

UNITED NATIONS
TRUSTEESHIP
COUNCIL



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REPORT OF THE UNITED NATIONS COMMISSIONER FOR THE
SUPERVISION OF THE PLEBISCITES IN THE SOUTHERN AND
NORTHERN PARTS OF THE TRUST TERRITORY OF THE
CAMEROONS UNDER UNITED KINGDOM ADMINISTRATION

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ANNEX I. General Assembly resolution 1350 (XIII) of 13 March 1959

1350 (XIII). The future of the Trust Territory of the
Cameroons under United Kingdom administration

The General Assembly,

Recalling its resolution 1282 (XIII) of 5 December 1958 requesting the Trusteeship Council to examine, as early as possible during the twenty-third session, the reports of the United Nations Visiting Mission to Trust Territories in West Africa, 1958, on the Cameroons under French administration and the Cameroons under United Kingdom administration, and to transmit them, with its observations and recommendations, to the General Assembly not later than 20 February 1959, to enable the Assembly, in consultation with the Administering Authorities, to take the necessary measures in connexion with the full attainment of the objectives of the Trusteeship System,

Having examined, in consultation with the Administering Authority, the special report of the Trusteeship Council,^{1/} as well as the report of the Visiting Mission on the Cameroons under United Kingdom administration,^{2/}

Noting the statements made in the Fourth Committee by the representatives of the Administering Authority, by the Premier of the Southern Cameroons, by the Leader of the Opposition in the Southern Cameroons House of Assembly, and by the Minister for Northern Cameroons Affairs in the Government of the Northern Region of Nigeria,^{3/}

1. Recommends that the Administering Authority, in pursuance of Article 76 b of the Charter of the United Nations, take steps, in consultation with a United Nations Plebiscite Commissioner, to organize, under the supervision of the United Nations, separate plebiscites in the northern and southern parts of the Cameroons under United Kingdom administration, in order to ascertain the wishes of the inhabitants of the Territory concerning their future;

1/ Official Records of the General Assembly, Thirteenth Session, Annexes, agenda item 13, document A/74094.

2/ Official Records of the Trusteeship Council, Twenty-third Session, Supplement No. 2 (T/1440), documents T/1426 and Add. 1

3/ See Official Records of the General Assembly, Thirteenth Session, Fourth Committee, 846th, 847th, 849th and 850th meetings.

2. Recommends further that in the northern part of the Territory the plebiscite should take place about the middle of November 1959, that the people of the northern part of the Territory should be asked:

"(a) Do you wish the Northern Cameroons to be part of the Northern Region of Nigeria when the Federation of Nigeria becomes independent?

or

"(b) Are you in favour of deciding the future of the Northern Cameroons at a later date?"

and that the plebiscite should be conducted on the basis of the electoral register at present being compiled for the elections to the Federal House of Representatives;

3. Recommends further that the plebiscite in the southern part of the Territory should be conducted during the next dry season between the beginning of December 1959 and the end of April 1960;

4. Decides that the two alternatives to be put to the people of the southern part of the Territory and the qualifications for voting in the plebiscite there should be considered by the General Assembly at its fourteenth session;

5. Expresses the hope that all concerned in the Territory will endeavour to reach agreement before the opening of the fourteenth session of the General Assembly on the alternatives to be put in the plebiscite in the Southern Cameroons and the qualifications for voting in it;

6. Decides to appoint a United Nations Plebiscite Commissioner who shall exercise, on behalf of the General Assembly, all the necessary powers and functions of supervision, and who shall be assisted by observers and staff to be appointed by the Secretary-General in consultation with him;

7. Requests the United Nations Plebiscite Commissioner to submit to the Trusteeship Council a report in two parts on the organization, conduct and results of the plebiscites, the first part of the report, which shall deal with the northern part of the Territory, to be submitted in time for transmission to the General Assembly for consideration before the end of its fourteenth session;

8. Requests the Trusteeship Council to transmit to it the reports of the United Nations Plebiscite Commissioner, together with any recommendations and observations it considers necessary.

794th plenary meeting,
13 March 1959.

At its 794th plenary meeting, on 13 March 1959, the General Assembly, voting by secret ballot, elected Mr. Djalal Abdoh (Iran) United Nations Plebiscite Commissioner.

ANNEX II. Trusteeship Council resolution 2013 (XXVI) of 31 May 1960

2013 (XXVI) Future of the Trust Territory of the Cameroons under United Kingdom administration

The Trusteeship Council,

Recalling General Assembly resolutions 1352 (XIV) of 16 October 1959 and 1473 (XIV) of 12 December 1959, concerning the future of the Trust Territory of the Cameroons under United Kingdom administration and in particular the organization of forthcoming plebiscites in the southern and northern parts of the Trust Territory on the basis of universal adult suffrage,

Recalling further the recommendations contained in the aforementioned resolutions of the General Assembly for the separation of the administration of the southern and northern parts of the Trust Territory from that of the Federation of Nigeria not later than 1 October 1960,

Noting the report of the Administering Authority on the process of separation of the administration of the Southern Cameroons from that of the Federation of Nigeria^{1/} as well as the report of the Administering Authority on the process of separation of the administration of the Northern Cameroons from that of the Federation of Nigeria,^{2/}

1. Requests the Administering Authority to take into account the observations and suggestions made at the twenty-sixth session of the Trusteeship Council in completing the separation of the administration of the two parts of the Trust Territory from that of the Federation of Nigeria not later than 1 October 1960, ensuring in particular the existence, from that date until the completion of the plebiscites in the Trust Territory, of police forces wholly responsible to the authorities in the Territory;

2. Expresses the hope that steps will be taken to extend the principle of universal adult suffrage to all future elections in the Trust Territory;

3. Requests the Administering Authority to take appropriate steps, in consultation with the authorities concerned, to ensure that the people of the Trust Territory are fully informed, before the plebiscites, of the constitutional arrangements that would have to be made, at the appropriate time, for the implementation of the decisions taken at the plebiscites;

4. Decides to transmit to the General Assembly at its fifteenth session the records of the meetings at which the future of the Trust Territory of the Cameroons under United Kingdom administration was discussed during the twenty-sixth session of the Trusteeship Council.

1094th meeting,
31 May 1960.

1/ Official Records of the Trusteeship Council, Twenty-sixth Session, Annexes, agenda item 3, document T/1526.

2/ Ibid., agenda item 17, document T/1530.

Part One - The Plebiscite in the Southern Cameroons

ANNEX III. General Assembly resolution 1352 (XIV) of 16 October 1959

1352 (XIV). The future of the Trust Territory of the Cameroons under United Kingdom administration: organization of the plebiscite in the southern part of the Territory

The General Assembly,

Recalling its resolution 1350 (XIII) of 13 March 1959 concerning the future of the Trust Territory of the Cameroons under United Kingdom administration, which expressed the hope that all concerned in the Territory would endeavour to reach agreement before the opening of the fourteenth session of the General Assembly on the alternatives to be put in the plebiscite in the Southern Cameroons and the qualifications for voting in it,

Noting the statements made by the representative of the Administering Authority, by the Premier of the Southern Cameroons and by the Leader of the Opposition in the Southern Cameroons House of Assembly to the effect that no agreement was reached before the fourteenth session of the General Assembly as to the alternatives to be put in the plebiscite and the qualifications for voting in it, and that a postponement of the plebiscite in the Southern Cameroons to a later date would help to establish more favourable conditions for ascertaining the freely expressed wishes of the population,

Noting the opinions expressed during the debate on this question at the fourteenth session of the General Assembly,^{1/}

Noting the statements made by the Premier of the Southern Cameroons and by the Leader of the Opposition in the Southern Cameroons House of Assembly at the 898th meeting of the Fourth Committee on 7 October 1959,

1. Decides that the arrangements for the plebiscite referred to in General Assembly resolution 1350 (XIII) shall begin on 30 September 1960, and that the plebiscite shall be concluded not later than March 1961;
2. Recommends that the two questions to be put at the plebiscite should be:
 "(a) Do you wish to achieve independence by joining the
 independent Federation of Nigeria ?
 "(b) Do you wish to achieve independence by joining the
 independent Republic of the Cameroons?" ;
3. Recommends that only persons born in the Southern Cameroons or one of whose parents was born in the Southern Cameroons should vote in the plebiscite;
4. Recommends that the Administering Authority, in consultation with the Government of the Southern Cameroons, take steps to implement the separation of the administration of the Southern Cameroons from that of the Federation of Nigeria not later than 1 October 1960.

829th plenary meeting,
16 October 1959.

1/ Official Records of the General Assembly, Fourteenth Session, Fourth Committee 885th to 899th and 901st to 903rd meetings.

ANNEX IV. Southern Cameroons Plebiscite Order in Council, 1960

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Supplement to Southern Cameroons Gazette No. 46, Vol. 6, 1st October, 1960—Part B

STATUTORY INSTRUMENTS

S.C.L.N. 53 of 1960

1960 No. 1655

WEST AFRICA

The Southern Cameroons Plebiscite Order in Council, 1960

Made 12th September, 1960
Laid before Parliament 16th September, 1960
Coming into Operation 1st October, 1960

At the Court at Balmoral, the 12th day of September, 1960

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in that behalf by the Foreign Jurisdiction Act, 1890(a), or otherwise in Her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1.—(1) This Order may be cited as the Southern Cameroons Plebiscite Order in Council, 1960, and shall come into operation on the 1st day of October, 1960.

Citation,
commence-
ment and
construction.

(2) This Order shall be construed as one with the Southern Cameroons (Constitution) Order in Council, 1960.

(3) The Commissioner of the Southern Cameroons shall not be obliged to consult with the Executive Council of the Southern Cameroons in the exercise of any function conferred on him by or under this Order.

2.—(1) There shall be a plebiscite in the Southern Cameroons for the purpose of ascertaining the wishes of the Southern Cameroons as to the status of the Southern Cameroons upon the relinquishment by Her Majesty's Government in the United Kingdom of their responsibility for the government thereof, and for that purpose the following questions shall be put in the plebiscite, that is to say:

Plebiscite to
be held in
the Southern
Cameroons.

“(a) Do you wish to achieve independence by joining the independent Federation of Nigeria?”

“(b) Do you wish to achieve independence by joining the independent Republic of the Cameroons?”

(2) The plebiscite shall be held on a day or days to be fixed by the Commissioner of the Southern Cameroons by notice published in the Official *Gazette* of the Southern Cameroons, not being within the period of twenty-eight days after the publication of the notice, and voting for the purpose of the plebiscite shall take place during such hours as may be specified in the notice.

3.—(1) For the purpose of this Order the Southern Cameroons shall be divided into plebiscite districts.

Division of
the Southern
Cameroons
into
plebiscite
districts.

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(2) Each of the areas described in the first column of the Schedule to this Order shall be a plebiscite district and shall be known by the name specified in relation to it in the second column of the Schedule.

Commissioner of the Southern Cameroons may make regulations.

4.—(1) Subject to the provisions of this Order, the Commissioner of the Southern Cameroons may by regulation make provision for the conduct and organisation of the plebiscite, all matters incidental or ancillary thereto, and generally for the purposes of this Order.

(2) Regulations made under this Article shall make provision:

(a) for the division of each plebiscite district into registration areas;

(b) for the time, place and manner in which persons may apply to be registered as voters, for determining whether any applicant is entitled to be registered as a voter and for an appeal against the inclusion or exclusion of the name of any applicant in or from the register by any person aggrieved thereby;

(c) for the procedure to be followed at the holding of the plebiscite, including the manner in which votes shall be cast;

(d) for ascertaining and publishing the result of the voting that has taken place in each registration area;

(e) for the lodging of petitions relating to any dispute concerning the result of the voting in any registration area and for the time and manner in which such petitions are heard and determined;

(f) for giving effect to any directions given under paragraph (2) of Article 9 of this Order; and

(g) for the definition and trial of offences relating to the plebiscite and the imposition of penalties therefor.

Provided that the penalty for any such offence shall not exceed a fine of £100 or a term of imprisonment of one year or both such fine and imprisonment but may include disqualification of any person convicted of the offence for membership of the House of Assembly of the Southern Cameroons or of any Native Authority or other local government body in the Southern Cameroons, or for registration as an elector for elections of members of such House of Assembly, Native Authority or other local government body.

(3) The power to make regulations conferred by this Article on the Commissioner of the Southern Cameroons may be exercised by him at any time after the 16th day of September, 1960, and until such time as a Commissioner of the Southern Cameroons is appointed, the powers conferred on him by this paragraph may be exercised by the person for the time being performing the functions of the office of Commissioner of the Cameroons:

Provided that no regulations made under the powers conferred by this paragraph shall come into operation before the commencement of this Order.

Registration of voters, and casting of votes.

5.—(1) A register of voters shall be prepared for each registration area, and every person whose name is included in the register for an registration area shall, subject to the provisions of this Article, be entitled to cast a vote in that registration area for the purpose of giving an affirmative reply to one or other of the questions specified in paragraph (1) of Article 2 of this Order:

Provided that regulations made under Article 4 of this Order may provide for certain persons or classes of person being permitted to cast their votes in registration areas other than those in which they are registered.

(2) Every person—

- (a) who is of the age of twenty-one years or upwards at the date of his application ; and
 - (b) who was born in the Southern Cameroons or whose father or mother was born in the Southern Cameroons
- shall, subject to the provisions of this Article, be entitled on application to be registered as a voter—
- (i) in the registration area in which he is resident at the date of his application, or
 - (ii) if he is not, at that date, resident in the Southern Cameroons,
 - (a) in the registration area in which he was born, or
 - (b) if he was not born in the Southern Cameroons, in the registration area in which his father was born or, if neither he nor his father was born in the Southern Cameroons, in the registration area in which his mother was born.

(3) Any question as to the place in which a person is resident for the purposes of this Article shall be determined in accordance with such rules as may be or prescribed by or under regulations made under Article 4 of this Order.

(4) No person shall be entitled to be registered as a voter who, at the date of his application to be so registered,—

- (a) is under a sentence of death imposed on him by any court of law or a sentence of imprisonment (by whatever name called) exceeding six months imposed on him by such a court or substituted by competent authority for some other sentence imposed on him by such a court ;
- (b) is adjudged or otherwise declared by competent authority to be of unsound mind (by whatever name called) ;
- (c) is disqualified under any law for the time being in force in the Southern Cameroons, the Northern Cameroons, the Republic of the Cameroons or Nigeria from being registered as an elector or from voting in an election by reason of his conviction for such offences connected with elections as may be prescribed by or under regulations made under Article 4 of this Order ; or
- (d) is subject to any disqualification referred to in sub-paragraph (g) of paragraph (2) of Article 4 of this Order and imposed under that sub-paragraph for an offence relating to the plebiscite.

(5) No person shall be entitled to be registered as a voter in the plebiscite more than once or, subject to the provisions of Article 9 of this Order, to vote more than once in the plebiscite.

6.—(1) There shall be a Plebiscite Administrator, who shall, subject to any directions given by the Commissioner of the Southern Cameroons under paragraph (1) of Article 8 of this Order, be responsible for the conduct and organisation of the plebiscite.

(2) The Plebiscite Administrator shall be appointed by the Commissioner of the Southern Cameroons in pursuance of instructions given by Her Majesty through a Secretary of State :

Appoint-
ment, etc.
of Plebiscite
Adminis-
trator and
other officers.

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Provided that no person shall be appointed who is a native of the Southern Cameroons or who is in the service of the Crown in respect of the government of the Southern Cameroons or of the Northern Cameroons or of Nigeria or of a Region of Nigeria or who is in the service of the Government of the Republic of the Cameroons.

(3) The Commissioner of the Southern Cameroons may, in Her Majesty's name and on Her Majesty's behalf, constitute such other offices as he may consider necessary for the purposes of this Order and any regulations made thereunder, and appoint persons to those offices and exercise disciplinary control over and dismiss persons appointed to those offices.

(4) The Plebiscite Administrator and other officers appointed under this Article shall hold their offices during Her Majesty's pleasure.

Constitution
of the
Special
Court.

7.—(1) There shall be a Special Court or, if Her Majesty shall so direct by instructions given to the Commissioner of the Southern Cameroons through a Secretary of State, two or more Special Courts., which shall hear and determine petitions for which provision is made by regulations made under sub-paragraph (e) of paragraph (2) of Article 4 of this Order.

(2) A Special Court shall consist of a judge, who shall be appointed by the Commissioner of the Southern Cameroons in pursuance of instructions given by Her Majesty through a Secretary of State ;

Provided that no person shall be appointed who is a native of the Southern Cameroons or who is in the service of the Crown in respect of the government of the Southern Cameroons or of the Northern Cameroons or of Nigeria or of a Region of Nigeria or who is in the service of the Government of the Republic of the Cameroons.

(3) The judge of a Special Court shall hold his office during Her Majesty's pleasure.

Commis-
sioner of
the Southern
Cameroons
and Plebiscite
Adminis-
trator may
give
directions.

8.—(1) The Commissioner of the Southern Cameroons may give the Plebiscite Administrator such directions with respect to the exercise of his functions under this Order or any regulations made thereunder as he may consider desirable ; and the Plebiscite Administrator shall comply with those directions or shall cause them to be complied with.

(2) Subject to the provisions of paragraph (1) of this Article, the Plebiscite Administrator may give the officers appointed under paragraph (3) of Article 6 of this Order such directions with respect to the exercise of their functions under this Order or any regulations made thereunder as he shall consider desirable ; and those officers shall comply with those directions or shall cause them to be complied with.

Result of
voting in any
plebiscite
district may
be declared
invalid and
fresh vote
taken.

9.—(1) The decision of a Special Court in respect of any petition heard and determined by the Court, including the findings of the Court upon the facts of the case, shall be transmitted to the Plebiscite Administrator.

(2) The Plebiscite Administrator may, if he considers it desirable so to do in the light of any decision of a Special Court relating to any dispute concerning the result of the voting in any plebiscite district, declare that the result of the voting in that plebiscite district or any part thereof is invalid, and direct that the voters in that plebiscite district or any part thereof in respect of which such a declaration shall have been made shall be given a further opportunity of voting for the purposes of the plebiscite.

10. The Commissioner of the Southern Cameroons, the Plebiscite Administrator, a Special Court and the officers appointed under paragraph (3) of Article 6 of this Order shall, in the exercise of their functions under this Order, consult wherever practicable and expedient with the United Nations Plebiscite Commissioner and other the persons appointed to assist him in observing the plebiscite on behalf of the United Nations, and shall afford to the United Nations Plebiscite Commissioner and all such other persons facilities for the due discharge of their functions ; and the United Nations Plebiscite Commissioner and the aforesaid persons may make representations concerning the conduct and organisation of the plebiscite to such persons and in such manner as may be agreed between the Commissioner of the Southern Cameroons and the United Nations Plebiscite Commissioner.

Facilities to be afforded to United Nations Plebiscite Commissioner and staff.

11.—(1) All expenses properly incurred in respect of the conduct and organisation of the plebiscite or otherwise for the purposes of this Order or any regulation made thereunder, including (without prejudice to the generality of the foregoing provision) any expenses incurred on behalf of the Crown in any legal proceedings arising in connection with the plebiscite, shall be a charge upon the Consolidated Revenue Fund of the Southern Cameroons.

Expences relating to the plebiscite.

(2) The judge of a Special Court and the officers referred to in paragraph (3) of Article 6 of this Order may be paid such salaries and allowances as the Commissioner of the Southern Cameroons may direct, and those salaries and allowances shall be a charge upon the Consolidated Revenue Fund of the Southern Cameroons.

W. G. Agnew.

Article 3

SCHEDULE

PLEBISCITE DISTRICTS

<i>Description of Area</i>	<i>Name of Plebiscite District</i>
1. Bakolle Clan, Bambuka, Bota, Bimbia and Victoria Village Groups.	Victoria South West.
2. Mungo Clan and Tiko Village Group.	Victoria South East.
3. Buea, Bonjongo and Mutengene Village Groups.	Victoria North West.
4. Balong Clan and Muea and Lysoka Village Groups.	Victoria North East.
5. Eastern Area, Bassossi Group and Bafaw-Balong Group.	Kumba North East.
6. Northern Bakundu Clan, North Western Area and Balue Clan.	Kumba North West.
7. Mbonge Group, Southern Area and Kumba Town.	Kumba South East.
8. South Western Area, Isangele Group Bambuko Clan and Bai Dieka Group.	Kumba South West.
9. Mamfe Town and Kembong	Mamfe West.

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<i>Description of Area.</i>	<i>Name of Plebiscite District</i>
10. Overside (Assumbo, Mbulu, Memka, Widekum, Takamanda).	Mamfe North.
11. Banyang-Mbo	Mamfe South.
12. Bangwa-Mundani	Mamfe East.
13. Nsaw Clan Area	Bamenda North.
14. Ndop Clan Area	Bamenda East.
14. Bafut Clan Area	Bamenda Central West.
76. Ngemba Clan Area	Bamenda Central East.
17. Menemo, Ngie, and Ngwaw Clan Areas.	Bamenda West.
18. Area of Bani Native Authority and Moghamo Clan.	Bamenda South.
19. Fungom Clan Area	Wum North.
20. Aghem and Bum Clan Areas ..	Wum Central.
21. Kom Clan Area	Wum East.
22. Beba Befang and Essimbi Clan Areas.	Wum West.
23. All villages in the Misaje and Mbembe Group Areas.	Nkambe North.
24. All villages in the Kaka, Mbaw and Mfumte Group Areas.	Nkambe East.
25. Tabenken, Binka, Tala, Bi, Kup, Onchep, Saa, Kungi, Binshua, Njap, Mbwat, Nkambe, Chup,	Nkambe Central.
26. Ndu Village Group, Ngulla, Lu, Ngarum, Taku, Sinna, Wat, Mba, Nsop, Ntumbwa, Ntundip.	Nkambe South.

EXPLANATORY NOTE

(This Note is not part of the Order but is intended to indicate, its general purport.)

This Order makes provision for the holding of a plebiscite in the Southern Cameroons for the purpose of ascertaining whether the people of the Southern Cameroons would prefer, upon the relinquishment by Her Majesty's Government in the United Kingdom of their responsibility for the government of the Southern Cameroons, that the Southern Cameroons should achieve independence by joining the independent Federation of Nigeria or by joining the independent Republic of the Cameroons.

ANNEX V. Southern Cameroons Plebiscite (Registration)
Regulations, 1960

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S.C.L.N. 54 of 1960

SOUTHERN CAMEROONS PLEBISCITE ORDER
IN COUNCIL 1960

Southern Cameroons Plebiscite (Registration) Regulations, 1960

Commencement : 1st October, 1960

In exercise of the powers conferred by Article 4 of the Southern Cameroons Plebiscite Order in Council, 1960, the Commissioner of the Southern Cameroons has made the following regulations—

PART I
PRELIMINARY

- | | |
|--|----------------------|
| 1. These Regulations may be cited as the Southern Cameroons Plebiscite (Registration) Regulations, 1960. | Citation. |
| 2. In these regulations— | Interpretation. |
| “Assistant Registration Officer” means a person appointed as such under paragraph (3) of Article 6 of the Order ; | |
| “ the Order ” means the Southern Cameroons Plebiscite Order in Council, 1960 ; | S.C.L.N. 53 of 1960. |
| “ the Plebiscite Administrator ” means the person appointed under paragraph (2) of Article 6 of the order to be responsible for the conduct of the plebiscite ; | |
| “ plebiscite district ” means any plebiscite district established by Article 3 of the Order ; | |
| “ register ” means a register of voters prepared under Article 5 of the Order ; | |
| “ registration area ” means a registration area established under regulation 3 ; | |
| “ Registration Officer ” means a person appointed as such under paragraph (3) of Article 6 of the Order ; | |
| “ Revising Officer ” means a person appointed as such under paragraph (3) of Article 6 of the Order ; | |
| 3. Subject to any general or specific directions which the Plebiscite Administrator may from time to time give in that behalf a registration officer shall divide any plebiscite district in respect of which he is to exercise his functions into such registration areas as he may deem necessary. | Registration areas. |
| 4.—(1) Each register shall contain a section for each registration area in the plebiscite district to which it relates. | Form of register. |

7051-2

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(2) Each register shall be prepared in a numerical order in such form as the Plebiscite Administrator shall decide and shall show in respect of each person—

- (a) a first name and a second or such other additional names by which the person may be known ; and
- (b) an address in the registration area in respect of which the person is registered ;

and no person shall be entered on the register under a single name or without such an address.

Registration
offices.

5.—(1) The Plebiscite Administrator or such person as he may direct shall appoint in respect of each registration area such place as he shall think fit to be the registration office and such office shall be in the charge of the Registration officer for the registration area.

(2) The Registration Officer or an Assistant Registration Officer on his behalf shall attend for the transaction of business at the registration office and at such other places upon such days and at such hours as the Plebiscite Administrator or such person as he may direct shall appoint.

PART II PREPARATION OF PRELIMINARY LIST

Notice as to
claim for
registration

6. On or before the 26th October, 1960, the Plebiscite Administrator shall cause notice to be given in each plebiscite district of the manner in which and the place at which claims for registration as a voter in the plebiscite may be made ;

Provided that the Plebiscite Administrator may at any time cause notice to be given in a plebiscite district of such further places as he may think necessary as places at which claims for registration in that district may be made.

Claims to be
entered on
preliminary
list. First
Schedule
Form A

7.—(1) Any person who is entitled to be registered as a voter in the plebiscite may submit a claim to be registered as a voter in Form A in the First Schedule.

(2) A claim under this regulation shall be submitted to the Registration Officer or Assistant Registration Officer of the registration area in which the applicant claims to be registered not earlier than the 26th October, 1960, and not later than the 22nd November, 1960.

(3) (a) A person making a claim to be registered as a voter under this regulation shall attend before the Registration Officer or Assistant Registration Officer and deliver the prescribed form to him.

(b) If the claimant is illiterate he shall, when attending before the Registration Officer or Assistant Registration Officer be entitled to be accompanied by a person of his choice who is literate.

(4) The Registration Officer or Assistant Registration Officer shall read aloud the name, description and address of the claimant shown on the prescribed form and, if the prescribed form is duly completed and if he has no reason to suspect its accuracy or the validity of the claim, he shall accept the claim ;

Provided that where the Registration Officer or Assistant Registration Officer is of opinion that the claimant does not reside in the Southern Cameroons, he shall not accept the claim unless it is proved to his satisfaction that the claimant or his father or mother was born in a part of the territories comprised in the Southern Cameroons.

(5) When the Registration Officer or Assistant Registration Officer has accepted a claim under this regulation he shall issue to the claimant a registration card numbered in such manner as the Plebiscite Administrator shall decide.

(6) The registration card shall be retained by the claimant for the purpose of production at the time of voting.

(7) If it is proved to the satisfaction of the Registration Officer that a registration card is lost or destroyed he may issue a duplicate in replacement thereof :

Provided that the Plebiscite Administrator may prescribe a time at which or a period during which applications in respect of lost or destroyed registration cards shall be considered.

(8) A person's residence for the purpose of this regulation shall be determined by reference to all the facts of the case and in particular by reference to the rules contained in the Second Schedule.

Second
Schedule.

8.—(1) After the last day for making a claim under regulation 7 the Plebiscite Administrator shall prepare and publish a list, to be called the preliminary list of voters, which shall contain the names and addresses of the persons whose claims under regulation 7 were accepted and shall be arranged in the manner provided by regulation 4.

Preliminary
List.

(2) The preliminary list shall be published not later than the 27th December, 1960, and the manner of publication shall be by displaying copies of the whole or part thereof at any native or customary court having jurisdiction within the plebiscite district to which such list relates and at such other place or places in the plebiscite district as the Plebiscite Administrator may think fit.

(3) The Plebiscite Administrator shall publish notices in each plebiscite district which shall state—

- (a) the places where the preliminary list may be inspected ;
- (b) the manner in which claims for registration or applications for transfer or objections may be made ;
- (c) the last day for making such claims, applications or objections.

(4) A copy of the preliminary list shall be made available for inspection by members of the public during normal office hours at the office of the Plebiscite Administrator for a period of 30 days after its first publication.

(5) The Plebiscite Administrator shall make available such number of copies of the preliminary list for sale to members of the public as he shall consider desirable and practicable and shall prescribe such fee as the price thereof as he thinks reasonable.

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PART III
REVISION OF PRELIMINARY LIST

Claims after
publication
of prelimi-
nary list.
First Sched-
ule Form B.

