

ORDER No 002933 /MINFOPRA OF 30 APR 2020

to announce a competitive examination for the special recruitment of **50 (fifty) Pupil Magistrates of English expression** into the Magistracy and Registry Division of the National School of Administration and Magistracy (NSAM) for the 2020/2021 academic year.

THE MINISTER OF THE PUBLIC SERVICE AND ADMINISTRATIVE REFORM,

- Mindful of the Constitution ;
Mindful of law No. n°2017/010 of 12 July 2017 on the general statutes of State Establishments ;
Mindful of decree No. 94/199 of 7 October 1994 on the General Rules and Regulations of the Public Service, together with its subsequent amendments;
Mindful of decree No.095/048 of 8 March 1995 on the General Rules and Regulations of the Magistracy and its subsequent amendment instruments, especially decree No. 2012/188 of 18 April 2012 amending and supplementing article 11 (new) of decree No. 2004/080 of 13 April 2004;
Mindful of decree No. 2011/408 of 9 December 2011 to organize the Government, amended by Decree N°2018/190 of 2 March 2018 ;
Mindful of decree No.2012/537 of 19 November 2012 to organize the Ministry of the Public Service and Administrative Reform;
Mindful of decree N°2018/191 of 2 March 2018 to reshuffle the Government ;
Mindful of decree No.2018/240 of 9 April 2018 to reorganise the National School of Administration and Magistracy (NSAM) ;
Mindful of decree No.2000/696/PM of 13 September 2000 to lay down the general system of government competitive examinations;
Mindful of order No. 004832/MINFOPRA of 10 October 2012 on the system of studies and schooling in the Magistracy and Registry Division of the National School of Administration and Magistracy;
Mindful of order No.001216/ MINFOPRA of 6 April 2017 to create the ad hoc Commission in charge of the special recruitment of Anglophone legal personnel for the jurisdictions of the North West and South West Courts of Appeal for the 2017– 2020 financial years;
Mindful of letter No. 262/CF/SG/PR of 31 March 2017 pertaining to the claims raised by some lawyers of the English expression,

HEREBY ORDERS AS FOLLOWS:

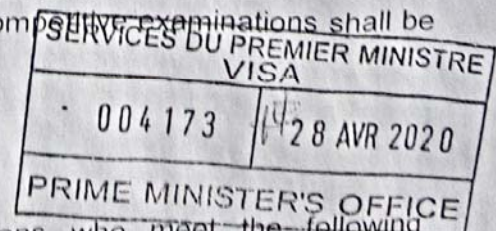
Article 1: (1) A competitive examination for the special recruitment of **50 (fifty) Pupil Magistrates of English expression** into the Magistracy and Registry Division of the National School of Administration and Magistracy (NSAM), has been announced for the 2020/2021 academic year. The examination syllabus is appended to this order.

(2) The number of available openings for the competitive examinations shall be distributed as follows:

- **Judicial Section (30 places);**
- **Administrative Section (10 places);**
- **Audit Section (10 places).**

Article 2: The examinations shall be open to persons who meet the following requirements:

- a) be a Cameroonian national;
- b) be at least 17 (seventeen) and at most 32 (thirty-two) years of age as at 1st January 2020;



b) be at least 17 (seventeen) and at most 32 (thirty-two) years of age as at 1st January 2020;

c) have a good mastery of the English language;

d) be holder of:

- **For the Judicial Section:** a Master's 1 or a "Maitrise" in English Private Law issued by a Cameroonian University, or a foreign certificate recognised as equivalent by the competent authority established by the Minister of Justice;
- **For the Administrative Section:** a Master's 1 or a "Maitrise" in Public Law issued by a Cameroonian University, or a foreign certificate recognised as equivalent by the competent authority established by the Minister of Justice;
- **For the Audit Section:** a Master's 1 or a "Maitrise" in Economics, Management issued by a Cameroonian University, or a foreign certificate recognised as equivalent by the competent authority established by the Minister of Justice.

e) be physical fit and of good health that will enable a candidate to effectively exercise the duties of the magistracy;

f) enjoy civic rights;

g) not having a conviction featuring on the Criminal Record which leads to disqualification to hold the office of a magistrate.

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Article 3: (1) Application forms can be downloaded from the Ministry of the Public Service and Administrative Reform website (www.minfopra.gov.cm).

(2) The application fees for the competitive examinations stand at CFA 15,000 (fifteen thousand) payable to the persons in charge of the counter **EXPRESS UNION** at the place of deposit of submission of the application files.

(3) Candidates can submit their applications, against a receipt, directly at Regional Delegations of the Public Service and Administrative Reform.

(4) Applications must arrive at the Regional Delegations of the Public Service and Administrative Reform not later than **12 of June 2020** which is the deadline.

