

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

LAW N<sup>o</sup> 2014/015 OF 1<sup>st</sup>8 JUL. 2014

**TO LAY DOWN PROCEDURES FOR THE FUNCTIONING OF  
PARLIAMENTARY COMMITTEES OF ENQUIRY**

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

**CHAPTER I**  
**GENERAL PROVISIONS**

**SECTION 1.-** This law lays down procedures for the functioning of the parliamentary committees of enquiry provided for in the Constitution and in the financial regime of the State.

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**CHAPTER II**  
**ESTABLISHMENT OF PARLIAMENTARY COMMITTEES OF ENQUIRY**

**SECTION 2.-** (1) The Parliamentary Committees of Enquiry referred to in Section 1 above shall be set up in any of the Houses, following a resolution taken by an absolute majority of Members of the National Assembly or Senators, as the case may be.

(2) The resolution referred to in sub-section (1) above shall clearly determine either the facts giving rise to an enquiry, or the Government services whose administrative, financial or technical management the Committee of Enquiry has to examine.

(3) The resolution shall specify the list of the members of the Committee of Enquiry, the number of whom shall not be greater than that of Members of Parliament in a General Committee of the House concerned.

**SECTION 3.-** (1) Immediately after its appointment, the Parliamentary Committee of Enquiry shall meet under the chairmanship of its Eldest Member to elect its bureau, comprising a Chairperson, a Vice-Chairperson and a Rapporteur, by a relative majority of its members and in a uninominal vote.

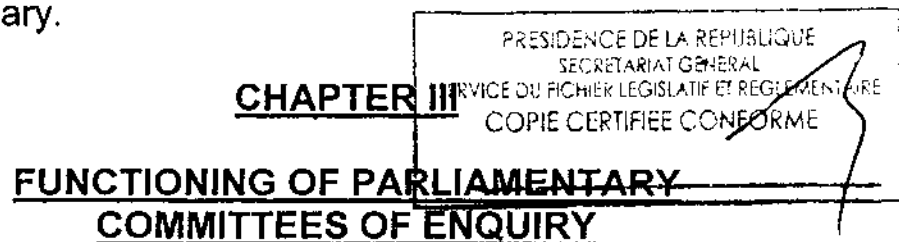
(2) Thereafter, each member of the Committee of Enquiry shall, while standing with the left hand on the Constitution and the right hand up and glove-free, take the oath before the House to which he belongs, saying:

*"I, ....., do swear before God and before men to serve the people of the Republic of Cameroon in honesty, to conduct parliamentary enquiries in accordance with the laws, regulations and customs of the Cameroonian people, without fear, favour or rancour, to ensure the confidentiality of proceedings*

*and, in all I do, to comport myself always and everywhere with dignity and loyalty”.*

**SECTION 4** -. (1) The duties of committees of enquiry shall terminate with the submission of their reports and no later than 12 (twelve) months from the date on which the resolution on their establishment was adopted. They may not be reappointed for the same purpose until a period of 12 (twelve) months has elapsed after termination of their duties.

(2) Where the issue concerns public finance, the duties referred to in sub-section (1) above shall not exceed six (6) months, renewable as and when necessary.



**SECTION 5** -. (1) The Parliamentary Committee of Enquiry shall conduct documentary and on-the-spot investigations. All information likely to facilitate its work must be provided.

(2) As such, it shall be authorized to request documents from any service, with the exception of those covered by confidentiality or secrecy and concerning national defence, and internal or external security of the State.

(3) The Parliamentary Committee of Enquiry may take any precautionary measures, including seizing and placing under seal any document relating to the object of its mission and necessary for establishing the truth.

(4) For the purposes of its mission, the Parliamentary Committee of Enquiry may also, on behalf of the people of Cameroon, seek assistance from any person, civil servant, public authority, as well as any element of the forces of law and order.

**SECTION 6**-. (1) Any person who a Parliamentary Committee of Enquiry deems useful to be heard, is bound to honour the summons served him for that purpose.

(2) Whoever fails to appear without providing any legitimate reason or who provides a false excuse, or refuses to give his statement,

take the oath or to disclose service documents, subject to the provisions of Section 5 above, shall be punished, as appropriate, in accordance with the provisions of the Penal Code.

(3) In case of perjury or subornation of witness or where it is established that the statement of the witness claiming not to know anything is untrue, the provisions of the Penal Code shall be applicable.

(4) In each of the cases referred to in sub-sections (2) and (3) above, prosecution shall be initiated at the request of the Chairperson of the Committee or at the request of the Bureau of the House concerned, where the latter's report has already been submitted.

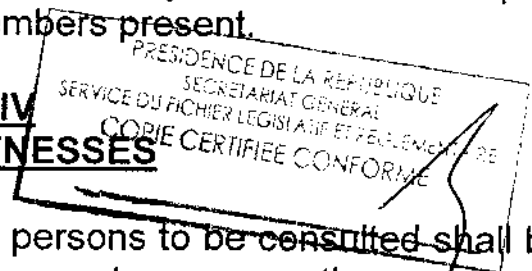
**SECTION 7.**- The witness summons shall be signed by the Chairperson of the Committee, and served by a bailiff or police officer. It shall, in particular, specify the purpose, date, place and time of the hearing.

**SECTION 8** -. (1) The proceedings of the Parliamentary Committee of Enquiry shall be in camera and at the seat of the institutions of the Republic.

(2) However, where the proceedings are to be held outside the seat of the institutions referred to in sub-section (1) above, the proposed movement of the Parliamentary Committee of Enquiry shall first be submitted to the Bureau of the House concerned for approval.

(3) The deliberations of the Parliamentary Committee of Enquiry shall be conducted with a majority of its members present.