9.—(1) Every person whose name does not appear in the preliminary list and who submitted a claim under regulation 7 may within 15 days of the first publication of the preliminary list apply in Form B in the First Schedule to be registered as a voter.

(2) A claim under this regulation shall be delivered by the claimant in person to the Registration Officer in charge of the registration area in which the claim under regulation 7 was submitted.

Application
for transfer.

First Sched-
ule Form C.

10.—(1) Any person whose name appears on the preliminary list for the plebiscite district under a section which relates to a registration area other than the registration area in respect of which he applied to be registered may apply to the Registration Officer within 15 days of the first publication of the preliminary list in Form C in the First Schedule to have his name transferred to the section which relates to the registration area in respect of which he applied to be registered, and such application shall be delivered by the applicant in person to the Registration Officer.

(2) Nothing in this regulation shall entitle a person to apply for transfer to the register of another plebiscite district.

Objections

11.—(1) Every person whose name appears in the preliminary list may object to any other person whose name appears therein—

(a) as not being entitled to have his name on the register for the plebiscite district ; or

(b) as not being entitled to be registered in a registration area to which a section of the register relates.

First Sched-
ule Form D.

(2) A person objecting shall give notice of his objection to the Registration Officer within 15 days of the publication of the preliminary list in Form D in the First Schedule and shall deliver such form in person to the Registration Officer.

Claims,
Applications
and
objections to
be forwarded
to Revising
Officer.

12. Any claim, application or objection submitted to a Registration Officer in accordance with regulation 9, 10 or 11 shall forthwith be forwarded by the Registration Officer to a Revising Officer exercising functions in respect of the preliminary list or part thereof to which the claim, application or objection refers.

Determina-
tion of claims
applications
and
objections.

13.—(1) Each Revising Officer shall examine and determine all claims, applications and objections forwarded to him in accordance with regulation 12.

(2) With respect to any objection made under regulation 11 the Revising Officer, if he is satisfied that the grounds of the objection are established, shall strike out the name of the person from the preliminary list :

Provided that the Revising Officer may, if he is satisfied that the person objected to is entitled to be registered in another registration area of the plebiscite district, transfer his name to the section of the preliminary list which relates to that registration area.

(3) Before striking out or transferring the name of a person under paragraph (2) the Revising Officer shall give him an opportunity to be heard with respect thereto.

(4) With respect to claims or applications under regulation 9 or 10, the Revising Officer, if he is satisfied that the grounds of the claim or application have been established, shall enter the name of the claimant in the preliminary list or transfer his name to another section thereof, as the case may be.

(5) For the purpose of determining claims, applications and objections the Revising Officer may receive such evidence as he may consider necessary and may administer oaths to all persons making claims, applications or objections and to all witnesses called in respect of the claim, application or objection.

14. (1) The Registration Officer shall make such additions and corrections in the preliminary list as are required—

Correction of preliminary list.

- (a) in order to carry out the decision on any claim, application or objection ; or
- (b) for the removal of duplicate entries ; or
- (c) for the expunging of the names of persons who are dead or disqualified ;

and shall also make such corrections as he thinks necessary and as are practicable to ensure that no person is entered in the list who will be registered in any other plebiscite district.

(2) Before the Registration Officer makes a correction in the preliminary list otherwise than—

- (a) in pursuance of a claim for registration or application for transfer or an objection ; or
- (b) for the purposes of correcting a clerical error ; or
- (c) expunging a duplicate entry of a name under a registration area, he shall give notice to the person affected and give that person a reasonable opportunity of objecting to the proposed correction and if necessary of being heard with respect thereto.

(3) For the purposes of paragraph (2) the notice shall be in writing and may be served upon the person affected either by delivering it at his address as shown on the preliminary list or by posting it up at the registration office for the registration area under which the name of the person appeared in the preliminary list.

15.—(1) Not later than the 26th January, 1961, the Registration Officer shall complete the corrections and additions to the preliminary list in accordance with regulation 14 and shall cause the names therein to be numbered in such manner as the Plebiscite Administrator may direct and he shall then sign the list and forward it to the Plebiscite Administrator.

Final register of voters.

(2) The Plebiscite Administrator shall cause the list to be published, with such alterations or amendments as he may consider necessary, not later than the 10th February, 1961.

(3) At any time either before or after publication of the list, but not later than the eighth day before the day of the plebiscite, the Plebiscite Administrator may make any alteration or addition to the list necessary in the compilation thereof.

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(4) The list when so published shall be the register of voters in the plebiscite district.

(5) A copy of the register shall be made available for inspection by members of the public during normal office hours at the office of the Registration Officer after its publication.

(6) The Plebiscite Administrator shall make available such number of copies of the register for sale to members of the public as he shall consider desirable and practicable and shall prescribe such fee as the price thereof as he thinks reasonable.

PART IV

OFFENCES

Breaches of
official
duties.

16.—(1) If any person to whom this regulation applies, or who is for the time being under a duty to discharge any of the functions of such a person, is, without reasonable cause, guilty of any act or omission in breach of his official duty, then he shall be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding six months, or to both such fine and imprisonment.

(2) The persons to whom this regulation applies are any Registration Officer, Assistant Registration Officer, or Revising Officer and the expression "official duty" shall for the purposes of this regulation be construed accordingly, but shall not include duties imposed otherwise than by these regulations.

(3) Where a prosecution for an offence against this regulation is instituted by a private prosecutor the court having cognisance of the case may order such prosecutor to give security for such costs as may become payable to the accused person for such amount and in such manner as to the court may seem fit, and in the event of failure to comply with such order the court shall discharge the accused person.

(4) In this regulation "private prosecutor" has the meaning assigned to it in section 255 of the Criminal Procedure Ordinance.

Miscellaneous
offences.

17. Any person who—

(a) without lawful authority destroys, mutilates, defaces or removes or makes any alteration in, any notice or document required to be made under the provisions of these regulations; or

(b) wilfully and knowingly gives false information or makes a false statement in relation to any claim or application to have his name placed on or retained in a register, or transferred to any portion of a register; or

(c) publishes any statement, rumour or report he knows or has reason to believe is false for the purpose of preventing persons who are qualified as voters from registering in accordance with these regulations; or

(d) makes in any register or document which he is required to prepare or publish in accordance with these regulations, any statement or entry which he knows to be false or does not believe to be true, shall be guilty of an offence and shall be liable to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.

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18. Every person who is convicted of an offence against paragraph (c) of regulation 17 shall (in addition to any other punishment) be deemed incapable, during a period of three years after the date of his conviction—

Disqualifi-
cation of
persons
convicted of
certain
offences.

- (a) of being registered as an elector or voting at any election in the Southern Cameroons or

Regulation
84 of Elect-
ions (South-
ern Came-
roons House
of Assembly)
Regulations,
1957 South-
ern Camer-
roons L.N.
10/1958.

- (b) of being elected as a member of the House of Assembly of the Southern Cameroons or of any Native Authority or other local government body in the Southern Cameroons, or, if elected before his conviction, of retaining his seat.

See Section
4(2)(g)
proviso to
Southern
Cameroons
Plebiscite
Order in
Council,
1960.

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FIRST SCHEDULE
SOUTHERN CAMEROONS PLEBISCITE
FORM A
(Regulation 7)

Registration No.
(to be filled in by the Registration Officer)

APPLICATION FOR REGISTRATION

To the Registration Officer of
I, of
Occupation hereby claim to be
registered as a voter in the plebiscite district of
in respect of registration area.

I DECLARE as follows :

- (1) I am 21 years of age or over.
- *(2) I was born at in the
Division of the Southern Cameroons.
- *(3) My Father was born at in the
Division of the Southern Cameroons.
- *(4) My Mother was born at in the
Division of the Southern Cameroons.
- (5) I am not disqualified from being registered.
- (6) I have not applied to be registered in another plebiscite district or registration
area.

DATED the day of 1960

.....
Claimant

.....
*Signature of witness to
thumb print impression*

Notes on Form A

The following notes should be read before this form is completed :

1. A person claiming to be registered must present his application to the Registration Officer in the registration area where he resides or in the registration area where he is otherwise entitled to be registered.
2. The applicant must insert TWO or more names by which he is known and his qualifying address otherwise his application will be refused.
3. Making a false declaration on this form is an offence punishable with a fine of one hundred pounds or a year's imprisonment.

* Strike out items not applicable.

SECOND SCHEDULE

(Regulation 7 (8))

RULES AS TO THE RESIDENCE OF ELECTORS

1. The place of residence of a person is usually that place which has always or generally been his home, or which he has adopted as his home or where he is generally employed.
2. Where a person usually sleeps in one place and has his meals or is employed in another place, his place of residence will be where he sleeps.
3. For the purpose of these rules it will be assumed that a person can have only one place of residence and that it cannot be lost until it is replaced by another.
4. Temporary absence does not cause a loss, and an absence of less than six months, or which is anticipated to be less than six months, will be regarded as temporary if the intention is to resume actual residence within that period.

MADE at Buea the 1st day of October, 1960.

By His Honour's Command.

KENNETH B. SCOTT,
Secretary to the Commissioner

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SOUTHERN CAMEROONS PLEBISCITE

FORM B

(Regulation 9)

SECOND APPLICATION FOR REGISTRATION

To the Registration Officer of

I, hereby claim to be registered as
a voter in plebiscite district in respect
of registration area.

I DECLARE that :

1. I submitted a claim to be registered in the above plebiscite district and registration area and that the claim was/was not accepted.

2. My name does not appear on the preliminary list for the above plebiscite district.

3. I am qualified and not disqualified to be registered as a voter.

DATED this day of 19.....

.....
Claimant

.....
*Signature of witness to
thumb print impression*

NOTE.—An application for registration on this Form should only be made by persons who claim to have applied to be registered before publication of the preliminary list.

* Strike out words which do not apply.

SOUTHERN CAMEROONS PLEBISCITE

FORM C

(Regulation 10)

APPLICATION FOR TRANSFER OF A NAME ON
PRELIMINARY LIST

To the Registration Officer of
plebiscite district.

I, of
being a person whose name appears in the preliminary list of voters for the.....
..... plebiscite district in respect of
..... registration area hereby apply to
have my name transferred to the section of the register which relates to.....
registration area.

DATED this day of19.....

.....
Applicant

.....
*Signature of witness to
thumb print impression*

NOTE.—Applications should not be made on this Form for transfer except by persons whose names
appear under a different registration area from that in which they applied to be registered.

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SOUTHERN CAMEROONS PLEBISCITE

FORM D

(Regulation 11)

NOTICE OF OBJECTION TO NAME IN PRELIMINARY LIST

To the Registration Officer of
plebiscite district.

I, of
being a person whose name appears in the preliminary list of voters for the
..... plebiscite district hereby give
you notice that I object to the name of of
..... being retained in the said list of voters on the following
grounds :

*(1) That the person objected to is not qualified to have his name on the list.

*(2) That the person objected to is disqualified.

*(3) That the person objected to is dead.

*(4) That the person objected to is not entitled to register in the registration area
under which his name appears on the list.

DATED this day of19.....

.....
Objector.

.....
*Signature of witness to
thumb print impression*

* Strike out whichever is not applicable.

ANNEX VI. Southern Cameroons Plebiscite (Registration) (Amendment)
Regulations, 1960

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Supplement to Southern Cameroons Gazette No. 53, Vol. 6, 7th November, 1960—Part B

S.C.L.N. 67 of 1960

SOUTHERN CAMEROONS PLEBISCITE ORDER
IN COUNCIL, 1960

Southern Cameroons Plebiscite (Registration) (Amendment)
Regulations, 1960

Date of Commencement : 1st October, 1960

In exercise of the powers conferred by Article 4 of the Southern Cameroons Plebiscite Order in Council, 1960, the Commissioner of the Southern Cameroons has made the following regulations :—

1. These regulations may be cited as the Southern Cameroons Plebiscite (Registration)(Amendment) Regulations, 1960, and shall be deemed to have come into force on the first day of October, 1960.

Citation and
Commence-
ment.

2. Regulation 7 of the Southern Cameroons Plebiscite (Registration) Regulations, 1960, (hereinafter called the principal regulations) is amended by adding thereto the following new paragraphs—

Amendment
of regulation
7.
S.C.L.N. 54
of 1960.

“(9) At any time prior to the publication of the preliminary list the Registration Officer may make such corrections as may be necessary in order to correct clerical errors and to include in the list the names of persons who have been wrongly refused registration by Assistant Registration Officers and to include the names of persons who by reason of their duties in connection with the registration have been prevented from registering themselves.

(10) The Plebiscite Administrator may, in consultation with the United Nations Plebiscite Commissioner if practicable or if impracticable with the most senior member of the staff of the United Nations Plebiscite Commissioner available, extend the period or appoint a further period within which claims to be registered may be made in any registration area.”

3. Regulation 11 of the principal regulations is amended by substituting therefor the following regulations :—

Amendment
of regulation
11.

“Objections. 11. (1) Every person whose name appears in the preliminary
Security for list for a particular registration area may object to any other
costs of person whose name appears therein
prima facie
vexatious or
frivolous
objections.

- (a) as not being entitled to be registered as a voter ; or
(b) as not being entitled to be registered in the registration area.

(2) A person objecting shall give notice of his objection to the Registration Officer within 15 days of the publication of the preliminary list in Form D in the First Schedule and shall deliver such form in person to the Registration Officer.

(3) At the time of giving notice of any objection or within such time as the Registration Officer may order, if it appears

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prima facie to the Registration Officer that the objection is vexatious or frivolous, the Registration Officer may, in his discretion, order the person delivering the notice to give security for the payment of such costs, charges and expenses as may become payable by him to any person objected to.

(4) The security shall be of such amount (not exceeding one pound in respect of each notice) as the Registration Officer may order and shall be deposited in cash and in the event of any failure to comply with such order no further proceedings shall be had on the objection ”.

Amendment
of regula-
tions 13, 14
and 15.

4. Regulations 13, 14 and 15 of the principal regulations are hereby amended by substituting therefor the following regulations—

“Determination of claims, applications and objections. 13. (1) Each Revising Officer shall examine and determine in public all claims, applications and objections forwarded to him in accordance with regulation 12 and his decision thereon shall be final.

(2) A Revising Officer while determining any matter in public in accordance with the provisions of paragraph (1) shall have all the powers of a magistrate in respect of an offence committed in his presence and shall have all the protection of section 112 of the Magistrates’ Courts (Southern Cameroons) Law, 1955.

(3) With respect to any objection made under regulation 11 the Revising Officer, if satisfied that the grounds of the objection are established, shall strike out the name of the person from the preliminary list ; provided that the Revising Officer may, if he is satisfied that the person objected to is entitled to be registered in another registration area of the plebiscite district, transfer his name to the section of the preliminary list which relates to that registration area.

(4) Before striking out or transferring the name of a person under paragraph (3) the Revising Officer shall give notice to the person affected and give that person a reasonable opportunity to be heard with respect thereto.

(5) With respect to claims or applications under regulation 9 or 10, the Revising Officer, if he is satisfied that the grounds of the claim or application have been established, shall enter the name of the claimant in the preliminary list or transfer his name to another section thereof, as the case may be.

(6) For the purpose of determining claims, applications and objections the Revising Officer may receive such evidence as he may consider necessary and may administer oaths to all persons making claims, applications or objections and to all witnesses called in respect of any claim, application or objection.

(7) For the purposes of paragraph (4) the notice shall be in writing and shall be served upon the person affected personally or, if personal service be impracticable, either by

delivering it at his address as shown on the preliminary list or by posting it up at the registration office for the registration area under which the name of the person appeared in the preliminary list.

(8) Costs not exceeding one pound of and incidental to the determination of any objection shall, if the Revising Officer so orders, be defrayed by the parties in such manner and in such proportions as the Revising Officer may determine.

(9) All costs ordered to be paid by any person may be levied by distress, seizure and sale of the movable and immovable property of the person making default in payment and the provisions of the Sheriffs and Civil Process Ordinance shall apply to any order for costs made under paragraph (8) of this regulation as though such order were an order of the High Court or of the Court of a Magistrate.

Correction of preliminary list. 14. The Revising Officer shall make such additions and corrections in the preliminary list as are required

(a) for the purpose of correcting clerical errors ; and

(b) for the removal of duplicate entries.

Final register of voters.

15. (1) Not later than 26th January, 1961, the Revising Officer shall complete the corrections and additions to the preliminary list in accordance with regulations 13 and 14 and shall cause the names therein to be numbered in such manner as the Plebiscite Administrator may direct and he shall then sign the list and forward it to the Plebiscite Administrator or such person as may be designated by the Plebiscite Administrator.

(2) The Plebiscite Administrator shall cause the list to be published in the manner prescribed in regulation 8(2) not later than 10th February, 1961.

(3) At any time either before or after publication of the list, but not later than the eighth day before the day of the plebiscite, the Plebiscite Administrator may cause any alteration, amendment or addition to be made to the list necessary in the compilation thereof to correct any clerical error.

(4) The list when so published shall be the register of voters in the plebiscite district.

(5) A copy of the register shall be made available for inspection by members of the public during normal office hours at the office of the Registration Officer after its publication.

(6) The Plebiscite Administrator shall make available such number of copies of the register for sale to members of the public as he shall consider desirable and practicable and shall prescribe such fee as the price thereof as he thinks reasonable ”.

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Amendment
of regulation
17.

5. The following paragraph is substituted for paragraph (b) of regulation 17 of the principal regulations—

“(b) wilfully and knowingly gives false information or makes a false statement in relation to any claim, application or objection made under these regulations ; or”.

MADE at Buea this 5th day of November, 1960.

By His Honour's Command,

KENNETH B. SCOTT,
Secretary to the Commissioner

SOUTHERN CAMEROONS

PLEBISCITE

Instructions to Assistant Registration Officers

*Printed by the Authority of the United Kingdom
Plebiscite Administrator, Buea.*

SOUTHERN CAMEROONS PLEBISCITE

INSTRUCTIONS TO ASSISTANT REGISTRATION OFFICERS

Mr.....

You have been appointed to act as an Assistant Registration Officer for the purpose of registering voters for the forthcoming Plebiscite in the Southern Cameroons on the terms stated in your letter of appointment. This is an extremely important duty, which you must carry out with accuracy and thoroughness.

2. You will work under the instruction of a Registration Officer, who will be the Plebiscite Supervisory Officer for the Plebiscite District in which you will be employed. You will receive your instructions from him and you will be required to carry out your instructions exactly.

3. The purpose of the organisation of which you form a member is to register the maximum number of people entitled to vote in the Plebiscite, and all your activities should be directed to this end. The instructions which follow are designed to explain the qualifications for registration, and to bring to your attention the things you must do before, during and after the registration period. They will be fully explained to you during the training in your duties which you will receive and you must make quite sure that you understand them perfectly.

PERSONS WHO MAY REGISTER

4. The qualifications for registration as a voter in the Southern Cameroons Plebiscite are contained in Article 5 (2) of the Southern Cameroons Plebiscite Order in Council, 1960. See Appendix One, which you should study.

5. Note from Appendix One that a person is entitled to register as a voter in the Plebiscite who—

- (a) is of the age of 21 years or over at the date of his application; and
- (b) who was born in the Southern Cameroons; or
- (c) if he himself was not born in the Southern Cameroons, whose father was born in the Southern Cameroons; or
- (d) if neither he nor his father was born in the Southern Cameroons, whose mother was born in the Southern Cameroons.

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T
!

6. Note also that a person who has the above qualifications is only entitled to be registered as a voter in the Plebiscite in his correct registration area, namely—

- (a) in the registration area in which he is resident at the date of his application; or
- (b) if he is not, at that date, resident in the Southern Cameroons, in the registration area in which he was born; or
- (c) if he was not born in the Southern Cameroons, in the registration area in which his father was born; or
- (d) if neither he nor his father was born in the Southern Cameroons, in the registration area in which his mother was born.

PERSONS WHO MAY NOT REGISTER

7. No person is entitled to be registered as a voter in the Plebiscite who—

- (a) at the date of his application is under the age of 21 years; or
- (b) was not born in the Southern Cameroons, and neither his father nor his mother was born in the Southern Cameroons.

8. In addition to the above, certain disqualifications are contained in Article 5 (3) of the Southern Cameroons Plebiscite Order in Council, 1960. See Appendix Two.

9. Note from Appendix Two that the following persons are not entitled to be registered as voters, no matter what their ages or where they were born—

- (a) Anyone who is under a sentence of death or a sentence of imprisonment exceeding six months imposed on him by a court of law;
- (b) anyone declared by a competent authority to be of unsound mind;
- (c) anyone who is disqualified under any law for the time being in force in the Southern Cameroons, the Northern Cameroons, the Republic of the Cameroons or the Federation of Nigeria from being registered as an elector or from voting in an election by reason of his conviction for such offences connected with elections as may be prescribed by regulations relating to the Plebiscite.

10. No person is entitled to be registered as a voter in the Plebiscite more than once.

SUBMISSION OF CLAIMS TO BE REGISTERED AS A VOTER

11. The manner in which a claim to be registered as a voter in the Plebiscite may be made is laid down in Part II of the Southern Cameroons Plebiscite (Registration) Regulations, 1960. See Appendix Three, which you should study.

12. Note from Appendix Three that—

- (a) a claim to be registered needs to be supported by a written application form;
- (b) this has to be delivered to you by the applicant in person in the registration area in which the applicant claims to be entitled to be registered; and
- (c) if the applicant is illiterate he may be accompanied by a person of his choice who is literate.

RULES AS TO THE RESIDENCE OF VOTERS

13. In deciding where a person is resident you will be guided by the Rules which are contained in the Second Schedule to the Southern Cameroons Plebiscite (Registration) Regulations, 1960. See Appendix Four, which you should study.

14. Note in Appendix Four that the place of residence of a person is his home, *or* the place where he is generally employed, and that where a person usually sleeps in one place and has his meals or is employed in another place, his place of residence is *where he sleeps*.

15. You should clearly understand that “residence” does not of itself determine whether a person can register but only where he may register. Thus a person *need not* reside in the Southern Cameroons in order to register, provided that he or his father or his mother was born there. The following will help you to decide individual cases—

- (1) An applicant for registration who was born *and* resides in the Southern Cameroons should be registered in the registration area *in which he resides* at the date of his application.
- (2) An applicant for registration who was born in the Southern Cameroons but does not reside in the Southern Cameroons should be registered in the registration area *in which he was born*.
- (3) An applicant for registration who was not born in and does not reside in the Southern Cameroons should be registered in the registration area *in which his father was born*; and if

his father was not born in the Southern Cameroons, he should be registered in the registration area *in which his mother was born*.

- (4) If an applicant for registration was not born in the Southern Cameroons, and *neither* his father nor his mother was born in the Southern Cameroons, he is *not* entitled to be registered *even though* he resides in the Southern Cameroons.

16. You will note that Regulation 7 (4) in Appendix Three provides that "where the Registration Officer (or Assistant Registration Officer) is of the opinion that the claimant does not reside in the Southern Cameroons, he shall not accept the claim unless it is proved to his satisfaction that the claimant or his father or his mother was born in a part of the territories comprised in the Southern Cameroons". If you believe the applicant does not reside in the Southern Cameroons, he should bring proof to satisfy you that he was born in the area in which you are conducting registration, or that his father or, failing him, his mother was born in that area. Proof might be in writing, *e.g.*, a birth certificate, a marriage certificate, an affidavit sworn before a Commissioner of Oaths; or it might be by word of mouth, *e.g.*, the statement of a person of good standing and repute in the community. In satisfying yourself as to an applicant's claim concerning the place of birth of himself or his parents, you are not empowered to administer an oath or act as a court of law. If you are not satisfied by the evidence you should return the form, writing on the back of it, **"Rejected—not resident in the Southern Cameroons and no satisfactory evidence that he or his father or mother was born in the area"**, sign it, hand back the form and tell the applicant he may claim again if he so wishes when the Preliminary List is published.

17. If a person resides in the area in which you are conducting registration at the date of application and declares he was born in the Southern Cameroons and you have no reason to doubt the validity of his claim, you should register him.

18. If his place of residence is in another registration area or plebiscite district, you should direct him to the correct place to apply for registration. If he does not accept your ruling that his residence is not in the registration area in which you are conducting registration, you must write on the back of his completed registration form

the words, **"Rejected—not resident in area"**, sign your name, hand the form back to the applicant and tell him that he can make a claim when the Preliminary List is published.

AGE OF APPLICANT

19. When a person comes before you to register and he is obviously below the age of 21, you must tell him he is not entitled to be registered. If there is any doubt as to whether or not the applicant is 21 years of age, you should ask him to declare in public that he is, so that everyone present can hear, and if he so declares you should accept his application. If he refuses to declare that he is 21 years of age or over, you should write on the back of his application form, **"Rejected—under age"**, sign your name, hand the form back to the applicant and tell him that he can make a claim when the Preliminary List is published.

RECORDING APPLICATIONS TO REGISTER

20. A separate register will be prepared for each plebiscite district with a section for each registration area. The plebiscite district will be identified by a number, as shown in the first column in the Schedule to the Southern Cameroons Plebiscite Order in Council, 1960, of which you will be informed by the Registration Officer. Each registration area is identified by a letter. Letters will be allocated to the registration areas by the Registration Officer and if the areas exceed 26 he will allocate two letters, *e.g.*, AA, AB, AC, AD, *etc.*

21. A registration area may be subdivided to give sub-units of a convenient size, *e.g.*, a quarter, or village or group of hamlets. Each sub-unit will be given a number. Within the sub-units the names of the voters will be arranged according to the initial letter of their surnames, *i.e.*, all surnames beginning with the letter A will form the first group, followed by all those beginning with B and so on.

22. Within these letter groups the names will be arranged numerically in the order in which their applications for registration are received and the persons registering will be allocated a number accordingly, *i.e.*, the first applicant to be entered under the letter "A" in any sub-unit will be given the number 1, the second person the number 2, and so on. Similarly, the first applicant to be entered under the letter "B" will be given the number 1, and under each

letter the numbering will start from 1. Thus, a person registering will be identified by:

- (i) A NUMBER to indicate the PLEBISCITE DISTRICT.
- (ii) A LETTER to indicate the REGISTRATION AREA.
- (iii) A NUMBER to indicate the sub-unit within the registration area, *i.e.*, village or quarter.
- (iv) A LETTER to indicate the alphabetical part of the sub-unit in which the name of the person registering has been entered.
- (v) A NUMBER to indicate the individual entry.

23. You will have been provided with two folders for each of the sub-units in the registration area and some additional ones in case it is found that a section of the area has not been covered, *e.g.*, in the case of a new settlement. For each sub-unit you should write on the cover of a folder: **"Applications to Register (Form A) Received"**.

Plebiscite District	.....	(name)	.....	(number)
Registration Area	.....	„	.....	(letter)
Sub-unit	.....	„	.....	(number)

24. On the cover of another folder you will enter the same details but head it, "Registration Sheets". In this folder you will put loose registration sheets. These sheets will be headed:

Plebiscite District	.....	(number)
Registration Area	.....	(letter)
Sub-unit (Village or Quarter)	.....	(number)
Alphabetical Surnames	.....	(letter)

Serial No.	Names of Voter	Address (Village or Quarter)	Occupation
1	Ande, Thomas	Ndoh	Farmer
2	Ado, Boma	Ndoh	Wine Tapper
3	Aro, George	Ndoh	Trader

You should complete the headings and put a sheet in your folder for each letter of the alphabet, giving it a letter A, B, C, and so on. When the entries for a letter fill a sheet you should put in the folder another sheet next to it. On accepting a registration form you must enter the particulars (name, address and occupation) on the appropriate registration sheet in the Registration Sheets folder under the last name and give it the next number. Above you will see an example of the first three under A.

25. After you have made the entries on the registration sheet you must write on the top right-hand corner of the Application to Register form the code number and letters (Plebiscite District number, Registration Area letter, Sub-unit number, Alphabetical Surname letter and serial number). The form is then filed in the "Applications to Register (Form A) Received" folder.

26. Next, fill in a registration card with the code number and letters, *e.g.*,

<i>Plebiscite District</i>	<i>Registration Area</i>	<i>Sub-unit</i>	<i>Alphabetical Surname letter</i>	<i>Serial No.</i>
3	C	5	A	3

Below the code numbers and letters you will write the name of the applicant, sign it, stamp it "S. Cameroons Plebiscite" and hand it to the applicant, who, on receiving it, will have completed his registration as a voter. You should instruct him to take good care of it and produce it to the Polling Officer when registering his vote.

