

# REFORM/LEGAL COMMITTEE

## Cameroon Medical Council (CMC)

### Plan:

#### Introduction

#### Contributions

- Code of Ethics
- Law on the Practice and Organisation of the Medical Profession
- Electoral Process
- Internal Rules and Regulations

#### Conclusion

### Introduction

Our environment is dominated by a growing need for change. The following contribution aims at developing a flexible and firm regulatory framework that will guide us towards the desired organisational development.


Decree No. 92-265 of 22 July 1992 to lay down the procedures for the implementation of the law on the practice and organisation of the medical profession No. 90-36 of 10 August 1990, stipulates in Chapter II, Article 5 that the Code of Ethics and the Internal Rules and Regulations shall be subject to amendment since they are adopted by the General Assembly and made enforceable by decree of the Minister of Public Health

Although the Code of Ethics is laid down by decree of the President of the Republic, Decree No. 83-166 of 12 April 1983, it can be amended.

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
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
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## CODE OF ETHICS

Decree No. 83-166 of 12 April 1983

### PART VII

#### THE GENERAL ASSEMBLY

#### CHAPTER 1

#### ORGANISATION AND FONCTIONNING OF THE GENERAL ASSEMBLY

#### Section 1

#### ORGANISATION OF THE GENERAL ASSEMBLY

##### Article 64:

Members of the Cameroon Medical Council, hereinafter referred to as the CMC, shall be all physicians duly registered with the CMC. The General Assembly shall be made up of three Divisions:

Division A: Public Sector Physicians (Civil Servants)

Division B: Private Sector or Corporate physicians (Private Lay Practitioners)

Division C: Mission Physicians (Private mission practitioners)

##### Article 65:

(1) When convened as a constitutive assembly, the General Assembly shall be chaired by the President of the General Assembly, who is the oldest Physician present assisted by 07 (seven) young colleagues

Their role is to conduct the election and to ensure that it runs smoothly

The functions of this provisional bureau shall end upon the election of the Bureau of the CMC

(2) Ordinary or extraordinary sessions shall be chaired by the President of the Council or, in the event of unavailability, by the Vice-President.

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
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**Article 66:**

**(1) A quorum of 2/3 of the members of each Division shall be present at the General Assembly for its deliberations to be binding.**

**(2) Members who are unable to attend may be represented by proxy. Each physician may present only one proxy. Such proxies shall be registered at the office of the General Assembly at the beginning of the session.**

**(3) If the quorum is not reached, the authority that convened the General Assembly shall convene a new meeting within a minimum of 15 days and a maximum of one month.**


**The General Assembly may then sit regardless of the number of members present or duly represented.**

**(4) Only members who are up to date with their membership dues shall be entitled to vote**

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## Section 2

### FUNCTIONING OF THE GENERAL ASSEMBLY

#### Article 67:

The Constitutive General Assembly and the Ordinary and Extraordinary General Assemblies shall be convened by the President of the Council after consultation with the Supervisory Authority.

*Notices of meetings shall be sent to the members, together with the agenda, one month prior to the scheduled date of the meeting.*

Such notices shall be served together with the agenda drawn up by the President of the Council. Questions from members of the Council or from the Supervisory Authority may be referred to the Council one month before the session and shall be communicated at least fifteen days before the date of the session to the Supervisory Authority, which shall be represented at the meeting.

#### Article 68:

The deliberations of the General Assembly shall be adopted by a simple majority. In the event of a tie, the President shall have the casting vote.

Voting shall be public

#### Article 69:

During extraordinary sessions, the assembly may only deliberate on the matter for which it was convened.

