minister.

3. The Prime Minister shall have such powers and duties as are conferred upon him by or under this Constitution or any other Law and, subject to the provisions of this Constitution and any other law by which any such powers or duties are conferred, shall do or execute all things that belong to this office (including the exercise of any powers and the performance of any duties with respect to which he is empowered by this and the Federal Constitution) to act in his discretion.

Discharge of Prime Minister's functions during vacancy, etc.

4. (1) Whenever the office of Prime Minister is vacant or the holder of the office is absent from the State or is for any reason unable to perform the functions conferred upon him by this Constitution, those functions shall be performed by the senior Secretary of State present in the State.

Provided that nothing in this section shall preclude the Prime Minister from performing any of those functions at any time when he is absent from the State.

(2) Any person performing the function of the Prime Minister by virtue of the provisions of this section shall do or execute all things that belong to the office (including the exercise of any powers and the performance of any duties with respect to which he is empowered by this section to act in his discretion) according to such instructions, if any, as the Prime Minister may from time to time see fit to give him.

Chapter II

THE LEGISLATURE

Part I

COMPOSITION OF THE LEGISLATURE

Establishment of the Legislature

5. There shall be a Legislature for the State, which shall consist of the President, the House of Assembly and the House of Chiefs, and which shall have power to make laws for the peace, order and good government of the State.

Composition of the House of Assembly.

6. The House of Assembly shall consist of thirty-seven Elected Members.

Attendance in House of Assembly.

7. The Attorney-General of the State and such number of Special Representatives as may be appointed in accordance with regulations made by resolution of the House of Assembly to represent interests or communities not otherwise represented in the House of Assembly may attend meetings of the House and address it as though they were members thereof but shall not be entitled to vote.

The speaker and Officers of the House of Assembly.

8. The Speaker and other Officers of the House of Assembly shall be appointed in accordance with the provisions of article 41 of the Federal Constitution.

House of Chiefs.

9. (1) The House of Chiefs shall consist of :

(a) the President of the House, who shall be appointed by the Prime Minister;

(b) not less than eighteen nor more than twenty-two members selected for membership of the House in accordance with regulations made under subsection (3) of this section; and

(c) the other members of the Executive Council.

(2) The number of members of the House of Chiefs to be selected under paragraph (b) of subsection (1) of this section shall, subject to the provisions of that paragraph, be such as the Prime Minister may from time to time prescribe.

(3) Subject to the provisions of this section, the Prime Minister may by regulation:

(a) make provision for the selection of persons to be members of the House of Chiefs in accordance with foregoing provisions of this section;

(b) prescribe conditions on which any person selected as aforesaid shall hold his seat in the House.

(4) Any question proposed for determination in the House of Chiefs shall be determined by a majority of the votes of the members present and voting:

Provided that the members of the Executive Council shall not be entitled to vote.

(5) Any regulations made under the provisions of this section shall be laid before the House of Assembly and the House of Chiefs at the next meeting of each House.

Oaths to be taken by members of the House of Assembly.

10. Every member of the House of Assembly shall, before taking his seat in the House, take and subscribe before the House the oath of allegiance.

Part 2

PROCEDURE IN LEGISLATIVE HOUSES

Presiding Officer in the House of Assembly.

11. There shall preside at any sitting of the House of Assembly the Speaker, or in his absence, such member of the House of Assembly as the House may elect for that purpose in accordance with the provisions of article 41 of the Federal Constitution.

Presiding Officer in the House of Chiefs.

12. There shall preside at any sitting of the House of Chiefs the President of the House, or in his absence, such member of the House of Chiefs as the House may elect for that purpose.

Quorum in House of Assembly.

13. If objection is taken by any member of the House of Assembly present that there are present in that House (besides the person presiding) fewer than one-quarter of all the members of that House and, after such interval as may be prescribed in the rules of procedure of the House, the person presiding ascertains that the number of members present is still less than one-quarter of all the members of the House, he shall thereupon adjourn the House.

