

**PRACTICAL GUIDE ON
INTER-COUNCIL COOPERATION AND SOLIDARITY IN
CAMEROON**

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Preface

Inter-council cooperation gives councils the opportunity to come together in a public establishment to provide certain services or to carry out economic development or town planning projects.

Inter-council cooperation that makes it possible for councils to pool their strengths and skills when the stakes are beyond those of a single council, was subject to legal instruments almost eight years ago, with the 2004 laws on decentralization. Decrees No. 2011/116/PM of 26 April 2011 on the conditions for decentralized cooperation and No. 2008/0752/PM of 24 April 2008 laying down detailed rules on the organization and functioning of the executive and legislative bodies of councils, city councils, council unions, have strengthened and organized. Cooperation between the councils is prompted by the will of councils to develop joint projects within a clearly defined area of solidarity. Although inter-council cooperation has since then been codified, it is still not very known to the general public, and particularly council stakeholders.

It is in this context that the "Guide on inter-council cooperation in Cameroon" should be placed. It aims to inform, educate and raise awareness. From an informational point of view, it aims to disseminate the legislative and regulatory framework of inter-council cooperation and solidarity in Cameroon, with their breakthroughs, to provide information on the conditions of establishment of council unions, decentralized cooperation, the effectiveness of inter-council cooperation and solidarity in Cameroon, etc.

Pedagogically and didactically, the objective is to develop the capacities of actors of decentralization on the issue under review, while by arousing awareness, the guide aims to highlight the benefits of inter-council cooperation and solidarity, and therefore mutual assistance in the context marked by constraints due to inadequate resources to ensure local development.

More practically, the purpose of the guide is:

- Making available an information and guidance tool for inter-council cooperation that is accessible to a large number of Cameroonian regional and local authorities and other local development actors;
- Providing institutional and legal references, as well as relevant information on decentralization and on the principles of inter-council cooperation;
- Enabling councils to have an approach and tools to establish, with greater ease, inter-council relations;
- Explaining the benefit for local authorities to consider inter-council cooperation as a way to strengthen their capacities;
- But also presenting models of documents, such as agreements, deliberation, etc. and some reference texts.

Abbreviations

EPI: Inter-council Public Establishment

FEICOM: Special Council Support Fund for Mutual Assistance

GIZ : *Deutsche Gesellschaft für Internationale Zusammenarbeit*

ICDC: Inter-ministerial Committee for Decentralized Cooperation

LA: Local Authorities

MINATD: Ministry of Territorial Administration and Decentralization

MINEPAT: Ministry of Economy, Planning and Regional Development

PADDL: Decentralization and Local Development Support Programme

PNDP: National Community-driven Development Programme

RLAs: Regional and Local Authorities

SYCOMI: Union of Councils of Mbam-and-Inoubou Division

SYNCONYK: Union of Councils of Nyong-and-Kelle Division

INTRODUCTION

Law No. 74/23 of 5 December 1974 to organize councils had given rise to the creation of the first council groupings across the country, on the initiative of the State. The advent of these groupings called council unions tacitly provided for the phenomenon of inter-council cooperation in Cameroon. But multiple management problems have led the State to put an end to these unions and the law was repealed.

Inter-council cooperation was revived through the decentralization policy and its founding documents. The laws of 2004 form the legal framework, in particular Law No. 2004/017 of 22 July 2004 (section 16) on the orientation of decentralization, and Law No. 2004/018 of 2 July 2004 (sections 131-143) on the rules applicable to councils. The latter gives a new impetus to the grouping of Local Authorities, dubbed "**inter-council cooperation and solidarity**" in Part VI. Councils wishing to pool their efforts now have a legal framework that allows them to implement this development drive.

To better assist local elected officials in the implementation of these new forms of collaboration, this practical guide is the result of concerted action between the government (MINATD, MINEPAT), public establishments (FEICOM, CEFAM), local elected officials (UCCC), with technical and financial support of the German cooperation through its Decentralization and Local Development Support Programme (PADDL/GIZ).

The production of this *practical Guide* is based on a review of the legal and regulatory framework on decentralization, harnessing of the experience of existing unions (SYCOMI, SYNCONIK) and on the use of documents containing recurrent questions/problems identified by decentralization stakeholders during themed days / seminars / conferences organized by PADDL, in collaboration with MINTAD.

This guide is divided into three parts:

- 1- General provisions on inter-council cooperation and solidarity;
- 2- Conditions for implementation of inter-council cooperation and solidarity;
- 3- Inter-council cooperation and solidarity drive.

Part one: GENERAL PROVISIONS

Item 1: Concept of inter-council cooperation and solidarity

In Cameroon, the terms inter-council cooperation and solidarity refer to the concept of inter-council cooperation.

What is inter-council cooperation?

In the Cameroonian context, inter-council cooperation refers to a process that enables councils to pool and manage together their resources (human, material, financial) to ensure optimal operation of a local service.

This may dwell on household garbage disposal, water, sanitation, urban transport, designing of economic development projects/programmes, planning, urban planning, etc.

What are the forms of inter-council cooperation?

Council unions

According to section 134 of law No. 018 2004 laying down the rules applicable to councils, a council union shall be an Inter-council Public Establishment (IPE) endowed with legal personality and administrative and financial autonomy.

Make the difference between the council union and a professional trade union which is a group of people exercising the same profession, set up to defend their occupational interests whose organ for state recognition is the Registrar of Trade Unions appointed at the Ministry of Employment and Vocational Training.

Decentralized cooperation

According to Decree No. 2011/1110/PM of 26 April laying down the procedures for decentralized cooperation, the latter shall mean any partnership relationship between two or more local authorities or their grouping, to achieve common objectives.

What are the differences between council union and decentralized cooperation?

The main difference lies on the administrative territorial space for each of these forms of inter-council cooperation and solidarity.

Specificities of council union

A council union shall be a legal entity, more precisely a permanent body through which *councils of the same division or the same region may come together with a view to realizing inter-council operations.*

Councils belonging to different regions shall not form a union.

Specificities of decentralized cooperation

- It shall not take into account the territoriality of its partners. This is clearly stated in Article 2 (2) of the Decree of 26 April 2011 according to which «*Decentralized cooperation can take place between Cameroonian local authorities or their groupings on the one hand and between them and foreign regional authorities on the other hand*» ;
- It may be ad-hoc ;
- It shall not be based on an administrative structure.

Decentralized cooperation shall enable councils and their groupings to establish links outside their region and even their country.

Table 1: Specificities of council union / decentralized cooperation

Domains	Council union	Decentralized cooperation
Territory	Cameroonian councils of the same division or region	Cameroonian councils of different division / region and foreign councils
Management	Formal management body	No formal management body but an operating agreement

Points of convergence

However, there are a few similarities between the two mechanisms:

- Realization of common development goals;
- Commitment by agreement which is a form requirement, for both decentralized cooperation and council union ;

- Prior authorization of deliberating organs.

Reminders about the legal and institutional framework

The regulation in force on inter-council cooperation in Cameroon encompasses a set of legal instruments.

- Law No. 2004/017 of 22 July 2004 on the orientation of decentralization ;
- Law No.2004/018 of 22 July 2004 on rules applicable to councils ;
- Law No. 2009/011 of 10 July 2009 relating to the fiscal regime of RLAs;
- Law No. 2009 / 019 of 15 December 2009 on the local tax system ;
- Decree No. 2009/248 of 5 August 2009 to lay down conditions for evaluation and distribution of the Common Decentralization Fund;
- Decree No. 2008/0752/PM of 24 April 2008 on the organization and functioning of the executive and deliberative bodies of councils, city councils, council unions;
- Decree No. 2011/116/PM of 26 April 2011 laying down conditions for decentralized cooperation;
- A set of ministerial orders concerning specifications detailing the conditions and technical terms for the exercise of certain powers transferred by the State to the Councils in the various sectors.