#### **CHAPTER IV** **HEARING OF WITNESSES**



**SECTION 9-** (1). Witnesses to be heard or persons to be consulted shall be heard each in turn, alone and in such a way as to preserve the secrecy of the proceedings of the Committee.

(2) Witnesses shall testify orally and may provide any written document they deem necessary to support their statements and which they shall countersign. They shall swear to tell the truth, the whole truth and nothing but the truth.

(3) Such statements and documents may not be used to prosecute them, subject to the provisions of Section 6(3) above.

**SECTION 10.-** (1) Witnesses shall answer the questions put to them by members of the Committee in the same manner, since such questions are intended to gather information and not to demand justification or evidence of the information requested.

(2) However, the witness is not required to disclose information that is covered by the rules of secrecy set out in Section 5(2) above. Mention shall be made of such secrecy, if applicable, on the margin of the witness' statement and signed by him.

(3) After being heard, the witness shall be requested to listen to his statement read or, if necessary, by signing it, to make handwritten corrections in the margin, and to sign the statement.

**SECTION 11.-** (1) Where the witness does not understand the working language of the Committee, the Chairperson shall request the services of an Interpreter who shall swear "*to assist the Committee on his honour and conscience.*" The swearing shall be recorded in the minutes of the hearing.

(2) The minutes of the hearing, written with single-line spacing, shall be signed by the members of the Committee, the Interpreter and the witness. They may approve any marginal notes and deleted statements. Where the witness is unable to sign, he shall affix his fingerprints at the bottom of the statement and the words "*the witness insists and declares that he cannot sign*" are entered in the document.

**SECTION 12.-** (1). During the mission, the Parliamentary Committee of Enquiry shall inform the Bureau of the House concerned, if necessary, of any difficulties encountered and which are likely to impede the discharge of its duties.

(2) If the difficulties persist until the expiry of its mandate, the Committee shall mention them in its report while requesting the extension of its mission, if need be.

**SECTION 13.-** (1) The investigation shall close with the adoption, by an absolute majority of the members of the ~~Parliamentary Committee~~ of Enquiry, of a report signed by the Chairperson and the Rapporteur, and which shall be submitted to the Bureau of the House concerned no later than five (5) days following the expiry of the period prescribed for the said Committee.

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(2) A draft resolution shall be attached to the report. In addition, all documents collected in the course of the investigation, the list of witnesses and persons consulted, minutes, and any statements or reservations explicitly made and signed by some members of the Committee shall also be attached to it.

(3) Where the Parliamentary Committee of Enquiry fails to submit its report within the period provided for under Section 4 above, its Chairperson shall transmit the documents in his possession to the Bureau of the House concerned. Such documents may not be published or discussed.

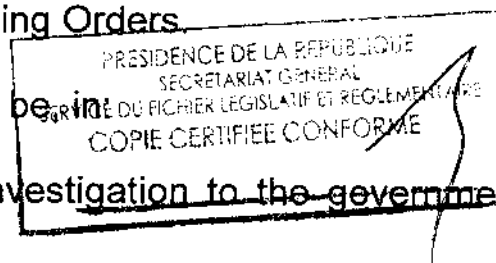
## CHAPTER V CONCLUSION OF THE PROCEEDINGS OF THE PARLIAMENTARY COMMITTEE OF ENQUIRY

**SECTION 14.-** (1) The resolution of the Parliamentary Committee of Enquiry shall be discussed and adopted by the members of the House concerned following the procedure laid down in its Standing Orders.

(2) It shall result, as the case may be, in

- the forwarding of the reports of the investigation to the government services in charge of Justice for action;
- a request for a personality to be brought before the Court of Empeachment, where such a personality or the facts of the matter fall within the jurisdiction of that Court;
- a request for the Government to initiate any political, regulatory or administrative action based on the findings of the Parliamentary Committee of Enquiry.

(3) In matters pertaining to public finance, the Parliamentary Committees of Enquiry shall be bound to forward any fact likely to result in a criminal sanction that they are aware of to the judicial authorities. Moreover, they may refer the matter to the body responsible for ensuring fiscal discipline.



**CHAPTER VI**  
**FINAL PROVISIONS**

**SECTION 15.** The documents of Parliamentary Committees of Enquiry shall be kept under seal in the Archives of the House concerned. All reports or parts thereof which the House concerned has decided not to authorize publication shall also be kept under seal in its Archives.

**SECTION 16.** (1) Any member of a Committee of Enquiry or any person attending or taking part in the deliberations of such a Committee in any capacity shall be bound by secrecy.

(2) Any member of a Parliamentary Committee of Enquiry who breaches the rule of secrecy may, based on the report of the Committee and after hearing the said member, be expelled from the Committee by a decision of the House taken without debate.

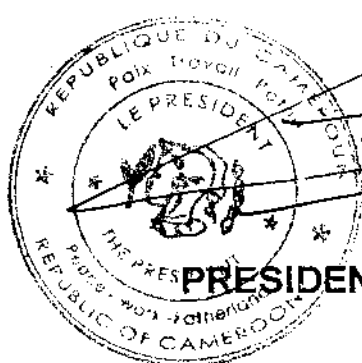
(3) The Chairperson of the Committee of Enquiry may, pending the decision of the whole House, suspend the said member from the work of Committee of Enquiry.

(4) Any person publishing information relating to the work, proceedings, acts or unpublished reports of Committees of Enquiry shall be liable to punishment in accordance with the legislation governing the release of official secrets.

**SECTION 17.** Expenses relating to the functioning of Parliamentary Committees of Enquiry shall be borne by the budget of the House concerned, upon the approval of its Bureau.

**SECTION 18.** This law shall which repeals all previous provisions, shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French./-

YAOUNDE, 18 JUL. 2014



  
**PAUL BIYA**  
**PRESIDENT OF THE REPUBLIC**