Use of English in the House of Assembly.

14. Save by leave of the House the business of the House of Assembly shall be conducted in English.

Voting in the House of Assembly.

15. (1) Any question proposed for decision in the House of Assembly shall be determined by a majority of the members present and voting; and the person presiding, being a member of the House, shall cast a vote whenever necessary to avoid an equality of votes but shall not vote in any other case.

(2) The rules of procedure of the House of Assembly may provide that the vote of a member upon a question in which he has a direct pecuniary interest shall be disallowed.

Mode of exercising legislative powers.

16. (1) The power of the Legislature of the State to make laws shall be exercised by bills passed by both Legislative Houses of the State (or in the case mentioned in sec-

tion 17 of the Constitution by bills passed in accordance with the special procedure prescribed by that section) and assented to by the President.

(2) A bill other than a money bill may originate in either Legislative House of the State but a money bill may originate only in the House of Assembly.

(3) When a bill has been passed by the Legislative House of the State in which it originated it shall be sent to the other House, and it shall be presented to the President for assent.

(a) when it has been passed by the other House and agreement has been reached between the two Houses on any amendments made in it; or

(b) when it is required to be presented under section 17 of this Constitution.

(4) A bill shall not become law unless it has been passed and assented to in accordance with this Constitution and with the Federal Constitution.

Limitation of powers of House of Chiefs.

17. (1) The House of Chiefs shall not:

(a) proceed upon any bill, other than a bill sent from the House of Assembly, that, in the opinion of the person presiding, makes provision for any of the following purposes:

(i) for the imposition of any charge upon the Consolidated Revenue Fund or any other public fund of the State;

(ii) for the imposition, repeal or alteration of taxation;

(iii) for the payment, issue or withdrawal from the Consolidated Revenue Fund or any other public fund of the State of any monies not charged thereon or any alteration in the amount of such a payment issue or withdrawal; or

(iv) for the composition or remission of any debt due to the State;

(b) proceed upon any amendment to any bill that in the opinion of the person presiding makes provision for any of those purposes;

(c) proceed upon any motion (including any amendment to a motion) the effect of which, in the opinion of the person presiding, would be to make provision for any of those purposes; or

(d) receive any petition that, in the opinion of the person presiding, requests that provision be made for any of those purposes.

(2) Where a money bill is passed by the House of Assembly and, having been sent to the House of Chiefs at least one month before the end of the session, is not passed by the House of Chiefs without amendment within one month after it is so sent, the bill shall, unless the House of Assembly otherwise resolves, be presented to the President for his assent.

(3) Where:

(a) a bill that is not a money bill is passed by the House of Assembly and, having been sent to the House of Chiefs at least one month before the end of the session, is not passed by the House of Chiefs before the end of the session or is passed by the House of Chiefs with amendments to which the House of Assembly does not before the end of the session agree; and

(b) in the following session (whether of the same Legislative Houses or not) but not earlier than six months after it was first passed by the House of Assembly the same bill, with no other alterations than those mentioned in subsection (5) of this section, is passed again by the House of Assembly and sent to the House of Chiefs at least one month before the end of the session or is passed by the House of Chiefs with amendments to which the House of Assembly does not before the end of the session agree, the bill shall, unless the House of Assembly otherwise resolves, be presented to the President for his assent with such amendments, if any, as may have been agreed by both Houses.

(4) The House of Assembly may, on the passage of a bill for the purposes of paragraph (b) of subsection (3) of this section, suggest any amendments without inserting the amendments in the bill and any such suggested amendments shall be considered by the House of Chiefs and, if agreed to by the House of Chiefs, shall be treated as amendments agreed to by both Houses; but the exercise of this power by the House of Assembly shall not affect the operation of this section if the bill is not passed by the House of Chiefs or is passed by the House of Chiefs with amendments to which the House of Assembly does not agree.

