

DECREE No. 2022/411 OF 01 SEPT 2022  
TO LAY DOWN THE ESTABLISHMENT, ORGANIZATION  
AND FUNCTIONING OF THE GAROUA GENERAL HOSPITAL

THE PRESIDENT OF THE REPUBLIC,

**Mindful of** the Constitution;

**Mindful of** Law No. 96/3 of 4 January 1996: Framework Law on Health;

**Mindful of** Law No. 2017/10 of 12 July 2017 to lay down general rules and regulations governing public establishments;

**Mindful of** Decree No. 2011/408 of 9 December 2011 to organize the Government, as amended and supplemented by Decree No. 2018/190 of 2 March 2018;

**Mindful of** Decree No. 2013/93 of 3 April 2013 to organize the Ministry of Public Health;

**Mindful of** Decree No. 2019/320 of 19 June 2019 to lay down conditions for the implementation of some provisions of Laws Nos. 2017/10 and 2017/11 of 12 July 2017 to lay down general rules and regulations governing public establishments and public corporations,

**HEREBY DECREES AS FOLLOWS:**

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

**ARTICLE 1:** This decree lays down the establishment, organization and functioning of the Garoua General Hospital, abbreviated as "GGH" and hereinafter referred to as "the Hospital".

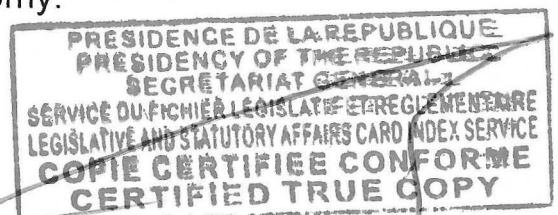
**ARTICLE 2:** (1) The Hospital shall be a public hospital establishment.

(2) It shall have legal and financial autonomy.

(3) It shall be headquartered in Garoua.

**ARTICLE 3:** The Hospital shall:

- Deliver high quality medical and paramedical care;



- serve as a teaching facility for training technical and administrative staff, in particular specialists in various medical and paramedical disciplines;
- promote cooperation and research in health sciences;
- participate directly or indirectly in all scientific, health or medical activities or operations related to its corporate purpose.

**CHAPTER II**  
**SUPERVISORY AUTHORITY, MANAGEMENT AND**  
**PERFORMANCE MONITORING**

**ARTICLE 4:** The Hospital shall be under the technical supervisory authority of the Ministry in charge of public health.

In that capacity, the technical supervisory authority shall ensure:

- compliance of activities carried out by the Hospital with Government's public policy guidelines on health, subject to the powers vested in the Board of Directors;
- compliance of resolutions of the Board of Directors with the laws and regulations in force, as well as sector policy guidelines.

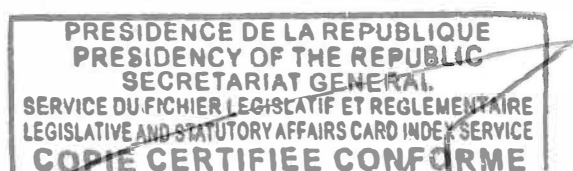
**ARTICLE 5:** The Hospital shall be under the financial supervisory authority of the Ministry in charge of finance.

In that capacity, the financial supervisory authority shall ensure:

- compliance of the Hospital's management operations having a financial impact with the laws and regulations governing public finance, as well as the ex-post regularity of accounts;
- regularity of Board resolutions with a financial impact;
- sustainability of the Hospital's financial commitments and overall consistency of its performance plans with sector programmes.

**ARTICLE 6:** (1) The Minister in charge of public health and the Minister in charge of finance shall, in conjunction with the Board of Directors, monitor the performance of the Hospital. The Hospital shall submit to them all documents and information pertaining to its activities.

(2) The documents and information referred to in (1) above shall include performance plans, action plans, annual performance reports,



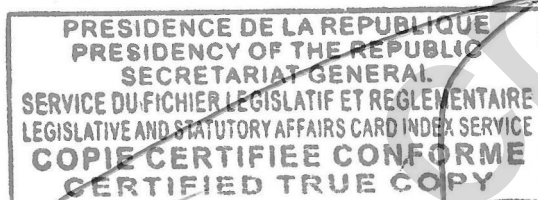
Financial Controller's report, administrative and management accounts, updated staff situation and salary scale.

(3) The Ministers concerned shall file to the President of the Republic, annual reports on the situation of the Hospital of which they have technical and financial oversight.