(5) The list of documents to be submitted are:

- an application form duly filled and signed by the candidate;
- a receipt attesting payment of the application fee issued by an **EXPRESS UNION** official at the place of submission of the application files ;
- a certified true copy of the required certificate;
- an attestation of presentation of the original certificate signed by the Governor or the Senior Divisional Officer;
- an attestation of presentation of the original G.C.E. A' level or any other certificate granting admission into higher education;
- a certificate of non-conviction not more three months old at the date of submission of application, issued by the competent legal authorities;
- a medical certificate not more than three months old at the date of submission of application, issued by a public sector Medical Officer;
- a certified true copy of birth certificate not more than three months old at the date of submission of application, signed by an administrative or municipal authority;
- an envelope bearing a CFA 500 francs stamp and the candidate's address.

(6) No incomplete file or a file containing fake or falsified documents shall be accepted.

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(7) The list of candidates authorised to sit the examinations shall be drawn up and published at the Ministry of the Public Service and Administrative Reform website and pasted at the Regional Delegations of the Public Service and Administrative Reform on 2 of June 2020 at the latest. The publication of the lists shall serve as invitation to write the examinations.

Article 4: (1) The tests of the written part of the examinations to take place at the examination centre (**Bamenda, Buea, Garoua, Yaounde**) chosen by the candidate, shall be done according to the following schedule:

a) **Saturday 27 June 2020 :**

▪ **General Knowledge (All Sections) :**

- * time allowed : 4 hours (from 7 : 30 am to 11 : 30am) ;
- * coeff. 04 ;

▪ **Law Paper (All Sections) Law of Contract/Family Law/Land Law/Civil procedure:**

- * time allowed : 4 hours (from 7 : 30 am to 11 : 30am)
- * coeff. 04 ;

b) **Sunday 28 June 2020 :**

▪ **Specialization Paper I :**

- Judicial Section : *Criminal Law/ Criminal procedure;*
- Administrative Section : *Constitutionnal Law/ Administrative Law/Administrative Litigation ;*
- Audit Section : *Public Finances*

- * time allowed : 4 hours (from 7 : 30 am to 11 : 30am) ;
- * coeff. 04 ;

▪ **Specialization Paper II :**

- Judicial Section : *Business Law ;*
- Administrative Section : *Public Freedoms and Human Rights;*
- Audit Section: *General Accounting*

- * time allowed : 4 hours (from 1 : 00 pm to 5 : 00pm)
- * coeff. 04.

(2) The examinations shall be written exclusively in the English Language.

(3) The latest time to be allowed in the examination room shall be 7:00am for the morning papers and 12:30pm for the afternoon papers.

Article 5: The oral part of the examination shall take place in Yaounde (National School of Administration and Magistracy). It shall consist of:

- an oral presentation of a practical case following an exchange with jury in English Language, on any of the following: *Family Law, Criminal Law, Criminal procedure, Civil procedure, Land Law, Law of tort, Business Law, Administrative Law, Constitutionnal Law, Public Freedoms, Human Rights, Administrative Litigation, Public Finances, General Accounting, Economics;* coeff. 3;

- an interview with a jury in French language: coeff. 1 ;



Article 6: Receipts of submission for application for national identity cards of less than three months old at the date of closure of application for the competitive examinations shall not be accepted.

Article 7: Any form of fraud established before, during or after the competitive examination shall be sanctioned in accordance with the regulations in force.

Article 8: This order shall be registered and published wherever necessary./-

YAOUNDE, 30 APR 2020

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Minister of the Public Service and Administrative Reform

CAMEXAMER

SYLLABUS FOR THE SPECIAL RECRUITMENT OF 50 (FIFTY) PUPIL MAGISTRATES OF ENGLISH EXPRESSION INTO THE MAGISTRACY AND COURT REGISTRY DIVISION OF THE NATIONAL SCHOOL OF ADMINISTRATION AND MAGISTRACY (NSAM) FOR THE 2020/2021 ACADEMIC YEAR.

I. WRITTEN PAPERS

A. General knowledge (All Sections) :

- Literature;
- Philosophy;
- Modern History;
- Development in Science and Technology;
- Civilizations;
- Arts and Culture;
- Topical issues.

B. Law Paper on Common Law (All Sections)

1. the basis and characteristics of the rule of law

SOURCES OF LAW

- Written sources;
- Non-textual sources of law, general principles of law, customs, jurisprudence /case law.

TOPICS ON LAW

- Distinction between natural persons and corporate entities;
- Identification of persons and their rights.

PROPERTY RIGHTS

NATURAL PERSONS AND FAMILY

- The Cameroonian nationality.

FAMILY LAW

- Marriage (void and voidable marriage, validity of marriage, consortium);
- Matrimonial Regimes;
- Divorce and judicial separation;
- Legitimation;
- Property rights (financial provisions, custody, etc.);
- Child law.

LAW OF TORT

- General principles;
- Diffamation;
- Negligence;
- Trespass to land and to persons;
- Nuisance;
- Deceit and injurious falsehood;
- Wrongful process of law;
- Damages and remedies.



CONTRACTS

- General contract principles;
- Formation (offer and acceptance, intention to create legal relations, etc.);
- Consideration;
- Terms of contract (excluding and limiting terms);
- Capacity (required status to get into a valid contract);
- Illegality;
- Mistake;
- Privacy of contracts;
- Privity.