(5) The alterations referred to in subsection (3) of this section are alterations certified by the Speaker of the House of Assembly to be necessary owing to the time that has

elapsed since the bill was passed in the earlier session or to represent amendments made in that session by the House of Chiefs.

(6) When a money bill is sent to the House of Chiefs from the House of Assembly it shall bear a certificate of the Speaker of the House of Assembly that it is a money bill.

(7) When a bill is presented to the President in pursuance of this section it shall bear a certificate of the Speaker of the House of Assembly that this section has been complied with and that certificate shall be conclusive for all purposes and shall not be questioned in any court.

Regulation of
Procedure in
Legislative House.

18. (1) Subject to the provisions of this Constitution, each Legislative House of the State may regulate its own procedure.

(2) Each Legislative House of the State may act notwithstanding any vacancy in its membership (including any vacancy not filled when the House first meets after dissolution) and the presence or participation of any person not entitled to be present at or to participate in the proceedings of the House shall not invalidate those proceedings.

Interpretations.

19. In this Part of this Chapter "money bill" means a bill that in the opinion of the Speaker of the House of Assembly contains only provisions dealing with:

(a) the imposition, repeal, remission, alteration or regulation of taxation;

(b) the imposition for the payment of debt or other financial purposes of charges on the Consolidated Revenue Fund or any other public fund of the State or the variation or repeal of any such charges;

(c) the grant of money to the State or to the Federation or to any other person or authority or the variation or revocation of any such grant;

(d) the appropriation, receipt, custody, investment, issue or audit of accounts of public money;

(e) the raising or guarantee of any loan or the payment thereof; or

(f) subordinate matters incidental to any of those matters.

Provided that the expressions "taxation," "public money" and "loan" do not include any taxation, money or loan raised by local authorities or bodies for public purposes.

Sessions of
Legislative House.

SUMMONING, PROROGATION AND DISSOLUTION

20. Each session of the Legislative Houses of the State shall be held at such place within the State and shall begin at such time as may be appointed in accordance with the provisions of article 41 of the Federal Constitution.

Prorogation and
dissolution of
Legislative Houses.

21. (1) The President may dissolve the House of Assembly in accordance with the provisions of article 44 of the Federal Constitution in which event the House of Chiefs shall also stand dissolved.

(2) The State Legislative Houses, unless sooner dissolved, shall continue for five years from the date of their first sitting after any dissolution and shall then stand dissolved.

CHAPTER III

EXECUTIVE POWERS

Ministers of
Government.

22. (1) There shall be a Prime Minister of the State, who shall be appointed by the President, in accordance with the provisions of article 39 of the Federal Constitution.

(2) There shall be, in addition to the office of Prime Minister, not less than seven nor more than eleven Secretaries of State of the Government of the State who shall be styled Ministers.

(3) Appointments to the office of Secretary of State shall be made by the President on the proposal of the Prime Minister.

Establishment of
Executive Council.

23. (1) There shall be an Executive Council for the State.

(2) The Members of the Executive Council shall be the Prime Minister and the Secretaries of State.

Summoning
Executive Council
and Quorum.

24. (1) The Executive Council shall not be summoned except by the authority of the Prime Minister acting in his discretion or at the request of four members.

(2) No business shall be transacted in the Executive Council if objection is taken by any member present that, in addi-

tion to any member presiding there are present less than three members.

(3) The Attorney-General of the State may attend all meetings of the Executive Council and address it as though he were a member thereof.

(4) Appointments to the office of Secretary of state shall be made by the President, on the proposal of the Prime Minister, in accordance with the provisions of article 39 of the Federal Constitution. Such appointments shall include the assignment of responsibility for such business of the Government of the State, as the Prime Minister may propose, including the implementation of policy by the appropriate department of Government.