### CHAPTER III ORGANIZATION AND FUNCTIONING

**ARTICLE 7:** The management organs of the Hospital shall be the following:

- Board of Directors;
- Management.



#### 1- BOARD OF DIRECTORS

**ARTICLE 8:** (1) The Board of Directors shall comprise 10 (ten) members.

(2) Besides the Chairperson, the Board of Directors of the Hospital shall comprise:

- 1 (one) representative of the Presidency of the Republic;
- 1 (one) representative of the Prime Minister's Office;
- 1 (one) representative of the Ministry in charge of public health;
- 1 (one) representative of the Ministry in charge of finance;
- 1 (one) representative of the Ministry in charge of public investment;
- 1 (one) representative of the Ministry in charge of higher education;
- 1 (one) representative of the Garoua City Council;
- 1 (one) representative of the Faculty of Medicine and Biomedical Sciences of the University of Garoua;
- 1 (one) peer-elected representative of the Hospital staff.

**ARTICLE 9:** (1) The Chairperson of the Board of Directors of the Hospital shall be appointed by decree of the President of the Republic for a three-year term, renewable once.

(2) Board members shall be appointed by decree of the President of the Republic, on the recommendation of the government services they represent for a three-year term, renewable once.

(3) The instrument appointing the Board Chairperson of the Hospital in accordance with (1) and (2) above shall automatically confer upon such person, the status of board member.

**ARTICLE 10:** (1) The term of office of a board member shall expire:

- upon loss of the status that warranted the appointment;
- through dismissal following gross misconduct or activities incompatible with the duty of board member;
- at normal due date;
- upon death or resignation.

(2) In any of the cases provided for in (1) above, he/she shall be replaced following the same procedure as for his/her appointment.

**ARTICLE 11:** (1) Six (6) months to the expiry of a board member's term of office, the Board Chairperson shall notify the entity which such member represents for his/her replacement.

(2) No board member may sit upon expiry of his/her term of office.

(3) Upon the expiry of the Board Chairperson's term of office, the Minister in charge of public health shall notify the appointing authority thereof.

(4) In case of death of a sitting board member, or in any case where he/she is no longer able to perform his/her duties, the body he/she represents shall appoint another member to complete his/her term of office.

**ARTICLE 12:** (1) The Board of Directors shall define and guide the general policy and evaluate the management of the Hospital, within the limits fixed by its missions, and subject to the laws and regulations in force.

In that regard, it shall:

- set the objectives and approve the performance plans of the Hospital, in accordance with sector objectives;
- adopt the budget together with the performance plan of the Hospital, and close the books;
- approve annual performance reports;
- adopt the organization chart and internal rules and regulations;



- authorize recruitment of the entire staff, in accordance with the recruitment plan proposed by the Director-General and approved by the Board of Directors;
- authorize the dismissal of staff, on the recommendation of the Director-General;
- appoint, on the recommendation of the Director-General, persons to duty posts, of the rank of sub-director, director and equivalent rank;
- accept any gifts, legacies and subsidies;
- approve performance contracts or any other agreements, including loans, prepared by the Director-General and having budgetary impacts;
- authorize all transfers of movable or immovable, tangible or intangible assets, in accordance with the regulations in force;
- ensure compliance with rules of governance and order audits to ensure proper management of the Hospital;
- set staff remunerations and benefits, in accordance with the laws and regulations in force, internal rules and regulations and budget estimates;
- fix the remunerations and benefits of the Board Chairperson, as well as the allowances of board members, in accordance with the regulations in force;
- fix the monthly remunerations and benefits of the Director-General and Deputy Director-General, in accordance with the regulations in force.

(2) The Board of Directors may delegate some of its powers to the Director-General.

**ARTICLE 13:** The Hospital Management shall provide secretarial services during board meetings.

**ARTICLE 14:** (1) The Board of Directors shall meet at least twice a year in ordinary session when convened by its Chairperson, as follows:

- one session that must be held prior to the start of the financial year, to consider the performance plan and adopt the budget;
- one session to be held no later than 30 June, to close the books.

(2) The Board Chairperson shall be found wanting where he/she fails to convene at least 2 (two) board meetings per year.

(3) In the event of refusal to convene a board meeting in accordance with (1) above, 2/3 (two-thirds) of board members shall notify the Minister in charge of finance who shall convene the Board meeting.

(4) The provisions of (3) above shall also apply should the Chairperson remain silent as a result of permanent incapacity duly established by the Board of Directors.

