
DECREE No. 2010/0246/PM OF 26 FEB 2010

to lay down conditions for the exercise of some powers transferred by the State
to councils relating to public health

THE PRIME MINISTER, HEAD OF GOVERNMENT

- Mindful** of the Constitution;
- Mindful** of Law No. 96/03 of 04 January 1996 to lay down the framework law in the area of health ;
- 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. 2009/011 of 10 July 2009 to lay down the financial regime of the Regional and Local Authorities;
- Mindful** of Law No. 2009/018 of 15 December 2009 to lay down the Finance Law of the Republic of Cameroon for the 2010 financial year;
- Mindful** of Decree No. 92/089 of 04 May 1992 to define the duties of the Prime Minister, as amended and supplemented by Decree No.95/145-bis of 4 August 1995;
- Mindful** of Decree No. 2002/209 of 09 August 2002 to organize the Ministry of Public Health;
- Mindful** of Decree No. 2004/320 of 8 December 2004 to organize the Government, as amended and supplemented by Decree No.2007/268 of 7 September 2007;
- Mindful** of Decree No. 2008/013 of 17 January 2008 to lay down the organization and functioning of the National Decentralization Council,

Mindful of Decree No. 2008/014 of 17 January 2008 to lay down the organization and functioning of the Inter-Ministerial Committee for Local Services;

Mindful of Decree No. 2009/222 of 30 June 2009 to appoint a Prime Minister, Head of Government,

HEREBY DECREES AS FOLLOWS:

CHAPTER I.

GENERAL CONDITIONS.

1. - This Decree lays down the conditions for the exercise by councils, as from the 2010 financial year, some powers transferred by the State relating to health, particularly the building, equipping, maintenance and management of Integrated Health Centres.

2. - Councils shall exercise the powers transferred by the State relating to the building, equipping, maintenance and management of Integrated Health Centres, without prejudice to the following State responsibilities and prerogatives :

- Drawing up, implementation and the continuous assessment of public health policy;
- Organization, management and development of public hospital establishments and the technical control of private health establishments;
- Defining conditions for the creation, opening and running of public and private health establishments;
- Laying down and controlling of the building, equipping and maintenance standards of public and Private hospitals establishments;
- Drawing up and updating the health map.

3. - (1) Powers transferred by the State relating to the building, equipping, maintenance and management of Integrated Health Centres shall be exercised by councils within the strict respect of the laws and regulations in force.

(2) The execution of related expenses shall respect the provisions of the Public Contracts Code.

CHAPTER II.

ON THE BUILDING, EQUIPPING, MAINTENANCE AND MANAGING OF THE INTEGRATED HEALTH CENTRES OF COUNCILS.

4. – The building of Integrated Health Centres by councils shall consist in supervision with a view to accomplishing the infrastructure of the centres.

5. - (1) Councils shall ensure the equipping of Integrated Health Centres by putting at their disposal, authorized furniture and materials deemed indispensable in the provision of primary health care.

(2) An order of the Minister in-charge of Public Health shall determine the nature and fix the composition of materials and furniture to be granted to the Integrated Health Centres of the Council.

6. - Councils shall take all the necessary measures to ensure the hygiene and cleanliness of the premises and environs of these health centres.

7. - (1) Councils shall take part in the management of Integrated Health Centres by way of recruiting support staff and putting them, as the need arises, at the disposal of the centres.

(2) Support staff shall be all those in charge of carrying out routine tasks that do not come under medical health care provision.

(3) Councils shall take charge of all the salaries of the support staff.

8. - Councils shall take part in the deliberations of the Management Committee

of the Integrated Health Centres set up within its area of jurisdiction.

CHAPTER III

ON THE TRANSFER OF RESOURCES

9. – The transfer by the State of powers relating to the building, equipping, maintenance and management of Integrated Health Centres shall be accomplished by the concomitant transfer of the resources necessary for their normal exercise by the councils.

10. - The Finance Law of the State shall, each year, provide for the resources necessary for the exercise of the powers transferred to councils relating to the building, equipping, maintenance and management of Integrated Health Centres.

11. – Besides the resources transferred State, the council may benefit from the support of partners for the exercise of the powers transferred relating to the building, equipping, maintenance and management of Integrated Health Centres.

12. - (1) The financial resources transferred by the State shall be exclusively reserved for the exercise of the corresponding powers.

(2) These resources shall be recorded in the council budget.

(3) Their management shall respect the budgetary and accounting principles in force.

CHAPTER IV.

MISCELLANEOUS AND FINAL PROVISIONS

13. - The terms and technical conditions for the exercise of the powers transferred by the State relating to the building, equipping, maintenance and management of Integrated Health Centres, as well as the use of the

corresponding resources shall be laid down in the duty specifications prepared by the Minister in-charge of Public Health.

14. - The State shall ensure the monitoring, control and evaluation of the exercise of the powers transferred to councils relating to the building, equipping, maintenance and management of Integrated Health Centres;

15. - (1) The council and the competent deconcentrated services of the State shall draw up a six-monthly report on the state of implementation of the powers transferred relating to the building, equipping, maintenance and management of Integrated Health Centres.

(2) This report shall be addressed to the Minister in -charge of Decentralization and to the Minister in-charge of Public Health.

16. - The Minister in-charge of Decentralization, the Minister in-charge of Public Health, the Minister in-charge of Finance and the Minister in-charge of investments shall, each in its own sphere, be charged with the implementation of this decree which shall be registered and published according to the procedure of urgency in the Official Gazette in English and French.

Yaounde, 26 February 2010

YANG Philemon
PRIME MINISTER,
HEAD OF GOVERNMENT,

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