(5) Responsibility for legal matters, which expression shall, without prejudice to its generality, include the initiation, conduct and discontinuance of civil and criminal procedures, shall not be assigned to a Secretary of State but shall vest in the Attorney-General of the State:

Provided that the Prime Minister may authorise a Secretary of State to submit the questions relating to such matters to the Executive Council or to conduct Government business relating to such matters in the House of Assembly.

Presiding in
Executive Council.

25. (1) The Prime Minister shall preside at meetings of the Executive Council.

(2) In the absence of the Prime Minister, there shall preside at any meeting of the Council the Senior Secretary of State present.

Exercise of Prime
Minister's Powers.

26. (1) Where any matter is dependent on the decision of the Executive Council a decision shall be regarded as the decision of the Council if the majority of the votes of the members present and voting are cast in favour thereof.

(2) A member of the Executive Council shall have an original vote in the Council and may, when presiding in the Council, also give a casting vote if on any question the votes are equally divided.

Council may act
notwithstanding
vacancies.

27. The Executive Council may act notwithstanding any vacancy among the members thereof or the absence of any members.

Exercise of Prime Minister's Powers.

28. The Prime Minister shall refer to the Executive Council in the formulation of policy and in the exercise of all powers conferred upon by this Constitution or any other law and except in the exercise of any power conferred upon the Prime Minister in respect of which it is provided by law, either expressly or by implication, that he shall not be obliged to consult with the Executive Council in the exercise thereof shall act in accordance with the advice of the Executive Council.

Leave of absence for Secretaries of State, etc.

29. (1) The President, acting in his discretion may grant leave of absence from duties to the Prime Minister of the State.

(2) The Prime Minister, acting in his discretion, may grant leave of absence from his duties to a Secretary of State or to a Parliamentary Secretary to such a Secretary of State.

Parliamentary Secretaries.

30. (1) The Prime Minister may appoint not more than five Parliamentary Secretaries from among the members of the House of Assembly to assist Secretaries of State in the performance of their duties.

(2) The office of a Parliamentary Secretary shall become vacant:

(a) if he ceases to be a member of the House of Assembly otherwise than by reason of a dissolution of the House;

(b) if the office of Prime Minister becomes vacant; or

(c) if the Prime Minister so directs.

Oaths to be taken by members of Executive Council.

31. A member of the Executive Council shall not enter upon the duties of office unless he has taken and subscribed to the oath of allegiance and such oath for the due execution of his office as may be prescribed by any law.

Permanent Secretaries.

32. Where any Secretary of Government of the State has been charged with responsibility for any department of government, he shall exercise general direction and control over that department, and, subject to such direction and control, the department, shall be under the supervision of such member of the public service (who shall be styled a permanent secretary) as the Prime Minister, acting in his discretion, may select.

Constitution of offices.

33. The Prime Minister may constitute offices for the State and, in accordance with the provisions of section 49

of this Constitution, make appointments to any such office and terminate any such appointment.

CHAPTER IV

POLICE

Establishment of West Cameroon Police Force.

34. (1) There shall be a police force for the State, which shall be styled the West Cameroon Police Force.

(2) The organisation of the West Cameroon Police Force and its powers and duties shall be defined by written law.

Control of West Cameroon Police Force.

35. (1) There shall be a Commissioner of Police whose office shall be an office in the Public Service of the State.

(2) The West Cameroon Police shall be under the command of the Commissioner of Police.

Directions to the Commissioner.

36. Subject to the provisions of any written Law the Prime Minister or such other Secretary of State as may be authorised in that behalf by the Prime Minister may give to the Commissioner of Police such directions with respect to the maintaining and securing of public safety and public order as he may consider necessary and the Commissioner of Police shall comply with those directions or cause them to be complied with.

Establishment of West Cameroon Police Council.

37. (1) There shall be a West Cameroon Police Council, which shall consist of a chairman and such number of members as the Prime Minister may appoint.

(2) The Commissioner of Police of West Cameroon or such other officer of the West Cameroon Police Force as he may designate shall attend the meetings of the West Cameroon Police Council and, save for the purpose of voting, may take part in the Police Council.