#### Article 70:

The Supervisory Authority may prohibit the holding of an ordinary or extraordinary session of the General Assembly if the agenda is not in compliance with the provisions of Article 67 above

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## CHAPTER 2

### ELECTION AND REPLACEMENT OF MEMBERS OF THE CMC

#### Electoral process within the Cameroon Medical Council

##### Section 1

#### CONVENING AND ORGANISATION OF THE GENERAL ASSEMBLY

##### Article 71:

The practical arrangements for the organisation of the election of the members of the Council, and the rules relating to their replacement in the event of default, are laid down in the Code of Ethics

##### Article 72:

The elective General Assembly of the CMC shall be convened by the President of the CMC at least 30 days before it is held after the opinion of the Supervisory Authority

The non-amendable agenda shall include:

- ✓ Nomination of the Presidium of the Electoral Commission: the President of the General Assembly who is the Oldest Member and two young colleagues
- ✓ Election of the President of the CMC, the Auditor, the members of the Council and of the Appeals Chamber
- ✓ Adoption of resolutions
- ✓ Installation the new Council

##### Article 73:

This notification shall be the subject of a legal announcement and shall be published in English and French in the usual means of communication

##### Article 74:

The members of the Board shall be elected by the General Assembly, Division by Division by secret uninominal ballot and by majority vote.

Each Division shall present its candidates, and the full members and the alternate members shall be elected individually one after the other.

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**Article 75:**

**The General Assembly shall elect the President of the Council, an Auditor and the three members of the Appeals Chamber, from each of the three Colleges and their substitutes**

**They shall be eligible for re-election.**

**Article 76:**

**In addition to the President elected at the General Assembly, the CMC shall elect from among its members, for a three-year term, a Bureau constituted as follows:**

**One Vice-President**


**One Secretary General**


**One Treasurer**

**And the four members who, together with the President of the Council, shall constitute the Disciplinary Council**

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
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## Section 2

### CONDITIONS FOR PARTICIPATION

#### Article 77:

Participation in the proceedings of the elective General Assembly shall be open to all members who are up to date with their membership dues

#### Article 78:

Members wishing to participate in the elections shall be up to date with their membership dues at least 15 days prior to the date of the elections. Proof of payment of said dues shall be required.

#### Article 79:

The list of members authorised to take part in the proceedings shall be drawn up and signed by the President of the CMC, after consultation with the Council, and shall be published no later than 7 (seven) days before the date of the elective General Assembly

#### Article 80:

Each physician entitled to vote may receive a maximum of one proxy from another physician who is up to date with his or her contributions. and proof of membership of a College for those who are members of a College. Any power of attorney duly certified by a competent police authority or a recognised administrative or consular authority.

#### Article 81:

The documents of the proceedings shall be available at the headquarters of the CMC and in the regional representations for members who are up to date with their membership dues 1 (one) week before the day of the General Assembly

#### Article 82:

These documents shall include:

The notice convening the AGM including the agenda

The electoral code

The provisional electoral roll


#### Article 84:

During the EGA, speeches shall be limited to a maximum of 5 (five) minutes per speaker. Interventions shall be precise, constructive and refer only to the items on the agenda and shall be conducive to the obligation of confraternity.

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### Section 3

### CANDIDACY

#### Article 85:

**(1) Candidates for the posts of President of the CMC, Councillors, Auditors and Members of the Appeals Chamber shall submit their candidacy documents to the head office no later than 15 (fifteen) days before the date of the elections, against an acknowledgement of receipt**

**(2) Candidacy documents shall be submitted only on working days and during working hours**

#### Article 86:

**Any candidacy documents submitted after this deadline shall be rejected**

#### Article 87:

**Candidacy documents shall include:**

**An undertaking on the candidate's honour and illegal acquisition of interests**

**A detailed CV**

**A Certificate of Non-conviction**

**A profession of faith**

**A certificate of good standing issued by the CMC**

**An information sheet to be downloaded from the Council's website**

**No record of having been sanctioned by a Disciplinary Council of the CMC**

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## Section 4

### ELIGIBILITY CRITERIA

#### Article 88:

Candidates for the position of President of the CMC shall meet the following requirements:

- ✓ Be of Cameroonian nationality
- ✓ Be registered with the CMC
- ✓ Be up to date with its membership dues, registration fees and other financial obligations
- ✓ Shall have been a member of the CMC,
- ✓ Shall have been practising medicine in Cameroon for at least 10 (ten) years
- ✓ Shall never have been sanctioned by the CMC shall have no previous convictions (Certificate of Non-conviction B3)
- ✓ Undertake in writing to serve the Council and to uphold its professional ethics and conduct

#### Article 89:

(1) Candidates for the posts of Councillors, Auditors and Members of the Appeals Chamber shall meet the following requirements:

- ✓ Be of Cameroonian nationality
- ✓ Be registered with the CMC
- ✓ Be up to date with its membership dues, registration fees and other financial obligations
- ✓ Shall have been practising medicine in Cameroon for at least 5 (five) years
- ✓ Shall never have been sanctioned by the CMC
- ✓ Shall have no previous convictions (Certificate of Non-conviction B3)
- ✓ Undertake in writing to serve the Council and to uphold its professional ethics and conduct

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## Section 5

### ELECTORAL CAMPAIGN

#### Article 89:


The electoral campaign shall open 7 days before the election and may be conducted through any means of communication in accordance with the Code of Ethics. Candidates shall be given a maximum of 5 (five) minutes to speak before the start of the election


#### Article 90:

The obligation of confraternity (Article 42 of the Code of Ethics), prohibits slandering, disparaging a colleague, or making denigrating statements about a colleague

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
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## Section 6


### VALIDATION OF CANDIDACIES


#### Article 91:

The validation of candidacies shall be done in the presence of each candidate individually by the Council. The Council shall meet no later than 48 hours after the closing date for candidacies

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
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## Section 7

### CONDUCT OF ELECTIONS

#### Article 92: The Election Presidium

The election shall be conducted by a Presidium made up of:

**One (01) President who is the oldest member of the General Assembly**

**Seven (07) non-candidate returning officers, who shall be appointed, volunteer or are chosen from among the members of the General Assembly.**

#### Article 93: The Voting Format

**(1) The election of the President of the CMC and the Auditor shall be by secret ballot in one round by a simple majority of votes cast by all voters of all the Colleges**

In the event of a tie, a second round shall be held and if the tie persists, the candidate who has been practising medicine for the longest period of time shall be declared the winner and, in the event that the tie still persists, the oldest candidate shall be declared the winner.

**(2) The election of the other members of the Council shall be carried out by single ballot and per College**

**(3) The 4 (four) members of the Disciplinary Council shall be elected by the elected Council and the 3 (three) members of the three Colleges of the Appeals Chamber and their substitutes shall be elected by the General Assembly**

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## Article 94: Ballots

The Electoral Commission shall establish the ballots, which shall be printed in a clear and legible manner.

1. Prior to the beginning of the electoral operations, the President of the elective General Assembly or any other member delegated by him or her, shall explain in detail the electoral process (ballot boxes, ballots, invalid and blank ballots, counting of votes, required majority, results etc.)
2. Electoral operations shall begin
  2. upon entry into the room with all physicians eligible to participate in the elections signing up and registering their proxies on the attendance lists dedicated to the different Colleges and those who do not have a College on a list dedicated to them
3. Elections shall begin with the operations aimed at nominating the members of the Council. Each candidate vying for the position of member of the Council, auditor or appeal chamber shall be given a maximum of 5 (five) minutes to address the meeting. Each candidate vying for the position of President of the CMC shall be given 10 (ten) minutes to address the meeting.
4. Voting operations shall take place simultaneously for the three Colleges, after the end of the speeches of the various candidates. Transparent ballot boxes shall be placed on the desk in front of the President of the Presidium. One ballot box for each college (3), 1 (one) ballot box for the members of the Appeal Chamber, 1 (one) ballot box for the Auditor and 1 (one) ballot box for the President, making a total of 6 ballot boxes.
5. The operations shall take place in the following manner:


The 6 (six) assessors shall each have a list of voters corresponding to the voters in each ballot box. They shall verify the identity of each voter and then deliver the corresponding ballot papers to each voter after the latter has been clearly identified. He shall then hand out 4 (four) ballot papers to each voter belonging to a College and 3 (three) ballot papers to the voter who does not belong to any College. The voters shall go to the polling booths. The voters shall make their choices on the ballot paper and then insert their ballot papers in the corresponding ballot boxes. Several polling booths shall be used to facilitate the smooth running of the election.