(5) The Board of Directors meeting may be convened in extraordinary session at the request of the Board Chairperson or of 2/3 (two-thirds) of its members to examine a set agenda.

**ARTICLE 15:** (1) In the event of vacancy of the position of Board Chairperson due to death, resignation or failure, board meetings shall be convened by the Minister in charge of finance at the behest of the Director-General or of 2/3 (two-thirds) of board members.

(2) Board meetings convened in accordance with (1) above shall be chaired by a peer- elected board member.

**ARTICLE 16:** (1) Convening notices shall be sent by letter, fax, telegram, facsimile or any other means leaving written trace, at least 15 (fifteen) days before the scheduled meeting date, together with the files to be examined. In case of emergency, such period may be reduced to 5 (five) days.

(2) Convening notices shall indicate the agenda, date, venue and time of the meeting.

**ARTICLE 17:** (1) Any board member who is unavailable may request another member to represent him/her.

(2) No board member may represent more than one member at the same meeting.

(3) Any member present or represented at a board meeting shall be considered to have been duly convened.

(4) Where the Chairperson is absent, the Board of Directors shall elect a pro tem Chairperson from amongst its members, by a simple majority of the members present or represented.



**ARTICLE 18:** (1) The Board of Directors may validly deliberate on any agenda item only if at least 2/3 (two-thirds) of its members are present or represented. Where the quorum is not attained on the first sitting, another sitting shall be convened where the quorum shall be reduced to half of the board members.

(2) Each member shall have one vote. Decisions shall be taken by a simple majority of members present or represented. In the event of a tie, the Chairperson shall have the casting vote.

(3) Board decisions shall be taken by way of resolutions. They shall be signed at the meeting by the Board Chairperson, or Pro tem Chairperson, as the case may be, and a board member.

(4) The Board Chairperson may invite any natural or legal person, by virtue of their expertise on an agenda item, to take part in Board proceedings in an advisory capacity.

**ARTICLE 19:** (1) Board proceedings shall be recorded in the minutes signed by the Board Chairperson or Pro tem Chairperson and the Secretary. The minutes shall include the names of the members present or represented, as well those of persons invited in an advisory capacity. They shall be read and approved by the Board of Directors at the board meeting.

(2) Meeting minutes shall be recorded in a special register kept at the headquarters of the Hospital.

**ARTICLE 20:** (1) To discharge its duties, the Board of Directors may, as and when necessary, set up technical committees and commissions internally.

(2) Members of the committees or commissions referred to (1) above shall be entitled to working facilities and allowances, within the ceiling limits laid down by the regulations in force.

**ARTICLE 21:** (1) The Board Chairperson shall be entitled to a monthly allowance as well as benefits whose amounts shall be fixed by the Board of Directors, in accordance with the regulations in force.

(2) Board members shall be entitled to a sitting allowance fixed by resolution of the Board of Directors, within the ceiling limits set by

the regulations in force. They may claim reimbursement of expenses incurred during the sessions, upon presentation of supporting documents.

(3) The Board of Directors may grant special remuneration to its members for missions and tasks assigned to them, or authorize a refund of the travel expenses incurred in the interest of the Hospital, upon presentation of supporting documents.

**ARTICLE 22:** (1) The Board Chairperson and members shall be subject to the restrictive measures and incompatibilities provided for by the regulations in force.

(2) The Board Chairperson and members, as well as any other person invited to take part in Board meetings, shall also be bound by the obligation of confidentiality with regard to any information, facts and acts they have become privy to in the discharge of their duties.

## SECTION II MANAGEMENT

**ARTICLE 23:** (1) The Management of the Hospital shall be under the authority of a Director-General, who may be assisted by a Deputy Director-General.

(2) The Director-General and Deputy Director-General of the Hospital shall be appointed by decree of the President of the Republic.

**ARTICLE 24:** (1) The Director-General and Deputy Director-General shall be appointed for a three-year term of office, renewable twice.

(2) The renewal referred to in (1) above shall be tacit.

(3) In any case, the cumulative terms of office of the Director-General or Deputy Director-General shall not exceed 9 (nine) years.

(4) The Director-General and the Deputy Director-General shall be subject to the restrictive measures and incompatibilities provided for by the regulations in force.

**ARTICLE 25:** (1) The Director-General shall be responsible for implementing the general policy and managing the Hospital, under the supervision of the Board of Directors.