Related concepts

Twinning is a form of decentralized cooperation to enable Cameroonian and/or foreign councils to combine their efforts for the realization of projects of common interest.

The **understanding** is an administrative entity which may be formed by two or more divisions, through their leaders, to deliberate on issues of divisional interest for their both respective divisions. This form of cooperation is not provided for in Cameroon and does not seem to be in use.

The **association** is a grouping under private law governed in Cameroon by the law of 19 December 1990, established between persons (natural or legal) who decide to share their knowledge or activities on a permanent basis for a purpose other than sharing profits.

Main actors of inter-council cooperation and solidarity

Regional and Local Authorities (RLAs) comprising councils and regions.

As concerns councils in particular, two or more Cameroonian councils of the same division may decide to come together within the framework of a council union; Cameroonian councils not belonging to the same region, Cameroonian and foreign councils may come together within the framework of decentralized cooperation.

As for **Deconcentrated State Services (DSS)**, they are administrative bodies characterized within the State, by the devolution of the power of decision by delegation to bodies belonging to the central government and to which they remain subject. This results in the central and external services. Thus, in the case of the region or division, the governor and the senior divisional officer are deconcentrated authorities.

Stakes of inter-council cooperation and solidarity. It offers to councils numerous opportunities, inter alia:

- Taking action and working more efficiently, despite their inadequate material and human resources, as well as their debt situation;
- Working together for a greater mobilization of financial resources and technical support from partners;
- Enabling the most disadvantaged local authorities to benefit from the solidarity of others.

Interest of inter-council cooperation and solidarity: The main interest is the realization of savings and acquisition of more skills through capacity building.

Item 2: Principles of inter-council cooperation and solidarity

The autonomy of the councils could prove to be a major hindrance to the success of inter-council cooperation. It is therefore important to introduce principles that form the foundation governing sound inter-council cooperation, so that local authorities that commit themselves can use them to ensure the proper conduct of their commitments.

Experiences of inter-council cooperation are based on the principles of commitment, legality, fairness and solidarity, as well as exclusivity and equality. In Cameroon in particular, the decree of 26 April laying down the procedures for decentralized cooperation Article 11 specifies that *"The conclusion of a decentralized cooperation agreement must comply with the principles of equality, solidarity, reciprocity and continuity of personality of the parties "*. It can reasonably be assumed that these principles should also govern inter-council cooperation and solidarity which is carried out through the establishment of a council, insofar as the goal is the same.

Cooperative commitment

Commitment is characteristic of a free and informed agreement of a council to be part of an inter-council cooperation. There is no obligation to join a council union or a decentralized cooperation agreement. However, once the desire has been expressed, the respect of commitments by stakeholders stems from the free agreement of each of them and requires

them to enforce the agreement that binds them. This execution must also be in good faith, and can even involve the requirement to refrain from any act or attitude that may affect the achievement of the objectives set by mutual agreement.

Moreover, it should be noted that the intention of municipal authorities to get together goes beyond the mere individual will. It is a political will related to their status as agents of state entities, willingness illustrated by pooling efforts in the implementation of decentralization.

Legality of the purpose of cooperation

The legality requirement is a direct consequence of the existence of a legal framework. Inter-council cooperation and solidarity are the result of the adoption of a number of instruments which form the legal and regulatory base. Any solidarity agreement is valid only if it is in compliance with the legal instruments that directly or indirectly govern the grouping of councils or decentralized cooperation. These instruments are not only those that constitute the general framework like those related to decentralization, councils, financial regime of regional and local authorities, the common decentralization fund, but the specific framework encompassing instruments whose purpose is the council union of local or decentralized cooperation.

As a result, the structure and or agreement, by the inter-council cooperation standard, must have official recognition. The latter involves obtaining, if necessary, authorization of the supervisory authority, or at least the necessary exposure.

Equity/Solidarity of cooperators

The **principle of equity** is complementary to justice and objectivity in the distribution of rights and obligations that must be proportional. This excludes situations that could lead to frustrations with respect to each other in achieving inter-council actions. In fact, it is based on this principle that must be fixed rules of deliberation, as well as planning of projects to be implemented in the various divisions. Solidarity is inherent to any group and expresses for each member of the group, the sense of belonging to a common project.

Exclusivity of the powers devolved

The range of powers in the domain of inter-council cooperation and solidarity is limited. This is expressed by the *principle of specialty*. This limitation of powers makes the member councils to devolve to their union only the powers necessary to carry out the tasks assigned to it. In this way, the inter-council structure is vested, in the place of its members, with powers of decision and execution. In other words, this principle of exclusivity translates the continuity of the personality of the parties.

As an illustration, it may be recalled that section 16 (2) of law No. 2004/017 of 22 July 2004 on the orientation of decentralization, states that «*Where a grouping of regional local authorities jointly exercises powers over an area that is subject to devolution, such devolution shall benefit the entire grouping concerned, on the strength of the deliberative body of each of the regional and local authority concerned. In such case, the regional and local authorities concerned shall establish, among themselves, agreements by which each authority undertakes to place its services or resources at the disposal of the other authority, with a view to facilitating the exercise of such powers by the beneficiary local and regional authority*».

Equality of councils

The principle of equality partakes of democracy and means that in the inter-council agreement, no council, regardless of its size or financial strength, has supremacy over others. Such equal treatment can only contribute to the dignity and mutual respect that are essential to the dynamics of the group.

Delegation of powers is a mode of administration of inter-council cooperation and solidarity. Through this operation, the councils bound by the cooperation agreement devolve certain powers to the council union that exercises them in their place. This delegation should reflect the scope of inter-council cooperation **specified in the agreement**.

Part two: CONDITIONS FOR IMPLEMENTATION OF INTER-COUNCIL COOPERATION AND SOLIDARITY IN CAMEROON

This part summarizes the operations to be performed and the procedure to be followed. In this sense, councils and their grouping must agree on the cooperation project, and then formalize it in accordance with the regulatory framework.

Item 1: Establishing inter-council cooperation/solidarity

The first item dwells on the common aspects of the two forms provided by the regulations, namely decentralized cooperation and the council union.

Indeed, regulations provide, whatever the form envisaged, to enter into an agreement which is the manifestation of the willingness and commitment of councils seeking to pool their efforts.

The **agreement** is a voluntary contract between two or more persons, intended to produce legal effects. The union agreement for example is designed to generate rights and obligations between partners; the decentralized cooperation agreement has the effect of determining the scope and object binding the parties which have concluded it.

Given that an agreement involves at least two councils, it is important to know what steps to take in order to conclude it so that it produces its legal and practical effects. The process shall therefore start from initiation (**Step 1**) to validation of the decision (**Step 2**).

Step1: Initiation of inter-council cooperation and solidarity

The idea of embarking on inter-council cooperation generally arises from the existence of needs that can hardly be met with the resources of a single council. One of the first activities to be undertaken is to identify those needs to actually measure their extent.

Why get involved?

Solving one or more problems of common interest, may lead to think about pooling resources between two or more councils. For example, it is possible that populations of the same area face the same daily realities, despite the administrative division. Thus, there is a convergence of objectives and socio-economic interests.