Functions of West Cameroon Police Council.

38. (1) The organisation and administration of the West Cameroon Police Force and all other matters relating thereto (not being matters relating to the use and operational control of the force or the appointment, disciplinary control and dismissal of members of the force) shall be under the general supervision of the West Cameroon Police Council.

(2) The Prime Minister shall cause the West Cameroon Police Council to be kept fully informed concerning the

matters under its supervision and shall cause the Council to be furnished with such information as the Council may require with respect to any particular matter under its supervision.

(3) The West Cameroon Police Council may make recommendations to the Government of the State with respect to any matter under its supervision; and if in any case the Government acts otherwise than in accordance with any such recommendation, it shall cause a statement containing that recommendation and its reasons for acting otherwise than in accordance with that recommendation to be laid before the legislative Houses.

(4) Any regulations made under the provisions of this section shall be laid before the House of Assembly and the House of Chiefs at the next sitting of each House and until approved by each House shall not come into force.

CHAPTER 9

FINANCE

Establishment
of Consolidated
Revenue Fund.

39. (1) All revenues or other monies raised or received by the State (not being revenues or other monies payable under any law into some other public fund of the State established for a specific purpose) shall be paid into and form one Consolidated Revenue Fund.

(2) No monies shall be withdrawn from the Consolidated Revenue Fund of the State unless:

(a) those monies are charged upon the Fund by this Constitution or any other law; or

(b) the issue of the monies has been authorized by an appropriation law or a law made in pursuance of section 45 of this Constitution.

(3) No monies shall be withdrawn from the Consolidated Revenue Fund or other public funds of the State except in the manner prescribed by a law.

Authorization of
expenditure from
Consolidated
Revenue Fund.

40. (1) The Prime Minister shall cause to be prepared and laid before the House of Assembly and the House of Chiefs in each financial year estimates of the revenues and expenditure of the State for the next following year.

(2) The heads of expenditure contained in the estimates (other than expenditure charged upon the Consolidated Revenue Fund by this Constitution or any other law) shall be

included in a bill, to be known as an appropriation bill, providing for the issue from the Consolidated Revenue Fund of the sums necessary to meet that expenditure and the appropriation of those sums for the purposes specified therein.

(3) If in respect of any financial year it is found:

(a) that the amount appropriated by the appropriation law for any purpose is insufficient or that a need has arisen for expenditure for the purpose for which no amount has been appropriated by the law; or

(b) that any monies have been expected for any purpose in excess of the amount (if any) appropriated for the purpose by the appropriation law, a supplementary estimate showing the sums required or spent shall be laid before the House of Assembly and the heads of such expenditure shall be included in a supplementary appropriation bill.

Authorization of
expenditure in
advance of
appropriation.

41. A law may make provision under which if the appropriation law in respect of any financial year has not come into operation by the beginning of that financial year, the Prime Minister, acting in his discretion, may authorize the withdrawal of monies from the Consolidated Revenue Fund for the purpose of meeting expenditure necessary to carry on the services of the Government until the expiration of that financial year or the coming into operation of the appropriation law, whichever is the earlier.

Contingencies Fund.

42. (1) A law may provide for the establishment of a Contingencies Fund and for authorizing the Prime Minister, acting in his discretion, if satisfied that there has arisen an urgent and unforeseen need for expenditure for which no other provision exists, to make advances from the Fund to meet that need.

(2) Where any advance is made in accordance with subsection (1) of this section a supplementary estimate shall be presented and a supplementary appropriation bill shall be introduced as soon as possible for the purpose of replacing the amount so advanced.

Remuneration of
Public accounts.

43. (1) There shall be paid to the holders of the offices to which this section applies such salary as may be prescribed by any law.

(2) The salary and allowance payable to the holders of those offices to which this section applies shall be a charge on the Consolidated Revenue Fund of the State.