As such, he/she shall in particular:

- carry out the technical, administrative and financial management of the Hospital;
- draw up the annual programme of activities of the Hospital;
- prepare the draft budget and performance plan;
- produce the administrative accounts, and the annual performance report;
- prepare Board resolutions and ensure their implementation;
- propose a staff recruitment plan to the Board of Directors;
- appoint staff, subject to the powers devolved to the Board of Directors;
- manage the movable and immovable, tangible and intangible property of the Hospital, in accordance with its duties and under the supervision of the Board of Directors.

(2) The Board of Directors may delegate some of its responsibilities to the Director-General.

(3) The Director-General may delegate some of his/her powers.

**ARTICLE 26:** The Director General shall represent the Hospital in all matters of civil life and in court.

**ARTICLE 27:** (1) The Director-General or, where applicable, the Deputy Director-General, shall be answerable to the Board of Directors which may sanction him/her in case of gross mismanagement or misconduct likely to affect the smooth functioning or image of the Hospital.

(2) In the cases provided for in (1) above, the Board Chairperson shall convene an extraordinary Board meeting during which the Director-General or Deputy Director-General shall be heard.

(3) The file containing the complaints shall be sent to the Director-General or Deputy Director-General at least 10 (ten) days prior to the date of the extraordinary session.

(4) Hearings before the Board of Directors shall be adversarial.

(5) The Board of Directors may validly deliberate only in the presence of at least 2/3 (two-thirds) of its members. In such case, representation shall not be allowed.

**ARTICLE 28:** (1) The Board of Directors may impose the following sanctions on the Director-General or Deputy Director-General:

- suspension of some of his/her powers;
- suspension from his/her duties for a limited period, with immediate effect;
- suspension from his/her duties, with immediate effect coupled with a dismissal request submitted to the appointing authority.

(2) The decisions shall be forwarded to the Ministers in charge of public health and finance, at the behest of the Board Chairperson.

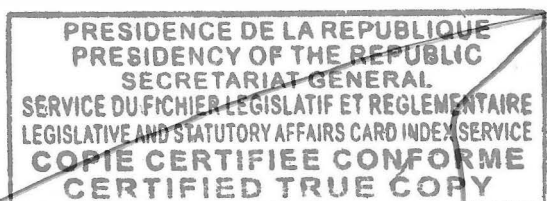
**ARTICLE 29:** Where the Director-General or Deputy Director-General is suspended from duty, the Board of Directors shall take the necessary measures to ensure the smooth running of the Hospital.

**ARTICLE 30:** (1) Where the Director-General is temporarily unavailable, the Deputy Director-General shall deputize.

(2) Where there is no Deputy Director-General, the Director-General shall appoint an official ranking at least as Director, to deputize.

(3) Where the position of Director-General becomes vacant due to death, resignation or expiry of the term of office, the Board of Directors shall take the necessary measures to ensure the smooth running of the Hospital, pending the appointment of a new Director-General by the appointing authority.

#### **CHAPTER IV** **STAFF**



**ARTICLE 31:** The staff of the Hospital shall include:

- staff recruited by the Hospital;
- civil servants on secondment;
- State employees governed by the Labour Code placed at the disposal of the Hospital.

**ARTICLE 32:** Civil servants on secondment and State employees governed by the Labour Code placed at the disposal of the Hospital shall be governed by the labour legislation for the duration of their employment, subject to the provisions of the General Rules and Regulations of the

Public Service and special rules and regulations relating to retirement, advancement and end of secondment.

**ARTICLE 33:** (1) The civil and/or criminal liability of the Hospital staff shall be subject to ordinary law regulations.

(2) Disputes between staff and the Hospital shall fall within the competence of ordinary law courts.

**ARTICLE 34:** The instrument of appointment of the Director-General and Deputy Director-General shall not confer upon them the status of employee of the Hospital, unless they are already under contract with the Hospital.

## CHAPTER V FINANCIAL PROVISIONS

### 1- RESOURCES

**ARTICLE 35:** The resources of the Hospital shall include:

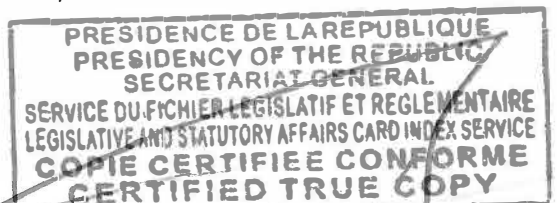
- revenue from hospital services and medical and biomedical procedures;
- State subsidies and contributions;
- resources allocated by development partners;
- loans;
- gifts and legacies;
- any other resources provided for by law.