27. At the close of registration each day, and at the start of registration each following day, you should read aloud the last serial numbers of the registrations which you have recorded under each letter of the alphabet. No registration should be done out of official working hours.

WHAT YOU SHOULD DO BEFORE REGISTRATION BEGINS

28. Registration will begin in the Southern Cameroons on the 26th October, 1960, and will continue until the 22nd November, 1960. Before this takes place, you should do the following :—

- (i) Study these instructions very carefully, and make sure that you understand them thoroughly. You should also read the pamphlet about the Plebiscite and registration which has been issued to the public.
- (ii) Meet your Registration Officer at the times and places fixed by him for the purpose of giving you further instructions and training in your duties, when you should ask questions on points on which you want information or guidance.
- (iii) When you have received your instructions you should study thoroughly the extent of the registration area or areas for which you will be responsible and make sure that you know which places you are to use as an office, where you are to go, and which villages and hamlets you are to visit.

- (iv) Collect from the Registration Officer the materials and items of equipment which you will need for conducting registration.
- (v) Obtain from the Registration Officer your registration programme and the days and times at which you should be at the registration office.

CONDUCT OF REGISTRATION

29. Your Registration Officer will have told you of the address of your Registration Office, and of the days and hours at which it must be open. If you are in a rural area, in addition to attending at the Registration Office at the prescribed times, you will have to tour throughout your Registration Area, visiting each village and hamlet in turn to register voters. Your Registration Officer will give you instructions as to your touring programme. Before you go to a village send word in advance that you are coming to start registration and that you wish to see everybody who is over 21 who wants to register as a voter. Ensure that you take with you a sufficient supply of Application to Register forms (Form A), and that you have the folders for the sub-unit of the place to which you are going and some spare ones in case people come to register who are not in any existing sub-unit.

30. When you come to the place you are visiting, you should select a public place, such as a court building or dispensary, or an open shelter or verandah outside the Village Head's house, and set up your temporary office there. You will give people who ask for them Application to Register forms (Form A) to fill in, and you should assist them in filling them in if they ask for help. You should not give an applicant more than one form (except in replacement of a damaged form) unless he is a family head who wants them for his family, or a husband who wants one for his wife. If representatives of political parties want large numbers of forms for their supporters to fill in, they should apply to the Registration Officer, not to you.

31. If you cannot complete all the registrations during the visit, or in case people decide they wish to register after you have left, you should let the people know the whereabouts of your permanent registration office, and on what days and at what times it will be open for the transaction of business.

32. You should note carefully the following procedure:—

- (a) A person wishing to register must attend in person and apply for registration on Form A. If he is illiterate he may be accompanied by someone of his choice who is literate.
- (b) You must ascertain, as explained in paragraph 19 of these instructions, whether the applicant is 21 years of age or over.
- (c) When you have satisfied yourself on this point, you must then give the applicant, if he has not already got one, an Application for Registration form (Form A).
- (d) If you are satisfied that the applicant is eligible to register in the area in which you are conducting registration, you will read aloud from his application form (Form A) his name, description and address and if the application form is duly completed and you have no reason to suspect its accuracy or validity, you will accept the claim.
- (e) If you are of the opinion that the claimant does not reside in the Southern Cameroons you must satisfy yourself that the claimant or his father or his mother was born in the Southern Cameroons (see paragraphs 5 and 13 -16 of these instructions).
- (f) If you think that an applicant resides in the Southern Cameroons but in an area other than the one in which he is applying for registration you should direct him to the appropriate registration area (see paragraph 18 of these instructions).
- (g) When you have accepted the claim you will issue to the claimant a registration card, completed as described in paragraph 26 of these instructions, stamp it "S. Cameroons Plebiscite", and direct the claimant to take good care of it and present it when, in due course, he attends the polling station to vote.
- (h) When you have read aloud the contents of the application form, as instructed in (d) above, and any person present alleges that the information given by the applicant is false, you must draw the attention of the applicant to the penalty prescribed in Regulation 17 of £100 fine and 12 months

imprisonment for making a false statement. If the applicant still maintains that the information is correct, you must accept the application and leave it to any person who so wishes to make an objection within the time prescribed after the publication of the Preliminary List.

WHAT YOU MUST DO AFTER REGISTRATION

33. As soon as the registration period is over you must ensure that all files containing completed application forms are packed separately from those which have not been used and they, together with all supplies of stationery and other materials issued to you, are to be returned to the Registration Officer in accordance with his instructions.

GENERAL

34. The nature of your employment requires that you should at all times be courteous and helpful to everybody with whom your duties bring you in contact. It has already been stressed, in paragraph 3 above, that the object is to register the maximum number of people entitled to vote in the Plebiscite, and this should be the guiding principle in all your work. Make sure you understand your instructions thoroughly, follow them precisely, keep your records efficiently and neatly, and be as helpful as you can.

APPENDIX ONE

ARTICLE 5 (2) OF THE SOUTHERN CAMEROONS PLEBISCITE ORDER IN COUNCIL, 1960

Every person—

- (a) who is of the age of twenty-one years or upwards at the date of his application; and
- (b) who was born in the Southern Cameroons or whose father or mother was born in the Southern Cameroons

shall, subject to the provisions of this Article, be entitled on application to be registered as a voter—

- (i) in the registration area in which he is resident at the date of his application, or
- (ii) if he is not, at that date, resident in the Southern Cameroons,
 - (a) in the registration area in which he was born, or
 - (b) if he was not born in the Southern Cameroons, in the registration area in which his father was born or, if neither he nor his father was born in the Southern Cameroons, in the registration area in which his mother was born.

APPENDIX TWO

ARTICLE 5 (3) OF THE SOUTHERN CAMEROONS PLEBISCITE ORDER IN COUNCIL, 1960

No person shall be entitled to be registered as a voter who, at the date of his application to be registered—

- (a) is under a sentence of death imposed on him by any court of law or a sentence of imprisonment (by whatever name called) exceeding six months imposed on him by such a court or substituted by competent authority for some other sentence imposed on him by such a court;
- b) is adjudged or otherwise declared by competent authority to be of unsound mind (by whatever name called);
- (c) is disqualified under any law for the time being in force in the Southern Cameroons, the Northern Cameroons, the Republic of the Cameroons or the Federation of Nigeria, from being registered as an elector or from voting in an election by reason of his conviction for such offences connected with elections as may be prescribed by or under regulations made under Article 4 of this Order; or
- (d) is subject to any disqualification referred to in sub-paragraph (g) of paragraph (2) of Article 4 of this Order and imposed under that sub-paragraph for an offence relating to the plebiscite.

APPENDIX THREE

REGULATIONS 7 (1) TO (6) OF THE SOUTHERN CAMEROONS PLEBISCITE (REGISTRATION) REGULATIONS, 1960

7. (1) Any person who is entitled to be registered as a voter in the plebiscite may submit a claim to be registered as a voter in Form A in the First Schedule.

(2) A claim under this regulation shall be submitted to the Registration Officer or Assistant Registration Officer of the registration area in which the applicant claims to be registered not earlier than the 26th October, 1960, and not later than the 22nd November, 1960.

(3) (a) A person making a claim to be registered as a voter under this regulation shall attend before the Registration Officer or Assistant Registration Officer and deliver the prescribed form to him.

(b) If the claimant is illiterate he shall, when attending before the Registration Officer or Assistant Registration Officer be entitled to be accompanied by a person of his choice who is literate.

(4) The Registration Officer or Assistant Registration Officer shall read aloud the name, description and address of the claimant shown on the prescribed form and, if the prescribed form is duly completed and if he has no reason to suspect its accuracy or the validity of the claim, he shall accept the claim:

Provided that where the Registration Officer or Assistant Registration Officer is of opinion that the claimant does not reside in the Southern Cameroons, he shall not accept the claim unless it is proved to his satisfaction that the claimant or his father or mother was born in a part of the territories comprised in the Southern Cameroons.

(5) When the Registration Officer or Assistant Registration Officer has accepted a claim under this regulation he shall issue to the claimant a registration card numbered in such manner as the Plebiscite Administrator shall decide.

(6) The registration card shall be retained by the claimant for the purpose of production at the time of voting.

APPENDIX FOUR**SOUTHERN CAMEROONS PLEBISCITE
(REGISTRATION) REGULATIONS, 1960****SECOND SCHEDULE****Regulation 7 (8)****RULES AS TO THE RESIDENCE OF VOTERS**

1. The place of residence of a person is usually that place which has always or generally been his home, or which he has adopted as his home or where he is generally employed.
2. Where a person usually sleeps in one place and has his meals or is employed in another place, his place of residence will be where he sleeps.
3. For the purpose of these rules it will be assumed that a person can only have one place of residence and that it cannot be lost until it is replaced by another.
4. Temporary absence does not cause a loss, and an absence of less than six months, or which it is anticipated to be less than six months, will be regarded as temporary if the intention is to resume actual residence within that period.

ANNEX VIII. Instructions to Revising Officers

Ref. No. PLEB.94/3

Office of the United Kingdom

Plebiscite Administrator,

Buea, Southern Cameroons.

14th December, 1960.

Assistant Plebiscite Administrator,	Wum/Nkambe	(12 copies)
"	Bamenda	(10 copies)
"	Mamfe	(8 copies)
"	Kumba/Victoria	(10 copies)

INSTRUCTIONS AND NOTES FOR REVISING OFFICERS

Attached are copies of Instructions and Notes for Revising Officers on the Determination of Claims, Applications and Objections for the guidance of Plebiscite Supervisory Officers who are appointed to be Revising Officers.

2. By a Notice which will be published in the next Official Gazette all the Plebiscite Supervisory Officers have been appointed to be Revising Officers for all registration areas within the Southern Cameroons, so that it will be possible to post them for service in this capacity wherever revision work arises. I intend to do this with you personally as soon as the number of claims, applications and objections in each plebiscite district is known.

3. It will be necessary to roneo a stock of the notices shown as Appendix F to the Instructions and Notes for issue to Revising Officers, and I shall be obliged if you will arrange for this to be done for issue to Revising Officers in your Division.

H. CHILDS

Plebiscite Administrator.

S O U T H E R N C A M E R O O N S
P L E B I S C I T E

INSTRUCTIONS AND NOTES FOR REVISING OFFICERS
ON THE DETERMINATION OF
CLAIMS, APPLICATIONS AND OBJECTIONS

S O U T H E R N C A M E R O O N S
P L E B I S C I T E

INSTRUCTIONS AND NOTES FOR REVISING OFFICERS
ON THE DETERMINATION OF
CLAIMS, APPLICATIONS AND OBJECTIONS

The following notes refer to the various paragraphs of Regulation 13 of the Southern Cameroons Plebiscite (Registration) Regulations, 1960, as amended by the Southern Cameroons Plebiscite (Registration)(Amendment) Regulations, 1960 (SCLN.67 of 1960).

Paragraph (1)

2. The place of hearing should be wherever is most convenient for dealing with the claims, applications and objections received. The United Nations observer for the plebiscite district concerned should be informed of the places and times of hearings.

3. The Revising Officer must sit in public. He can, if he wishes, sit in the open air. If he sits in a building it should be sufficiently large to enable a reasonable number of the public to have access. Proceedings should be conducted with formality, but procedure need not be rigid and can be varied to suit what is being done. The Revising Officer will keep a separate written record of the proceedings for each case. This could conveniently be done by keeping separate case files. Case files should be consecutively numbered under the three categories of Claims, Applications and Objections (viz. C/1, C/2, C/3; A/1, A/2, A/3; O/1, O/2, O/3, etc.).

4. With regard to claims and applications, there will be the claimant or applicant before the Revising Officer, sometimes with their witnesses, but usually alone and possibly presenting some documents.

5. The hearing of objections will follow broadly the normal procedure of a civil trial. The Revising Officer will question briefly the objector about the nature of the objection, ask the person objected to to what extent he admits the facts alleged and then, having discovered the points at issue, will hear the objector and his witnesses (if any), and then hear the person objected to and his witnesses (if any). The Revising Officer may also, if he wishes, call further evidence and recall anybody who has given evidence. At the close of the hearing he should give the person objected to a chance to sum up his case, and also the objector to sum up his.

Examples of records are at Appendix A.

Paragraph (2)

6. The powers given in this paragraph are to be found in Sections 15 and 16(2) of the Criminal Procedure Ordinance. These sections empower the Revising Officer to order the arrest of anybody committing an offence in his presence. The Revising Officer has the power to punish the offender after giving him an opportunity of being heard. He also has the power instead of dealing with the matter himself to send the case for trial before a magistrate, at which trial the Revising Officer may have to appear as a witness.

7. These powers will be used only in the last extreme. They have been given to Revising Officers to enable them to keep order at the public enquiry. The only offence in respect of which these powers will be used is for contempt of Court, an offence under and punishable under Section 133 of the Criminal Code.

8. The normal punishment should be to admonish and discharge any person committing an offence. Revising Officers are instructed that they are not to impose any punishment other than detaining the offender for a period of time not exceeding the rising of the Revising Officer for the day, as provided under section 184 of the Criminal Procedure Ordinance.

9. If it is considered that an offence deserving more punishment has been committed, the offender should be arrested and admitted to bail to appear at the nearest police station in accordance with the provision of section 18 of the Criminal Procedure Code.

10. It must be clearly understood that these powers are only intended to be exercised in order to ensure orderly proceedings.

11. Arrangements should be made beforehand with the superior police officer having responsibility for the plebiscite district for a police constable to be present during the time of hearing, if possible; and where this is not possible arrangements should be made with the District Officer for a Native Court Messenger to be present.

12. At Appendix B are set out sections 15, 16(2), 18 and 379 of the Criminal Procedure Ordinance.

At Appendix C is set out section 133(1), (3) and (9) of the Criminal Code.

At Appendix D is a typical record of the punishment of a person brought before the Revising Officer for contempt.

At Appendix E are those parts of the Southern Cameroons Constitution which lay down the minimum formalities for criminal trials.

Paragraph (3)

13. This presents no difficulty, but it should be noted that the Revising Officer's powers are restricted to the particular plebiscite district. Whenever the Revising Officer makes an alteration in the preliminary list under this paragraph he should sign his name against the alteration, and enter the number of the case file (see paragraph 3 page 1).

Paragraph (4)

14. What is "a reasonable opportunity" will depend on the circumstances of each case, but as far as circumstances permit the notice allowed should be ample.

Paragraph (5)

15. This will present no difficulty and here, also, whenever the Revising Officer makes an alteration in the preliminary list he should comply with the direction in paragraph 13.

Paragraph (6)

16. The Revising Officer is given wide powers with regard to receiving evidence. The general rule is that the best evidence must be given, and consequently hearsay is usually of no value. In practice the most reliable evidence is often a relevant document which the Revising Officer is satisfied is genuine.

17. Normally with regard to claims and applications it should not be necessary to put the claimant or applicant on oath. If the Revising Officer considers it desirable he may administer an oath and generally should do so if the applicant or claimant is unable to support his case with any evidence other than his own oral testimony. The mere fact that a party can bring no supporting evidence, either documentary or of another person, in support of his claim, application or objection is not a reason for rejecting it.

18. The oath to be administered is an oath which a witness considers binding upon himself. Christians should be sworn on the Bible in the following manner:

"I swear by Almighty God that I shall tell the truth the whole truth and nothing but the truth."

Muslims should be sworn on the Koran in similar form. A pagan is usually sworn on iron or a gun in the following form:

"I swear on iron (or the gun) that I will tell the truth, the whole truth and nothing but the truth."

If as a matter of conscience any witness declines to be sworn he should be affirmed in the following form:

"I do solemnly, sincerely and truly
declare and affirm that I will tell
the truth, etc.".

19. Revising Officers must provide themselves with a Vulgate, an Anglican Bible, a Koran and a Dane gun.

20. When hearing objections all witnesses must be sworn.

Paragraph (7)

21. The notice in writing to be served under this paragraph upon the person affected should follow the wording in Appendix F and should have attached to it a copy of the relevant Form D. If practicable it should be served personally, either by a Court bailiff, if one is available, or by a Native Court Messenger, or by anyone else available. Where personal service is not practicable one of the other alternatives indicated in paragraph (7) should be followed.

Paragraph (8)

22. The award of costs must be used with great discretion. The intention is that persons who win contested objection cases should not be out of pocket. Normally where all the witnesses come from the same village nobody will have been put to any expense but, for instance, where a vexacious or frivolous objection has been brought, and the person objected to has been put to expense or loss in defending himself it is only right that he should be compensated. A certificate for the amount awarded in respect of costs should be given in the following form:

"In exercise of the powers conferred upon
me by paragraph 8 of Regulation 13 of the
Southern Cameroons Plebiscite (Registration)
Regulations, 1960, I have awarded to
..... of
the sum of being
costs against of
.....

Signed

Revising Officer

Plebiscite District.....!"

Date 195 ..

Paragraph (9)

23. The Revising Officer may order the payment of costs out of any deposit made in respect of costs, with regard to which see Circular PLEB.4/S1/48 of the 2nd December, 1960.

24. The person to whom costs are awarded should be instructed to take the certificate of costs to the Magistrate's Court if the person against whom the order is made refuses to pay.

APPENDIX A

Examples of Records of Proceedings

1. CLAIM

Claimant in person, sworn on iron, states:

"I applied to be registered when the land-rover visited my village on 1st November."

Mary, sworn on iron, states:

"I am claimant's wife. I registered at the same time. My name appears on the list."

Claim allowed. Signed A.B., Revising Officer.

2. APPLICATION

Applicant produces three letters addressed to him at Bokwa village.

Application allowed. Signed A.B., Revising Officer.

3. OBJECTION

Objector and Respondent in person. Both say they have one witness each. Witnesses leave room.

Objector, sworn on Bible, states:

"Harry (Respondent) came to live in our village last year. He told me he was born in Lagos. He has always claimed to be an Ibo".

Mary, sworn on Bible, states:

"I am Objector's sister. I heard Harry say he was born in Lagos."

Case for Claimant:

Respondent, sworn on Bible, states:

"I was born in Buea and was baptized at Soppo."

Produces certificate of baptism.

Objection dismissed. Respondent lives in village.

No order as to costs. Signed A.B., Revising Officer.

APPENDIX E

Criminal Procedure Ordinance

SECTION 15

When any offence is committed in the presence of a judge or magistrate within the division or district in which such judge is sitting or to which such magistrate is assigned such judge or magistrate may himself arrest or order any person to arrest the offender and may thereupon, subject to the provisions herein contained as to bail, commit the offender to custody.

SECTION 16(2)

Where a person is arrested in accordance with the provisions of section 15 the judge or magistrate making or directing the making of such arrest may deal with the person so arrested in the same manner as if such last named person had been brought before him by or under the directions of any other person.

SECTION 18

If, on a person being so taken into custody as aforesaid, it appears to the officer aforesaid that the inquiry into the case cannot be completed forthwith, he may discharge the said person on his entering into a recognizance, with or without sureties for a reasonable amount, to appear at such police station and at such times as are named in the recognizance, unless he previously received notice in writing from the officer of police in charge of that police station that his attendance is not required, and any such recognizance may be enforced as if it were a recognizance conditional for the appearance of the said person before a magistrate's court for the place in which the police station named in the recognizance is situate.

SECTION 372

Where the court has power to pass a sentence of imprisonment the court, in lieu of passing sentence of imprisonment, may order that the offender be detained within the precincts of the court or at any police station till such hour, not later than eight in the evening on the day on which he is convicted, as the court may direct: Provided that the court shall, before making an order of detention under this section, take into consideration the distance between the place of detention and the offender's abode, if his abode is known to or ascertainable by the court, and shall not make any such order of detention under this section as will deprive the offender of a reasonable opportunity of returning to his abode on the day on which such order of detention is made.

APPENDIX C

Criminal Code

SECTION 133

Any person who -

- (1) within the premises in which any judicial proceeding is being had or taken, or within the precincts of the same, shows disrespect, in speech or manner, to or with reference to such proceeding, or any person before whom such proceeding is being had or taken; or
- (3) causes an obstruction or disturbance in the course of a judicial proceeding; or
- (9) commits any other act of intentional disrespect to any judicial proceeding, or to any person before whom such proceeding is being had or taken

is guilty of a simple offence, and liable to imprisonment.

APPENDIX D

Typical Record of Punishment for Contempt

John is brought before the Court for refusing to keep quiet. I call upon him to show cause why he should not be punished. John, sworn on iron, states:

"It was Thomas shouting, not I"

I say I saw him shouting.

Ordered to be detained within the precincts until
1 p.m.

Signed A.B., Revising Officer.

Note: There is no need to make any record in respect of a person who, having been called before the Court, is only admonished. Admonishment is normally sufficient punishment. If the offender has no other reason for being present than to hear proceedings, he may be ordered to go away.

APPENDIX E

SOUTHERN CAMEROONS (CONSTITUTION) ORDER IN COUNCIL, 1960

Section 76 (1) In the determination of his civil rights and obligations a person shall be entitled to a fair hearing.....

(2) Whenever any person is charged with a criminal offence, he shall, unless the charge is withdrawn, be entitled to a fair hearing within a reasonable time by a court.

(3) The proceedings of a court or the proceedings of any tribunal relating to the matters mentioned in subsection (1) of this section (including the announcement of the decisions of the court or tribunal) shall be held in public.

(4) Every person who is charged with a criminal offence shall be presumed to be innocent until he is proved guilty.

(5) Every person who is charged with a criminal offence shall be entitled:

(a) to be informed promptly, in language that he understands and in detail, of the nature of the offence;

(b) to be given adequate time and facilities for the preparation of his defence;

(c) to defend himself in person or by legal representatives of his own choice;

(d) to examine in person or by his legal representatives the witnesses called by the prosecution before any court and to obtain the attendance and carry out the examination of witnesses to testify on his behalf before the court on the same conditions as those applying to the witnesses called by the prosecution; and

(e) to have without payment the assistance of an interpreter if he cannot understand the language used at the trial of the offence.

(6) When any person is tried for any criminal offence, the court shall keep a record of the proceedings, and the accused person or any person authorised by him in that behalf shall be entitled to obtain copies of the record within a reasonable time upon payment of such fees as may be prescribed by law.

(9) No person who is tried for a criminal offence shall be compelled to give evidence at the trial.

ANNEX IX. Southern Cameroons Plebiscite (Polling) Regulations, 1960

Extraordinary



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SOUTHERN CAMEROONS PLEBISCITE
ORDER IN COUNCIL,
1960.

3

Southern Cameroons Plebiscite (Polling) Regulations, 1960

Arrangement of Regulations

PART I—PRELIMINARY

1. Citation.
2. Interpretation.

PART II—PROCEDURE AT PLEBISCITE

3. Notice of plebiscite.
4. Direction of officers as to place in which to exercise functions and powers of officers.
5. Appointment of polling stations.
6. Officers at polling stations.
7. Facilities at polling stations.
8. Ballot boxes.
9. Ballot papers.
10. Polling agents.
11. Preparation of ballot boxes.
12. Issue of ballot papers.
13. Marking of ballot paper, etc.
14. Voter may be questioned.
15. Marking of finger.
16. Recording of vote.
17. No mark on ballot paper.
18. Accidental destruction of ballot paper.
19. Blind and other voters.
20. Personal attendance.
21. Appropriate polling station.
22. Officers to be on duty other than at stations of registration where practicable.
23. Officer on duty to be released to cast vote where registered.
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**SOUTHERN CAMEROONS PLEBISCITE
ORDER IN COUNCIL,
1960**

Southern Cameroons Plebiscite (Polling) Regulations, 1960

Date of Commencement: 23rd November, 1960

In exercise of the powers conferred by article 4 of the Southern Cameroons Plebiscite Order in Council, 1960, the Commissioner of the Southern Cameroons has made the following regulations—

PART I—PRELIMINARY

1. These regulations may be cited as the Southern Cameroons Plebiscite (Polling) Regulations, 1960. Citation.

2. In these regulations, unless the context otherwise requires—

“assistant plebiscite administrator” means a person appointed as such under paragraph (3) of Article 6 of the Order; Inter-pretation.

“the Deputy Plebiscite Administrator” means the person appointed as such under Article 6 of the Order.

“assistant returning officer” means a person appointed as such under paragraph (3) of Article 6 of the Order;

“the Order” means the Southern Cameroons Plebiscite Order in Council, 1960; S.C.L.N. of 1960.

“the plebiscite” means the plebiscite provided for in the Order;

“the Plebiscite Administrator” means the person appointed under paragraph (2) of Article 6 of the Order to be responsible for the conduct of the plebiscite;

“plebiscite district” means a plebiscite district established by Article 3 of the Order;

“polling agent” means a polling agent appointed by a political party under paragraph (2) of regulation 10.

“polling marshal” means a person appointed as such under paragraph (3) of Article 6 of the Order;

“polling officer” means a person appointed as such under paragraph (3) of Article 6 of the Order;

“presiding officer” means a person appointed as such under paragraph (3) of Article 6 of the Order;

“returning officer” means a person appointed as such under paragraph (3) of Article 6 of the Order;

“register of voters” means a register of voters prepared under Article 5 of the Order;

“registration area” means an area established in accordance with the provisions of the Southern Cameroons Plebiscite (Registration) Regulations, 1960;

“United Nations observer” means any person appointed to assist the United Nations Plebiscite Commissioner in observing the plebiscite on behalf of the United Nations.

"the United Nations Plebiscite Commissioner" means the person appointed by the General Assembly of the United Nations to supervise the plebiscite on behalf of the United Nations.

"voter" means a person registered on a register of voters prepared under paragraph (1) of Article 5 of the Order.

PART II—PROCEDURE AT PLEBISCITE

Notice of
plebiscite.

3. The Plebiscite Administrator shall, on or before the twenty-eighth day before the day of the plebiscite, cause to be published in every registration area in such manner as he may think fit a notice specifying—

- (a) The day and hours fixed for the poll;
- (b) The situation of every polling station in each registration area and who may vote thereat;
- (c) The alternatives on which a vote can be cast at the plebiscite; and
- (d) The colour allocated by the Plebiscite Administrator to each alternative on which a vote can be cast.

Direction of
officers as to
place in
which to
exercise func-
tions and
powers of
officers.

4. (1) The Plebiscite Administrator shall direct for which area or areas assistant plebiscite administrators, returning officers, assistant returning officers, presiding officers and polling officers shall exercise their functions and he may delegate to assistant plebiscite administrators such power in respect of returning officers and polling officers.

(2) Subject to any direction of the Plebiscite Administrator, the Deputy Plebiscite Administrator and any assistant plebiscite administrator shall have all the powers and may perform any of the duties of the Plebiscite Administrator under these regulations.

(3) Subject to any direction of the Plebiscite Administrator, an assistant returning officer shall have all the powers and may perform all the duties of a returning officer, but shall be subject to the authority and control of the returning officer appointed in respect of the same plebiscite district or part thereof.

(4) An assistant plebiscite administrator shall exercise supervision over the performance of the functions of returning officers and polling officers in the area in respect of which they are appointed, and subject to any direction of the Plebiscite Administrator and to the provisions of these regulations may give to such officers directions as to the performance of their functions.

Appoint-
ment of
polling
stations.

5. (1) The Plebiscite Administrator shall appoint a sufficient number of polling stations in each plebiscite district and allot the voters in the plebiscite district to the polling stations.

(2) The Plebiscite Administrator shall appoint at least one polling station in respect of each registration area and shall allot the voters in such registration area to the appropriate polling stations;

Provided that the Plebiscite Administrator shall, as far as appears to him to be practicable, ensure that not more than five hundred voters are required to vote at any one polling station.

Officers at
polling
stations.

6. (1) There shall, in respect of each polling station, be a presiding officer to be in charge of the polling station and such number of polling officers and polling marshals as may be necessary to assist and maintain order in connection with the taking of the poll. The presiding officer shall have full authority and shall do everything to ensure the smooth conduct of voting in accordance with these regulations.

(2) A polling officer may be authorised by the presiding officer to do any act which the presiding officer is required or authorised to do at a polling station, except that he may not order the arrest of any person or the exclusion or removal of any person from the polling station.

(3) Polling marshals shall be appointed for such period as their appointment cards may state and shall be under the orders and control of the senior plebiscite officer present.

(4) Polling marshals shall be provided with arm bands by the Plebiscite Administrator.

(5) When employed on duties in connection with the plebiscite a polling marshal who is carrying his warrant card and wearing his arm band shall have all the powers of a constable under the Police Ordinance and of a police constable under any other written law.