(3) The salary payable to any holder of an office to which this section applies and his terms of office other than allowances shall not be altered to his disadvantage after his appointment.

(4) This section applies to the offices of Chief Justice, judges of the High Court, the Director of Audit of the State and members of the Public Service Commission.

Audit of
Public accounts.

44. (1) There shall be a Director of Audit for the State, whose office shall be an office in the public service.

(2) The public accounts of the State and of all officers, courts and authorities of the State shall be audited and reported on by the Director of Audit of the State and for that purpose the Director or any person authorized by him in that behalf shall have access to all books, records, returns and other documents relating to those accounts.

(3) The Director of Audit of the State shall submit his report to the Prime Minister, who shall cause them to be laid before the House of Assembly and the House of Chiefs.

(4) In the exercise of his functions under this Constitution the Director of Audit of the State shall not be subject to the direction or control of any other person or authority.

Public Debt.

45. (1) The public debt of the State shall be secured upon the revenues and assets of the State.

(2) In this section references to the public debt of the State include references to the interests on that debt, sinking fund payments in respect of that debt and the costs, charges and expenses incidental to the management of that debt.

CHAPTER VI

THE PUBLIC SERVICE OF THE STATE

Establishment of
Public Service
Commission.

46. (1) There shall be a Public Service Commission for the State, which shall consist of a chairman and such number of other members as may be prescribed by regulations made under section 47 of this Constitution.

(2) The members of the Public Service Commission shall be appointed by the Prime Minister, who may terminate the appointment of any member and subject to the provisions of this Constitution the members shall hold office on such

terms and conditions as may be prescribed by regulations made under section 47 of this Constitution.

(3) An Elected Member or Special Member of the House of Assembly or any person actively engaged in party politics shall not be qualified to hold the office of member of the Public Service Commission.

Regulations
regarding Public
Service Commission.

47. Subject to the provisions of this Constitution, the Prime Minister may make regulations for giving effect to the provisions of this Chapter and in particular and without prejudice to the generality of the foregoing power may by such regulations make provisions for any of the following matters, that is to say:

- (a) the membership of the Public Service Commission;
- (b) the appointment, tenure of office and terms of service of members of the Commission;
- (c) the organisation of the work of the Commission and the manner in which the Commission shall perform its functions;
- (d) consultation by the Commission with persons other than members;
- (e) the appointment, tenure of office and terms of service of staff to assist the Commission in the performance of its functions.

Appointment to
offices in public
service.

48. (1) Subject to the provisions of this Constitution, power to appoint persons to hold or act in offices in the public service of the State (including power to make appointments on promotion and transfer and to confirm appointments) and to dismiss and exercise disciplinary control over persons holding or acting in such offices shall vest in the Prime Minister.

(2) The Prime Minister may delegate to any officer in the public service any of the powers conferred on the Prime Minister by subsection (1) of this section.

Public Service
Commission
to advise Prime
Minister.

49. (1) The Prime Minister shall refer to the Public Service Commission for their advice on every matter relating to the appointment of any person to an office in the public service, or the dismissal or disciplinary control of officers in the public service or any other matter that affects the public service.

(2) It shall be the duty of the Public Service Commission to advise the Prime Minister on any question that he refers to

it in accordance with the provisions of this section but the Prime Minister shall not be obliged to act in accordance with the advice given to him by the Commission.

Commission
to advise other
officers.

50. (1) The Prime Minister may require any officer to whom he delegates any power under section 48 (2) of this Constitution to refer to the Public Service Commission for their advice, on such conditions as the Prime Minister may prescribe, any matter relating to the exercise of that power.

(2) It shall be the duty of the Public Service Commission to advise any officer on any question that he refers to it in accordance with the provisions of this section and in any case in which he is required by the Prime Minister to refer any matter to the Commission for their advice that officer shall act in accordance with the advice given to him by the Commission unless the Prime Minister authorizes him to act otherwise.

CHAPTER VII

MISCELLANEOUS

Resignations.