The existence of an **opportunity to be seized** may arouse in councils the idea to join together. For example, a major project to carry out, a call for collective application, looking

for technical experts for the implementation of a construction project; seeking financial support from financial partners or bilateral or multilateral cooperation, etc.

With whom to engage?

Partners to any form of inter-council cooperation and solidarity shall be councils or their groupings, based in Cameroon and abroad.

The partner profile depends on the problem to be solved or the opportunity to be seized.

What form to choose?

Once the needs or the opportunity to seize have been identified, discussed and agreed on, councils shall enter into negotiations to define the relevant type of partnership relationship. They shall choose between the council union and decentralized cooperation. This choice must take into account the advantages and disadvantages of each form, as well as the objective to be achieved and the sustainability of the solution. To this end, all stakeholders must contribute to the development of the project document to be used. This work can be carried out in collaboration with the deconcentrated technical services of the State or any other expertise that they use.

*The **council union** is a permanent inter-council structure that requires the implementation of organs whose operation is supported by the member councils.*

***Decentralized cooperation** has the advantage of committing partners just for the duration of the activity to be performed. It does not require the establishment of a structure.*

Stage 2 - How to get involved?

Once the project document has been prepared, each of the mayors shall convene his municipal council to vote *by a majority of at least two thirds (2/3)* a deliberation empowering him to adhere to the form of partnership relationship chosen.

It should also be noted that this internal step is crucial, given that the empowering decision shall be required of each council in the formalization of the partnership.

It is advisable to establish a working group consisting of representatives of all the councils concerned to develop draft basic instruments, namely the agreement which materializes membership.

It should therefore be said that there is need for deliberative bodies of councils to be cognizant of these instruments in order to discuss and amend them if necessary prior to approval.

What is the content of a cooperation and inter-solidarity agreement?

It must be kept in mind that the agreement is the manifestation of the will and, as such, characterized by the freedom of the parties, subject to compliance with laws and regulations. It is some sort of terms of reference intended to govern relations between the partners. This is why it must reflect the aspirations of the signatories and clearly translate their commitments.

As concerns decentralized cooperation in particular, as per article 13 of the decree to lay down conditions for decentralized cooperation projects of decentralized cooperation, draft decentralized cooperation agreements should clearly state:

- the purpose of the partnership envisaged;
- the objectives of the parties;
- the conditions for implementation of activities;
- the timing of planned activities;
- the scope of the rights, duties and responsibilities of the parties;
- the estimated amount of the financial obligations of each party;
- the conditions for supervision, monitoring and evaluation of projects;
- the conditions for settlement of disputes;
- The duration of the agreement.

Regarding the council union, section 133 (2) of the 2004/18 Law states that «*the said agreement shall lay down the conditions of functioning and management of the union, as provided for by this law* ». This provision is more open and relies on the willingness of the parties.

Special provisions may be included in agreements, according to the importance attributed to them by the parties.

The agreement shall specify what councils plan to achieve together, how they intend to do, when, with whom, etc.

Item 2: How to formalize inter-council cooperation and solidarity?

On this point, a distinction must be made between the formalization of a decentralized cooperation (A) and that of a council union (B).

A- How to formalize a decentralized cooperation?

As a reminder, law No. 2004/018 of 22 July 2004 laying down rules applicable to councils, dwells on decentralized cooperation under chapter 1, part VI. It is supplemented by decree No. 2011/1110/PM of 26 April 2011 relating thereto.

These instruments empower Cameroonian local authorities to freely build cooperative relations between them for development purposes. For this purpose and within the framework of decentralized cooperation, councils may form groupings within the limits of their powers given their common characteristics, inter alia:

- geographic characteristics;
- sharing the same theme;
- convergent economic interests ;
- Environmental, mining, tourism, agro-pastoral and cultural issues, among others.

Obviously, the field of decentralized cooperation is very open. Moreover, the law also establishes a difference on the formalization procedure, depending on whether a cooperation partnership is established between Cameroonian councils exclusively **(1)**, or between them and foreign local authorities **(2)**.

1) Procedure to enter into a decentralized cooperation between Cameroonian councils

Notification to MINATD

Decentralized cooperation agreements between Cameroonian councils or their groupings shall be notified to the Ministry in charge local authorities through the competent representative of the State.

Time-limit for review of the agreement

Within thirty (30) days from the date of receipt of the application, the Minister in charge of local authorities shall review the agreement. Beyond this limit, the agreement shall be fully enforceable. This means that the silence of the supervisory authority after the deadline for the review of the agreement shall mean its entry into force and implementation by the parties.

Finally, posting formalities in the premises of each council and senior divisional office have to be carried out.

2) Procedure for concluding a decentralized cooperation partnership between Cameroonian and foreign councils

Prior approval of MINATD

The draft decentralized cooperation agreement between Cameroonian councils and any foreign local authority or their grouping shall be subject to the prior approval of the Minister of Territorial Administration and Decentralization. In addition to the draft agreement, the file submitted shall comprise:

- the deliberation authorizing the negotiation;
- the deliberation validating the draft agreement;
- the report stating the results of the negotiations and the identity of the partner;
- the complete technical file of proposed projects;
- The financing plan stating the different resources.

Application for prior authorization

In concrete terms, mayors shall submit a request to the Inter-Ministerial Committee for Decentralized Cooperation (CICOD) enclosing the draft agreement proposed. The Committee shall deliver its opinion on the draft and forward it to the Minister for approval. Approval of MINATD is a condition for development of the agreement. The regulation says nothing about the request, but it can reasonably be assumed that it is a simple application accompanying the draft agreement proposed.

Time-limit for review of the file

Within thirty (30) days from the date of receipt of the application, the Minister in charge local authorities who is the chairperson of the Inter-Ministerial Committee for Decentralized Cooperation (CICOD) shall approve the draft decentralized cooperation agreement submitted.

This means that the Minister's approval is a requirement.

A copy of the agreement signed after approval shall be forwarded to the Minister in charge local authorities within ten (10) days by the competent representative of the State.

What should be done in case of refusal of approval?

The council that has been notified of the reasons for the refusal of MINATD must make the necessary amendments in relation to the irregularities noted in the file and forward it again to the Minister in charge of local authorities for approval of the draft agreement. The file to be re-submitted shall include the same constituent items and follow the same procedural forms patterns as the first.

Important to know! Decentralized cooperation agreements between Cameroonian councils shall be subject to *a posteriori* control, while those with foreign local authorities or their grouping shall be subject to *a priori* control.

B - How should a council union be formalized?

As a reminder, law No. 2004/018 of 22 July 2004 laying down rules applicable to councils, dwells on decentralized cooperation under chapter, part VI.

Pursuant to section 133, « *Councils of the same division or region may, by at least two thirds (2/3) majority of the decision of each municipal council, form a union with a view to realizing inter-council operations*».

A general assembly shall be required for the adoption of basic instruments and the appointment of the first officials.

Organization of the constituent general assembly

This assembly includes the mayors of the councils concerned, each holder of a deliberation of his municipal council authorizing him to sign the agreement for setting up a union.

Indeed, the objective is to translate in a concrete act the will previously expressed by each of the councils to be part of a collective endeavour.

Supervisory authority of the union

In the case of councils of the same division, the supervisory authority shall be the Senior Divisional Officer of the said division.

In the case of councils of the same region but from different divisions, no details were given as to the relevant supervisory authority. Therefore, one might consider that the Minister in charge of regional and local authorities is the supervisory authority of such a council union.

Agreements are commitments made by signatories. They must therefore not only be respected, but executed in good faith.