7. An assistant plebiscite administrator shall—

(a) ensure that in each polling station there is a compartment in which voters can cast their votes screened from observation;

(b) furnish each presiding officer with such number of ballot boxes and such ballot papers under sealed cover as may be necessary;

(c) provide each polling station with instruments for making an official mark on the ballot papers and with pads impregnated with indelible ink of a distinctive colour;

(d) provide each polling station with copies of the appropriate part of the register of voters;

(e) ensure that a presiding officer shall be in charge of each polling station;

(f) cause to be published in each polling station the colour which has been allocated to each alternative on which a vote can be cast at such polling stations; and

(g) do such other acts and things as may be necessary for conducting the plebiscite in the manner provided in these regulations.

Facilities
at polling
stations.

8. The ballot boxes shall be so constructed that a ballot paper may be put therein by a voter but may not be withdrawn by him or by any succeeding voter.

Ballot boxes.

9. Every ballot paper shall be in a form prescribed by the Plebiscite Administrator and shall—

(a) have a serial number printed or stamped on the back.

(b) be attached to a counterfoil bearing the same serial number as printed or stamped on the back of the ballot paper.

Ballot papers.

10. (1) Not later than 31st December, 1960, any political party may request in writing the Plebiscite Administrator to allow it to appoint persons (hereinafter referred to as polling agents) for the purpose of detecting personation at the poll.

(2) The Plebiscite Administrator, after consulting the United Nations Plebiscite Commissioner, shall by notice in writing inform any political party accepted by him as representative of a number of persons sufficient to merit recognition that it may appoint polling agents and such notice shall specify the number of polling agents who may be appointed by the party for polling stations generally or for polling stations in a particular area or for any polling station so that however not more than two polling agents may be appointed for any one polling station by the political party.

(3) Notice in writing of the appointment of polling agents stating their names and addresses, together with the polling station to which each

Polling
agents.

has been assigned, shall be given by the secretary of the party or other person authorised by him to the appropriate assistant plebiscite administrator not later than fourteen days before the day fixed for the plebiscite.

(4) If any polling agent dies or becomes incapable of acting as such, the party may appoint another polling agent in his place and the secretary of the party or other person authorised by him shall forthwith give to the appropriate assistant plebiscite administrator notice in writing of the name and address of the polling agent so appointed.

**Preparation
of ballot
boxes.**

11. (1) Each ballot box shall be painted with the colour allocated by the Plebiscite Administrator to a particular alternative on which a vote can be cast at the plebiscite and shall have attached to it with a seal a notice stating that particular alternative and the polling station, registration area and plebiscite district in which the box is used.

(2) Each ballot box shall be shown to such person as may lawfully be present in the polling station to be so prepared and to be empty before being locked and sealed and placed in the polling station and before any voting commences, and at the same time the sealed packets of ballot papers shall be opened in the presence of such persons who shall be entitled to inspect them.

(3) When in use for voting the ballot boxes shall be at least one foot away from each other and shall be in a compartment screened from observation by all persons other than the voter casting his vote.

(4) Each ballot box shall be placed so that it is clearly visible to voters entering the compartment and shall be as far as possible the same distance from the entrance to the compartment where it is placed and facing such entrance and it shall be fixed in such position so that it cannot be moved during the hours of voting.

**Issue of
ballot paper.**

12. (1) Every voter desiring to cast his vote shall present himself to a polling officer at the polling station in the registration area in which he is registered as being entitled to vote and the polling officer, after satisfying himself that such voter is a person whose name appears on the register of voters in relation to that registration area, and that he has not already voted, shall deliver to him a ballot paper.

(2) The production to a polling officer of a registration card issued in accordance with regulation 7 of the Southern Cameroons Plebiscite (Registration) Regulations, 1960, shall entitle the holder to be dealt with by the polling officer prior to any voter then present who is unable to present his card, and such card may be accepted by the polling officer as *prima facie* evidence of the registration of such voter.

(3) Before delivering a ballot paper to a voter, the presiding officer may require the voter to submit to being searched in private by a polling officer or by a person appointed by the presiding officer for the purpose of ensuring that no ballot paper relating to the plebiscite is already in his possession, and if the voter in such case does not submit to a search he shall not be entitled to receive a ballot paper. No person shall be searched by a member of the opposite sex.

**Marking
of ballot
paper, etc.**

13. Immediately before the polling officer delivers a ballot paper to a voter—

(a) the ballot paper shall be marked or punched with an official secret mark, and shown to any polling agents who are present;

(b) the number, name and address of the voter as stated in the register of voters or part thereof shall be called out;

(c) the number of the voter in the register of voters shall be marked on the counterfoil; and

(d) a mark shall be placed against the number of the voter in the copy of the register of voters or part thereof to denote that the ballot paper has been received by the voter but without stating the serial number of the ballot paper which has been received.

14. A polling officer may, and shall if required by a polling agent, put to a voter applying for a ballot paper, at the time of his application but not afterwards, the following questions or either of them—

Voter may be questioned.

(a) "*Are you the person who is on the register of voters as follows . . . ?*" (reading the copy of the entry in the register);

(b) "*Have you already voted at the plebiscite at this or any other polling station?*"

15. Immediately before casting his vote a voter shall dip a finger of either hand into special indelible ink provided by the Plebiscite Administrator for the purpose.

Marking of finger.

16. A voter on receiving a ballot paper shall go immediately into a screened compartment in the polling station and shall there secretly cast his vote by placing his ballot paper in the ballot box of his choice, and shall leave the compartment without delay.

Recording of vote.

17. (1) A voter shall not place on the ballot paper any writing or mark by which he may be identified.

No mark on ballot paper.

(2) For the purpose of this regulation a mark resulting from the staining of the voter in accordance with regulation 15 shall not be regarded as a mark of identification.

18. A voter who has accidentally dealt with his ballot paper in such manner that it may not be conveniently used as a ballot paper may, on delivering such ballot paper to the presiding officer, and after satisfying the presiding officer that the ballot paper has been spoilt by accident, obtain another ballot paper in place of the ballot paper delivered up, and the spoilt ballot paper shall be immediately cancelled.

Accidental destruction of ballot paper.

19. (1) A voter who is unable to distinguish colours or who suffers from blindness or from any other physical disability may be accompanied by such friend or relative as he may choose, who shall, after informing the presiding officer, be permitted in the presence of the voter and the presiding officer, to place the ballot paper in the ballot box selected by the voter.

Blind & other voters.

(2) Any friend or relative who accompanies a voter in accordance with paragraph (1) may be required to submit to being searched in accordance with the provisions of paragraph (3) of regulation 12.

20. A vote may not be recorded by a voter except by his attending in person at the polling station and recording his vote in accordance with these regulations.

Personal attendance.

21. Subject to the provisions of regulation 24 no person shall be permitted to vote at any polling station other than the one to which he is allotted.

Appropriate polling station.

Officers to be on duty other than at stations of registration where practicable.

22. (1) So far as practicable officers carrying out duties in relation to the plebiscite and police officers on duty at polling stations shall not be allocated to polling stations at which they are entitled to vote.

(2) Such officers on duty at polling stations at which they are registered as entitled to vote shall so inform the presiding officer who shall himself supervise the formalities necessary for the casting of their votes.

(3) The presiding officer on duty at a polling station at which he is registered as entitled to vote shall before the day of the plebiscite inform an assistant returning officer who shall supervise the formalities necessary for the casting of such presiding officer's vote or nominate a polling officer or some other person so to do.

Officer on duty to be released to cast vote where registered.

23. An officer carrying out duties in relation to the plebiscite or a police officer on duty at a polling station shall, if the polling station at which such officer is registered as entitled to vote is not an unreasonable distance away, be permitted to leave the polling station at which he is on duty in order to cast his vote at such time as the presiding officer considers to be reasonable and convenient.

Special facilities for certain officers.

24. (1) In this regulation the expression "Officer" means an officer carrying out duties in relation to the plebiscite and includes a police officer on duty at a polling station.

(2) Wherever an officer will be on duty on the day fixed for the poll at a polling station other than that at which he is registered as entitled to vote and compliance with regulation 23 will not be practical, the Plebiscite Administrator shall, if requested in writing by the officer and so far as may be practicable, give a written authorisation that the name of the officer be transferred to the register of voters for the polling station at which he will be performing duties.

Declaration as to personation.

25. If at the time a person applies for a ballot paper, or after he has applied and before he has left the polling station, a polling agent declares to the presiding officer that he has reasonable cause to believe that the applicant has committed an offence of personation and undertakes in writing at the time of such declaration to substantiate the charge in a court of law, the presiding officer may order a police officer or a polling marshal to arrest such person, and the order of the presiding officer shall be sufficient authority for the police officer to do so.

Votes may be protested against.

26. Any person in respect of whom a polling agent makes a declaration in accordance with regulation 25 shall not by reason thereof be prevented from voting but the presiding officer shall cause the words "protested against for personation" to be placed against that name in the marked copy of the register of voters:

Provided that where a person in respect of whom such declaration is made admits to the presiding officer that he is not the person he holds himself out to be, he shall not be permitted to vote if he has not already done so, and if he has already voted the presiding officer shall make a note of the number of the ballot paper delivered to him, and upon the count being taken, such ballot paper shall be invalid.

Validity of arrest.

27. A person arrested under the provisions of regulation 25 shall be deemed to be a person taken into custody by a police officer for an offence in respect of which he may be arrested without a warrant.

28. If a person representing himself to be a voter named in the register of voters applies for a ballot paper after another person has voted in such name, the applicant shall upon giving satisfactory answers to any questions put to him by the presiding officer or a polling officer be entitled to receive a ballot paper in the same manner as any other voter but such ballot paper (hereinafter referred to as the tendered ballot paper) shall be of a colour different from the ordinary ballot paper and instead of being put into a ballot box shall be given to the presiding officer and endorsed by him with the number of the voter in the register of voters and shall then be set aside by the presiding officer under conditions of secrecy in accordance with the wishes of the person voting in one of two separate packets each of which shall correspond to the colour of the appropriate ballot box, but shall not be counted by the returning officer as hereinafter provided. The name of the voter and his number in the register of voters shall be entered on a list to be called the tendered votes list and this list shall be admissible in any legal proceedings arising out of the plebiscite.

Tendered
ballot
papers.

29. The presiding officer shall regulate the admission of voters to the polling station and shall exclude all other persons except the United Nations Plebiscite Commissioner, United Nations observers, polling agents, polling officers and any other person who has lawful reason to be admitted, and the presiding officer shall keep order and ensure compliance with these regulations at the polling station.

Exclusion
of unautho-
rised persons,
and order at
Polling
stations.

30. If any person misconducts himself at a polling station or fails to obey any lawful order of the presiding officer he may by order of the presiding officer be removed from the polling station by a police officer, polling marshal or any other person authorised so to do in writing by the presiding officer. A person so removed shall not without the permission of the presiding officer again enter the polling station during the day of the plebiscite. Any person so removed may if charged with an offence in such polling station be deemed to be a person taken into custody by a police officer for an offence in respect of which he may be arrested without a warrant :

Removal of
persons
misconduct-
ing them-
selves.

Provided that the provisions in this regulation shall not be exercised so as to prevent any voter who is otherwise entitled to vote at a polling station from having the opportunity of so voting.

31. (1) When the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer may adjourn the proceedings until later in the day or until the following day and, after taking such precautions as are necessary to safeguard the ballot boxes and papers and other plebiscite requisites shall forthwith give notice to the assistant plebiscite administrator to this effect who shall notify the Plebiscite Administrator.

Interruption
of plebiscite.

(2) When the poll is adjourned at any polling station the hours of polling on the day to which it is adjourned shall be the same as for the original day and reference in these regulations to the closing of the poll shall be construed accordingly.

PART III—TERMINATION OF PLEBISCITE, COUNTING, ETC.

32. When the prescribed hour for the closing of the poll has been reached, the presiding officer shall declare that no more persons shall be admitted to the polling station and thereafter only the persons already inside the polling station shall be permitted to vote.

Closing of
polling
station.

Method of dealing with ballot boxes and plebiscite papers.

33. (1) As soon as practicable after the termination of voting the presiding officer shall in the presence of any polling agents in attendance, seal the ballot boxes so as to prevent introduction of additional ballot papers and make up into separate packets sealed with his own seal and marked for identification—

- (a) the marked copy of the register of voters, together with any written authorisations which he has received under regulation 24;
- (b) the counterfoils of the used ballot papers;
- (c) the tendered ballot papers in separate packets relating to each alternative;
- (d) the tendered votes list;
- (e) the unused and spoilt ballot papers placed together; and
- (f) the statement of the ballot papers which were noted invalid under the proviso to regulation 26;

and shall deliver the packets and ballot boxes to the returning officer.

(2) Any ballot papers which are left in the compartment used for voting and which are not inserted in a ballot box shall be cancelled by the presiding officer and shall be delivered to the returning officer sealed up separately.

(3) The packet shall be accompanied by a statement to be called ballot papers account prepared by the presiding officer stating—

- (a) (i) the number of ballot papers entrusted to him;
- (ii) the number of spoilt ballot papers;
- (iii) the number of unused ballot papers;
- (iv) the number of ballot papers cancelled as being found in the voting compartment outside the ballot boxes;
- (b) the number of tendered ballot papers;
- (c) the number of persons marked on the register of voters (including any additions deemed to be made thereto in accordance with regulation 24) as having been issued with a ballot paper.

(4) After the ballot papers account has been made up and before the packet is sealed up for delivery to the returning officer, any polling agent may verify the ballot papers account, and any polling agent by whom such verification is made shall sign his name on the ballot papers account.

Counting agents.

34. (1) Each political party which has been informed that it may appoint polling agents may appoint no more than two persons (hereinafter referred to as counting agents) to attend at the counting of the votes.

(2) Notice in writing of the appointment stating the names and address of the counting agents shall be given by the secretary of the party or other person authorised by him to the returning officer not later than one day before the day of the plebiscite and the returning officer may refuse to admit to the place where the votes are counted any person purporting to be a counting agent in respect of whom no such notice has been given.

(3) If a counting agent dies, or becomes incapable of acting as such, the party may appoint another counting agent in his place and the secretary of the party or other person authorised by him shall immediately notify the returning officer in writing of the name and address of the counting agent so appointed.

Counting of votes.

35. (1) The returning officer shall make arrangements for counting the votes at a place to be determined by him in the presence of a United Nations observer and the counting agents who wish to be present as soon as practicable after the termination of the voting and shall, as far as

practicable, proceed continuously with the counting, in the presence of a United Nations observer, allowing only reasonable time for refreshment until it is completed.

(2) The returning officer may if he thinks fit authorise any assistant returning officers (but no counting agent) to assist in the counting of the votes and the certifying of the same.

(3) Except with the consent of the returning officer, who shall have sole charge of the counting, no person other than the returning officer, any assistant returning officers, counting agents and a United Nations observer may be present at the counting of the votes.

36. (1) The returning officer shall, in the presence of a United Nations observer and the counting agents who wish to be present, open each ballot box one by one. He shall then proceed, assisted by the assistant returning officers, to count the ballot papers in the boxes and shall record the total number of votes cast in favour of the alternative, the allocated colour of which is shown on the notice attached to the ballot box concerned. While counting the ballot papers the returning officer and assistant returning officers shall keep the ballot papers with their faces upwards.

Method of counting.

(2) Any ballot paper which does not bear the official mark shall not be counted and the returning officer shall endorse the word "rejected" on any ballot paper which under the provisions of this paragraph is not to be counted.

(3) No mutilated ballot paper shall be counted as a valid vote unless the mutilation appears to be accidental on which the decision of the returning officer shall be final.

(4) The returning officer shall endorse on any rejected or mutilated ballot paper the words "rejection objected to" if an objection is made to his decision by any counting agent.

37. (1) The returning officer shall then prepare a statement showing the number of ballot papers rejected and the estimated number of ballot papers mutilated and shall on request allow any counting agent to copy the statement.

Statement of rejected papers.

(2) No person shall record the number of any rejected ballot paper or any mutilated paper which he sees during the counting.

38. The decision of the returning officer as to any question arising in respect of any ballot paper shall be final and shall be subject to review only on a voting petition questioning the results.

Returning officer's decision final.

39. At the conclusion of the counting of the votes the returning officer shall seal up in separate packets the counted, mutilated and rejected ballot papers. He shall not open the sealed packet of tendered ballot papers or the sealed packet containing the marked copy of the register of voters or the sealed packet containing the counterfoils of used ballot papers but shall proceed in the presence of any counting agents who wish to be present to verify the ballot papers account given by the presiding officer by comparing it with the total number of ballot papers recorded and with the number of unused, spoilt, cancelled and invalid papers delivered to him. The returning officer shall prepare a statement as to the result of the verification and shall on request allow any counting agent to copy such statement. After examination the returning officer shall re-seal the packets containing the unused, spoilt, cancelled and invalid ballot papers and shall pack and seal those papers which he has rejected.

Method of dealing with papers.

Re-count.

40. A counting agent may, if present when the counting or any re-count of the papers is concluded, require the returning officer to have the votes re-counted or again re-counted but the returning officer shall have power to refuse to do so if, in his opinion, the request is unreasonable.

Declaration of result.

41. When the result of the voting has been ascertained, the returning officer shall in respect of each registration area for which he is exercising functions—

(a) forthwith publish at the place of counting the number of votes cast in favour of each alternative;

(b) report the result of the voting to the Plebiscite Administrator who shall in turn report to the Commissioner of the Southern Cameroons and to the United Nations Plebiscite Commissioner. The Commissioner of the Southern Cameroons shall cause the result of the voting, together with the number of votes recorded for each alternative, to be published in the official Gazette of the Southern Cameroons.

Custody of documents.

42. (1) Upon the completion of the counting of the votes the returning officer shall arrange with the Plebiscite Administrator for the safe custody of all documents relating to the conduct of the plebiscite.

(2) All such documents shall be destroyed on a date to be notified by the Commissioner of the Southern Cameroons, being a date not earlier than the 31st May, 1961, unless otherwise directed in respect of any registration area by an order of any Court arising from proceedings relating to the plebiscite.

Secrecy of vote.

43. No person who has voted at the plebiscite shall, in any legal proceedings arising out of the plebiscite, be required to state in favour of which alternative he voted.

Absence of United Nations observers not to invalidate proceedings.

44. Where in these regulations any act or thing is required to be done in the presence of a United Nations observer, the non-attendance of an observer at the time and place appointed for the purpose shall not, if any act or thing is otherwise properly done, invalidate the act or thing done.

Absence of polling or counting agents not to invalidate proceedings.

45. Where in these regulations any act or thing is required to be done in the presence of a polling agent or a counting agent, the non-attendance of such person at the time and place appointed for the purpose shall not, if any act or thing is otherwise properly done, invalidate the act or thing done.

PART IV—PLEBISCITE OFFENCES**Personation and punishment therefor.**

46. (1) Any person who, at the plebiscite, applies for a ballot paper in the name of some other person whether that name be the name of a person living or dead, or of a fictitious person, or who, having voted once at the plebiscite, applies for a second ballot paper in the plebiscite in his own name, shall be guilty of the offence of personation.

(2) Any person who is guilty of personation, or of aiding, abetting, counselling or procuring the commission of the offence of personation, shall be liable to a fine of fifty pounds and imprisonment for six months.

(3) A person charged with the offence of personation shall not be convicted except on the evidence of not less than two witnesses.

47. The following persons shall be guilty of treating—

**Certain
persons
guilty of
treating.**

(a) any person who corruptly, by himself or by any person, either before, during or after the plebiscite, directly or indirectly gives provides or pays, wholly or in part, the expenses of giving or providing any food, drink, entertainment or provision to or for any person for the purpose of corruptly influencing that person or any other person to vote or refrain from voting at the plebiscite or on account of such person or any other person having voted or refrained from voting at the plebiscite; and

(b) any voter who corruptly accepts or takes any such food, drink, entertainment, or provision.

48. Any person who directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of, any force, violence, or restraint, or inflicts or threatens to inflict by himself or by any other person, any temporal or spiritual injury, damage, harm or loss upon or against any person, in order to induce or compel anyone to vote or from voting, or on account of anyone having voted or refrained from voting, at the plebiscite, or who by abduction, duress, or any fraudulent device or contrivance impedes or prevents the free use of the vote by any voter or thereby compels, induces or prevails upon any voter either to give or refrain from giving his vote at the plebiscite, shall be guilty of undue influence.

**Undue
influence.**

49. The following persons shall be deemed guilty of bribery—

**Persons to be
deemed
guilty of
bribery.**

(a) any person who directly or indirectly by himself or by any other person on his behalf, gives, lends, or agrees to give or lend, or offers, promises or promises to procure or to endeavour to procure, any money or valuable consideration to or for any voter, or to or for any person on behalf of any voter, or to or for any person, in order to induce any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of such voter having voted or refrained from voting, at the plebiscite;

(b) any person who directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers promises or promises to procure or to endeavour to procure, any office, place or employment to or for any voter, or to or for any other person, in order to induce any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any voter having voted or refrained from voting, at the plebiscite;

(c) any person who directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement, or agreement as aforesaid to or for any person, in order to induce such person to procure, or to endeavour to procure, the vote of any voter at the plebiscite in favour of a particular alternative;

(d) any person who, upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures, or engages, or promises or endeavours to procure, the vote of any voter at the plebiscite in favour of a particular alternative;

(e) any person who advances or pays, or causes to be paid, any money to or for the use of any other person, with the intent that such money or any part thereof, shall be expended in bribery at the plebiscite, or who knowingly pays, or causes to be paid, any money to any person in discharge or repayment of any money wholly or in part expended in bribery at the plebiscite, or who knowingly pays or causes to be paid,

any money to any person in discharge or repayment of any money wholly or in part expended in bribery at the plebiscite;

(f) any voter who before or during the plebiscite, directly or indirectly, by himself or by any other person on his behalf, receives, agrees, or contracts for any money, gift, loan or valuable consideration, office, place or employment, for himself or for any other person, for voting or agreeing to vote or for refraining or agreeing to refrain from voting at the plebiscite;

(g) any person who, after the plebiscite, directly or indirectly, by himself or by any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or refrain from voting at the plebiscite;

Provided that the provisions of this regulation shall not extend or be construed to extend to any money paid or agreed to be paid for or on account of any legal expenses *bona fide* incurred at or concerning the plebiscite.

Punishment
of bribery,
treating and
undue influ-
ence.

50. (1) Any person who is guilty of bribery, treating or undue influence, shall be liable to a fine of one hundred pounds and imprisonment for one year.

(2) Any person who is convicted of bribery, treating, undue influence, or personation, or of aiding, abetting, counselling or procuring the commission of the offence of personation, shall (in addition to any other punishment) be incapable, during a period of five years from the date of his conviction—

(a) of being registered as an elector for any election of members of the House of Assembly or a Native Authority or other local government body in the Southern Cameroons; and

(b) of being elected as a member of the House of Assembly or a Native Authority or other local government body in the Southern Cameroons or, if elected before his conviction, of retaining his seat as such member.

Offences in
respect of
ballot papers,
etc.

51. (1) Any person who—

(a) forges or counterfeits or fraudulently destroys any ballot paper or official mark on any ballot paper or any certificate or return; or

(b) without due authority supplies any ballot paper to any person; or

(c) fraudulently puts into any ballot box any paper which he is not authorised by law to put in; or

(d) fraudulently takes out of the polling station any ballot paper; or

(e) without due authority, destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers then in use for the purpose of the plebiscite, shall be guilty of an offence and liable to a fine of two hundred pounds and imprisonment for two years.

(2) Any attempt to commit any offence specified in this regulation shall be punishable in the manner in which the offence itself is punishable.

(3) In any prosecution for an offence in relation to ballot papers, ballot boxes and marking instruments at the plebiscite the property in such papers, boxes and instruments may be stated to be in the assistant plebiscite administrator at the plebiscite.

Dereliction
of duty by
Plebiscite
Officials.

52. Any assistant plebiscite administrator, returning officer, assistant returning officer, presiding officer, polling officer or polling marshal who is without reasonable cause guilty of any act or omission in breach of his official duty shall be guilty of an offence and liable to a fine of one hundred pounds and imprisonment for twelve months.

53. (1) Every officer mentioned in regulation 52 and every polling agent and counting agent in attendance at a polling station or at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting.

Requirement
of secrecy.

(2) No such person shall, except for some purpose authorised by law communicate before the poll is closed to any person any information as to the name or number on the register of voters of any voter who has or has not voted at the place of voting.

(3) No person shall—

(a) interfere with a voter recording his vote; or

(b) otherwise obtain or attempt to obtain in a place of voting information as to the particular alternative for which a voter in that place is about to vote or has voted; or

(c) communicate at any time to any person any information obtained in a place of voting as to the particular alternative for which a voter in that place is about to vote or has voted.

(4) If any person acts in contravention of the provisions of this regulation or of paragraph (2) of regulation 37 he shall be guilty of an offence and liable to a fine of fifty pounds and imprisonment for six months.

54. Any person who votes, or induces or procures any person to vote, at the plebiscite, knowing that he or such person is prohibited by these regulations, or by any other law, from voting at the plebiscite, shall be guilty of an illegal practice and liable to a fine of fifty pounds and imprisonment for six months, and shall be incapable, during a period of five years from the date of his conviction, of being registered as an elector at any election of members of the House of Assembly or a Native Authority or other local government body in the Southern Cameroons.

Punishment
of persons
guilty of
certain illegal
practices.

55. (1) Any person who—

(a) wilfully and knowingly votes in a plebiscite district in respect of which his name is not on the register of voters; or

(b) having been issued with a ballot paper in a polling station takes or attempts to take that paper or part thereof out of the polling station; or

(c) at the plebiscite brings into the polling station a ballot paper issued to another person; shall be guilty of an offence and liable to a fine of fifty pounds and imprisonment for six months.

(2) In order to detect whether an offence under paragraph (1) (b) has been committed the presiding officer at any polling station may require a person who has voted to submit to being searched in private by a polling officer or any other person appointed by the presiding officer for the purpose of ensuring that no ballot paper or papers can be taken out of the polling station.

Voting by
unregistered
person,
removal of
ballot paper,
etc.

56. Any person who is convicted of an offence under regulation 51, 53 or 55 shall, in addition to any punishment, be deemed incapable for a period of five years after the date of his conviction—

(a) of being registered as an elector at any election of members of the House of Assembly or a Native Authority or other local government body in the Southern Cameroons; and

(b) of being elected as a member of the House of Assembly or a Native Authority or other local government body in the Southern Cameroons or if elected before his conviction, of retaining his seat as such member.

Disqualifi-
cation
following
certain
convictions.

Disorderly
conduct at
the
plebiscite.

57. Any person who at the plebiscite acts or invites others to act in a disorderly manner for the purpose of preventing or obstructing the conduct of the plebiscite shall be guilty of an offence and liable to a fine of fifty pounds and imprisonment for six months.

Offences on
day of the
plebiscite.

58. (1) No person shall on the date on which the plebiscite is held commit any of the following acts within a polling station or within a distance of two hundred yards of a polling station namely—

(a) persuading any voter to vote or not to vote for any particular alternative;

(b) persuading any voter not to vote at the plebiscite;

(c) shouting slogans concerning the plebiscite;

(d) being in possession of any offensive weapon or wearing any dress or having any facial or other decoration which is calculated to intimidate voters;

(e) exhibiting, wearing or tendering any notice, symbol, badge, photograph or party card referring to the plebiscite;

Provided that this provision shall not prohibit—

(i) the retention on a vehicle of a flag of a political party if such flag is furled; or

(ii) the showing to a polling officer in a polling station by a voter of a card issued by a political party.

(2) No person shall on the date on which the plebiscite is held—

(a) convene, hold or attend any public meeting; or

(b) operate any megaphone, amplifier or public address apparatus for the purpose of making announcements concerned with the plebiscite (unless he is an officer carrying out duties in relation to the plebiscite and making official announcements).

(3) Any person who contravenes this regulation shall be guilty of an offence and liable to a fine of one hundred pounds and imprisonment for one year for each offence.

Improper
use of
vehicles

59. (1) No person shall provide for the purpose of conveying any person to a polling station any Government or local government or local authority vehicle or boat or any vehicle or boat belonging to a public corporation except in respect of a person who is ordinarily entitled to use such vehicle or boat and upon payment of the usual charges.

(2) Any person who contravenes the provisions of paragraph (1) shall be guilty of an offence and liable to a fine of fifty pounds and imprisonment for six months.