6. The electors who do not belong to a College shall vote only for the President, the Auditor and the 6 (six) members of the Appeals Chamber
7. The vote count shall begin after the end of the polling. The members of the electoral commission shall open the ballot boxes one after the other, read aloud the number of ballots and verify their validity
8. When the number of ballots is verified, the members of the electoral commission shall proceed with the counting of the votes cast for the various candidates.

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
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**9. Invalid ballots:**

**The following shall be considered invalid ballots:**

**Ballots that do not bear official distinctive marks as determined by the election commission**

**Ballots that do not bear the names of the candidates**

**Illegible ballots**

**Identifiable ballots**

- 10. If a second round of voting is necessary, the voting operations shall be conducted in accordance with the provisions of this election process.**
- 11. At the end of the first vote count and proclamation of the results, the elected members of the Council shall in turn elect, from among the elected members and in their capacity as electors, the members of the Bureau of the Council and then the members of the Disciplinary Council. This election shall not be public and shall take place in camera.**
- 12. At the end of this last exercise, the President of the Presidium shall install the elected officials into their respective positions and hand over power to the President-elect.**

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## Section 8

### CONDITIONS FOR THE REPLACEMENT OF COUNCIL MEMBERS

#### Article 96:

- (1) Any member who loses his or her status or leaves the Division in which he was elected shall cease to be a member of the CMC.
- (2) The alternate member shall replace the full member whenever the latter is unavailable to sit; he or she shall replace him or her permanently when the full member ceases, for any of the reasons provided for in Article 28 of Law 90/36 of 10 August 1990, to be a member of the CMC.
- (3) In the event that more than 6 (six) months prior to its renewal, the CMC is unable to reach the required quorum because the alternate member who has become a full member has lost the capacity in which he or she was elected, or one or more seats have become vacant for one of the reasons referred to in Paragraphs (1) and (2), new members shall be elected under the same conditions, for the remainder of the term.

## Section 9

### VOTING OF THE RESOLUTIONS OF THE ELECTIVE GENERAL MEETING

#### Article 97:

- (1) The resolutions of the elective General Assembly shall be recorded in a special register
- (2) They shall be sovereign and binding on all members of the General Assembly
- (3) Voting on resolutions shall be by show of hand and by a simple majority of votes cast.

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## Section 10 FINAL PROVISIONS

- (1) After the election, the report shall be submitted to the Supervisory Authority on the first working day following the election (Article 27 of Law 90/36 of 10 August 1990)**
- (2) Any election-related disputes may be brought before the Administrative Chamber of the Supreme Court by any physician entitled to vote within 15 (fifteen) days of the election. The Supervisory Authority shall be duly informed of any such action.**
- (3) The electoral process shall be an integral part of the Code of Ethics. It shall be published in English and French**

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## **PART VII**

### **Learned Societies**

**Article 84: The role of learned societies shall be to ensure medical evaluation and continuing education at the service of the profession.**

**Article 85: Learned societies shall be recognised by the CMC for bilateral and multilateral collaboration so that their decisions become obligations for physicians.**

**Articles 86: Learned societies shall work hand in hand with the CMC in the accreditation of physicians and in the renewal of their accreditation**

**Articles 87: Learned societies shall work hand in hand with the CMC in defining the terms of reference and the role of each physician**

**Article 88: Any physician duly registered with the CMC shall be accredited to practice as a general practitioner or as a specialist with a clear definition of the terms of reference and the limits of his or her practice**

**Article 89: The duration of an accreditation shall be 5 (five) years, renewable**

## **PART X**

### **Final Provisions**

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
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
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Joseph, Immeuble polyclinique archange  
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