IMPORTANT TO KNOW

Within the meaning of Cameroonian law, decentralized cooperation can occur between Cameroonian councils or between them and foreign municipalities. However, it should be noted that there are certain types of valid international cooperation that do not fit in the classic framework, namely the **direct cooperation** between Cameroonian regional and local authorities and international solidarity organizations.

**Part three - ORGANIZATION AND FUNCTIONING OF COUNCIL UNIONS AND THE
DECENTRALIZED COOPERATION REGIME**

Point 1 – Organization and functioning of council unions

A. Organization of council unions

a- The main bodies

- the union board ;
- the union chairman.

Law 2004/18 of 22 July 2004 laying down rules applicable to councils under section 135 (1) sets out the organizational pattern of council unions: the union board and the union chairman.

Other optional organs, but necessary for the operation of the union, may be added to these legal bodies.

1) The union board

Composition of a union board

The union board shall comprise three representatives per council including:

- the mayor;
- two (02) councillors chosen by deliberation of the municipal council of each unionized council.

What are the duties of a union board?

The union board shall be the deliberative body of the council union. To this end, it shall scrutinize and deliberate on:

- the budget of the union;
- the administrative and management accounts of the union;
- the acquisition, transfer and exchange of union property;
- the union action programme;
- the requests for intervention of unionized councils;
- membership of new councils;
- Management of a public enterprise or an inter-council public establishment.

The term of office of councillors serving on the union board shall be governed by the legal provisions of the council to which they belong. In case of vacancy or resignation, the councils concerned shall, by means of deliberations, appoint new representatives.

2°) The union chairman

Method of choosing the union chairman

The union chairman shall be the executive authority of the council union. He shall be elected from among members of the union board for a one year renewable term of office. (See paragraph 3 of section 135 of Law 2004/018).

The union chairman shall not necessarily be a mayor. The union chairman may also be a councillor member of the union board.

The duties of the union chairman

The union chairman shall be the executive authority of the council union. He shall represent the union in all matters and before the law courts. As such, he shall:

- be answerable to the union board;
- implement the recommendations and decisions of the union board;
- be the authorizing officer of the budget of the union;
- propose the organization chart and the action plan of the union;
- authorize income and expenditure operations;
- prepare and present the union accounts;
- conclude contracts in accordance with the instruments in force;
- Take out leases, contract loans and perform acts relating to the acquisition, sale, transaction, exchange, sharing or acceptance of gifts and legacies.

This list of duties shows that the chairman has an important place in the administrative functioning of the union, namely, the implementation of the decisions of the union board and budget management. There are risks that he may be responsible for everything, insofar as he has not given up his duties in his council. It is therefore necessary to set up a team that assists him in his mission. Members of this team should be assigned specific duties.

In the establishment of management bodies, the decree of 24 April 2008 provides in article 8 that the union board may establish committees to review issues within their competence, during the first annual session.

b- Support bodies recommended for proper operation

The ability to create other bodies exists since the union agreement is governed by the parties' freedom. They have the freedom to create, beside the bodies defined by law, additional bodies necessary for the proper functioning of their structure. Councils may provide in the setup of the union, administration and management bodies which by their functional utility, are responsible for supporting the union president in the daily management of the structure.

Body in charge of administration

This body shall be responsible for the daily administration of the union. Traditionally, groupings adopt various patterns; the most common are the permanent secretariat or the executive secretariat. But in reality, their functions are identical. This body shall be responsible, among other things, for the preparation of annual budget of the union and its administrative account. It shall work closely with the accountant to ensure consistency of financial and accounting operations (administrative account and management account).

Body in charge of finance

In particular, there shall be an accountant who would take care of all financial and accounting operations. He shall produce a management account consistent with the administrative account at the end of the financial year.

Bodies in charge of technical aspects

In particular, there shall be engineers and other managers of the union's projects.

The council union may appeal to the supervisory authority for making available qualified personnel (public accountant, secretary general, etc.).

c- An example of a simplified structure

A simplified structure of a council union may, for reference only, be as follows:

- the union board ;
- the union executive comprising:
 - o a union chairman;
 - o a permanent/executive secretary;
 - o a technical official;
 - o an accountant;
 - o an assistant.

This is only a simplified outline of an organization chart; it shall therefore be essential for the union president to develop an organization chart.

Recommendation: It is strongly recommended that council unions have permanent and qualified personnel. In addition to this staff, they can rely on the expertise of personnel of DSS for assistance in the exercise of the duties of contracting authority.

Watch out! The bodies responsible for the administration and accounting are not union members and yet have a fundamental role for the proper functioning of the structure. Their recruitment should therefore be carefully carried out through a competition. A call for expressions of interest may be launched with the terms of reference describing the tasks and the desired profile for each position.

B. Functioning of council unions

a- Operational procedures

The performance standards of council unions shall be recorded in the agreement which is the law of its members. It is important to provide in this document the information not available in the law when drafting it.

As concerns the system of deliberation, the law requires that proceedings and deliberations of the union board be communicated by the chairman to mayors of unionized councils. The latter shall communicate the said proceedings and deliberations to their municipal council during the session immediately following the council board session.

b- Budgetary and accounting management

The law laying down the rules applicable to councils states that « *the resources needed by a council to exercise its powers shall be devolved upon it either by tax transfers or ceded revenue or both* ».

Thus, the resources of council unions shall be derived from:

- contributions of councils;
- the common decentralization fund ;
- FEICOM funding;
- funding from other public institutions;
- proceeds from various partnerships;
- resources generated by the services / activities of the union;
- gifts and legacies ;
- etc.

Management of these resources must comply with the principles of traditional management of public finances. (See Law No. 2009/011 of 10 July 2009 on the financial regime of regional and local authorities).

To ensure the regularity and effectiveness of the contributions of member councils, it is recommended that councils take deliberations authorizing FEICOM to withhold their contributions at source to pay them on the bank account of the council union.

c- Monitoring and control of council unions

Internal control of council unions shall be ensured by the deliberative body.

External control of council unions concerns the legality and performance of the management of local authorities and local public institutions. It shall be exercised by the specialized services of the State, in accordance with laws and regulations.

C- Dissolution of council unions

The Council union shall be dissolved as of right by the will of its members.

Dissolution as of right shall occur upon expiry of its duration or completion of the operation which it had as its objective.

By **resolution of the councils** concerned made by at least a two thirds (2/3) majority of the members of each council, in accordance with ordinary law.

The dissolution instrument shall determine, subject to the third party rights, the conditions under which the union shall be liquidated.

Item 2: The decentralized cooperation regime

Decentralized cooperation shall be governed by the provisions contained in the agreement.

Functioning

a- Budgetary management of decentralized cooperation

Article 41 of decree 2011/1116/PM of 26 April laying down conditions for decentralized cooperation states that the funds intended for financing decentralized cooperation projects are mainly:

- resources of the RLAs concerned;
- State resources;
- resources from decentralized cooperation;
- financial support from development partners;
- resources from FEICOM;
- Any other resources provided by law.

Article 42 of the same decree states that these shall be **public funds**, thereby subjecting their management to the rules of public accounting in accordance with the financial regime of regional and local authorities, subject to specific and special rules provided for this purpose.

b- Monitoring /evaluation of decentralized cooperation

The deliberative bodies of contracting structures shall be in charge of internal control of decentralized cooperation.