Penalties to
be maximum
penalties and
certain
penalties
cumulative.

60. Wherever in these regulations a penalty whether of fine or imprisonment is prescribed for an offence the same shall imply that a penalty not exceeding the penalty prescribed may be imposed, and where more than one penalty is prescribed the use of the word “and” shall signify that the penalties may be imposed alternatively or cumulatively.

Attempts to
mislead the
public in
relation to
the plebiscite.

61. Any person who publishes in writing any matter which is reasonably calculated to deceive the public as to any matter for which these regulations provide shall be guilty of an offence and liable to a fine of twenty-five pounds and imprisonment for three months:

Provided that no prosecution for an offence under the provisions of this regulation shall be commenced without the consent of the Attorney-General of the Southern Cameroons.

62. Any person who at a lawful public meeting, held in connection with the plebiscite, between the date of publication of the notice appointing a day for the holding of the plebiscite under these regulations and the date at which the result of the plebiscite is published, acts or incites others to act in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together shall be guilty of an illegal practice and shall be liable to a fine of fifty pounds and to imprisonment for six months and shall be incapable, during a period of five years after the date of his conviction—

Interference with lawful public meeting to be an illegal practice.

(a) of being registered as an elector for any election of members of the House of Assembly or a Native Authority or other local government body in the Southern Cameroons; and

(b) of being elected as a member of the House of Assembly or a Native Authority or other local government body in the Southern Cameroons or, if elected before his conviction, of retaining his seat as such member.

63. (1) No person shall within any building where voting in the plebiscite is in progress, or on any public place within a distance of fifty yards of any entrance to such building, wear or display any card, symbol, favour or other emblem indicating support for a particular political party or particular alternative on which a vote can be cast in the plebiscite and no person shall within four hundred yards of any such building make any public address indicating support for such a particular political party or alternative. Any person acting in contravention of this regulation shall be guilty of an offence and shall be liable to a fine of ten pounds.

Display of emblems in vicinity of place of voting prohibited.

(2) For the purpose of this regulation "public place" has the same meaning as in section 1 of the Criminal Code.

Cap. 42
Schedule.

MADE at Buea this 23rd day of November, 1960.

By His Honour's Command,

KENNETH B. SCOTT,
Secretary to the Commissioner

SOUTHERN CAMEROONS PLEBISCITE

Saturday, 11th February

1961

Instructions to Presiding and Polling Officers

*Printed by the Authority of the United Kingdom
Plebiscite Administrator, Buea.*

SOUTHERN CAMEROONS PLEBISCITE

FEBRUARY 11TH, 1961

INSTRUCTIONS TO PRESIDING AND POLLING OFFICERS

LEGISLATION

In exercise of the powers conferred by Article 4 of the Southern Cameroons Plebiscite Order in Council, 1960, the Commissioner of the Southern Cameroons has made the Southern Cameroons Plebiscite (Polling) Regulations, 1960, and the plebiscite will be held in accordance with these Regulations.

2. These instructions are based closely upon the Regulations and are to be followed precisely by Presiding and Polling Officers.

OFFICERS AT POLLING STATIONS

3. At each polling station there must be a Presiding Officer, one or more polling officers (according to the size of the polling station), and two or more polling marshals.

Regulation 6 (1).

4. **The Presiding Officer.**—A Presiding Officer will be appointed to be in charge of each polling station. He will receive his directions from the Returning Officer in charge of the plebiscite district in which the polling station is. The Presiding Officer has full authority to do everything to ensure the smooth conduct of voting in accordance with the Regulations.

Regulation 6 (1).

5. Presiding Officers must carry their appointment cards when on duty (Form P/13).

6. **Polling Officers.**—A polling officer may be authorised by the Presiding Officer to do any act which the Presiding Officer is himself required or authorised to do, except that he may not order the arrest of any person or the exclusion or removal of any person from the polling station.

Regulation 6 (2).

7. Polling officers must carry their appointment cards when on duty (Form P/14).

8. **Polling Marshals.**—Polling marshals will be appointed for the period shown in their appointment cards, and when they are on duty they will be under the orders and control of the senior plebiscite officer present. Except when the Returning Officer or an assistant returning officer is at the polling station, this will generally be the Presiding Officer.

Regulation 6 (3).

9. Polling marshals must wear their arm bands and carry their appointment cards when on duty (Form P/12).

10. When employed on duties in connection with the plebiscite a polling marshal who is carrying his card and wearing his arm band has all the powers of a constable under the Police Ordinance and of a police constable under any other written law.

Regulation 6 (5).

11. The duties of polling marshals will be to control the admission of voters to the polling station, to maintain order inside the polling station, to form voters into a line in the waiting enclosure so that they come up to the polling table one at a time, and generally to carry out the lawful orders given to them by the Presiding Officer. At the end of the poll they will also be responsible for escorting the ballot boxes to the place where they are to be delivered to the Returning Officer.

12. **Dereliction of duty.**—Any Presiding Officer, polling officer or polling marshal who without reasonable cause is guilty of any act or omission in breach of his official duty is liable to a fine of £100 and imprisonment for one year.

Regulation 52.

13. **Requirement of secrecy.**—All officers employed at a polling station must maintain and aid in maintaining the secrecy of the voting. Except for some purpose authorised by law, no officer before the poll is closed may communicate to any person any information as to the name or number on the register of voters of any voter who has or has not voted. It is an offence to contravene these requirements punishable by a fine of £50 and imprisonment for six months.

Regulation 5 (3).

POLLING AGENTS AT POLLING STATIONS

14. Polling agents, appointed by the political parties which are authorised by the Plebiscite Administrator to do so, may be

present at particular named polling stations for the purpose of detecting personation at the poll.

15. Not more than two polling agents may be appointed for any one polling station by any one political party.

Regulation 10 (2).

16. Polling agents will be issued with cards of appointment which will be their authority for admission to a polling station (Form P/11). Persons not in possession of Form P/11 should not be given the facilities accorded to polling agents.

17. A polling agent in attendance at a polling station is equally bound with the polling staff on duty there to observe the requirement of secrecy.

Regulation 53.

PREPARATION OF POLLING STATIONS

18. Polling Stations will be sited by, or at the directions of, the Returning Officer. During their briefing Presiding Officers will be informed where the polling station for which they will be responsible will be situated, and to what extent they themselves will be responsible for its construction. This will vary in different places.

19. Where it is possible to use a Native Court, or a Church, or a School, or some other public building, it will generally only be necessary to provide a screened compartment in which voters can cast their votes secretly.

Regulation 7 (a).

20. A diagram of a specimen voting compartment is shown in Appendix A and A1. The Returning Officer will give instructions regarding its construction.

21. Where no suitable public building is available, a polling station will have to be constructed out of doors on the lines of the diagram shown in Appendix B. This need comprise only fences (of bamboo, rope or other type of construction), with a limited thatched roof over the area reserved for officials, and screened voting and searching compartments, which it should also generally be possible to make of local materials, such as bush sticks covered with palm leaves or grass.

22. The Presiding Officer must make sure that he fully understands his responsibilities regarding the polling station to be provided before he leaves the briefing centre. It is his responsibility to ensure

that arrangements are satisfactory, and particularly that a screened compartment is available in which voters can cast their votes.

23. There must also be a room, or screened booth, available in which persons can, if necessary, be searched.

EQUIPMENT OF POLLING STATIONS

24. The Presiding Officer is responsible for equipping the polling station to which he is assigned with the items listed in Appendix C.

BALLOT BOXES

25. One ballot box painted GREEN and one ballot box painted WHITE must be placed by the Presiding Officer in the screened voting compartment in the manner described below. Each ballot box must have attached to it by drawing pins, *and seal*, the appropriate notice stating the particular alternative on which a vote can be cast, and the polling station, registration area and plebiscite district in which the box is used:

i.e., on the GREEN BOX — Form P/15

on the WHITE BOX — Form P/16

Regulation 11 (1).

26. The notices referred to in the previous paragraph are to be attached to the front of the ballot boxes, facing the voter. The Presiding Officer is responsible for seeing that the names of the polling station, the registration area, and the plebiscite district are correctly entered on the notices. A duplicate copy of the notice, similarly completed, will be placed *inside* each ballot box in the sight of any polling agents present before the lid is screwed down as in the following paragraph.

27. Before voting begins each ballot box will be shown by the Presiding Officer to the polling agents, and to any other persons who are lawfully present at the polling station, so that they can be seen to have been prepared as described above and to be empty (with the exception of the duplicate copies of Form P/15 and Form P/16, respectively). The lids must then be screwed down and sealed in the hole over the screw with the official seal entrusted to the Presiding Officer, after which the Presiding Officer will place the ballot boxes in the voting compartment ready for voting to begin.

28. When in use for voting the ballot boxes are required to be at least one foot away from each other, clearly visible to voters

entering the compartment, and fixed in such a position that they cannot be removed during the hours of voting.

Regulation 11.

BALLOT PAPERS

29. At the same time as the ballot boxes are placed in position, the Presiding Officer will open the sealed packets of ballot papers entrusted to him in the sight of any polling agents who are present, and such other persons as are entitled to inspect them.

Regulation 11 (2).

30. The Presiding Officer is responsible for the issue of ballot papers to voters, and for returning those not used to the Returning Officer. See paragraph 69 (e) at page 14.

VOTING PROCEDURE IN THE POLLING STATION

31. **Hours.**—The polling station must be ready in all respects to open promptly at 8.00 a.m. and will close at 5.00 p.m.

32. **Issue of Ballot Papers.**—Voters presenting themselves at the polling station will form a line under the control of a polling marshal. They should be allowed to come up to the polling officer's table one at a time. The Presiding Officer (or polling officer) will check each voter's name against the register of voters, and if the voter has a registration card, and the Presiding Officer (or polling officer) is satisfied that he is a person whose name appears on the register of voters for that registration area, and that he has not already voted, he will give a ballot paper to him.

33. If a voter does not bring his registration card with him he may still be allowed to vote, if he is entitled to do so, but he must wait until the voters with registration cards have been dealt with and his identity can be thoroughly checked.

Regulation 12 (2).

34. Before a ballot paper is given to a voter the Presiding Officer (or polling officer) must do the following things:

- (a) mark the ballot paper with the official stamp and show it to any polling agents who are present;
- (b) call out the number, name and address of the voter as stated in the register of voters;
- (c) mark the NUMBER of the voter as shown in the register of voters on the counterfoil of the ballot paper;

- (d) make a tick in the register of voters against the voter's name to show that a ballot paper has been received by the voter.

Regulation 13.

35. **Questioning of Voters.**—If the Presiding Officer (or a polling officer) suspects that a voter is voting twice, or that he is voting in another man's name, he may put the following questions, or either of them, to the voter at the time of his application, but not afterwards—

- (a) "*Are you the person who is on the register of voters as follows.....?*"

(reading the copy of the entry in the register);

- (b) "*Have you already voted at the plebiscite at this or any other polling station?*"

If a polling agent asks the Presiding Officer or a polling officer to put the above questions to a voter, the Presiding Officer (or polling officer) must do so. Note that these questions may not be put to a voter after he has voted.

Regulation 14.

36. **Searching of Voters.**—If the Presiding Officer suspects that a voter who presents himself at a polling station already has a ballot paper on his person, he may require the voter to submit to being searched in private by a polling officer or by some other person appointed by him for the purpose. If the voter refuses, he should not be given a ballot paper.

Searching must be done in private and no person may be searched by a member of the opposite sex. If it is necessary to search a woman the Presiding Officer must appoint some reputable woman to carry out the search.

Regulation 12 (3).

38. The penalty for any person found guilty of bringing into a polling station a ballot paper issued to another person is a fine of £50 and imprisonment for six months.

Regulation 55 (1) (c).

39. Note also that it is an offence for any person who has been issued with a ballot paper in a polling station to take or attempt to take it, or part of it, out of the polling station and that a person who

has voted may be required to submit to being searched in the manner prescribed above in order to detect this.

Regulation 55 (2).

40. **Marking of finger.**—Immediately before casting his vote a voter must dip the finger of either hand into a bowl of indelible ink. No one entering the polling station with a finger already stained with this ink may receive a ballot paper.

Regulation 15.

41. **Recording of Vote.**—On receiving a ballot paper a voter must go immediately into the screened compartment and there secretly cast his vote by placing his ballot paper in the ballot box of his choice, after which he must leave the compartment, and the polling station, without delay.

Regulation 16.

42. Voters must not sign or mark their ballot papers, but stains resulting from an inky finger do not matter.

Regulation 17.

43. Periodically throughout the day the Presiding Officer should inspect the screened voting compartment to satisfy himself that it is in order, and to remove for cancellation (*see* paragraph 70 at page 14) any ballot papers left in the compartment outside the ballot boxes.

44. **Spoilt Ballot Papers.**—If a voter accidentally spoils the ballot paper given to him (as, for instance, by tearing it, or otherwise defacing it), the Presiding Officer may replace it by another. The spoilt ballot paper will immediately be cancelled by the Presiding Officer and will be placed by him in an envelope marked SPOILT BALLOT PAPERS, and be dealt with in accordance with paragraph 69 (e) at page 14.

Regulation 18.

45. **Blind Voters.**—If a voter is blind, or colour-blind, or disabled, he can choose a friend or relative to help him to cast his vote. In such case the Presiding Officer must himself go into the screened voting compartment with them. The friend or relative may be searched if the Presiding Officer thinks this advisable, in the same manner as described above for voters.

Regulation 19.

46. **Personal Attendance.**—A voter can only vote himself, in person, at the polling station.

Regulation 20.

VOTING BY POLLING STAFF

47. If the Presiding Officer, or a polling officer, or a polling marshal is registered as a voter at a nearby polling station arrangements should, if possible, be made for the officer, or officers, concerned to be released from duty, one at a time, to go there to vote at some convenient time of the day.

48. If any member of the polling staff is registered as entitled to vote at the polling station where he is on duty he should inform the Presiding Officer who will himself supervise the formalities for the casting of his vote.

49. If the Presiding Officer is himself registered as entitled to vote at the polling station where he is on duty he must, before the day of the plebiscite, inform an assistant returning officer who will either arrange to supervise the formalities for the casting of his vote himself, or will nominate a polling officer or some other person to do this.

Regulation 22.

50. If any officer carrying out duties in relation to the plebiscite, including any police officer on duty at a polling station, presents a Form P/4 (Authorisation for Special Polling Facilities) made out in his own name and addressed to the Presiding Officer of the polling station at which he is on duty, and duly signed by or on behalf of the Plebiscite Administrator, the Presiding Officer will add that officer's, or police officer's, name to the register of voters of the polling station for which he is responsible. The entry must be made at the end of the list under the heading—"ADDITION UNDER REGULATION 24". The full registered number of the voter must be entered, as well as his name, duty and address:

viz—

(last name on list)

Z 18 Zacharia Mesumbe M Lagabum

ADDITIONS UNDER REGULATION 24

23/C/5/K/7 Kum Edward
Police Constable M Nkanchi

23/D/2/L/3 Lekwa Obasi
Polling Officer M Base

Procedure will then be in accordance with paragraph 48 above.

The Presiding Officer of the polling station from which the officer's name is being transferred, shown under (1) in the Form P/4, should write against the officer's number in his register of voters the words "Transferred by P/4."

PERSONATION

51. If a polling agent declares to the Presiding Officer that he has reasonable cause to believe that an applicant for a ballot paper is applying for a ballot paper in the name of some other person, whether living or dead, or of a fictitious person, or that he has applied for a second ballot paper after he has already voted, and if he undertakes in writing at the time of his declaration to substantiate the charge in a court of law, the Presiding Officer has power to order a police officer or polling marshal to arrest the person accused.

Regulation 25.

52. Note that for action to be taken in accordance with the previous paragraph there must be (1) A DECLARATION of reasonable cause for believing that the applicant has committed the offence of personation, and (2) a WRITTEN UNDERTAKING to substantiate the charge in a court of law.

53. When such a declaration is made the Presiding Officer must warn the accused person that if he is found guilty of voting in another person's name, he will be liable to a fine of £50 and imprisonment for six months. If he does not admit the offence, he must be allowed to vote, but the words "protested against for personation" will be entered against his name in the register of voters.

54. If the accused person admits the offence he must not be allowed to vote, and if he has already voted the Presiding Officer (or a polling officer) must enter the number of the ballot paper given to him on Form P/6: Statement of Invalid Ballot Papers.

Regulation 26.

55. A person arrested under Regulation 25 (see paragraph 51 above) must be taken to the nearest police station, either at once, or as soon as possible after the end of the plebiscite, as may be practicable.

TENDERED BALLOT PAPERS

56. If a voter applies for a ballot paper after another person has voted in his name and the Presiding Officer is satisfied, after questioning him, that some other person has voted in his place, he

may be given a ballot paper in the same manner as any other voter, but it shall be a ballot paper of a different colour known as a **TENDERED BALLOT PAPER**.

57. A **TENDERED BALLOT PAPER** must not be put into a ballot box. Instead, the voter must give his **TENDERED BALLOT PAPER** to the Presiding Officer who will write on the back of it the number of the voter in the register of voters (*viz.* 17/D/3/L/2). The Presiding Officer will then place the **TENDERED BALLOT PAPER**, under conditions of secrecy, into either a **GREEN** or a **WHITE** envelope in accordance with the wishes of the person voting. This could suitably be done by the Presiding Officer accompanying the voter into the searching compartment (*see* paragraph 23 at page 6) with both envelopes.

58. The name of the voter receiving a **TENDERED BALLOT PAPER** and his number in the register of voters must be entered by the Presiding Officer on Form P/5: the Tendered Votes List.

Regulation 28.

MAINTENANCE OF ORDER AT POLLING STATIONS

59. The Presiding Officer will regulate the admission of voters to the polling station and be responsible for maintaining good order in the polling station. He must exclude all unauthorised persons from the polling station.

Regulation 29.

60. The Presiding Officer may order any person who misconducts himself at a polling station, or who fails to obey an order of the Presiding Officer, to be removed from the polling station, and the person so removed may not enter the polling station again during the day of the plebiscite without the permission of the Presiding Officer.

61. If the person concerned has committed any offence in the polling station he can be arrested on the authority of the Presiding Officer; but the Presiding Officer must not use his authority to prevent any voter who is entitled to vote from having an opportunity to do so.

Regulation 30.

62. The penalty prescribed for acting in a disorderly manner for the purpose of preventing or obstructing the conduct of the plebiscite is a fine of £50 and imprisonment for six months.

63. Note that:—

- (a) Presiding Officers must at all times be courteous and helpful towards the voters;
- (b) It is not the duty of Presiding Officers to judge disturbances, because these can be settled in a court of law;
- (c) Presiding Officers must do everything in their power to facilitate the voting of people who are eligible to vote, and to enable everyone to do so during the hours appointed for the poll.

64. On the day of plebiscite it is an offence punishable by a fine of £100 and imprisonment for one year to commit any of the following acts within a polling station or within a distance of 200 yards of a polling station, namely—

- (a) persuading any voter to vote or not to vote for any particular alternative;
- (b) persuading any voter not to vote at the plebiscite;
- (c) shouting slogans concerning the plebiscite;
- (d) being in possession of any offensive weapon or wearing any dress or having any facial or other decoration which is calculated to intimidate voters;
- (e) exhibiting, wearing or tendering any notice, symbol, badge, photograph or party card referring to the plebiscite.

Regulation 58. See also Regulation 63.

65. If the proceedings at the polling station are interrupted or obstructed by riot or other serious disturbance, the Presiding Officer may adjourn the proceedings until later in the day, or until the following day. After taking precautions to safeguard the ballot boxes, ballot papers and other plebiscite items, the Presiding Officer must in such case at once report the matter to the Returning Officer.

66. When the poll is adjourned to the following day, as in the previous paragraph, the hours of polling on that day will be the same as for the original day.

Regulation 31.

TERMINATION OF POLLING

67. At 5.00 p.m. the Presiding Officer must announce publicly that no more persons will be admitted to the polling station, and after this only the persons already inside the polling station may be permitted to vote.

Regulation 32.

DUTIES TO BE CARRIED OUT AT THE END OF POLLING

68. **Method of dealing with the Ballot Boxes.**—As soon as possible after the end of polling the Presiding Officer must, in the presence of any polling agents in attendance, gum *and seal* Form P/18 over the slits of the ballot boxes to prevent insertion into them of any further ballot papers.

Regulation 33 (1).

69. **Method of dealing with plebiscite papers.**—Next, the Presiding Officer must, in the following order, make up into separate sealed packets marked for identification—

- (a) the marked copy of the Register of Voters, together with any written authorisations on Form P/4 (*see* paragraph 50 at page 10) which he has received under Regulation 24;
- (b) the counterfoils of the used ballot papers;
- (c) the tendered ballot papers in their separate GREEN and WHITE envelopes (*see* paragraphs 56 and 57 at pages 11 and 12);
- (d) the Tendered Votes List on Form P/5 (*see* paragraph 58 at page 12);
- (e) the unused and spoilt ballot papers placed together;
- (f) the Statement of Invalid Ballot Papers on Form P/6 (*see* paragraph 54 at page 11); and
- (g) the unused tendered ballot papers.

Regulation 33 (1).

70. **Ballot papers left in the voting compartment outside the ballot boxes.**—The Presiding Officer must collect any ballot papers which are left in the voting compartment outside the ballot boxes and cancel them by writing the word “CANCELLED” across their face. They must then be sealed up separately.

Regulation 33 (2).

71. **Completion of Ballot Papers Account.**—Next, the Presiding Officer must complete the left-hand side of Form P/7 (the Ballot Papers Account), and sign the certificate at the foot of it.

Regulation 33 (3).

72. The Presiding Officer should show the Ballot Papers Account to any polling agent present, who may check it if he wishes. Any polling agent who does check the Ballot Papers Account must sign his name at the foot of it below the Presiding Officer's certificate.

Regulation 33 (4).

73. **Polling Agent's Reports.**—At the end of polling the Presiding Officer should personally hand copies of Form P/19 (Polling Agents' Reports) to any polling agents who are present, and invite them to make a report.

74. **Delivery to the Returning Officer.**—The Presiding Officer must then deliver the following items to the Returning Officer by the quickest possible means in accordance with the instructions given to him by the Returning Officer—

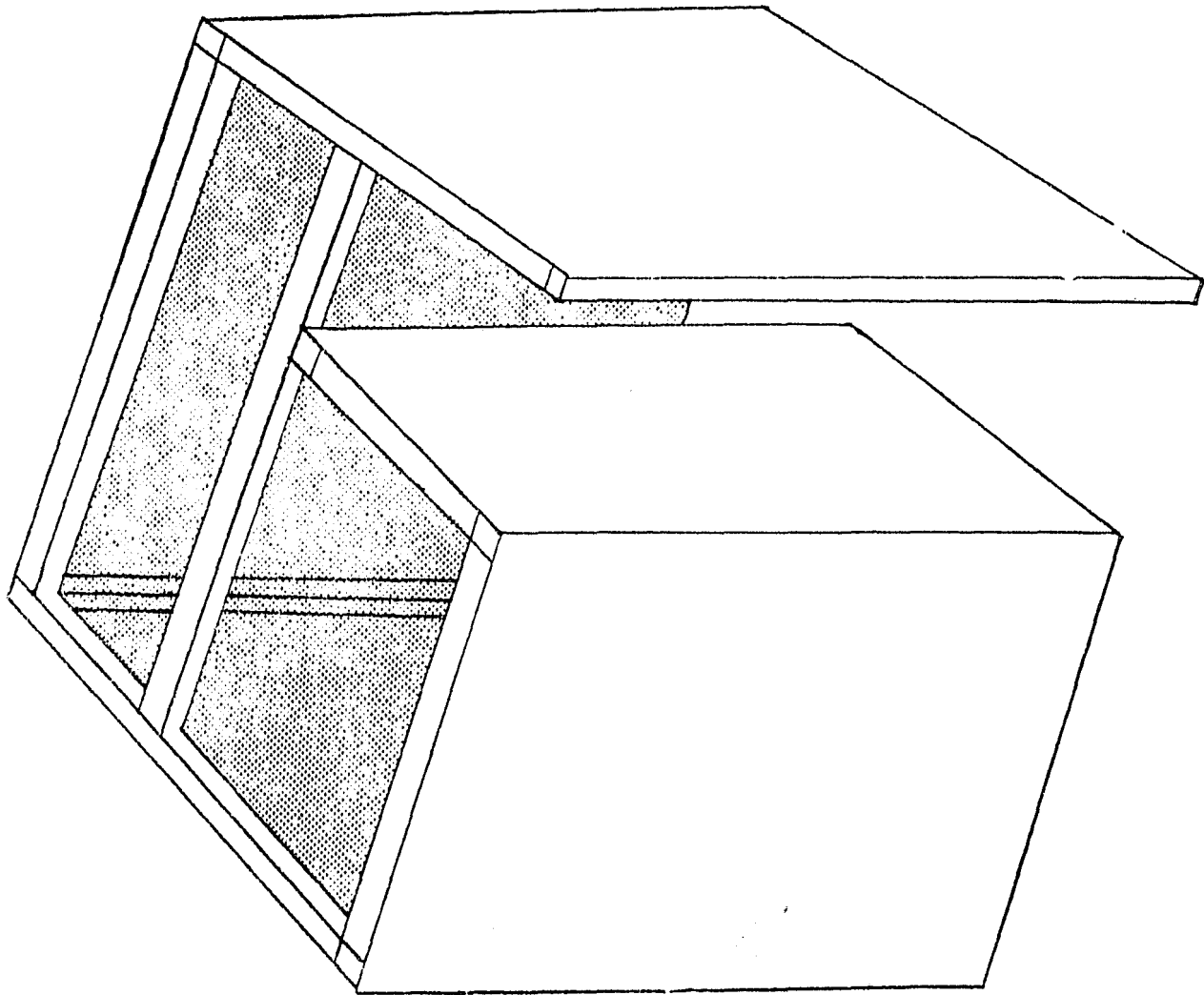
- (1) the Ballot Boxes;
- (2) the sealed packages (a), (b), (c), (d), (e), (f) and (g) listed in paragraph 69 at page 14;
- (3) a sealed envelope containing the cancelled ballot papers referred to in paragraph 70 at page 14;
- (4) a sealed envelope containing the Ballot Papers Account;
- (5) a sealed envelope containing any reports received from polling agents as in paragraph 73 above.

GENERAL

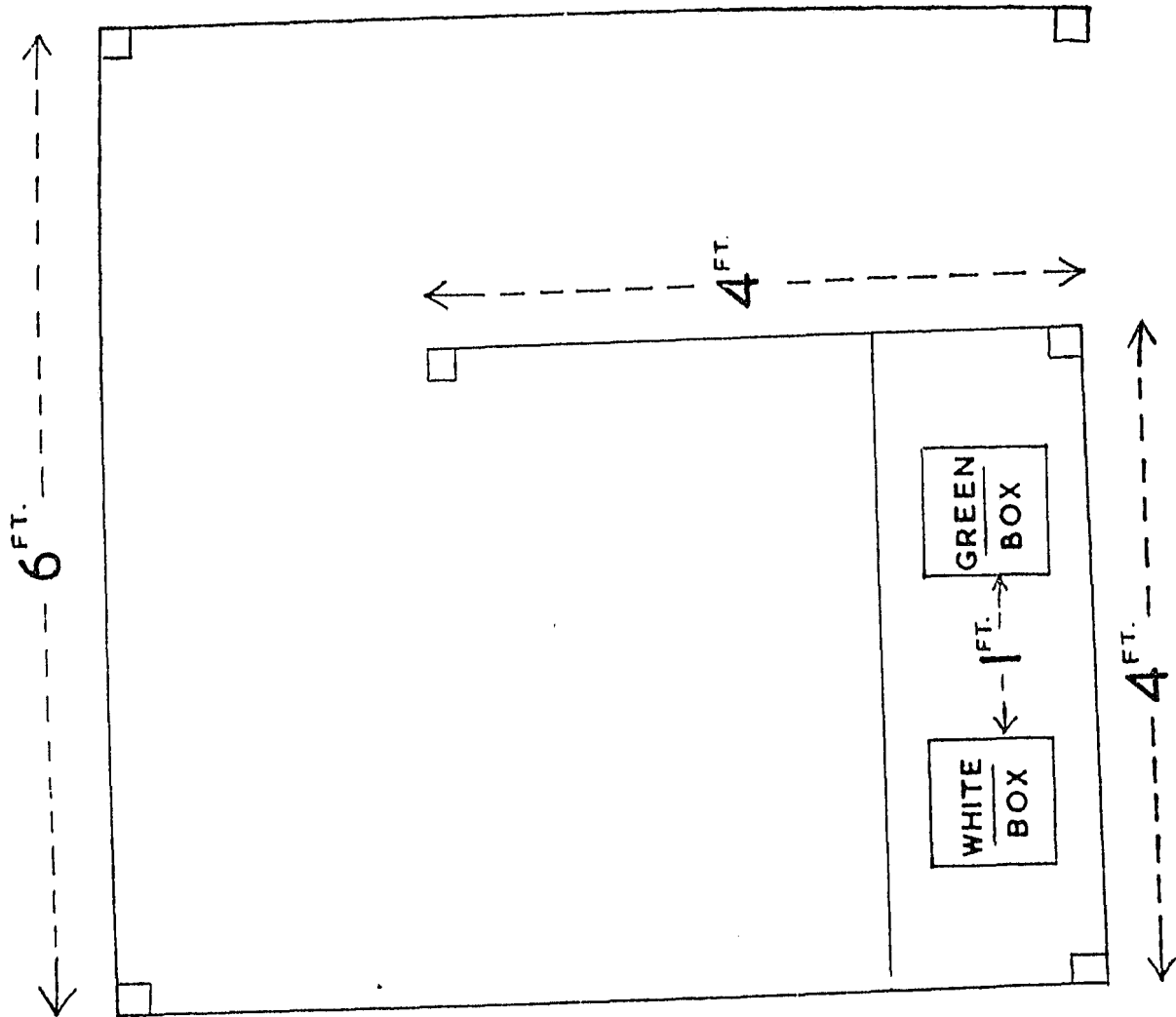
75. The United Nations Plebiscite Commissioner and United Nations Observers may enter any polling station at any time, and all facilities are to be given to them to observe the conduct of the plebiscite at all its stages.