51. Any person who is appointed, elected or otherwise selected to any office established by this Constitution may resign from that office by writing under his hand addressed to the person or authority by whom he was appointed, elected or selected:

Provided that in the case of a member of the House of Assembly the resignation shall, unless otherwise provided by Federal law, be addressed to and delivered by him personally to the Speaker and in the case of a member of the House of Chiefs it shall be addressed to the President of that House.

Reappointments,
etc.

52. (1) Where any person has vacated any office constituted by this Constitution, he may, if qualified, again be appointed, elected or otherwise selected to hold that office in accordance with the provisions of this Constitution.

(2) Where by this Constitution a power is conferred upon any person or authority to make any appointment to any office in the public service, a person may be appointed to that office notwithstanding that some other person may be holding that office when that other person is on leave of absence pending relinquishment of the office; and where

two or more persons are holding the same office by reason of an appointment made in pursuance of this subsection, then for the purposes of any function conferred upon the holder of that office the person last appointed shall be deemed to be the sole holder of the office.

Existing laws.

53. (1) Subject to the provisions of this section, the existing laws shall have effect after the commencement of this Constitution as if they had been made in pursuance of this Constitution and shall be read and construed with such modifications, adaptations, qualifications and exceptions as may be necessary to bring them into conformity with this Constitution.

(2) The Prime Minister may by order make such amendments to any existing law as may appear to be necessary or expedient for bringing that law into conformity with the provisions of this Constitution or otherwise for giving effect or enabling effect to be given to those provisions.

(3) The provisions of this section shall be without prejudice to any powers conferred by this Constitution upon any person or authority to make provisions for any matter including the amendment or repeal of any existing law.

(4) For the purposes of this section "the existing laws" means all Ordinances, Laws, Proclamations, rules, regulations, orders, and other instruments having the effect of law made or having effect as part of the law of the State immediately before the first day of October, 1961.

Existing offices
and authorities.

54. (1) Subject to the provisions of this section, all offices and authorities established and existing immediately before the first day of October, 1961 shall, so far as is consistent with the provisions of this and the Federal Constitution, continue after the commencement of this Constitution as if they were offices and authorities established under this Constitution; and all persons who immediately before the commencement of this Constitution are holding or acting in established offices or are members of the established authorities shall, so far as is consistent with the provisions of this Constitution, continue in office as if they had been appointed, elected or otherwise selected thereto under this Constitution in the manner prescribed by this Constitution and to have taken any oaths necessary under this Constitution:

Provided that:

(a) any member of any authority who would have been required to vacate his office at the expiration of any period prescribed shall vacate his office accordingly; and

(b) the House of Assembly shall, unless sooner dissolved, stand dissolved on the date on which the House of Assembly of the State would have been required to be dissolved.

(2) The provisions of this section shall be without prejudice to any powers conferred by this Constitution upon any person or authority to make provisions for any matter, including the establishment and abolition of offices and authorities and the appointment, election or selection of persons to hold or act in any office or to be members of any court or authority and their removal from office.

Official language.

55. The official language of the State shall be the English language.

Amendment of Constitution.

56. (1) Subject to the provisions of subsection (2) of this section, the Legislature may alter any of the provisions of this Constitution.

(2) A bill for a Law under this section, in so far as it alters any of the provisions of this section, sections 1, 5, 6, 9, 16, 17, 28, 34, 35, 36, 37, 38, 46, 47, 48, 49, and 50 shall not be passed in either Legislative House unless it has been supported on second and third readings by the votes of not less than two-thirds of all the members of that House.

Interpretation.