As regards external control, article 34 of the 2011 decree laying down the conditions for decentralized cooperation stipulates that monitoring and external evaluation of decentralized cooperation is ensured by the Decentralized Cooperation Inter-ministerial Committee (CICOD). The latter is under the authority of the Minister in charge of local authorities, who shall report to the Prime Minister, Head of Government, on the state of decentralized cooperation, through an annual report, including suggestions.

LIST OF APPENDICES

1. Excerpts of the laws of 2004 on inter-council cooperation in Cameroon.
2. Decree of 26 April 2011 to lay down the conditions for decentralized cooperation in Cameroon.
3. Model agreement on the creation of council unions.
4. Model deliberation authorizing a council to seek membership in a council union.
5. Model deliberation designating the representatives of council X to the union executive.
6. Model deliberation fixing the amount to be contributed by the council.
7. Model deliberation authorizing FEICOM to deduct ACTs of the council to finance the union.

Appendix 1: Excerpts of the laws of 2004 on inter-council cooperation in Cameroon

PART VI: COOPERATION AND INTER-COUNCIL SOLIDARITY

CHAPTER I

DECENTRALIZED COOPERATION

Section 131:

(1) Decentralized cooperation shall be realized under an agreement whereby two (02) or more councils decide to merge their various resources with a view of achieving common objectives.

(2) It may be carried out between Cameroonian councils or between Cameroonian and foreign councils, under the conditions laid down by the laws and regulations in force.

Section 132:

(1) Councils may belong to international organizations of twinned towns or any other international organization of towns.

(2) The cooperation agreement, which shall be authorized beforehand by decision of the council, shall be forwarded by the representative of the State for prior approval by the minister in charge of regional and local authorities.

CHAPTER II: COUNCIL UNIONS

I. REGULATIONS GOVERNING COUNCIL UNIONS

Section 133:

(1) Councils of the same division or region may, by at least two thirds (2/3) majority of the decision of each council, form a union with a view to realizing inter-council operations.

(2) A council union shall be set up by an agreement signed by mayors of the councils concerned.

The said agreement shall lay down the conditions of functioning and management of the union, as provided for by this law.

Section 134:

(1) A council union is an inter-council public establishment, endowed with legal personality as well as administrative and financial autonomy.

(2) It shall, mutatis mutandis, be subject, to the provisions of the laws on the orientation of decentralization, as well as those of this law.

II. ORGANIZATION AND FUNCTIONING OF COUNCIL UNIONS

Section 135:

(1) The bodies of a council union shall comprise:

- a union board;
- a union chairman.

(2) The union board referred to under subsection (1) shall comprise mayors assisted each by two (02) councilors designated within each unionized council.

(3) It shall be managed by a chairman elected from among members of the union board, for a one year renewable term of office.

(4) The term of councillors serving on the union board shall be governed by the legal provisions of the council to which they belong. In the event of vacancy or resignation, the members shall be replaced in accordance with the regulations applicable to the representatives of sub-divisional councils on the city council.

Section 136:

(1) Minutes and decisions of the union board shall be notified by the chairman to mayors of unionized councils.

(2) Mayors shall be bound to notify the minutes and decisions referred to under Subsection (1) above to their council during the next session.

Section 137:

The union board shall deliberate on issues within its jurisdiction, particularly:

- the union budget;
- the administrative and management accounts of the union ;
- the acquisition, transfer and exchange of union property ;
- the union action programme ;
- requests for intervention of unionized councils ;
- membership of new councils ;
- management of a public enterprise or an inter-council public establishment.

Section 138:

The chairman shall represent the union in civil matters and before the law courts.

To that end, he shall:

- be answerable to the union board;
- implement the recommendations and decisions of the union board;
- be the authorizing officer of the budget of the union;
- propose the organization chart and the action plan of the union;
- authorize revenue and expenditure operations;
- prepare and present the union account;
- conclude contracts in accordance with the instruments in force ;
- take out leases, contract loans and perform acts relating to the acquisition, sale, transaction, exchange, sharing or acceptance of gifts and legacies within the forms laid down by the regulations.

III. UNION BUDGET

Section 139:

The union budget shall be prepared, adopted, executed and audited in accordance with the provisions of the agreement creating the union.

Section 140:

The union budget shall be prepared and executed in accordance with the conditions laid down by the financial regulations of regional and local authorities.

IV. SPECIAL PROVISIONS

Section 141:

(1) The admission of a council to an existing union shall be submitted for prior approval by the union board.

(2) The decision of the board to admit a new council shall be notified by the chairman to mayors of unionized councils.

Section 142:

A council may withdraw from the union, after approval by the board, in accordance with the provisions of the agreement creating the union.

Section 143:

(1) The council union shall be dissolved:

- as of right upon expiry of its duration or on completion of the operation which it had as its objective ;

- by resolution of the councils concerned made by at least a 2/3 (two-thirds) majority of the members of each council, in accordance with ordinary law.

(2) The dissolution instrument shall determine, subject to third party rights, the conditions under which the union shall be liquidated.

Appendix 2: Decree of 26 April 2011 to lay down the conditions for decentralized cooperation in Cameroon

DECREE No. 2011/1116 / PM of 26 April 2011 to lay down the conditions for decentralized cooperation

THE PRIME MINISTER, HEAD OF GOVERNMENT,

Mindful of the Constitution;
Mindful of law No. 2004/017 of 22 July 2004 on the orientation of decentralization;
Mindful of law No. 2004/018 of 22 July 2004 to lay down rules applicable to councils;
Mindful of law No. 2004/019 of 22 July 2004 to lay down rules applicable to regions;
Mindful of law No. 2009/011 of 10 July 2009 on the financial regime of regional and local authorities;
Mindful of decree No. 92/089 of 4 May 1992 specifying the duties of the Prime Minister, Head of Government, modified and supplemented by decree No. 95/145-A of 4 August 1995;
Mindful of decree No. 2004/320 of 8 December 2004 on the organization of Government, modified and supplemented by decree No. 2007/268 of 7 September 2007;
Mindful of decree No. 2005/104 of 13 April 2005 on the organization of the Ministry of Territorial Administration and Decentralization;
Mindful of decree No. 2009/222 of 30 June 2009 on the appointment of a Prime Minister, Head of Government,

DECREES AS FOLLOWS:

CHAPTER I: GENERAL PROVISIONS

ARTICLE 1 - This decree shall lay down the conditions for decentralized cooperation.

ARTICLE 2- (1) In the terms of this decree, decentralized cooperation shall mean any partnership relation between two (02) or several regional and local authorities or their groupings, with the view to achieving common goals.

(2) Decentralized cooperation may take place among Cameroonian regional and local authorities or their groupings on the one hand or among the latter and foreign regional and local authorities, on the other hand.

(3) It takes the form of an agreement, freely entered into by regional and local authorities or their groupings concerned.

ARTICLE 3 - Shall be excluded from the scope of application of this decree, the contracts of partnership, as well as solidarity relationships that regional and local authorities may have within the framework of Council unions.

ARTICLE 4- Decentralized cooperation, shall particularly have for objectives to:

- promote the exchange of experiences and know-how among regional and local authorities;
- contribute to the external outreach of the Cameroon model of decentralization ;
- satisfy the basic needs and the priorities expressed by the populations concerned;
- give and support the impetus to economic, social, health, education, cultural and sports development at the local and regional levels.

ARTICLE 5- Decentralized cooperation initiatives between Cameroonian regional and local authorities or their groupings shall take place within the limits of the texts in force and the competences devolved to each of them by the texts.

CHAPTER II: SIGNING OF DECENTRALIZED COOPERATION AGREEMENT

ARTICLE 6- Any regional authority shall have the capacity to sign a decentralized cooperation agreement.