76. The successful conduct of the plebiscite will depend upon Presiding Officers knowing their instructions, and upon everyone doing their best competently and helpfully.

APPENDIX A

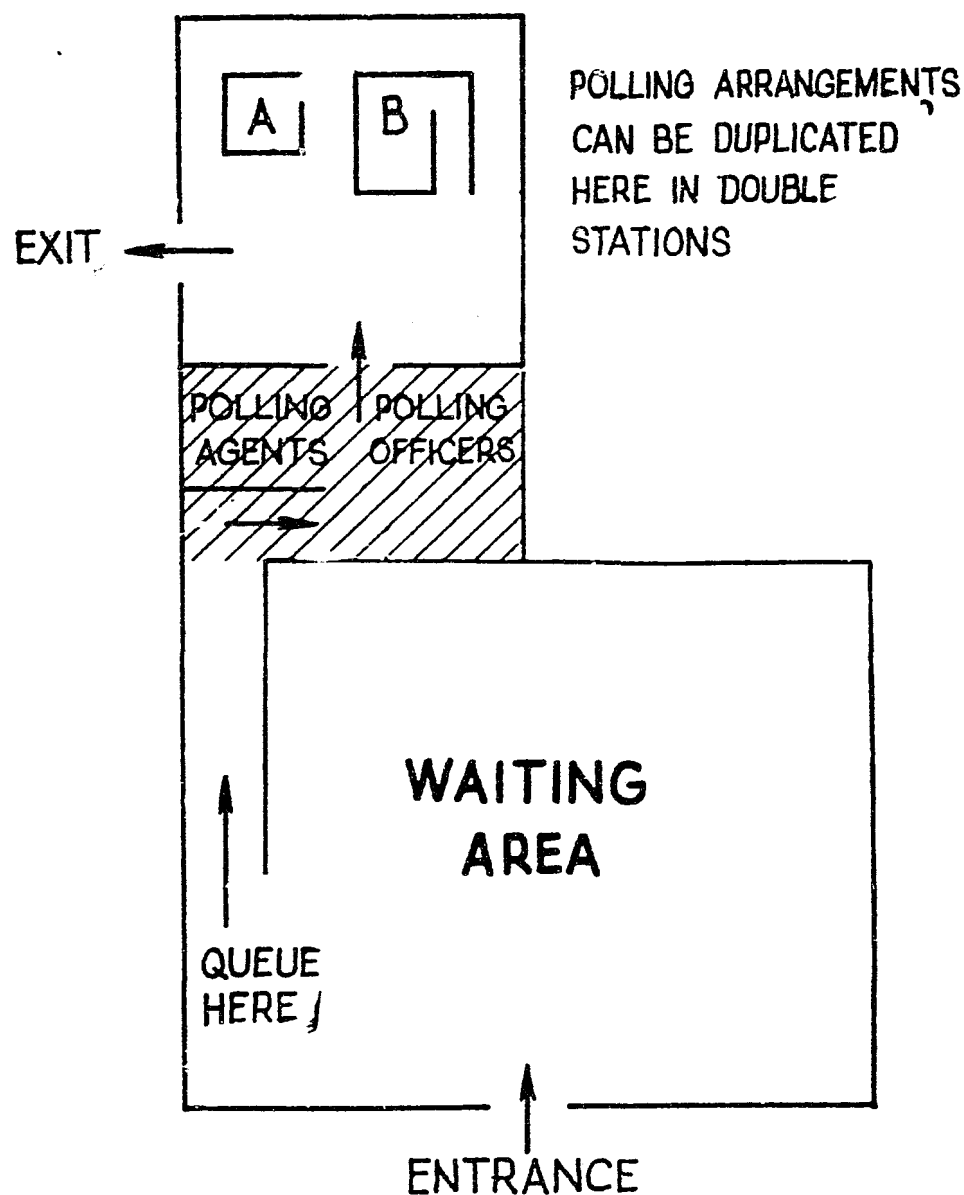


APPENDIX A 1



Height: 6 feet

APPENDIX B
SPECIMEN POLLING STATION
(FOR GENERAL GUIDANCE ONLY)



A == Searching booth : screened structure
 B == Polling booth : " "
 Black Lines == Bamboo or similar fences, or ropes
 Shaded Area == Palm leaf or other form of light roof.
 Scale : 1 inch equals 12 feet

APPENDIX C

EQUIPMENT FOR POLLING STATIONS

Presiding Officers are responsible for equipping the polling stations to which they are assigned with the following items, and must ensure that they are available—

- (a) a table and at least two chairs (to be borrowed or hired locally);
- (b) one Ballot Box coloured GREEN and one Ballot Box coloured WHITE, or such number of each as may be necessary;
- (c) an official seal;
- (d) a screwdriver;
- (e) drawing pins;
- (f) an envelope containing the requisite notices for attaching by seal to the ballot boxes: Forms P/15 and P/16;
- (g) such number of Ballot Papers under sealed cover as may be necessary;
- (h) such number of Tendered Ballot Papers under sealed cover as may be necessary;
- (i) a lead seal for making an official mark on the Ballot Papers and a pad (one of each for small polling stations: one of each for each polling booth at large polling stations);
- (j) indelible ink for impregnating the pads referred to above;
- (k) special indelible ink for marking the fingers of voters;
- (l) a bowl to contain the special indelible ink into which voters will dip a finger;
- (m) a copy of the appropriate part of the Register of Voters;
- (n) a copy of the Southern Cameroons Plebiscite (Polling) Regulations, 1960;
- (o) posters for display at the polling stations, namely;

P/1

P/2

P/3

P/17

- (p) an envelope containing the following printed forms:
 P/5 Tendered Votes List;
 P/6 Statement of Invalid Ballot Papers;
 P/7 Ballot Papers Account and Verification Statement;
 P/18 Sealing of Ballot Boxes;
 P/19 Polling Agents' Reports;
- (q) blotting paper, pen, pencils, ink and pins, etc.;
- (r) two sticks of sealing wax;
- (s) box of matches;
- (t) ball of twine;
- (u) gum;
- (v) scribbling pad;
- (w) ELEVEN large envelopes for use at the end of the poll addressed to "The Returning Officer," and numbered and marked as under—
- No. 1 MARKED COPY OF REGISTER OF VOTERS TOGETHER WITH WRITTEN AUTHORISATIONS RECEIVED UNDER REGULATION 24
- No. 2 COUNTERFOILS OF USED BALLOT PAPERS
- No. 3 An envelope coloured GREEN, and marked TENDERED BALLOT PAPERS (1)
- No. 4 An envelope coloured WHITE, and marked TENDERED BALLOT PAPERS (2)
- No. 5 TENDERED VOTES LIST (FORM P/5)
- No. 6 UNUSED AND SPOILT BALLOT PAPERS
- No. 7 STATEMENT OF INVALID BALLOT PAPERS (FORM P/6)
- No. 8 UNUSED TENDERED BALLOT PAPERS
- No. 9 CANCELLED BALLOT PAPERS (See paragraph 70 of Instructions)
- No. 10 BALLOT PAPERS ACCOUNT (FORM P/7)
- No. 11 POLLING AGENTS' REPORTS (FORM P/19).

STRICTLY CONFIDENTIAL

SOUTHERN CAMEROONS PLEBISCITE

Tendered Votes List

*Southern Cameroons Plebiscite (Polling) Regulations, 1960,
Regulation 28*

PLEBISCITE DISTRICT
REGISTRATION AREA
POLLING STATION

NAME OF VOTER	NUMBER IN REGISTER
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15

Each of the above-named persons, representing himself to be a voter in the register of voters, applied for a ballot paper after another person had voted in his name, and as each of them gave satisfactory answers to the questions put to them I have entered their names on this list, with their numbers in the register of voters, in accordance with regulation 28 of the Southern Cameroons Plebiscite (Polling) Regulations, 1960.

.....
Presiding Officer

SOUTHERN CAMEROONS PLEBISCITESTATEMENT OF INVALID BALLOT PAPERS

Southern Cameroons Plebiscite (Polling) Regulations, 1960
Regulation 33 (1) (f)

PLEBISCITE DISTRICT.....

REGISTRATION AREA.....

POLLING STATION.....

<i>Serial Numbers of Invalid Ballot Papers</i>		

.....
Presiding Officer

Date.....1961

Authorisation for Special Polling Facilities

*Southern Cameroons Plebiscite (Polling) Regulations, 1960,
Regulation 24*

To :

- (1) The Presiding Officer,

Polling Station.....
(where the officer is registered)

Registration Area

Plebiscite District.....

- (2) The Presiding Officer,

Polling Station.....
(where the officer is performing duties)

Registration Area

Plebiscite District.....

I authorise the transfer of the name of.....

registered as number.....in the register of voters for the Polling
Station named first above to the register of voters for the Polling Station named second
above at which he will be performing duties on the day of the plebiscite, and I direct that the
Presiding Officer of the Polling Station shown first above shall mark his register accordingly.

.....
Plebiscite Administrator.

Date.....1961.

One side only to be completed

OFFICE OF THE UNITED KINGDOM
 PLEBISCITE ADMINISTRATOR,
 BUEA, SOUTHERN CAMEROONS.
 11th February, 1961

POLLING AGENTS' REPORTS

I wish to thank you for the help you gave with the Southern Cameroons Plebiscite by serving in the responsible office of Polling Agent. Since it is of great importance that any serious error in the conduct of the voting should be brought to my notice, and to that of the Returning Officer, as quickly as possible, I now invite you to complete one of the reports printed below. The form should then be handed back to the officer who gave it to you.

2. This form should only be used for reporting serious errors or irregularities: that is, those which have not been remedied and which in your opinion may have had an effect upon the voting in your polling station.

H. CHILDS,
Plebiscite Administrator.

ALL POLLING AGENTS.

I,
 (Full name in block capitals)

consider that there have been no *serious errors or irregularities connected with the polling station at which I served as Polling Agent, and that the conduct of the plebiscite there was satisfactory.

District.....

Signed.....

Registration Area.....

Date..... February, 1961

Polling Station at.....

Time.....p.m.

*The word "serious" may be crossed out if there have been no errors or irregularities at all.

I,.....
(Full name in block capitals)

consider that there have been the following serious errors and irregularities connected with the Polling Station at which I served as Polling Agent, and that the conduct of the Plebiscite there was unsatisfactory in the following respects:—

District.....

Signed.....

Registration Area.....

Date..... February, 1961

Polling Station at.....

Time..... p.m.

Form P/7

Ballot Papers Account

Southern Cameroons Plebiscite (Polling) Regulations, 1960
Regulation 33 (3)

PLEBISCITE DISTRICT.....

REGISTRATION AREA.....

POLLING STATION at.....

To be completed by **PRESIDING OFFICER--**

(a)	(i)	Number of ballot papers entrusted to Presiding Officer
	(ii)	Number of spoilt ballot papers
	(iii)	Number of unused ballot papers
	(iv)	Number of ballot papers cancelled as being found in the voting compartment outside the ballot box
(b)		Number of tendered ballot papers issued
(c)		Number of persons marked on the register of voters (including any additions deemed to be made thereto in accordance with Regulation 24) as having been issued with a ballot paper

I certify that the above account is correct.

Dated this day of 1961

.....
Signature of Presiding Officer.

Verification Statement

Southern Cameroons Plebiscite (Polling) Regulations, 1960

Regulation 39

Incorporates statement required under Regulation 37

(See Notes on reverse)

To be completed by RETURNING OFFICER—

(1)	Number of spoilt ballot papers	..	..	..	..	..	_____
(2)	Number of unused ballot papers	..	..	..	..	..	_____
(3)	Number of cancelled ballot papers	..	..	..	..	..	_____
(4)	Number of invalid ballot papers	..	..	..	..	..	_____
(5)	Number of rejected ballot papers	..	..	..	..	..	_____
(6)	Number of ballot papers counted:						
	1st ALTERNATIVE (GREEN BOX)						_____
	2nd ALTERNATIVE (WHITE BOX)						_____
	Total of (6)	..	..				_____
(7)	Estimated number of mutilated ballot papers	..	..	..			_____
	TOTAL of (1) to (7)	..					_____

I certify that I have verified this account as detailed above and have found it to be correct in every respect, except as follows:—

Dated this day of 1961

.....
Signature of Returning Officer.

NOTES :

SPOILT BALLOT PAPER ..	..	..	One which is accidentally spoilt before being cast and which the presiding officer replaces by another. Regulation 18.
CANCELLED BALLOT PAPER ..	..	..	One which is found in the voting compartment outside the ballot box. Regulation 33 (2)
INVALID BALLOT PAPER ..	..	..	One which has been cast by a person in respect of whom a declaration of personation is made. Proviso to Regulation 26.
REJECTED BALLOT PAPER ..	..	..	One which does not bear the official mark. Regulations 13 (a) and (36) (2).
MUTILATED BALLOT PAPER ..	..	..	One which is not to be counted on account of deliberate mutilation. Regulation 36 (3).
TENDERED BALLOT PAPER ..	..	..	One issued to an applicant after another person has voted in his name. Regulation 28.



Note that in the Returning Officer's Verification Statement:—

- (a) The estimated number of mutilated ballot papers shown in item (7) should be the difference between the number of ballot papers entrusted to the Presiding Officer, shown in item (a) (i) of the Ballot Papers Account, and the sum of items (1) - (6) in the Verification Statement.
- (b) Items (a) (i) of the Ballot Papers Account and the total of items (1) to (7) in the Verification Statement should correspond. Any discrepancy should be noted below the certificate.

To :

THE ASSISTANT PLEBISCITE ADMINISTRATOR,

FROM :

(Insert name in BLOCK CAPITALS)

Date....., 1961

I shall be carrying out duties in relation to the plebiscite on the day of the poll
as a
at the polling station named below :

Polling Station.....

Registration Area.....

Plebiscite District.....

2. I was registered as entitled to vote in the plebiscite at the polling station named below :

* Polling Station

Registration Area.....

Plebiscite District.....

3. I hold Registration Card No...../...../...../.....

4. I request that my name may be transferred to the register of voters for the polling station at which I shall be performing duties.

Signed.....

Forwarded, and certified as correct

Signed.....

Returning Officer

.....Plebiscite District.

Footnote :

* If the name of the polling station is not known, insert the name or number (as shown on the Voter's Registration Card) of the sub-unit.

SOUTHERN CAMEROONS PLEBISCITE

NOTES for the guidance of Returning Officers

THE COUNTING OF VOTES

SOUTHERN CAMEROONS PLEBISCITE

NOTES FOR THE GUIDANCE OF RETURNING OFFICERS

THE COUNTING OF VOTES

Refer to Regulations 34 to 41 of the Southern Cameroons
Plebiscite (Polling) Regulations, 1960.

2. Note that—

- (a) The Returning Officer decides the place at which the votes will be counted, and has sole charge of the counting.
- (b) Subject to any directions of the Plebiscite Administrator, an assistant returning officer may perform all the duties of the Returning Officer, but is subject to control by the Returning Officer.
- (c) Authorised counting agents appointed by political parties may attend the counting of the votes. They must hold an appointment card (Form P/10).
- (d) Except with the consent of the Returning Officer, only assistant returning officers, counting agents, and a United Nations observer may be present at the counting of the votes.
- (e) The Returning Officer may authorise any assistant returning officers to assist in counting the votes, and certifying them, but counting agents may not assist.
- (f) Counting should proceed continuously in the presence of a United Nations observer, and of such counting agents as wish to be present, allowing only a reasonable time for refreshment until it is finished.

3. In view of (f) above, counting of the votes cast in a plebiscite district must not begin until all the ballot boxes used in that plebiscite district are assembled at the place of counting, or until there is a clear prospect of completing the counting for the whole of the plebiscite district as a single uninterrupted process.

4. Before beginning the count the Returning Officer must satisfy himself that he is provided with the following printed forms,
 P/8 RESULT OF VOTING BY POLLING STATIONS
 P/9 RESULT OF VOTING BY REGISTRATION AREAS
 P/22 DECLARATION OF RESULT
 and also with the labelled envelopes and equipment listed in the Schedule.

5. Procedure should then be as follows—

- (1) Ascertain that all the ballot boxes received are properly sealed and that Form P/18 (Sealing of Ballot Box Slits) is in every case in position; if it is not, the Returning Officer must make a written note of the fact.
- (2) Deal with the ballot boxes and plebiscite papers received from each registration area *seriatim*, recording the results by polling stations on Form P/8.
- (3) Check the labelled sealed envelopes received from the Presiding Officer of the polling station first dealt with, *viz*

*No. 1 MARKED COPY OF REGISTER OF VOTERS TOGETHER WITH WRITTEN AUTHORISATIONS RECEIVED UNDER REGULATION 24.

*No. 2 COUNTERFOILS OF USED BALLOT PAPERS

*No. 3 An envelope coloured GREEN, and marked TENDERED BALLOT PAPERS (1)

*No. 4 An envelope coloured WHITE, and marked TENDERED BALLOT PAPERS (2)

*No. 5 TENDERED VOTES LIST (FORM P/5)

No. 6 UNUSED AND SPOILT BALLOT PAPERS

No. 7 STATEMENT OF INVALID BALLOT PAPERS (FORM P/6)

*No. 8 UNUSED TENDERED BALLOT PAPERS

No. 9 CANCELLED BALLOT PAPERS

No. 10 BALLOT PAPERS ACCOUNT (FORM P/7)

No. 11 POLLING AGENTS' REPORTS (FORM P/19)

Footnote:—Envelopes marked with an asterisk are not to be opened at any stage.

- (4) Open and examine the contents of—
 ENVELOPE No. 7
 ENVELOPE No. 10
 ENVELOPE No. 11
- (5) Ballot boxes must be dealt with one by one. The GREEN BOX should first be opened.
- (6) The ballot papers must be sorted so that they have their face upwards, and be kept that way.
- (7) Set aside any invalid ballot papers, the numbers of which are noted in Form P/6 obtained from Envelope No. 7. These will not be counted.
- (8) Set aside any ballot paper which does not bear the official mark made with a lead seal. These will not be counted and the Returning officer must endorse on each of them the word "rejected".
- (9) Set aside any mutilated ballot papers where the mutilation does not appear to the Returning Officer to be accidental. These will not be counted, *vide* regulation 36 (3).
- (10) Next count the valid votes, and enter the number of them in Form P/8 in column (b). Enter the number of rejected ballot papers in column (c), in accordance with (8).
- (11) Put the counted ballot papers from the GREEN BOX into labelled envelope
 No. 12 COUNTED BALLOT PAPERS :
 FIRST ALTERNATIVE
 and put the rejected ballot papers into labelled envelope
 No. 13 REJECTED BALLOT PAPERS :
 FIRST ALTERNATIVE
- (12) Open the WHITE BOX and repeat the process described in (5) to (10) in respect of its contents.
- (13) Any invalid or mutilated ballot papers from the WHITE BOX should be joined with those already set aside from the GREEN BOX, *vide* (7) and (9). Any rejected ballot papers should be set aside separately, as in (8).

(14) Enter the number of valid votes and rejected votes from the **WHITE BOX** in Form P/8 in columns (d) and (e) respectively.

(15) Put the counted ballot papers from the **WHITE BOX** into labelled envelope

**No. 14 COUNTED BALLOT PAPERS :
SECOND ALTERNATIVE**

and put the rejected ballot papers into labelled envelope

**No. 15 REJECTED BALLOT PAPERS
SECOND ALTERNATIVE.**

(16) Enter the Total Votes Cast in column (f) of Form P/8. This will be the sum of columns (b), (c), (d) and (e).

(17) If there is more than one pair of ballot boxes from the polling station being dealt with, repeat the processes described above in (5) to (16) in respect of each pair of ballot boxes, numbering each pair in column (a) of Form P/8 as (1), (2), (3) etc., and each pair of envelopes used for the counted ballot papers and the rejected ballot papers thus : (1), (1) ; (2), (2) ; (3), (3) ; etc.

(18) Next, and before making any entry in column (g) of Form P/8, open and examine the contents of—

**ENVELOPE No. 6 UNUSED AND SPOILT
BALLOT PAPERS**

**ENVELOPE No. 9 CANCELLED BALLOT
PAPERS.**

(19) The Returning Officer will now be in a position to complete the Verification Statement (Form P/7) for the polling station being dealt with, obtained from Envelope No. 10 opened at (4), following closely the notes on the back of the statement.

(20) The entries to be made against items (1), (2) and (3) of the Verification Statement will be as disclosed by Envelopes 6 and 9. Item (4) will be the sum of the invalid papers found in both ballot boxes and listed in Form P/6 obtained from Envelope 7.

(21) Note that the number of rejected ballot papers to be shown in item (5) of the Verification Statement will be the sum of columns (c) and (e) in Form P/8.

(22) Note that the figures to be entered in item (6) of the Verification Statement will be the same as entered in columns (b) and (d) in Form P/8.

(23) If an estimate has to be made, under item (7) of the Verification Statement, of the number of mutilated ballot papers, the Returning Officer should be guided by note (a) on the back of the Verification Statement read in conjunction with the actual mutilated ballot papers found in the ballot boxes. If there is a discrepancy between the two, accept as “the estimated number of mutilated ballot papers” whichever of the two is the less.

Note that the point here is that if ballot papers are deliberately torn into two pieces, as one political party has advocated, one or both pieces may be found in the ballot boxes; and it is the number of ballot papers mutilated, and not the number of pieces, which has to be estimated under regulation 37 (1). The formula stated under (23) will not be a complete guide, since there is the possibility of persons contravening regulation 55 (1) (b) by taking ballot papers, or parts of the ballot papers issued to them, out of the polling station, but it will serve in most cases.

(24) Sign the certificate on Form P/7. If there is a discrepancy in the total, insert a brief note of the fact below the certificate —

e.g., 3 ballot papers not accounted for.

(25) Now insert in column (g) of Form P/8 the “estimated number of mutilated ballot papers” arrived at as at (23), and as shown in Form P/7.

(26) Seal up the labelled envelopes indicated below with their respective contents —

**No. 12 THE COUNTED BALLOT PAPERS :
FIRST ALTERNATIVE**

No. 13 THE REJECTED BALLOT PAPERS :
FIRST ALTERNATIVE

No. 14 THE COUNTED BALLOT PAPERS :
SECOND ALTERNATIVE

No. 15 THE REJECTED BALLOT PAPERS :
SECOND ALTERNATIVE

No. 16 THE MUTILATED BALLOT PAPERS

and reseal the labelled envelopes containing the following —

No. 6 THE UNUSED AND SPOILT BALLOT PAPERS

No. 7 THE STATEMENT OF INVALID BALLOT PAPERS, together with the INVALID BALLOT PAPERS themselves

No. 9 THE CANCELLED BALLOT PAPERS

No. 10 THE BALLOT PAPERS ACCOUNT AND VERIFICATION STATEMENT.

- (27) Mark all the envelopes named in (26) clearly with the names of the

PLEBISCITE DISTRICT
REGISTRATION AREA
POLLING STATION

- (28) The Polling Agents' Reports obtained from Envelope No. 11 (if any were received) will be put on one side for despatch to the Assistant Plebiscite Administrator with other Polling Agents' Reports from the other polling stations in the several registration areas of the plebiscite district.

- (29) All the sealed envelopes Nos. 1-10 and 12-16 will be packed in a brown paper parcel, tied with string, sealed, and clearly marked with blue chalk with the names of the

PLEBISCITE DISTRICT
REGISTRATION AREA
POLLING STATION

and kept safely until they can be delivered to the Assistant Plebiscite Administrator at the end of the count.

- (30) Proceed as above with the ballot boxes and papers from the next polling station, entering the results similarly on the next line of Form P/8.
- (31) When all the polling stations in the registration area concerned have been dealt with, the Returning Officer should total columns (b) to (g) in Form P/8 and transfer the totals so obtained to Form P/9.
- (32) Then proceed to deal with the ballot boxes and papers from the polling station in the next registration area in similar manner, and so on until all are finished.
- (33) At the end of the count the Returning Officer should total columns (b) to (g) in Form P/9 which will give the result of the voting for the plebiscite district, to be reported and published in accordance with regulation 41 (b).
- (34) Form P/22 will then be completed and published at the place of counting in compliance with regulation 41 (a).
- (35) The signed copies of Form P/8 and Form P/9 will be sealed up for transmission to the Plebiscite Administrator in a separate envelope labelled as under —

No. 17 RESULT OF VOTING BY POLLING STATIONS AND REGISTRATION AREAS
.....PLEBISCITE DISTRICT.

6. The procedure outlined above will be greatly facilitated and accelerated by good organisation. The following arrangements are suggested —

- (a) Arrange for the headings and left-hand columns in Forms P/8, P/9 and P/22 (i.e. the names of polling stations and registration areas) to be completed on a typewriter beforehand, so that during the count only the figures have to be entered in these forms.

Prepare two copies of each of these forms in this way as the Assistant Plebiscite Administrator will wish to have one set.

- (b) Have not fewer than four assistant returning officers available to assist in the counting, and assign in advance specific duties to each of them. The following arrangements are suggested—

No. I, the RETURNING OFFICER, should have everything under his surveillance, but should restrict his personal actions to giving the necessary directions, and to entering up and signing the various forms.

No. II should be responsible for checking the ballot boxes and plebiscite papers received from each polling station, and for producing them to the Returning Officer in the order required. He should open each ballot box separately under the eye of the Returning Officer when directed to do so; and open the sealed labelled envelopes

Nos. 7, 10 and 11

and

Nos. 6 and 9

at the stages at which they are required, *vide* (4) and (18) in the ordered procedure.

Nos. III and IV should be responsible for sorting the ballot papers, *vide* (6) to (9), and for counting them as in (10) of the ordered procedure.

No. V should be responsible for all the forms, envelopes and other stationery required, and for sealing up and parcelling the envelopes referring to each polling station after the count in respect of each has been completed, as required by (26) - (29), and (35) of the ordered procedure. He should also be made responsible for endorsing rejected ballot papers, *vide* (8) of the ordered procedure.

In order that sealing and parcelling may keep pace with the counters, No. V should have two

capable clerks, messengers, or others, working with him under his direction.

- (c) If each of the above knows the instructions thoroughly, and carries out his own part of them competently, it should be possible to deal with the assembled ballot boxes at the rate of about one every 5 minutes; *i.e.* in a plebiscite district having 36 single polling stations, with 72 ballot boxes, counting can be expected to take about 6 hours.
- (d) It may be useful to have one relief counter, but not more. Remember that the ballot boxes have to be dealt with one by one; the average contents of a ballot box will not exceed 250 ballot papers (and will generally be less); and the speed of the counting process will depend less on the actual counting than upon the time it takes the Returning Officer to record and certify results, and this he must do personally.
- (e) Arrange for light refreshments to come in at half time.
- (f) After counting is completed, any counting agents present should be invited to complete one or other of the reports in Form P/20.

