

ORDER No. 073/CAB/PM of 6 December 2001 to organize and lay down the terms and conditions for the functioning of the National Commission for Private Higher Education

MINDFUL of the Constitution;

MINDFUL of Law No.005 of 16 April 2001 to Guide Higher Education;

MINDFUL of Decree No. 92/089 of 4 May 1992 spelling out the duties of the Prime Minister, as amended and supplemented by Decree No. 95/145 of 4 August 1995;

MINDFUL of Decree No. 97/205 of 7 December 1997 to organize the Government, as amended and supplemented by Decree No. 98/067 of 28 April 1998;

MINDFUL of Decree No. 97/206 of 7 December 1997 to appoint a Prime Minister;

MINDFUL of Decree No. 98/231 of 28 September 1998 to organize the Ministry of Higher Education;

MINDFUL of Decree No. 2001/832/PM of 19 September 2001 to lay down the common rules and regulations applicable to private higher education institutions.

THE PRIME MINISTER HEREBY ORDERS AS FOLLOWS:

CHAPTER I: GENERAL PROVISIONS

ARTICLE 1: This order shall organize and lay down the terms and conditions for the functioning of the National Commission for Private Higher Education;

ARTICLE 2: The said commission shall be an advisory group to assist the Minister in charge of Higher Education in making available, developing, monitoring, supervising and evaluating private higher education and its institutions. To this end, it shall give its opinion and recommendations concerning:

- Applications for the extension of private higher education institutions;
- Applications for the award of approvals or final approvals for private higher education institutions;
- Documents for the withdrawal of authorizations concerning the opening or extension of institutions, and documents for the withdrawal of approvals or final approvals for private higher education institutions;
- The promotion of ethics and good governance;
- Issues pertaining to the general functioning of private higher education;
- Any other issue pertaining to private higher education submitted to the Minister in charge of Higher Education.

CHAPTER II: ORGANISATION

ARTICLE 3: (1) The commission shall be chaired by a personality appointed by a Prime Ministerial Order at the request of the Minister in charge of Higher Education.

(2) The commission shall comprise:

- a representative of the Presidency of the Republic;
- a representative of the Prime Minister's Office;
- two representatives of the Ministry in charge of Higher Education;
- a representative of the Ministry in charge of Scientific and Technical Research;
- a representative of the Ministry in charge of National Education;
- a representative of the Ministry in charge of the Economy and Finance;
- a representative of the Ministry in charge of Territorial Administration;
- a representative of the Ministry in charge of Vocational Training;
- a representative of the Ministry in charge of Urban Development and Housing;
- the Chairperson of the Conference of Heads of State University Institutions;
- two other heads of State university institutions chosen by their peers;
- the Permanent Secretary of Higher Education and Scientific/ Technical Research Council;
- a representative of the Chamber of Commerce, Industries and Mines;
- a representative of the Chamber of Agriculture, Forests and Animal Breeding;
- a representative of each approved private university;
- two representatives of heads of private higher education institutions (with final approvals) chosen by their peers;
- three representatives of approved private higher education institutions chosen by their peers, taking, as much as possible, into account the need for balance between lay and denominational private education;
- three representatives of businessmen chosen by their peers.

(3) Whenever a member loses the status which enables him to sit on the commission, he shall cease to be a commission member.

(4) The Commission Chairperson may invite to its meetings any natural person, legal entity or any other public institution on grounds of competence in issues handled by the meetings of the commission, after consulting the Minister in charge of Higher Education.

(5) Commission members shall be chosen by the State institutions and private establishments to which they belong.

ARTICLE 4: The composition of the commission shall be confirmed by an order signed by the Minister in charge of Higher Education.

ARTICLE 5: (1) The commission shall comprise two technical sub-commissions, namely:

- The Sub-commission for authorizations and accreditations;
- The Evaluation and Ethics Sub-commission

(2) Other Sub-commissions may be set up, if need be, by an order signed by the Minister in charge of Higher Education.

ARTICLE 6: Technical sub-commissions shall provide their opinions prior to, and to prepare for, commission discussions.

ARTICLE 7: (1) Technical sub-commissions shall each comprise at most ten (10) members who shall include a chairperson and a rapporteur.

(2) The chairperson, rapporteur and members of the technical sub-commissions shall be appointed by a decision signed by the Minister in charge of Higher Education among commission members for a renewable period of one year.

(3) The Commission Chairperson may invite to the technical sub-commission meetings, any natural person or moral entity on grounds of competence in issues handled by the meetings of the sub-commissions, after consulting the Minister in charge of Higher Education.

ARTICLE 8: The Higher Education Department in the Ministry for Higher Education shall be in charge of secretarial duties of the commission.

CHAPTER III: FUNCTIONING

ARTICLE 9: (1) Members of the commission and sub-commissions shall meet twice annually in ordinary sessions , at the invitation of the Commission Chairperson who shall determine the date, venue and agenda of each meeting, after consulting the Minister in charge of Higher Education.

(2) Invitations, accompanied by meeting agendas, shall be sent to commission members latest fifteen (15) days prior to each meeting date.

(3) The commission shall meet, if need be, in extraordinary sessions convened by the Minister in charge of Higher Education.

ARTICLE 10: On its own initiative, the commission may hear an official, a lecturer or a student of a private higher education institution.

ARTICLE 11: (1) Each technical sub-commission shall produce reports of its meetings signed by all its members.

(2) At the end of the each meeting of a technical sub-commission, a general report shall be produced by the commission secretariat.

(3) The said general report shall be sent as soon as possible to the Commission Chairperson latest five (5) days prior to the start of a commission session.

ARTICLE 12: (1) The commission may, if need be, recommend the services of an internal or external expert as concerns any file.

(2) Expertise reports shall be submitted to the commission secretariat and presented during commission meetings.

ARTICLE 13: (1) The commission and sub-commissions may meet only if 3/5 of their members are present.

(2) Commission decisions as well as the opinions of technical sub-commissions shall be collectively arrived at.

(3) The Minister in charge of Higher Education shall be informed, as soon as possible, of commission opinions on complete files submitted to the commission, at most three months with effect from the date a matter is referred to the commission.

ARTICLE 14: (1) Commission and sub-commission discussions shall not be public.

(2) Meeting participants shall be bound by secrecy.

ARTICLE 15: The running costs of the commission shall be chargeable to the budget of the Ministry for Higher Education.

ARTICLE 16: (1) The duties of the commission Chairperson and members shall be free of charge.

(2) However, the commission Chairperson and members as well as secretariat members mentioned in article 8 above shall receive session allowances whose amounts shall be fixed by the Minister in charge of Higher Education.

CHAPTER IV: FINAL PROVISIONS

ARTICLE 17: The Minister in charge of Higher Education shall be responsible for applying this order which shall be registered, published according to the emergency procedure, and inserted in the Official Gazette in English and French.

Yaounde, 6 December 2001

Peter MAFANY MUSONGE

PRIME MINISTER