ARTICLE 7 - (1) The negotiation for a decentralized cooperation agreement shall be undertaken, depending on the case, by the heads of the executives of regional and local authorities or their groupings.

(1) It shall receive prior authorization from the deliberating bodies of the said regional and local authorities or their groupings.

ARTICLE 8 - A person shall be considered as a representative of a regional and local authority to the negotiation for a decentralized cooperation agreement if:

- duly authorized by the regional and local authority concerned;
- if it emerges from the practice of the local authorities concerned, that they had the intention to consider this person as their representative to this end.

ARTICLE 9- A deed relating to the signing of decentralized cooperation agreement accomplished by a person who may not, by virtue of article 8 above, be considered as authorized to represent the regional and local authority to this end, shall not have any legal effect, unless confirmed subsequently by the regional and local authority concerned.

ARTICLE 10- Any decentralized cooperation agreement should:

- result from a good will agreement among regional and local authorities or their groupings concerned;
- work for the common good in accordance with the identity of each of the parties;
- contribute to the development of the regional and local authority concerned.

ARTICLE 11- The signing of a decentralized cooperation agreement should be governed by the principles of equality, solidarity, reciprocity and continuity of the legal personality of the parties.

ARTICLE 12- Within the framework of a decentralized cooperation agreement, regional and local authorities or their groupings should, particularly:

- comply in good faith with all the commitments undertaken as concerns the agreement;
- realize the projects envisaged ;
- communicate regularly on the state of the implementation of the partnership.

ARTICLE 13- Draft decentralized cooperation agreements should clearly specify:

- the purpose of the partnership relation envisaged;
- the intended objectives of the parties;
- the conditions of implementation of the actions to carry out;
- the schedule for the realizations envisaged ;
- the scope of rights, duties and responsibilities of the parties;
- the projected amount for the financial commitments of each party;
- the conditions for the supervision, follow-up and evaluation of projects;
- the conditions for the settlement of disputes ;
- the duration of the agreement.

Article 14- Any draft decentralized cooperation agreement shall, upon negotiation, be submitted for evaluation by the deliberating bodies of regional and local authorities or their groupings concerned.

ARTICLE 15- Decentralized cooperation agreements shall enter into force following the conditions and the date fixed between the parties at negotiation.

ARTICLE 16- (1) Any cooperation agreement in force binds the parties and shall be executed by them in good faith.

(2) It shall be posted in the premises of the regional and local authority concerned in a place provided for information to the general public and the competent sub-divisional office.

ARTICLE 17- The head of the executive of the regional and local authority concerned shall forward to the competent representative of the State, an annual report on the state of execution of the projects envisaged, subject to the duration provided for their realization in the decentralized cooperation agreement.

ARTICLE 18- (1) The Minister in charge of regional and local authorities may, upon a reasoned proposition of the competent representative of the State and, upon the opinion of the committee provided for in article 34 below, take a decision on the suspension of an ongoing decentralized cooperation agreement.

(2) He may, following the same procedure, terminate a decentralized cooperation of which the subject and objective have been diverted in the course of execution, or in the case of the violation of the legal and regulatory provisions in force.

ARTICLE 19 - A decentralized cooperation agreement may be amended on the agreement of parties.

ARTICLE 20- (1) Disputes relating to the interpretation and the execution decentralized cooperation agreements shall be settled following the conditions agreed by the parties.

(2) In the case where these disputes shall not have been settled amicably, they shall be submitted to an arbitration commission set up by the regional and local authorities concerned.

ARTICLE 21- (1) The arbitration committee referred under article 20 above takes at the end of works, a decision that is binding on parties and which should be executed in good faith.

(2) The said decision should be forwarded within fifteen (15) days for information to the Minister in charge of regional and local authorities through the competent State representative.

CHAPTER III: COOPERATION BETWEEN CAMEROONIAN REGIONAL AND LOCAL AUTHORITIES

ARTICLE 22- Cameroon regional and local authorities may freely have cooperation relationship among themselves with the view to pursue the objectives referred to in article 4 above.

ARTICLE 23- Cameroon regional and local authorities may form groupings within the limit of their competences for reasons of their common characteristics, particularly :

- geographical characteristics;
- sharing of the same theme;
- converging economic interests;
- environmental, mining, tourist, agro-pastoral and cultural matters among others.

ARTICLE 24- Decentralized cooperation agreements among Cameroon regional and local authorities or their groupings should be notified to the Minister in charge of regional and local authorities through the competent representative of the State.

ARTICLE 25- The Minister in charge of regional and local authorities shall, within thirty (30) days, with effect from the date of the receipt of the document, examine the said agreements. After this date, the agreements shall be enforceable as of right.

CHAPTER IV: COOPERATION BETWEEN CAMEROONIAN AND FOREIGN REGIONAL AND LOCAL COUNCILS

ARTICLE 26-(1) Cameroonian regional and local authorities or their groupings may sign decentralized cooperation agreements with foreign regional and local authorities.

(2) They may also, through agreement, become members of international associations of twinned cities or other international organizations of cities, with the view to carrying out cooperation activities in that field.

ARTICLE 27- No agreement may be signed between regional and local authorities or their groupings with a foreign Country.

ARTICLE 28- Any decentralized cooperation agreement signed by Cameroonian regional and local authorities or their groupings with foreign regional and local authorities of which the purpose and goal are likely to disrupt State security and territorial integrity shall be null.

ARTICLE 29- Decentralized cooperation agreements signed by Cameroonian regional and local authorities or their groupings with foreign regional and local authorities, shall not include provisions binding another existing legal entity, without the express agreement of this latter.

ARTICLE 30- (1) Any draft decentralized cooperation agreement between Cameroon regional and local authorities or their groupings with foreign regional and local authorities, shall be submitted for the prior approval of the Minister in charge of regional and local authorities upon the opinion of the committee referred in article 34 above.

(2) The said draft agreement shall include :

- the deliberation authorizing the negotiation;
- the deliberation validating the draft agreement;
- the report recording the results of the negotiations and the identity of the partner;
- all the technical document of the projects envisaged;
- the funding plan showing the various resources.

ARTICLE 31- The Minister in charge of regional and local authorities shall, within thirty (30) days, with effect from the date of receipt of the document, approve the draft decentralized cooperation agreement submitted to him for final analysis.

ARTICLE 32- (1) Any refusal of approval shall be notified to the local authorities or their groupings concerned, including the underlying reasons.

(2) The local authorities or their groupings concerned shall carry out the necessary amendments with regard to the irregularities raised in the document and forward it anew, following the forms provided in article 30 above, to the Minister in charge of local authorities for the approval of the draft agreement.

ARTICLE 33- (1) Upon approval, the parties shall express their final consent to be bounded by the signature and the exchange of the instrument constituting the agreement.

(2) A copy of the signed agreement shall be forwarded to the Minister in charge of regional and local authorities within ten (10) days by the competent State representative.

CHAPTER V: MONITORING AND EVALUATION OF DECENTRALIZED COOPERATION

ARTICLE 34- (1) Government shall ensure monitoring and evaluation of decentralized cooperation through the Inter-ministerial Committee of Decentralized Cooperation « CICOD », hereinafter referred to as « the Committee».