7. As soon as possible after the count and by the quickest means, the result must be conveyed, preferably by wireless, to the Plebiscite Administrator, Buea, in the following example form —

PLEBISCITE BUEA

(a) 14 BAMENDA EAST (b) 6972 SIX NINE SEVEN TWO (c) 17 ONE SEVEN (d) 5864 FIVE EIGHT SIX FOUR (e) 99 NINE NINE (f) 12952 ONE TWO NINE FIVE TWO (g) 103 ONE ZERO THREE

GILLET (name of sending officer)

Note that the lettering used is taken from Form P/9. The Returning Officer should affix his name to the message. The signed copies of Form P/8 and Form P/9, sealed up as in (35) of the ordered procedure, will at the same time be sent by quickest means to the Assistant Plebiscite Administrator, who will arrange for them to be sent on immediately to Plebiscite Headquarters at Buea.

SCHEDULE
OF EQUIPMENT REQUIRED FOR COUNTING OF
VOTES

- (a) screwdriver;
- (b) official seal;
- (c) blotting paper, pens, pencils, ink, clips, etc.;
- (d) sheets of brown paper:
one for every polling station to be dealt with;
- (e) string:
sufficient to tie up separate parcels of plebiscite
papers in respect of every polling station to be dealt
with;
- (f) sealing wax;
- (g) matches;
- (h) candles;
- (i) Forms P/8:
2 copies for *each* registration area, plus some spares;
- (j) Forms P/9;
- (k) Forms P/22;
- (l) labelled envelopes as under:
 - No. 12
 - No. 13
 - No. 14
 - No. 15
 - No. 16
 - No. 17One for every polling station to be
dealt with.
- (m) Cellotape:
sufficient to reseal envelopes No. 6, 7, 9 and 10
from each polling station to be dealt with.

RESULT OF VOTING BY POLLING STATIONS

PLEBISCITE DISTRICT.....

REGISTRATION AREA

[illegible]

Signed.....
Registration Officer.

Date.....February, 1961

Southern Cameroons Plebiscite (Polling) Regulations, 1960, Regulation 41

PLEBISCITE DISTRICT.....\

Signed _____

Returning Officer.

Date.....February, 1961

PLEBISCITE DISTRICT

Signed.....
Returning Officer

Date.....February 1961

One side only to be completed

OFFICE OF THE UNITED KINGDOM
PLEBISCITE ADMINISTRATOR,
BUEA, SOUTHERN CAMEROONS.
11th February, 1961

COUNTING AGENTS' REPORTS

I wish to thank you for the help you gave with the Southern Cameroons Plebiscite by serving in the responsible office of Counting Agent. Since it is of great importance that any serious error in the conduct of the voting should be brought to my notice, and to that of the Returning Officer, as quickly as possible, I now invite you to complete one of the reports printed below. The form should then be handed back to the officer who gave it to you.

2. This form should only be used for reporting serious errors or irregularities which have not been remedied and which in your opinion may have had an effect upon the voting in your polling station.

H. CHILDS,
Plebiscite Administrator.

ALL COUNTING AGENTS.

I
(Full name in block capitals)

consider that there have been no *serious errors or irregularities connected with the counting centre at which I served as Counting Agent, and that the conduct of the count there was satisfactory.

Date February, 1961 Signed

Time Counting Centre at

*The word "serious" may be crossed out if there have been no errors or irregularities at all.

I.....
(Full name in block capitals)

consider that there have been the following serious errors and irregularities connected with the counting centre at which I served as Counting Agent, and that the conduct of the count there was unsatisfactory in the following respects:—

Date.....February, 1961 Signed.....

Time..... Counting Centre at.....

ANNEX XII. Notes for the guidance of polling agents

Ref. PLEB.93/41

Office of the United Kingdom
Plebiscite Administrator,
BUEA,
Southern Cameroons.

4th February, 1961.

NOTES FOR THE GUIDANCE OF POLLING AGENTS

A Polling Agent appointed by a political party under regulation 10 of the Southern Cameroons Plebiscite (Polling) Regulations, 1960, should arrive at the polling station to which he is assigned by 7 a.m. on the day of the poll, and should bring with him his card of appointment.

RIGHTS OF POLLING AGENTS BEFORE THE START OF POLLING

2. Before the start of the poll polling agents present at a polling station may inspect the ballot boxes to see that they are properly prepared, and they are also entitled to be present when the presiding officer opens the sealed packet of ballot papers, and to inspect them.

3. To be properly prepared a ballot box must -

- (i) be painted the appropriate colour, either green or white, as allocated to each alternative;
- (ii) have attached to it with drawing pins and seal, on the front side facing the voter, the appropriate notice (Form P/15 on green boxes and Form P/16 on white boxes) stating the particular alternative and the polling station, registration area and the plebiscite district in which the box is used; and
- (iii) be empty, except for a duplicate copy of the notice referred to in (ii) above which will be placed inside the ballot box before it is locked and sealed and fixed in position in the voting compartment.

Regulation 11.

DETECTION OF PERSONATION AT THE POLL

4. This is the primary purpose for which polling agents are appointed, and in its performance a polling agent may require a polling officer to put to a voter applying for a ballot paper, at the time of his application, but not afterwards, the questions to be found in regulation 14,

/or ...

or either of them, namely -

- (a) "Are you the person who is on the register of voters as follows
(reading the copy of

.....
the entry in the register);

- (b) "Have you already voted at the plebiscite at this or any other polling station?"

5. If a polling agent declares to the Presiding Officer that he has reasonable cause to believe that an applicant for a ballot paper is applying for a ballot paper in the name of some other person, whether living or dead, or of a fictitious person, or that he has applied for a second ballot paper after he has already voted, and if he undertakes in writing at the time of his declaration to substantiate the charge in a court of law, the person may be arrested on the order of the Presiding Officer.

6. When such a declaration is made the Presiding Officer will warn the accused person that if he is found guilty of voting in another person's name, he will be liable to a fine of £50 and imprisonment for six months. If he does not admit the offence, he will be allowed to vote, but the words "protested against for personation" will be entered against his name in the register of voters.

7. If the accused person admits the offence he will not be allowed to vote, and if he has already voted the Presiding Officer (or a polling officer) will make a note of the number of the ballot paper given to him, and on the count being taken the ballot paper will be treated as invalid.

Regulations 25 and 26.

RIGHTS OF POLLING AGENTS DURING THE POLLING

8. Before a ballot paper is delivered by a polling officer to a voter it will be shown to any polling agents who are present, and the number, name and address as stated in the register of voters will be called out. Polling agents present should watch carefully to see that every ballot paper issued to a voter is marked with the official stamp. If it is not so marked it will not be counted.

Regulations 13 and 36(2).

RIGHTS OF POLLING AGENTS AT THE END OF THE POLL.

9. At the end of the poll any polling agents in attendance at a polling station are entitled to be present when the ballot boxes are closed and sealed up to prevent the introduction of additional ballot papers, by the gumming and sealing of Form P/18 over the slits.

10. They are also entitled to verify the Ballot Papers Account which the Presiding Officer is required to complete. Any polling agent by whom such verification is made must sign his name on the Ballot Papers Account.
Regulation 33.

11. After this has been done any polling agent present will be invited to make a report on the conduct of the plebiscite at the polling station on a printed form which will be handed to him by the Presiding Officer.

GENERAL.

12. It is to be noted that by regulation 6(1) the Presiding Officer is in complete charge of the polling station with full authority to do everything to ensure the smooth conduct of voting in accordance with the regulations, and to maintain order in the polling station. A polling agent is not entitled to give the Presiding Officer any directions with regard to the performance of his duties. He must accept the rulings of the Presiding Officer, and must not argue with him. If he misconducts himself he may be removed from the polling station under regulation 30.

13. A polling agent is not entitled to impede the process of voting, or to demand that any voter attending to cast his vote should be searched.

14. When the Presiding Officer inspects the screened voting compartment to satisfy himself that it is in order, and to collect any ballot papers left there outside the ballot boxes for cancellation, he will invite two of the polling agents present, from different political parties, chosen in turn, to accompany him.

15. A polling agent in attendance at a polling station is equally bound with the polling staff on duty there to maintain the secrecy of voting, and is liable to prosecution if he does not do so.

Regulation 53.

16. At the end of voting polling agents may stay with the ballot boxes until they are handed over by the Presiding Officer to the Returning Officer at the collecting centre. When the Returning Officer transports the ballot boxes from the collecting centre to the counting place he will invite each political party represented to nominate one of its polling agents to accompany them.

ANNEX XIII. Southern Cameroons Plebiscite (Voting Petitions)
Regulations, 1961

B 11

Supplement to Southern Cameroons Gazette No. 3 Vol. 7, 21st January, 1961 — Part B

S.C.L.N. 3 of 1961

SOUTHERN CAMEROONS PLEBISCITE ORDER
IN COUNCIL, 1960

Southern Cameroons Plebiscite (Voting Petitions) Regulations, 1961

Commencement : 21st January, 1961

In exercise of the powers conferred by Article 4 of the Southern Cameroons Plebiscite Order in Council, 1960, upon the Commissioner of the Southern Cameroons, the Officer Administering the Government of the Southern Cameroons has made the following regulations—

1. These regulations may be cited as the Southern Cameroons Plebiscite (Voting Petitions) Regulations, 1961. Citation.
2. In these regulations, unless the context otherwise requires— Interpre-
tation.
 - “assistant plebiscite administrator” means a person appointed as such under paragraph (3) of Article 6 of the Order ;
 - “Court” means a Special Court constituted under Article 7 of the Order ;
 - “the Order” means the Southern Cameroons Plebiscite Order in Council, 1960 ; S.C.L.N. 53
of 1960.
 - “the plebiscite” means the plebiscite provided for in the Order ;
 - “the Plebiscite Administrator” means the person appointed under paragraph (2) of Article 6 of the Order to be responsible for the conduct of the plebiscite ;
 - “Polling Regulations” means the Southern Cameroons Plebiscite (Polling) Regulations, 1960 ;
 - “register of voters” means a register of voters prepared under Article 5 of the Order ;
 - “registration area” means an area designated as such in accordance with the provisions of the Southern Cameroons Plebiscite (Registration) Regulations, 1960 ; S.C.L.N. 54
of 1960.
 - “returning officer” means a person appointed as such under paragraph (3) of Article 6 of the Order ;
 - “tendered votes list” means the tendered votes list referred to in paragraph (2) of regulation 28 ;
 - “United Nations Plebiscite Commissioner” means the person appointed by the General Assembly of the United Nations to supervise the plebiscite on behalf of the United Nations ; and
 - “voter” means a person registered on a register of voters.

B 12

Lodging of
petitions.

3. (1) Any registered voter who—

(a) complains that any person who was not a registered voter voted in the plebiscite ; or

(b) complains that his vote was only accepted as a vote on the tendered votes list ; or

(c) complains that any personation, treating, undue influence, bribery or illegal practice within the meaning given to these expressions in part IV of the Polling Regulations has taken place in any registration area

may petition the Court which exercises jurisdiction in respect of the area to which the petition relates :

Provided that no petition may include matters which relate to more than one registration area.

Form of
petition.
Schedule
Form 1.

(2) A petition under the provisions of paragraph (1) of this regulation shall be lodged at the office of the Plebiscite Administrator at Buea, or at the office of the assistant plebiscite administrator at Bamenda, Mamfe or Kumba, in quadruplicate, together with such number of additional copies as there are respondents, in the Form I of the Schedule to these regulations, within a period of ten days from the date of the plebiscite, and the Plebiscite Administrator or the assistant plebiscite administrator shall—

(a) give a receipt for the petition ;

(b) forward the original of the petition to the Court having jurisdiction in respect of the petition ;

(c) forward a copy to the returning officer for the registration area to which the petition relates ; and

(d) forward a copy to the United Nations Plebiscite Commissioner in the Southern Cameroons or his representative.

(3) The Court having jurisdiction shall consider each petition and shall, if the petition discloses no ground of complaint appearing in paragraph (1) of this regulation, and after hearing the petitioner in public, if he wishes to be heard, dismiss the petition and may dismiss any petition if, after hearing the petitioner and his witnesses, if any, in public, the Court is satisfied that the petitioner cannot produce any evidence in support of the petition.

(4) Whenever the Court dismisses a petition under the provisions of the preceding paragraph the Court shall so inform the Plebiscite Administrator, the returning officer and the United Nations Plebiscite Commissioner stating his reasons therefor.

(5) If a petition is not dismissed under the provisions of paragraph 3, the Court shall cause a copy to be served on each respondent named in accordance with the provisions of regulation 8.

Trial of
petitions.

4. (1) During the trial of a petition the Court may order the production and inspection of the ballot papers, counterfoils, tendered votes list and

register of voters and the production of any such documents or papers which have been enclosed in sealed packets and such sealed packets shall be produced so sealed and opened by the Court ;

Provided that in making such an order and carrying it into effect care shall be taken to ensure that the way in which any particular voter voted or wished to vote is not disclosed until it is proved that his vote was given and that the vote is declared by the Court to be invalid or, in a case where it is complained that a vote was only accepted as a vote in the tendered votes list, until it is proved that the person was not entitled to vote.

(2) Upon giving notice to the Court, the Plebiscite Administrator or any person appointed by him for that purpose, shall be entitled to be heard upon any matter relating to a petition and to examine witnesses and to call evidence.

5. (1) The decision of the Court on any petition under the provisions of these regulations and any award of costs shall be final.

Deter-
mination of
petitions.

(2) The Commissioner of the Southern Cameroons may remit the whole or part of any award of costs.

(3) No fees shall be charged in connection with proceedings under these regulations.

(4) The provisions of paragraph 9 of regulation 13 of the Southern Cameroons Plebiscite (Registration) Regulations, 1960 shall apply, *mutatis mutandis*, to all matters and questions relating to default in payment of costs.

6. (1) The decision of the Court in respect of any petition heard and determined by the Court, including the findings of the Court upon the facts of the case, shall be transmitted to the Plebiscite Administrator in accordance with the provisions of paragraph (1) of Article 9 of the Order.

Trans-
mission of
decision of
Court.

(2) A copy of any decision, including the findings of the Court upon the facts of the case, shall be transmitted to the United Nations Plebiscite Commissioner.

7. In determining the petition the Court shall give to the Plebiscite Administrator a certificate setting out the number of votes cast in favour of each alternative which the Court has declared to be invalid and the number of votes in favour of each question which the Court has declared should have been counted but which were not counted.

Certificate
to be
tendered to
the
Plebiscite
Adminis-
trator.

8. Before proceeding to determine any petition the Court shall be satisfied that every person required by these regulations to be served with a copy of such petition has been so served, or if such person cannot be found or has evaded service the Court shall be satisfied that all reasonable efforts have been made to effect service and may in its discretion direct what action, including an order for substituted service, is to be taken to effect service in any particular case.

Court may
direct how
service of
petition
is to be
effected.

9. The Court may direct that any person lodging a petition shall give security for costs, in such manner and to such amount, not exceeding one hundred pounds, as the Court may direct, and where the Court gives such directions no petition shall be entertained until such security is given.

Court may
require
security
for costs.

B 14

Notification
of time and
place of trial.

10. The time and place of trial of each voting petition shall be fixed by the Court and notice in writing thereof shall

(a) be posted in a conspicuous place in the vicinity of the place of trial ;

(b) be published in the registration area in respect of which the petition is made ; and

(c) be served on the petitioner and on each person named as a respondent in such manner as the Court may direct, together with a copy of the petition.

Notice
of trial.
Schedule
Form 2.
Amendment
of Petition.

11. The notice of trial shall be as in Form 2 in the Schedule to these regulations.

12. (1) Upon application made by the petitioner the Court may in its discretion allow the petitioner to amend the petition upon such terms, as to costs or otherwise, as may seem just.

(2) Such application for leave to amend the petition shall be made by motion on notice to each person named in the petition.

Power of
Court to
summon
witnesses,
etc.

13. The Court may order the attendance of any person as a witness upon the hearing of a petition, and for the purpose of compelling the attendance of any person before the Court to give evidence and for the maintenance of order during the hearing, shall have the same powers as the High Court in the exercise of its civil jurisdiction.

Procedure
to be
followed, etc.
S.C.L.N. 10
of 1958.

14. Save as otherwise provided by these regulations the procedure applicable to the trial of an election petition in the High Court under the provisions of the Elections (Southern Cameroons House of Assembly) Regulations, 1957, shall apply, *mutatis mutandis*, to all matters and questions relating to procedure, admission of evidence and costs, including the taxation of costs, arising during the hearing of or upon the determination of a petition under the provisions of these regulations.

Abuse of
process
of Court
to be an
offence.

15. Any person who by abuse of the process of the Court attempts to impede, frustrate or delay the obtaining of the result of the plebiscite in any registration area shall be guilty of an offence and, in addition to any order and the payment of any costs in any proceedings relating to a petition, shall be liable to a fine or one hundred pounds and imprisonment for six months.

Exclusion
of jurisdic-
tion of civil
courts.

16. Notwithstanding anything contained in any written law whereby jurisdiction is conferred upon any civil court, whether such jurisdiction is original, appellate, or by way of transfer, the civil courts of the Southern Cameroons shall not have jurisdiction to entertain any civil cause or matter instituted for the purpose of deciding any matter which can be determined by a Court under these regulations.

(Reg. 3(2))

SCHEDULE

FORM I

SOUTHERN CAMEROONS PLEBISCITE

IN THE SPECIAL COURT

FORM OF PETITION

Plebiscite voting in registration area
of the plebiscite
District in the Southern Cameroons.

The Petition of A.B. of
(here insert a sufficient postal address for effective service of any notice
by the Special Court), whose name is subscribed hereto.

1. Your petitioner claims that—

(a) the person specified below who was not a registered voter voted
in the plebiscite in the above named registration area.

*Delete
whichever
is not
applicable.

PARTICULARS

Name

Address

(b) being a registered voter, his vote was only accepted as a vote on
the tendered votes list for the above registration area.

(c) the offences specified below, being offences referred to in sub-
paragraph (c) of paragraph (1) of regulation 3 of the Southern Came-
roons Plebiscite (Voting Petitions) Regulations, 1961, were committed
by the persons named in connection with the holding of the plebiscite
in the above named registration area.

PARTICULARS

2. And your petitioner prays that the decision of the Court upon the
above petition be forwarded to the Plebiscite Administrator, together
with the Court's certificate under Regulation 7 of the Southern Cameroons
Plebiscite (Voting Petitions) Regulations, 1961 (if appropriate).

(Signed)
Petitioner

B 16

(Reg. 11)

FORM 2

SOUTHERN CAMEROONS PLEBISCITE

IN THE SPECIAL COURT

HEARING NOTICE

Plebiscite voting in registration area
of the Plebiscite District in the
Southern Cameroons.

Petition of of
.....

Take notice that the above petition will be heard at
.....

on the day of
and on such other subsequent days as may be necessary.

DATED the day of, 19.....

.....
Judge
(or Clerk to the Court)

MADE at Buea this 7th day of January, 1961.

By His Honour's Command,

KENNETH B. SCOTT,
Secretary to the Commissioner

ANNEX XIV. Southern Cameroons Plebiscite Order in Council, 1960;
Southern Cameroons Notice No. 36, "The Two Alternatives"

Extraordinary



Southern Cameroons Gazette

Published by Authority

No. 4

BUEA - 27th January, 1961

Vol. 7

Southern Cameroons Notice No. 36

SOUTHERN CAMEROONS PLEBISCITE ORDER IN COUNCIL, 1960

(S.C.L.N. 53 OF 1960)

The following leaflet published by authority in connection with the Southern Cameroons Plebiscite, 1961,
is published for general information. (pages 23-38)

Southern Cameroons Plebiscite, 1961

THE TWO ALTERNATIVES

PRINTED BY AUTHORITY

SOUTHERN CAMEROONS PLEBISCITE

THE CONSTITUTIONAL ARRANGEMENTS FOR THE IMPLEMENTATION OF THE DECISION AT THE PLEBISCITE

INTRODUCTION

The United Nations General Assembly, after hearing the statement made by the representative of the Administering Authority, by the Premier of the Southern Cameroons and by the leader of the opposition in the Southern Cameroons House of Assembly, by Resolution 1352 (XIV) of 16th October, 1959, decided that arrangements should be made for a plebiscite to be held in the Southern Cameroons and that the two questions to be put at the plebiscite should be :—

- (a) Do you wish to achieve independence by joining the independent Federation of Nigeria ?
- (b) Do you wish to achieve independence by joining the independent Republic of Cameroun ?

On 31st May, 1960, the United Nations Trusteeship Council, by Resolution 2013 (XXVI), requested the Administering Authority to take steps, in consultation with the Authorities concerned, to ensure that the people of the Territory are fully informed, before the plebiscite, of the constitutional arrangements which would have to be made, at the appropriate time, for the implementation of the decision at the plebiscite.

This booklet is being produced in pursuance of the Trusteeship Council Resolution referred to above and will be used to explain to the public of the Southern Cameroons the constitutional implications of the two plebiscite choices.

The implications of joining the Federation of Nigeria have been made clear in undertakings given by Nigerian Ministers. Trusteeship would be terminated at an early date and the Southern Cameroons would join the Federation with the status of a fully self-governing Region equal in all respects with the other Regions in an independent Nigeria. The Federation of Nigeria already has a constitution which provides for regional Governments and it is, therefore, possible to set out in detail the constitutional arrangements that would be made if the plebiscite decision is in favour of the first alternative: these arrangements will be found on pages 7 to 12 below.

Insofar as the implications of joining the independent Republic of the Cameroun are concerned, Mr Foncha, in his capacity as leader of the political party advocating joining the independent

Republic of Cameroun, has consulted directly with the President of the Republic of the Cameroun on the terms upon which the Southern Cameroons might be united with the Republic if the result of the plebiscite should be in favour of such a course. Her Majesty's Government, as Administering Authority, have on several occasions enjoined upon those concerned the need for clarification of these terms. A number of meetings have taken place in Yaoundé, Douala and Buea at which Mr Foncha and his colleagues have discussed this question with President Ahidjo and members of his Government. These meetings have resulted in two joint communiques which are reproduced in full on pages 13 to 15, and which the Government of the Republic of Cameroun, in response to a formal request by Her Majesty's Government have authorised for publication.

In November, 1960, the Secretary of State for the Colonies (Mr. Iain Macleod) received, at the request of Mr. Foncha, a delegation representing the government and other parties in the Southern Cameroons. The main matter discussed at the talks was the implication of the second choice in the plebiscite. The Secretary of State said that in the view of Her Majesty's Government, the United Nations in adopting the two alternatives of joining Nigeria or the Cameroun Republic, clearly ruled out a period of continuing Trusteeship or separate independence for the Southern Cameroons. In Her Majesty's Government's view, therefore, if the plebiscite goes in favour of the Cameroun Republic, arrangements would have to be made for the early termination of Trusteeship. The Secretary of State had noted that the Premier of the Southern Cameroons had ascertained from the President of the Cameroun Republic that a Federal form of constitution would be acceptable. The following interpretation was proposed as being consistent with the second question, it being understood that the association of the United Nations with the post-plebiscite conference mentioned in the text below would be subject to its agreement :—

“A vote for attaining independence by joining the Republic would mean that, by an early date to be decided by the United Nations after consultation with the Governments of the Southern Cameroons, the Cameroun Republic and the United Kingdom as Administering Authority, the Southern Cameroons and the Cameroun Republic would unite in a Federal United Cameroun Republic. The arrangements would be worked out after the plebiscite by a conference consisting of representative delegations of equal status from the Republic and the Southern Cameroons. The United Nations and the United Kingdom would also be associated with this conference. During the short period while the arrangements for transfer were being made the United Kingdom would of course be ready to continue to fulfil their responsibilities under the Trusteeship Agreement.”

The President of the Republic of Cameroun and Mr. Foncha have endorsed the interpretation of the second plebiscite question set out above in the terms of the communique quoted on page 15.

The Republic of Cameroun at the present time has a unitary form of constitution. A federal form of constitution for the Federal United Republic of Cameroun would be drawn up after the plebiscite and when it is known what states will form the Federation. The communiques quoted in pages 13 to 15 set out in outline the terms and conditions, as agreed by Mr Foncha and President Ahidjo and endorsed by the Government of the Republic of Cameroun, upon which the Southern Cameroons would join the Republic in the event of the vote in the plebiscite being in favour of such a course.

It will be observed from a study of the statements on pages 7 to 15 that there are a number of matters, arrangements for which would fall to be made after the plebiscite.

In the arrangements which have been made for the plebiscite, GREEN is the colour which has been allocated to the first alternative on which a vote can be cast, namely, for achieving independence by joining the independent Federation of Nigeria; and WHITE is the colour which has been allocated to the second alternative on which a vote can be cast, namely, for achieving independence by joining the independent Republic of Cameroun. The ballot boxes to be used in the plebiscite will be painted GREEN and WHITE respectively.

The day fixed for the plebiscite is Saturday, 11th February, 1961.

**CONSTITUTIONAL POSITION OF THE SOUTHERN
CAMEROONS IN THE EVENT OF IT ELECTING
TO BECOME A PART OF THE FEDERATION OF
NIGERIA**

I

Undertaking of the Nigerian Governments

In paragraph 70 of the Report by the Resumed Nigeria Constitutional Conference held in London in 1958 it was stated:

“The Conference confirmed that, if this proved to be the wish of the people of the Territory, Nigeria would welcome the Southern Cameroons as part of the Federation with the status of a full self-governing Region equal in all respects with the other Regions in an independent Nigeria”.

This was confirmed at the Constitutional discussions between Nigerian Ministers and Ministers of the United Kingdom which were held in London in May, 1960. In the final communique issued after these discussions it was stated :

“There was an exchange of views on the Cameroons under British Trusteeship which in accordance with the resolution of the United Nations would be separated from Nigeria when Nigeria became independent. It was noted that the questions in the plebiscites to be held early in 1961 posed a choice between joining Nigeria or joining the Republic of Cameroun. It was agreed that if the Southern Cameroons joined Nigeria it would, as stated in paragraph 70 of the 1958 Conference report, be with the status of a full self-governing Region equal in all respects with the other Regions. It was hoped to ascertain from the government of the Republic of the Cameroun the terms on which the Northern and/or Southern Cameroons would enter the Republic”.

II

The Federation of Nigeria would consist of the Regions of Northern Nigeria (including the Northern Cameroons if it decided to join the Federation), Western Nigeria, Eastern Nigeria, the Federal Territory of Lagos and the Region of the Southern Cameroons.

The Federation and each of its component Regions is a parliamentary democracy with ministerial councils responsible to the legislatures and with a Governor-General (in the case of the Federation) or a Governor (in the case of a Region) as Her Majesty's Representative.

III

Federal Structure

The Federal Parliament consists of a Senate and a House of Representatives. The Senate consists of twelve senators from each Region, four from the Federal Territory of Lagos and four nominated by the Governor-General on the advice of the Federal Prime Minister. The Southern Cameroons would thus have twelve senators. The House of Representatives would consist of 320 directly elected members (including the Northern Cameroons if it decided to join the Federation) the number of members from each Region being based on the proportion the population of that Region bears to the total population of the Federation. On this basis the Southern Cameroons would have eight members in the Federal House of Representatives.

The Governor-General appoints as Prime Minister of the Federation a member of the House of Representatives who appears likely to command the support of a majority of the members of that House. The other ministers are appointed in accordance with the advice of the Prime Minister from among the members of the Senate and House of Representatives.

The principal matters in which only the Federal Parliament can legislate (*i.e.*, reserved *exclusively* to it) include :

- Aviation and meteorology
- External borrowing, currency and coinage, exchange control
- Control of Capital issues
- Copyright
- Customs and excise, including export duties
- Defence and Police (other than local government police)
- Certain Higher Educational Institutions
- External affairs
- External trade
- Immigration and emigration
- Incorporation and regulation of companies
- Insurance (other than purely intra-regional)
- Shipping and navigation
- Mines and minerals, including oil and natural gas
- Naval, military and air forces
- Nuclear energy
- Patents and trademarks
- Posts, telegraphs and telephones
- Railways
- Trunk roads
- Company taxes and sales taxes
- Wireless broadcasting and television

In certain matters the Federal and Regional legislatures have *concurrent* authority, *i.e.*, they have equal right to initiate legislation, but if a Regional law is inconsistent with a Federal law the Regional

law is void to the extent of the inconsistency. The principal concurrent subjects include :

- Antiquities
- Arms and ammunition
- Bankruptcy
- Census
- Commercial and industrial monopolies, combines and trusts
- Higher Education (other than the institutions in the Exclusive list)
- Industrial development
- Labour, industrial relations
- National monuments and parks
- Prisons
- Professional Qualifications
- Public safety and public order
- Scientific and industrial research
- Surveys and statistics
- Tourism
- Traffic on Federal trunk roads
- Water power

All *residual* matters, *i.e.*, those which are not specified as exclusive or concurrent, would come within the sole authority of the Southern Cameroons Government.