**ARTICLE 36:** (1) The financial resources of the Hospital shall be public funds that shall be managed in accordance with the rules laid down by the financial regime of the State.

(2) However, funds derived from international conventions and agreements shall be managed under the terms and conditions provided for by such conventions and agreements.

## II- BUDGET AND ACCOUNTS

**ARTICLE 37:** The financial year of the Hospital shall begin on 1 January and end on 31 December of the same year.



**ARTICLE 38:** (1) The budget of the Hospital shall be balanced in income and expenditure.

(2) All of the income and expenditure of the Hospital shall be included in the budget adopted by the Board of Directors.

(3) The financial resources needed to cover recurrent expenditure and, in general, the own resources of the Hospital may be deposited in a bank account after prior approval by the Minister in charge of finance.

(4) The resources deposited in the account referred to in (3) above shall be committed, calculated, ordered for payment and paid in accordance with the rules of public accounting.

**ARTICLE 39:** (1) At the end of each financial year, the Director-General shall prepare all statements relating to the situation of all bank, deposit and portfolio accounts. He/she shall also draw up inventories, as well as the statement of receivables and payables.

(2) He/she shall present to the Board of Directors and, as the case may be, to the Minister in charge of finance and the Minister in charge of public health, periodic statements and annual progress reports.

(3) He/she shall also present to them, within 6 (six) months of the end of the financial year, the annual financial statements, the budget execution report for the previous financial year, and an asset statement report of the Hospital.

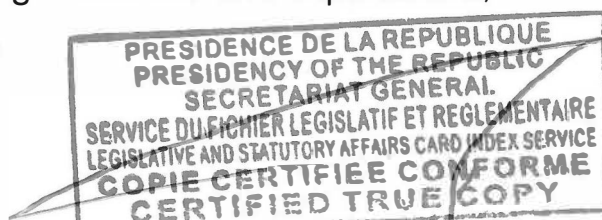
**ARTICLE 40:** (1) The draft annual budget together with the performance plan, including the investment plans of the Hospital shall be prepared by the Director-General and adopted by the Board of Directors.

(2) Budgets shall be presented in the form of consistent sub-programmes with national or local public policy objectives.

**ARTICLE 41:** The accounts of the Hospital must be regular and accurate and present a true and fair view of its assets and financial position.

**ARTICLE 42:** (1) The Hospital shall have 3 (three) types of accounting:

- budgetary accounting of income and expenditure;
- general accounting;



- cost accounting.

(2) The Hospital may also have other types of accounting.



**ARTICLE 43:** (1) The Board of Directors shall adopt the budget.

(2) The budget shall be rendered enforceable once adopted by the Board of Directors, save otherwise provided by the laws and regulations in force.

**ARTICLE 44:** (1) The Director-General shall be the principal authorizing officer of the budget of the Hospital.

(2) The Board of Directors may institute secondary authorizing officers, on the proposal of the Director-General.

### **III - CONTROL AND MONITORING OF MANAGEMENT**

**ARTICLE 45:** (1) An Accounting Officer and a Financial Controller shall be appointed at the Hospital by order of the Minister in charge of finance.

(2) The Accounting Officer and the Financial Controller shall discharge their duties in accordance with the laws and regulations in force, unless otherwise provided for in the international agreements duly ratified by Cameroon and published. In such case, the organic instruments of the Hospital shall specify the financial management terms and conditions.

**ARTICLE 46:** (1) The Accounting Officer shall record all the revenue and expenditure of the Hospital. He/she shall check the regularity of revenue collection, payment orders and payment authorizations issued by the Director-General.

(2) Authorized payments shall be made solely by the Accounting Officer of the Hospital.

**ARTICLE 47:** The Financial Controller shall check the revenue and expenditure generating instruments issued by the Director-General or by secondary authorizing officers. In general, he/she shall be responsible for checking the execution of the budget.

**ARTICLE 48:** (1) The Director-General shall prepare statements relating to the status of all bank, deposit and portfolio accounts at the end of each

financial year. He/she shall also draw up inventories and the statement of accounts payable and receivable.

(2) He/she shall submit to the Board of Directors and, as the case may be, to the Minister in charge of finance and the Minister in charge of public health, the administrative and management accounts as well as the annual performance reports, within 6 (six) months of the end of the financial year.

**ARTICLE 49:** (1) The Financial Controller and the Accounting Officer shall submit their respective budget execution reports to the Board of Directors.

(2) Copies of such reports shall be forwarded to the Minister in charge of finance, the Minister in charge of public health and the Director-General of the Hospital.