(2) To this end, it shall particularly be in charge of:

- ensuring the synergy of actions between the administrations involved in the implementation of decentralized cooperation;
- establishing and updating a national file of decentralized local authorities or their groupings having signed decentralized cooperation agreements;
- encouraging concertations between the various stakeholders of decentralized cooperation ;
- ensuring consistency in the actions of local authorities or the grouping in connection with the partnership;
- expediting studies with the view of implementing decentralized cooperation;
- putting forward opinions on the decentralized cooperation agreement drafts between Cameroonian local authorities or their groupings and foreign local authorities, submitted for the prior approval of the Minister in charge of regional and local authorities;
- ensuring the compliance of decentralized cooperation agreements with the constitution, as well as with the legal and regulatory provisions in force;
- following up the implementation of programmes and projects envisaged in the decentralized cooperation agreement;
- ensuring that the decentralized cooperation agreement was prior authorized by a deliberation of the council of the local authority or the Cameroonian signatory grouping;
- making any proposal intended to strengthen decentralized cooperation and improving the implementation conditions thereof.

(3) It shall write up an annual report, including suggestions on the state of the decentralized cooperation, addressed to the Prime Minister, Head of Government.

ARTICLE 35- (1) Placed under the authority of the Minister in charge of Local Authorities, the Committee shall comprise the following :

President: the Minister in charge of local authorities;

Members:

- one (01) representative of the Prime Minister's Office;
- the Permanent Secretary of the National Decentralization Board ;
- two (02) representatives of the Ministry in charge of Local Authorities;
- one (01) representative of the Ministry in charge of External Relations;
- one (01) representative of the Ministry in charge of Finance ;
- one (01) representative of the Ministry in charge of the Economy, Planning and Regional Development ;
- one (01) representative of the Ministry of Urban Development;
- the General Manager of the Special Council Support Fund for Mutual Assistance (FEICOM) or his representative;
- two (02) representatives of Councils;
- two (02) representatives of Regions.

(2) The President may invite any other natural person or corporate body, on a consultative basis, depending on their expertise or competences on the items on the agenda.

(3) The members of the Committee shall be designated by the administrations and establishments to which they belong.

(4) The composition of the Committee shall be noticed by an order of the Minister in charge of local authorities.

ARTICLE 36- The Secretariat of the Committee shall be ensured by the Department of Regional and Local Authorities in the Ministry in charge of Local Authorities.

ARTICLE 37-(1) The Committee shall meet as the need may arise and at least one (1) time a quarter convened by the president.

(2) Invitations including the draft agenda and working documents, should reach the members of the Committee at least seven (7) days before the date of the meeting, except in case of emergency.

ARTICLE 38- (1) Functions of the president, members and the secretariat of the Committee, as well as persons invited for on consultative basis, shall be free of charge.

(2) However, they may be entitled to benefit from certain facilities following the conditions laid down by the decision of the Minister in charge of local authorities.

ARTICLE 39- The expenses necessary for the functioning of the Committee shall be borne by the Ministry in charge of Regional and Local Authorities and by development partners interested in decentralized cooperation.

CHAPTER VI: MISCELLANEOUS AND FINAL PROVISIONS

ARTICLE 40- Local authorities having signed decentralized cooperation agreements before the entry into force of this decree shall have a period of six (6) months to forward to the Minister in charge of local authorities, copies of the said agreements.

ARTICLE 41- Funds intended to finance projects within the framework of decentralized cooperation shall be derived mainly from :

- the resources of the local authorities concerned;
- the resources of the State;
- the resources directly from the decentralized cooperation;
- financial support from development partners;
- any other resources provided by the law;
- resources from FEICOM

ARTICLE 42-(1) The resources referred to in article 41 above shall be public funds.

(2) Their management shall comply with public finance, in accordance with the financial regime of regional and local authorities, subject to specific and particular rules provided to this effect.

ARTICLE 43- In case a local authority is required to bring a financial contribution for the realization of a project envisaged within the framework of decentralized cooperation, the contribution shall be entered under the compulsory expenses section of its budget.

ARTICLE 44.- This decree shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

Yaounde, 26 April 2011

The Prime Minister,
Head of Government,
Philemon YANG

Appendix 3: Model agreement on the creation of council union

í í í í REGION

REPUBLIC OF CAMEROON

í í .DIVISION

PEACE-WORK-FATHERLAND

**AGREEMENT ON THE CREATION OF A COUNCIL UNION IN THE
_____ DIVISION**

Preamble

The _____, _____, _____, Councils

Considering Law No. 98/005 of 14 April 1998 on water scheme,

Considering Law No. 2004/017 of 22 July and 2004 on the orientation of decentralization,

Considering Law No. 2004/018 of 22 July 2004 to lay down the rules applicable to Councils,

Considering Law No. 2009/011 of 10 July 2009 on the financial regime of Regional and Local Authorities,

Considering decree No. 2010/0239/PM of 26 February 2010 to lay down the conditions for the exercise of certain competences transferred by the State to Councils as concerns water supply to areas not covered by the public water supply network conceded by the State,

Taking note of the Policy paper on Water Supply and Sanitation in Rural Areas (WSSRA) drawn up in 2008 and which provides notably the integration of Regional and Local Authorities at the centre of the management mechanism of water supply structures in rural areas,

Considering the necessity to supply water to the population in rural areas of their respective territories,

Decided to organize themselves and act through inter-council cooperation to assume new competences transferred to them as concerns water supply and sanitation of the base,

Conscious of the economies of scale and the additional capacities that inter-council cooperation and solidarity usher in, especially through council groupings in view of realizing common interest operations,

Considering the agreeing deliberations of their respective municipal councils in view of creating a Council Union in the.....Division...,

Adopt the agreement as follows:

Part I: GENERAL PROVISIONS

I. CREATION, HEAD OFFICE, DURATION

Article 1: Creation

It shall be called the «Union of the Councils of _____ (_____) », hereinafter referred to as the **Union**.

It shall merge _____, _____, _____ Councils

Article 2: Head office of the council union

Article 3: Duration.

II. PURPOSE

Article 4: competences transferred

Article 5: exercising the competences transferred

Article 6: Concerning the protection of water resources, the Union shall be in charge of :

Article 7: Concerning sanitation at the base, the Union shall be in charge of:

Article 8: For all the matters enumerated herein above, the Councils shall transfer some of their competences to the Union.

Part II: ORGANIZATION AND FUNCTIONNING

I. ORGANIZATION

Article 9: Union bodies

Article 10: Meetings of the union board

III. FUNCTIONING

Article 11: Deliberations of the Union board

Article 12: Meeting place of the Union

Article 13: Chairperson of the Union

IV. ADMINISTRATION

Article 14: Recruitment of staff

Article 15: Organizing the operational organ

PART III: FINANCIAL PROVISIONS

I. PREPARATION AND VOTING OF BUDGET

Article 16: Union budget

Article 17: Financial resources of the Union

Article 18: Ordinary members of the Union

Article 19: Expenses of the Union

Article 20: Voting the budget of the Union

II. EXECUTION OF BUDGET

Article 21: The financial year

Article 22: The budget of the Union

Article 23: Internal regulations

SECTION III: BUDGET CONTROL

Article 24: Controlling the Union budget

PART IV: MISCELLANEOUS AND FINAL PROVISIONS

I. MODIFICATION OF THE AGREEMENT

Appendix 4: Model deliberation authorizing the membership of Council to a Union

Headed paper of the Council concerned

MUNICIPAL DELIBERATION No...../DM/C/ /SG/201..
Authorizing the Mayor to merge in the **Union** of the CouncilsDivision
THE MUNICIPAL COUNCIL OF

Mindful of the constitution of the Republic of Cameroon

Mindful of Law No. 2004/018 of 22 July 2004 to lay down the rules applicable to Councils

Mindful of Decree No. 77/91 of 25 March 1977 to determine supervisory power on Councils, Council Unions and Council establishments;

Mindful of Decree No.....on the creation ofCouncil

Mindful of Decree No..... On the appointment of Mr.as Senior Divisional Officer forDivision

Mindful of Order No.....taking note on the election of the Mayor and the Deputy Mayors after the Municipal elections of 22 July 2007 in theCouncil,Division,Region.