PROPERTY LAW

- Content;
- The base;
- Accessories;
- Apparent and indivisible property;
- Evidence.

POSSESSION

- Possessory actions;
- Prescriptions.

SUCCESSION

- Introduction;
- Types of succession;
- Distribution of property;
- The will;
- Liabilities of personal representative;
- Challenging a will.

PRIVATE INTERNATIONAL LAW

- General principles;
- Conflicts of law;
- Conflicts of law settlement;
- Foreign judgments and exequatur.

COMMON LAW CIVIL PROCEDURE

- Meaning of civil procedure and its application in Anglophone Cameroon;
- Commencement of civil proceedings (motions, petitions, writs of summons);
- Simplified recovery procedure and the undefended list;
- Parties (nature, joinder procedure, misjoinder procedure, representation proceedings, etc.);
- Joinder and consolidation of causes of action;
- Service of process and appearance;
- Pleadings (functions, content, facts that must be specifically pleaded, etc.);
- Interim relief (interlocutory order, injunction, etc.);
- Equitable relief;
- Interlocutory application;
- Settlement of issues;
- Stay of execution.



PRINCIPLES OF EVIDENCE LAW

- Meaning and nature of evidence and the laws applicable to evidence;
- Facts which need not be proved;
- Relevancy and admissibility of facts;
- Admission (formal and informal);
- Confession;
- Hearsay evidence;
- Opinion evidence;
- Similar facts evidence;
- Compellability of witnesses;
- Corroboration.

C. Papers for each specialty

1- JUDICIAL SECTION

a) Business law

- OHADA and its institutions;
- General Commercial Law;
- The Company Law and the legal status of economic interest groups;
- Collection of receivables;
- Security and enforcement proceedings;
- Collective proceedings for discharging liabilities;
- The Arbitration Law;
- Consumer law and Competition Law;
- Major business contracts:
 - * Company Contract;
 - * Return for Professional Use;
 - * Loan Contracts
 - * Sales and Purchase Contracts;
 - * Transport Contract;
 - * Service Contract;
 - * Labour Contract;
 - * Corporate, Subcontracting, Engineering, Technology Transfer Contracts
 - * Lease Contract;
 - * Management of Lease Contract;
 - * Distribution, Franchise, Concession Contracts;
 - * etc.

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b) Criminal law

- General principles;
- The offence;
- Coactions and complicity
- Criminal responsibility;
- Penalties;
- Suspended sentences.

c) Criminal procedure

- The leading principles of legal proceedings;
- Public action;
- Civil action;
- Prescription of public action and of penalties;
- Preliminary investigation and preliminary inquiry;
- Rules of evidence;

- Police custody and detention;
- Alternative measures to imprisonment;
- Execution of court decisions;
- Remedy at law (appeal) and authority of the res judicata.

2- ADMINISTRATIVE SECTION

a) Constitutional Law, Administrative Law and Administrative Litigations

- General Administrative Law: public establishments, administrative acts, public services;
- Administrative litigation: the status of the administrative judge and administrative justice.

b) Public Freedoms and Human Rights

- Freedom of expression, information and communication;
- Freedom of association, of meeting and formation of political parties;
- Freedom of movement;
- The limitations of public freedoms;
- Institutions regulating public freedoms:
 - The National Commission for Human Rights and Freedoms;
 - Competent Courts of Common Law;
 - A special court: the High Court of Justice.

c) Public International Law

- Sources;
- Settlement of disputes.

3- AUDIT SECTION

a) Accountancy

- General;
- Analytic;
- Projected.

b) Public Finance

- The rudiments of Public Finance;
- State financial policy;
- The financial policy of Regional and Local Communities;
- The budgetary and accounting set-up of the State;
- The budgetary and accounting set-up of administrative public establishments;
- The budgetary and accounting framework of Regional and Local Communities;
- Management of the State budget audit;
- Financial courts in Cameroon and abroad;
- Relations between financial courts and judicial authorities.

c) Economy

- Microeconomy;
- Macroeconomy;
- Development Economy;
- Monetary economy;
- International economy.



II. ORAL EXAMINATION

An interview with a jury, with the aim is to determine the candidate's *personality* and his/her predispositions to serve the State and the citizens.

NB: Emphasis shall be laid on the knowledge of judicial institutions in Cameroon.

1. JUDICIAL ORGANISATION

- Customary Courts;
- Courts of first instance;
- Military courts;
- High Courts;
- Administrative courts;
- Regional Account Courts;
- Courts of Appeal;
- Special Criminal Court;
- Supreme Court; its Chambers
- Court of Impeachment.

2. THE JUDICIARY CORPS

- Magistrates: the status of magistracy, the Higher Judicial Council (HJC)
- Court registrar and legal department staff and their status.

3. AUXILIARIES OF JUSTICE

- Bailiffs and executing *officers*;
- Barristers;
- Public notaries;
- Judicial police.

4. THE LANGUAGE JURY

An interview *with* a jury in French.