**ARTICLE 50:** The Minister in charge of finance shall monitor the management and performance of the Hospital.

To that end, the Hospital shall send to him/her all documents and information pertaining to the life of the establishment that must be made available to Board members in accordance with ordinary law, and in particular progress reports, reports of the Financial Controller and annual financial statements.

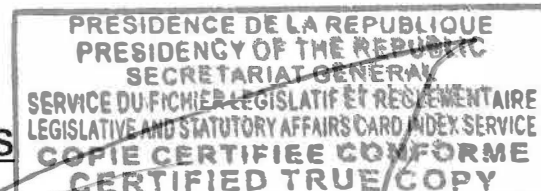
**ARTICLE 51:** (1) The Minister in charge of finance may request that financial statements be produced according to a periodicity of less than 1 (one) year.

(2) The Board of Directors, the Minister in charge of finance, and the Minister in charge of public health may request the conduct of independent audits.

## CHAPTER VI MANAGEMENT OF ASSETS

**ARTICLE 52:** The assets of the Hospital shall be assigned assets.

**ARTICLE 53:** (1) Assets forming part of public property and national land, or the private property of the State, transferred to the Hospital for use in accordance with the laws governing State property, shall retain their original status.



(2) Assets forming part of the private property of the State transferred to the Hospital for ownership shall be permanently incorporated into its assets.

(3) Assets forming part of the private property of the Hospital shall be managed in accordance with ordinary law.

**ARTICLE 54:** (1) The Director-General shall manage the assets of the Hospital under the supervision of the Board of Directors.

(2) The management of assets referred to in (1) above shall concern the acquisition of assets and disposal thereof.

**ARTICLE 55:** (1) In case of disposal of the assets of the Hospital, the Director-General shall require the prior authorization of the Board of Directors. He/she shall update the Board of Directors on the status of the assets, which shall be reviewed during one of its sessions.

(2) The authorization of the Board of Directors shall be issued by way of a resolution adopted by at least 2/3 (two-thirds) of its members.

## **CHAPTER VII**

### **MISCELLANEOUS AND FINAL PROVISIONS**

**ARTICLE 56:** (1) The Hospital shall be subject to the provisions of the Public Contracts Code.

(2) The Director-General shall be the contracting authority for all public contracts.

**ARTICLE 57:** (1) Notwithstanding the provisions of Law No. 2017/010 of 12 July 2017 to lay down the general rules and regulations governing public establishments, in the event of serious crisis likely to undermine the general interest missions, the corporate purpose of the Hospital or the sector objectives of Government, an interim administrator may be appointed by decree of the President of the Republic, in lieu of the management bodies of the Hospital.



(2) The instrument appointing the Interim Administrator shall specify his/her duties as well as the duration of tenure which, in any case, may not exceed 1 (one) month.

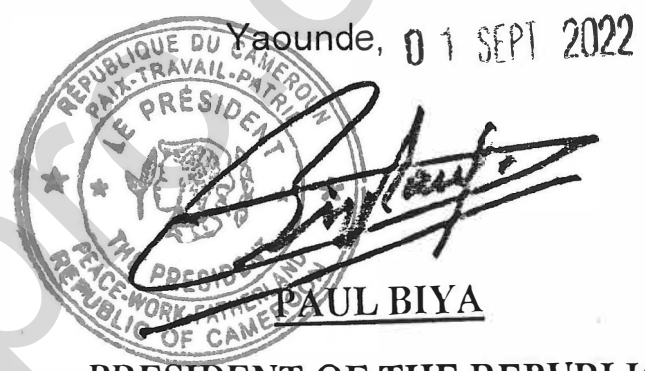
(3) Upon expiry of the tenure, the Interim Administrator shall be bound to produce a progress report presenting all the management activities carried out.

**ARTICLE 58:** The Hospital shall be dissolved and liquidated in accordance with the laws in force.

**ARTICLE 59:** This decree shall be registered, published according to the procedure of urgency and inserted in the Official Gazette in English and French.

PRESIDENCE DE LA REPUBLIQUE  
PRESIDENCY OF THE REPUBLIC  
SECRETARIAT GENERAL  
SERVICE DU FICHIER LEGISLATIF ET REGLEMENTAIRE  
LEGISLATIVE AND STATUTORY AFFAIRS CARD INDEX SERVICE  
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Yaounde, 01 SEPT 2022



REPUBLIC OF CAMEROON  
LE PRÉSIDENT  
PAUL BIYA

PRESIDENT OF THE REPUBLIC

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