57. (1) In this Constitution, unless it is otherwise expressly provided or required by the context:

"the Federation" means the Federal Republic of Cameroon;

"financial year" means any period of twelve months beginning on the first day of April in any year or such other date as may be prescribed by law;

"the House of Chiefs" means the House of Chiefs of the State as continued under section 9 of this Constitution;

"oath" includes affirmation;

"the oath of allegiance" means the oath of allegiance set out in the First Schedule to this Constitution;

"the President" means the President of the Federal Republic of Cameroon;

"the Prime Minister" means the Prime Minister of the State;

"the Public Service" means the service of the state in a civil capacity in respect of the government of the State;

"the Public Service Commission" means the Public Service Commission of the State established under section 46 of this Constitution;

"a State" means any Federated State of the Federation;

"the State" means the Federated State of West Cameroon; and

"West Cameroon" means the territory that immediately before the first day of October, 1961, was known as the Southern Cameroons.

(2) In this Constitution, unless it is otherwise expressly provided or required by the context:

(a) references to persons holding offices in the public service include references to persons acting in those offices; and

(b) references to offices in the public service include references to the offices of a judge of the High Court and references to the offices of members of all other courts established by any law, being offices the emoluments attaching to which are paid out of the Consolidated Revenue Fund or any other public fund of the State.

Transitional provisions.

(3) For the purpose of this Constitution the office of Secretary of State, a Parliamentary Secretary to such a Secretary of State, or a member of the Public Service Commission shall not be regarded as offices in the public service.

58. (1) The provisions of section 6 of this Constitution shall not come into operation until immediately after the next dissolution of the House of Assembly after the coming into force of this Constitution and until such time the House of Assembly of West Cameroon as constituted immediately before the coming into force of this Constitution is maintained.

(2) The provisions of sections 16 and 17 of this Constitution shall come into force on the publication of this Constitution in the Gazette, and until that time the mode of exercising legislative powers shall be as heretofore.

SCHEDULE

(Section 2)

OATH OR AFFIRMATION OF ALLEGIANCE

I, _____, do swear (or solemnly declare and affirm) that I will be faithful and bear true allegiance to the People of the Federal Republic of Cameroon

and particularly to the People of the Federated State of West Cameroon (so help me God).

**OATH OR AFFIRMATION OF OFFICE OF THE PRIME MINISTER
AND HEAD OF THE GOVERNMENT OF THE FEDERATED STATE
OF WEST CAMEROON**

I, _____, do swear (or solemnly declare and affirm) that I will well and truly serve the People of West Cameroon in the office of Prime Minister and Head of Government of the Federated State of West Cameroon and that I will observe the Constitutions of the Federal Republic of Cameroon and of the Federated State of West Cameroon (so help me God).

APPENDIX III

EAST CAMEROON CONSTITUTION

Law No. 61-LO-1 of the 1st November, 1961.

— Organisation of public powers in the Federated State of East Cameroon.

The Legislative Assembly of East Cameroon debated and adopted,

The President of the Federal Republic enacts the law set out below:

Article 1. — Within the framework of Part IX of the Constitution of the Federal Republic of Cameroon, the institutions of the Federated State of East Cameroon shall comprise:

- The House of Assembly (Legislative Assembly);
- The Government.

PART I

The House of Assembly

Article 2. — Legislative power shall be exercised by the House of Assembly under the conditions set forth in articles 40 and 41 of the Federal Constitution. The business of the House of Assembly shall be conducted in French.

Article 3. — (1) The House of Assembly shall be judge of the eligibility of its members and the regularity of their election.

(2) It may accept their resignation.

Article 4. — There shall be no compulsion in the exercise of any mandate. The right to vote of representatives shall be personal. Voting by proxy shall be authorized under the conditions laid down by ordinance No. 64-41 of the 16th April 1960 of the Republic of Cameroon.

Article 5. — The number of members of the Steering Committee of the House of Assembly and the procedure for their nomination shall be fixed by its rules of procedure.

Article 6. — Representatives may organise themselves into groups having political affinities or into groupings with special interests. Such groups and groupings may not comprise less than seven members, excluding allied representatives.

Article 7. — The House of Assembly shall set up working groups known as committees to whom the bills and resolutions of the Government and represen-