Mindful of the budget ofCouncil for 201..... Financial Year.

HEREBY DELIBERATES AS FOLLOWS:

Article 1: The Municipal Council of Council hereby authorizes the Mayor to let Council seek membership in _____ Union of Councils ofDivision, abbreviated.....in,Region with the view to mutualize their resources and efforts in the area ofand to sign the agreement relating thereto.

Article 2: The Secretary General and the Municipal Treasurer ofCouncil shall each in his own sphere be in charge of the execution of this deliberation.

Article 3: This deliberation, which shall take effect from the date of signature, shall be registered and published where necessary.

..... on ... month 2014.

The Secretary of the session

The Mayor

Signature of the Senior Divisional Officer

Seen and approved

LIST OF MUNICIPAL COUNCILLORS

No	Names and Surname	Opinion	Signatures
1			
2			
3			

Cc:

- MINATD/DCTD/YDE
- GOVERNOR ...
- SDO/DIVISION
- SG/.....
- RM/.....
- ARCHIVES

Appendix 5: Model deliberation designating representatives of X Council to the Union board

Headed paper of the Council concerned

MUNICIPAL DELIBERATION No...../DM/C/ /SG/201..
Designating representatives to the Union Board of the **Union** of the Councils of.....Division
MUNICIPAL COUNCIL OFCOUNCIL

Mindful of the constitution of the Republic of Cameroon;

Mindful of Law No. 2004/018 of 22 July 2004 to lay down the rules applicable to Councils;

Mindful of Decree No. 77/91 of 25 March 1977 to determine supervisory power on Councils, Council Unions and Council establishments;

Mindful of Decree No.....on the creation ofCouncil

Mindful of Decree No..... On the appointment of Mr.as Senior Divisional Officer forDivision

Mindful of Order No.....taking note on the election of the Mayor and the Deputy Mayors after the Municipal elections of 22 July 2007 in theCouncil,Division,Region.

Mindful of the budget ofCouncil for 201..... Financial Year.

HEREBY DELIBERATES AS FOLLOWS:

Article 1 : The Municipal Council ofCouncil hereby designates the following Municipal Councillors, members of the Union board of the Union of Councils ofDivision, abbreviated.....They are:

-
-
-

Article 2: the Secretary General and the Municipal Treasurer ofCouncil shall each in his own sphere be in charge of the execution of this deliberation.

Article 3: This deliberation, which shall take effect from the date of signature, shall be registered and published where necessary.

..... on ... month 2014.

The Secretary in session

The Mayor

Signature of the Senior Divisional Officer

LIST OF MUNICIPAL COUNCILLORS

No	Names and Surnames	Opinion	Signatures
1			
2			
3			

Cc:

- MINATD/DCTD/YDE
- GOVERNOR/
- SDO/.....
- SG/.....
- MT/.....
- ARCHIVES

Appendix 6: Model deliberation to set out the contributions of the Council

Headed paper of the Council concerned
MUNICIPAL DELIBERATION No...../DM/C/ /SG/10
Setting out the contributions of theCouncil in the Union of Councils ofDivision
THE MUNICIPAL COUNCIL OFCOUNCIL

Mindful of the constitution of the Republic of Cameroon;

Mindful of law No. 74/23 of 5 December 1974, on the organization of Councils, modified and supplemented by law No90/957 of 17 December 1990;

Mindful of decree No. 77/91 of 25 March 1977 to determine supervisory power on Councils, Council Unions and Council establishments;

Mindful of decree No.....on the creation ofCouncil

Mindful of decree No..... On the appointment of Mr.as Senior Divisional Officer forDivision

Mindful of order No.....taking note on the election of the Mayor and the Deputy Mayors after the Municipal elections of 22 July 2007 in theCouncil,Division,Region.

Mindful of the budget ofCouncil for 201..... Financial Year.

HEREBY DELIBERATES AS FOLLOWS:

Article 1: The Municipal Council of theCouncil hereby authorizes the Mayor to pay in for the activities and functioning of the Union of the Councils ofDivision an annual contribution amounting CFA F.....

Article 2: The Secretary General and the Municipal Treasurer ofCouncil shall each in his own sphere be in charge of the execution of this deliberation.

Article 3: This deliberation, which shall take effect from the date of signature, shall be registered and published where necessary.

..... on ... November 2014.

The Secretary in session

The Mayor

Signature of the Senior Divisional Officer

LIST OF MUNICIPAL COUNCILLORS

No	Names and Surnames	Opinion	Signatures
1			
2			
3			

Cc:

- MINATD/DCTD/YDE
- GOVERNOR /...
- SDO/.....
- SG/.....
- MT/.....
- ARCHIVES

Appendix 7: Model deliberation authorizing FEICOM to deduct ACTs of the Council to finance the Union

Headed paper of the Council concerned
MUNICIPAL DELIBERATION No...../DM/C/ /SG/201...
Authorizing FEICOM to deduct ACTs ofCouncil amounting CFA F..... for its contribution to the Union of the Councils of from the 20__ Financial Year.
THE MUNICIPAL COUNCIL OFCOUNCIL

THE MUNICIPAL COUNCIL,

Mindful of law No. 2004/017 of 22 July 2004 on the orientation of decentralization;

Mindful of law No. 2004/018 of 22 July 2004 to lay down the rules applicable to Councils;

Mindful of law No. 2009/019 of 15 December 2009 on the local fiscal system;

Mindful of law No. 2009/011 of 10 July 2009 on the financial scheme of Regional and Local Authorities;

Mindful of Decree No. 77/203 of 29 June 1977 to determine Councils and their entire territorial jurisdiction and its subsequent modifications;

Mindful of Decree No. 77/91 of 25 March 1977 to determine supervisory powers of Councils, Council Unions and Council Establishments and all the subsequent modified texts;

Mindful of Decree No2010/0239/PM of 26 February 2010 to lay down the conditions for the exercise of certain competences transferred by the State to Councils as concerns water supply to areas not covered by the public water supply network conceded by the State;

Mindful of Decree appointing Mr.as Senior Divisional Officer forDivision ;

Mindful of the Agreement on the creation of the Union of the Councils of

Mindful of order No..... taking note of the election of Mr. Mayor ofCouncil and his Deputies.

HEREBY DELIBERATES AS FOLLOWS :

Article 1: The Municipal Council sitting in ordinary session on.....hereby authorizes FEICOM to deduct an amount of (CFA F in words) (in figures) representing the annual contribution of the Council for the Council Union for the Financial Year 20...

Article 2: this contribution shall be transferred directly into the account of the Council Union.

No _____ **situated at** _____ **Branch**

Article 3: This deliberation shall be registered and published where necessary.

Done and deliberated in public session at _____ on _____

The Secretary in session

The Mayor

LIST OF MUNICIPAL COUNCILLORS

No	Names and Surnames	Opinion	Signatures
1			
2			
3			

Cc:

- MINATD/CSTD/YDE
- REGION/õ /õ õ .
- S.D.O. / _____
- UNION _____
- CHRONO/ARCHIVES