The Federal Supreme Court is the court of appeal from the High Courts of the Regions and Lagos. It has no original jurisdiction except in disputes between the Federation and a Region or between Regions, and in questions as to the interpretation of the Federal and Regional Constitutions.

IV

Regional Structure

If the Southern Cameroons elected to join the Federation of Nigeria it would become a full self-governing region within the Federation in all respects equal to and having the same powers as the other Regions. In particular, it would have :

- (a) A Governor, who, as Her Majesty's Representative, would be bound to act in accordance with the advice of his ministers except in respect of a limited number of topics, *e.g.* dissolution of parliament, appointment of the Premier.
- (b) A legislature consisting of a House of Assembly elected by universal adult suffrage and a House of Chiefs containing not less than eighteen chiefs selected in accordance with special regulations. The power of the legislature to make laws would be exercised by bills passed by both Houses. A bill (other than a money bill, *i.e.*, one involving financial measures) may originate in

either House, but a money bill may originate only in the House of Assembly. The House of Chiefs would have a delaying power only.

The legislature would be empowered to legislate on all concurrent matters and on all matters not specified as concurrent or exclusive. These residual subjects would include primary and secondary education, agriculture, forestry, veterinary services, co-operatives, local government, land, medical services, administration of justice and roads (other than Federal trunk roads). The legislature would be empowered to pass its own budget and to raise revenue for all matters within its competence.

- (c) An Executive Council consisting of a Premier appointed by the Governor and other Ministers appointed on the recommendation of the Premier. The Premier would be the person who appeared likely to command a majority among the members of the House of Assembly. The Premier and other Ministers would be members of the House of Assembly but at least two of the Ministers would be members of the House of Chiefs. The Executive Council would be responsible for the executive government of the Southern Cameroons.
- (d) A High Court of the Southern Cameroons with full jurisdiction in Civil and Criminal matters. The Southern Cameroons would also have its own system of Magistrates Courts and Customary Courts.
- (e) A Southern Cameroons Public Service, distinct and separate from the other public services in the Federation. The Public Service would be controlled by a Southern Cameroons Public Service Commission responsible to the Southern Cameroons Government and pensions of retired officers of this Public Service would be a charge on Southern Cameroons funds.

The Southern Cameroons Government would advance to the status of a full self-governing Region in a sovereign Federation equal in all respects with the other Regions and its Government would consequently be supreme in all matters within its competence. The Federal Government would have no overriding powers in such matters, except that if the Federal Government and the Southern Cameroons Government were both to legislate on a subject in the *Concurrent list* the Federal law would, in the event of inconsistency, prevail.

V

The following are the provisions for the amendment of the Constitution :

- (a) Federal Constitution—
 - (i) Entrenched provisions : amendment requires a two-thirds majority of all the members in each House of

the Federal Parliament and the concurrence, by simple majority, of each House of the Legislatures of at least two Regions. (The entrenched provisions include such matters as human rights, the operation of regional constitutions, the Federal Parliament and its exercise of legislative power, the Executive's powers, judicial and police affairs, public funds, the public service and the Exclusive and Concurrent legislative lists).

- (ii) Ordinary provisions : amendment requires a two-thirds majority of all the members of each House of the Federal Parliament.
- (b) Southern Cameroons (Regional) Constitution—Amendment would require a two-thirds majority of each House and, in the case of entrenched provisions, would also require the concurrence of the Federal Parliament.

VI

Miscellaneous Provisions

Arrangements in respect of the following subjects would be broadly on the same lines as those obtaining before October 1st, 1960 :

Defence National defence is assured by the Federal armed forces recruited from all parts of the Federation, which would include the Southern Cameroons.

Police The Federation is policed by a federal police force recruited from all parts of the Federation, which would include the Southern Cameroons.

Local Government would continue as at present.

The Legal System would continue as at present. There would be magistrates' and customary courts and a High Court presided over by a Chief Justice. Appeals from the High Court would be heard by the Federal Supreme Court which would hold sessions as necessary in the Southern Cameroons. Appeals from the Federal Supreme Court would go to the Judicial Committee of the Privy Council.

Currency The present currency would continue to be used.

Education The following higher educational institutions are a Federal responsibility :

- The University College at Ibadan
- The University College Teaching Hospital
- The Nigerian College of Arts, Science and Technology
- The West African Institute of Social and Economic Research
- The Pharmacy School at Yaba
- The Forestry School at Ibadan
- The Veterinary School at Vom

Other higher education is a concurrent responsibility and the Southern Cameroons would consequently be able to found institutions for higher education itself; the remainder of educational matters is an entirely Regional responsibility.

Official Language The language of the legislature, the Courts and the administration would be the English language.

Position of Native Rulers Chiefs recognised by native law and custom as the traditional rulers would be recognised by the Federal and Regional Governments as provided by existing legislation and their representation secured in the House of Chiefs.

Federal Public Service The Federal Public Service is open to citizens of all Regions, which would include the Southern Cameroons. There are at the present time thirty-eight Departments and services staffed by members of the Federal Public Service, opportunities for advancement in which are equal for all members whatever their Region of origin. The pensions of Federal officers are a charge on Federal funds.

Internal Tariffs There would be no internal tariffs (*i.e.*, duties on the internal movement of goods) and internal trade would be free.

Revenue Federal revenue is raised principally from the proceeds of Customs and Excise, import and export duties, and sale taxes on certain commodities. Part of this revenue goes into a pool of funds which is shared out on an agreed basis amongst all the Regions, which would include the Southern Cameroons.

Regional taxes are collected in such manner as the legislature may provide, *e.g.*, Income Tax, direct taxation.

Membership of the British Commonwealth The Federation is a sovereign independent member of the Commonwealth and by joining the Federation the Southern Cameroons would enjoy all the benefits of membership of the Commonwealth; being entitled amongst other things to the preferential treatment for its exports as at present enjoyed and to other sources of aid available to Commonwealth members.

Roads Trunk roads and the expansion of trunk roads (but not the traffic on them) would be an exclusively Federal responsibility to be paid for out of federal funds. Other roads would be constructed and maintained from regional funds.

Human Rights Fundamental human rights (such as protection against deprivation of life and liberty, freedom from discrimination, freedom of conscience, expression and movement, the right of recourse to the courts and of a fair hearing or trial) are written into the Federal Constitution and laws which contravene them will not be enforced by the courts. All these constitutional provisions covering fundamental rights are entrenched.

CONSTITUTIONAL POSITION OF THE SOUTHERN CAMEROONS IN THE EVENT OF IT ELECTING TO BECOME A PART OF THE REPUBLIC OF CAMEROUN

COMMUNIQUE

CONSIDERING that in the application of the Republic at the 14th Session of the United Nations a plebiscite is to be organised in February 1961 to allow the people of the Southern Cameroons under British Trusteeship and the people of the Northern Cameroons under British Trusteeship to declare whether they wish to join the Federation of Nigeria or to be united with the Cameroun Republic,

CONSIDERING that in the event of the result of this plebiscite being in favour of Reunification the application of this reunification on a federal basis allowing for the particular conditions of each group, could not be automatic but gradual,

CONSIDERING that the representatives of the Cameroun Republic and of the Government Party of the Southern Cameroons vigorously reaffirm the desire of their peoples to be reunited in one Nation,

CONSIDERING that the political heads have already met twice to examine the broad outlines of the Constitution of the two Federated States, they have, at the conclusion of their third meeting of the 10, 11, 12 and 13th October, 1960, decided to adopt the broad outlines of the Constitution which they will adopt in the event of the plebiscite vote being favourable to them.

JOINT DECLARATION

The representatives of the Cameroun Republic and the Government Party of the Southern Cameroons under British Trusteeship met for the third time to continue their discussions on the projected Constitution which would govern the reunified Cameroun.

At the conclusion of these talks, the Hon. J. N. Foncha, Prime Minister of the Southern Cameroons, His Excellency M. Ahmadou AHIDJO, President of the Cameroun Republic, and M. Charles ASSALE, Prime Minister and Head of the Cameroun Government,

STATE:

1. that they wish to use every available means to bring to a successful conclusion the task of national reunification which they have set themselves;
2. that in no case will the United Cameroun be a part either of the French Community or the British Commonwealth;

3. that they wish to create a Federal State whose institutions could be broadly outlined as follows:

The Federal United Cameroun Republic will be a democratic state. It will have its motto, its anthem and its flag. The nationals of the federated states will enjoy Camerounian nationality. The Federal State in the first stage will have power to deal with matters listed below as a minimum:

public freedoms
nationality
national defence
foreign affairs
higher education
immigration and emigration
federal budget
posts and telecommunications

A list of powers which would fall within the competence of the Federal Government in the second stage will be set out in the Constitution.

The Federal Authorities will be composed of:

a Federal Executive headed by the President of the Republic, Chief of the Federal State,
Federal legislature consisting of a Federal Legislative Assembly and a Federal Senate.

Certain federal laws will only be enacted in such a way that no measures contrary to the interest of one State will be imposed upon it by the majority (system of second reading with a qualified majority).

In the event of a conflict of laws between the Federal State and the Federated States, the federal law will prevail.

In non-federal matters, the Authorities of each of the Federated States will have exclusive competence.

Each of the Federated States will be ruled by a Government and will have a Legislative Assembly.

A federal Court of Justice will have as its purpose to unify judicial systems and to act as the Highest Court of Appeal of the Federal State.

Federal services will be established to carry out federal Administration.

Legislation (or systems of legislation in force) will remain valid until the enactment of federal legislation.

4. The Federation will be created by the Cameroun Republic and the Southern Cameroons under British Trusteeship. The two parties hope that the Northern Cameroons under British Trusteeship will also enter into this federation, either as a separate State, or as a part of the Cameroons at present under British Trusteeship.

5. In the event of the Southern and Northern Cameroons voting in favour of reunification, those entrusted with the responsibility of the affairs of the Unified Cameroons would, through mutual agreement, specify the manner in which the populations of the Cameroons would be asked to express their opinion on the Federal Constitution.

JOINT COMMUNIQUE

The representatives of the government party of the Southern Cameroons under British Trusteeship, led by the Hon. J. N. FONCHA, Prime Minister, on their return from London where they had talks with the United Kingdom Minister for the Colonies on the future of their territory, had on the 1st and 2nd December a fourth meeting with the delegation of the Cameroun Republic, led by the President of the Republic, Ahmadou AHIDJO.

The two parties were in full agreement :

1. *that* the United Nations General Assembly has stated with clarity the two questions which will be put at the time of the plebiscite on the 11th February, 1961, *i.e.*,
 - (a) Do you wish to attain independence by Unification with the Independent Federation of Nigeria; or
 - (b) Do you wish to attain independence by Unification with the Independent Cameroun Republic.
2. *that* the two delegations whilst in agreement with the interpretation of the second question which was accepted in London, regret that the representatives of the Northern Cameroons were not present at this Conference and ask:
 - (a) that immediately after the plebiscite and in the event of the people voting in favour of unification with the Cameroun Republic, a Conference should be held attended by representatives of the Cameroun Republic and the Southern and Northern Cameroons.
 - (b) that this Conference, at which representatives of the Trusteeship Authority and possibly those of the United Nations would be present, would have as its aim the fixing of time limits and conditions for the transfer of sovereign powers to an organisation representing the future Federation.

Signed FONCHA

Signed AHIDJO

Part Two - The Plebiscite in the Northern Cameroons

ANNEX XV. General Assembly resolution 1473 (XIV) of 12 December 1959

1473 (XIV). The future of the Trust Territory of the Cameroons under United Kingdom administration: organization of a further plebiscite in the northern part of the Territory

The General Assembly,

Recalling its resolution 1350 (XIII) of 13 March 1959, concerning the future of the Trust Territory of the Cameroons under United Kingdom administration, which recommended that a plebiscite should take place in the Northern Cameroons in November 1959 and requested the United Nations Plebiscite Commissioner to submit to the Trusteeship Council in time for consideration by the General Assembly at its fourteenth session a report on the organization, conduct and results of this plebiscite,

Having examined the report of the United Nations Plebiscite Commissioner and the report of the Trusteeship Council thereon,

Noting from the report of the United Nations Plebiscite Commissioner that the people of the Northern Cameroons have decided by a substantial majority that they are in favour of deciding their future at a later date,

Noting further that the United Nations Plebiscite Commissioner is satisfied that the plebiscite was conducted in a fair and impartial manner,

Noting the statement made by the representative of the Administering Authority at the 988th meeting of the Fourth Committee on 5 December 1959 to the effect that urgent action is being taken to introduce reforms in the system of local administration in the Northern Cameroons,

Having heard the petitioner,

Considering that the extremely close date of the elections to the Legislative Assembly of the Federation of Nigeria makes it impossible for the General Assembly to take a decision with regard to the participation or non-participation of the people of the Northern Cameroons in these elections,

1. Expresses its high appreciation of the work of the United Nations Plebiscite Commissioner and the United Nations staff under his direction;

2. Recommends that the Administering Authority, in pursuance of Article 76 b of the Charter of the United Nations and in consultation with the United Nations Plebiscite Commissioner, organize under United Nations supervision a further plebiscite in the Northern Cameroons, the arrangements for which shall begin on 30 September 1960, and that the plebiscite be concluded not later than March 1961;

3. Decides that the two questions to be put at this plebiscite should be:
 "(a) Do you wish to achieve independence by joining the independent Republic of the Cameroons?
 "(b) Do you wish to achieve independence by joining the independent Federation of Nigeria?";
4. Recommends that the plebiscite be conducted on the basis of universal adult suffrage, all those over the age of twenty-one and ordinarily resident in the Northern Cameroons being qualified to vote;
5. Requests the United Nations Plebiscite Commissioner to report to the Trusteeship Council on the organization, conduct and results of this plebiscite, in order that the Council may transmit its report to the General Assembly together with any recommendations and observations it considers necessary;
6. Recommends that the necessary measures should be taken without delay for the further decentralization of governmental functions and the effective democratization of the system of local government in the northern part of the Trust Territory;
7. Recommends that the Administering Authority should initiate without delay the separation of the administration of the Northern Cameroons from that of Nigeria and that this process should be completed by 1 October 1960;
8. Requests the Administering Authority to report on the process of separation to the Trusteeship Council at its twenty-sixth session, and requests the Council to submit a report on this matter to the General Assembly at its fifteenth session;
9. Declares that the participation of the Northern Cameroons in the elections to the Federal Legislative Assembly should in no way interfere with, or influence, the free choice of the people of the Northern Cameroons in deciding their future in the forthcoming plebiscite.

857th plenary meeting,
12 December 1959.

ANNEX XVI. Northern Cameroons Plebiscite Order in Council, 1960

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N.C.L.N. 2 of 1960

STATUTORY INSTRUMENTS

1960 No. 1657

West Africa

THE NORTHERN CAMEROONS PLEBISCITE ORDER IN COUNCIL, 1960

Made 12th September, 1960

Laid before Parliament 16th September, 1960

Coming into Operation 1st October, 1960

At the Court at Balmoral, the 12th day of September, 1960.

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers in that behalf by the Foreign Jurisdiction Act, 1890 or otherwise in Her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. (1) This order may be cited as the Northern Cameroons Plebiscite Order in Council, 1960, and shall come into operation on the 1st day of October, 1960.

Citation, commencement and construction. N.C.L.N 1 of 1960.

(2) This Order shall be construed as one with the Northern Cameroons (Administration) Order in Council, 1960.

2. (1) There shall be a plebiscite in the Northern Cameroons for the purpose of ascertaining the wishes of the people of the Northern Cameroons as to the status of the Northern Cameroons upon the relinquishment by Her Majesty's Government in the United Kingdom of their responsibility for the government thereof, and for that purpose the following questions shall be put in the plebiscite, that is to say:—

Plebiscite to be held in the Northern Cameroons.

"(a) Do you wish to achieve independence by joining the independent Republic of the Cameroons?

(b) Do you wish to achieve independence by joining the independent Federation of Nigeria?"

(2) The plebiscite shall be held on a day or days to be fixed by the Administrator of the Northern Cameroons by notice published in the *Official Gazette* of the Northern Cameroons, not being within the period of twenty-eight days after the publication of the notice, and voting for the purpose of the plebiscite shall take place during such hours as may be specified in the notice.

3. (1) For the purposes of this Order the Northern Cameroons shall be divided into plebiscite districts.

Division of the Northern Cameroons into plebiscite districts.

(2) Each of the areas described in the first column of the Schedule to this Order shall be a plebiscite district and shall be known by the name specified in relation to it in the second column of the Schedule.

4. (1) Subject to the provisions of this Order, the Administrator of the Northern Cameroons may by regulation make provision for the conduct and organisation of the plebiscite, all matters incidental or ancillary thereto, and generally for the purposes of this Order.

Administrator of the Northern Cameroons may make regulations.

(2) Regulations made under this Article shall make provision—

(a) for the division of each plebiscite district into registration areas;

(b) for the time, place and manner in which persons may apply to be registered as voters, for determining whether any applicant is entitled

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to be registered as a voter and for an appeal against the inclusion or exclusion of the name of any applicant in or from the register by any person aggrieved thereby;

- (c) for the procedure to be followed at the holding of the plebiscite, including the manner in which votes shall be cast;
- (d) for ascertaining and publishing the result of the voting that has taken place in each registration area;
- (e) for the lodging of petitions relating to any dispute concerning the result of the voting in any registration area and for the time and manner in which such petitions are heard and determined;
- (f) for giving effect to any directions given under paragraph (2) of Article 9 of this Order; and
- (g) for the definition and trial of offences relating to the plebiscite and the imposition of penalties therefor:

Provided that the penalty for any such offence shall not exceed a fine of £100 or a term of imprisonment of one year or both such fine and imprisonment but may include disqualification of any person convicted of the offence for membership of any Native Authority Council, local council, town council, outer council or other local government body in the Northern Cameroons, or for registration as an elector for elections of members of any such council or other local government body.

(3) The power to make regulations conferred by this Article on the Administrator of the Northern Cameroons may be exercised by him at any time after the 16th day of September, 1960, and until such time as an Administrator of the Northern Cameroons is appointed, the powers conferred on him by this paragraph may be exercised by such person as Her Majesty may designate by instructions through a Secretary of State:

Provided that no regulations made under the powers conferred by this paragraph shall come into operation before the commencement of this Order.

Registration
of voters,
and casting
of votes.

5. (1) A register of voters shall be prepared for each registration area, and every person whose name is included in the register for any registration area shall, subject to the provisions of this Article, be entitled to cast a vote in that registration area for the purpose of giving an affirmative reply to one or other of the questions specified in paragraph (1) of Article 2 of this Order:

Provided that regulations made under Article 4 of this Order may provide for certain persons or classes of person being permitted to cast their votes in registration areas other than those in which they are registered.

(2) Every person who, at the date of his application—

(a) is of the age of twenty-one years or upwards; and

(b) is ordinarily resident in the Northern Cameroons

shall, subject to the provisions of this Article, be entitled on application to be registered as a voter in the registration area in which he is then ordinarily resident.

(3) Any question as to the ordinary residence of any person for the purposes of this Article shall be determined in accordance with such rules as may be prescribed by or under regulations made under Article 4 of this Order.

(4) No person shall be entitled to be registered as a voter who, at the date of his application to be so registered,—

(a) is under a sentence of death imposed on him by any court of law or a sentence of imprisonment (by whatever name called) exceeding six months imposed on him by such a court or substituted by competent authority for some other sentence imposed on him by such a court;

- (b) is adjudged or otherwise declared by competent authority to be of unsound mind (by whatever name called);
- (c) is disqualified under any law for the time being in force in the Northern Cameroons, the Southern Cameroons, the Republic of the Cameroons or Nigeria from being registered as an elector or from voting in an election by reason of his conviction for such offences connected with elections as may be prescribed by or under regulations made under Article 4 of this Order; or
- (d) is subject to any disqualification referred to in sub-paragraph (g) of paragraph (2) of Article 4 of this Order and imposed under that sub-paragraph for an offence relating to the plebiscite.

(5) No person shall be entitled to be registered as a voter in the plebiscite more than once or, subject to the provisions of Article 9 of this Order, to vote more than once in the plebiscite.

6. (1) The Administrator of the Northern Cameroons shall be responsible for the conduct and organisation of the plebiscite, and may, in Her Majesty's name and on Her Majesty's behalf, constitute such other offices as he may consider necessary for the purposes of this Order and any regulations made thereunder, and appoint persons to those offices and exercise disciplinary control over and dismiss persons appointed to those offices.

Functions of the Administrator of the Northern Cameroons and appointment of other officers.

(2) Officers appointed under this Article shall hold their offices during Her Majesty's pleasure.

7. (1) There shall be a Special Court or, if Her Majesty shall so direct by instructions given to the Administrator of the Northern Cameroons through a Secretary of State, two or more Special Courts, which shall hear and determine petitions for which provision is made by regulations made under sub-paragraph (e) of paragraph (2) of Article 4 of this Order.

Constitution of the Special Court.

(2) A Special Court shall consist of a judge, who shall be appointed by the Administrator of the Northern Cameroons in pursuance of instructions given by Her Majesty through a Secretary of State:

Provided that no person shall be appointed who is a native of the Northern Cameroons or who is in the service of the Crown in respect of the government of the Northern Cameroons or of the Southern Cameroons or of Nigeria or of a Region of Nigeria or who is in the service of the Government of the Republic of the Cameroons.

(3) The judge of a Special Court shall hold his office during Her Majesty's pleasure.

8. The Administrator of the Northern Cameroons may give the officers appointed under paragraph (1) of Article 6 of this Order such directions with respect to the exercise of their functions under this Order or any regulations made thereunder as he shall consider desirable; and those officers shall comply with those directions or shall cause them to be complied with.

Administrator of the Northern Cameroons may give directions.

9. (1) The decision of a Special Court in respect of any petition heard and determined by the Court, including the findings of the Court upon the facts of the case, shall be transmitted to the Administrator of the Northern Cameroons.

Result of voting in any plebiscite district may be declared invalid and fresh vote taken.

(2) The Administrator of the Northern Cameroons may, if he considers it desirable so to do in the light of any decision of a Special Court relating to any dispute concerning the result of the voting in any plebiscite district, declare that the result of the voting in that plebiscite district or any part thereof is invalid, and direct that the voters in that plebiscite district or any part

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thereof in respect of which such a declaration shall have been made shall be given a further opportunity of voting for the purposes of the plebiscite.

Facilities to be afforded to United Nations Plebiscite Commissioner and staff.

10. The Administrator of the Northern Cameroons, a Special Court and the officers appointed under paragraph (1) of Article 6 of this Order shall, in the exercise of their functions under this Order, consult wherever practicable and expedient with the United Nations Plebiscite Commissioner and the other persons appointed to assist him in observing the plebiscite on behalf of the United Nations, and shall afford to the United Nations Plebiscite Commissioner and all such other persons facilities for the due discharge of their functions; and the United Nations Plebiscite Commissioner and the aforesaid persons may make representations concerning the conduct and organisation of the plebiscite to such persons and in such manner as may be agreed between the Administrator of the Northern Cameroons and the United Nations Plebiscite Commissioner.

Expenses relating to the plebiscite.

11. (1) All expenses properly incurred in respect of the conduct and organisation of the plebiscite or otherwise for the purposes of this Order or any regulation made thereunder, including (without prejudice to the generality of the foregoing provision) any expenses incurred on behalf of the Crown in any legal proceedings arising in connection with the plebiscite, shall be a charge upon the general revenues and assets of the Northern Cameroons.

(2) The judge of a Special Court and the officers referred to in paragraph (1) of Article 6 of this Order may be paid such salaries and allowances as the Administrator of the Northern Cameroons may direct, and those salaries and allowances shall be a charge upon the general revenues and assets of the Northern Cameroons.

W. G. Agnew

SCHEDULE

Article 3

PLEBISCITE DISTRICTS

<i>Description of Area</i>	<i>Name of Plebiscite Districts</i>
1. The District of Gumsu (including Gajibo, Ngala and Rann-Kala-Balge)	Dikwa North
2. The Districts of Bama, Gulumba and Woloje	Dikwa Central
3. The District of Gwoza	Gwoza
4. The District of Cubunawa and Madagali	Cubunawa-Madagali
5. The Districts of Belal, Maiha, Mubi, Mayo-Bani and Sorau	Mubi
6. The Districts of Koma-Vomme, Nassarawo, Sugu and Yelwa	Chamba
7. The Districts of Gashaka and Toungo	Gashaka-Toungo
8. The District of Mambilla	Mambilla
9. The Districts of Tigon, Ndoro and Kentu	United Hills

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport)

This Order makes provision for the holding of a plebiscite in the Northern Cameroons for the purpose of ascertaining whether the people of the Northern Cameroons would prefer, upon the relinquishment by Her Majesty's Government in the United Kingdom of their responsibility for the government of the Northern Cameroons, that the Northern Cameroons should achieve independence by joining the independent Federation of Nigeria or by joining the independent Republic of the Cameroons.

ANNEX XVII. Northern Cameroons Plebiscite (Registration)
Regulations, 1960

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Northern Cameroons Gazette No. 3, Vol. 1, 5th November 1960—Supplement Part B

N.C.L.N. 5 of 1960

NORTHERN CAMEROONS PUBLIC NOTICE
THE NORTHERN CAMEROONS PLEBISCITE ORDER
IN COUNCIL, 1960
THE NORTHERN CAMEROONS PLEBISCITE (REGISTRATION)
REGULATIONS, 1960

Date of Commencement: 1st October, 1960

In exercise of the powers conferred by Article 4 of the Northern Cameroons Plebiscite Order in Council, 1960, the following regulations are hereby made:—

PART I—PRELIMINARY

1. These regulations may be cited as the Northern Cameroons Plebiscite (Registration) Regulations, 1960, and shall be deemed to have come into force on the 1st of October, 1960. Citation and commencement.

2. (1) In these regulations—

“the Administrator” means the Administrator of the Northern Cameroons and includes the person for the time being discharging the functions of the office or acting as the Administrator of the Northern Cameroons; Interpretation.

“Assistant Plebiscite Administrator” means a person appointed as such under paragraph (1) of Article 6 of the Order;

“Assistant Registration Officer” means a person appointed as such under paragraph (1) of Article 6 of the Order;

“the Deputy Plebiscite Administrator” means the person appointed as such under paragraph (1) of Article 6 of the Order;

“the Order” means the Northern Cameroons Plebiscite Order in Council, 1960; N.C.L.N. 2 of 1960.

“plebiscite district” means any plebiscite district established by Article 3 of the Order;

“register” means a register of voters prepared under Article 5 of the Order;

“registration area” means a registration area established under regulation 3;

“Registration Officer” means a person appointed as such for any plebiscite district under paragraph (1) of Article 6 of the Order;

“Revising Officer” means a person appointed as such for any plebiscite district under paragraph (1) of Article 6 of the Order.

(2) Any power or duty conferred or imposed by these regulations upon the Administrator may be exercised or performed by the Deputy Plebiscite Administrator, subject to any directions given by the Administrator.

2 (A). Any question as to the ordinary residence of any person for the purposes of paragraph (3) of Article 5 of the Order shall be determined in accordance with the rules set out in the First Schedule. Ordinary residence. First Schedule.

3. Subject to any general or specific direction which the Administrator may from time to time give in that behalf a Registration Officer shall divide the plebiscite district in respect of which he is to exercise his functions into such registration areas as he may deem necessary. Registration areas.

4. There shall be a register for each registration area and each register shall be prepared in numerical order in such form as the Administrator shall decide, and shall show in respect of each person— Form of register.

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- (a) a first name and a second or such other additional names by which the person may be known; and
- (b) an address in the registration area in respect of which the person is registered, and no person shall be entered on the register under a single name or without such an address.

Notification of places and times for the transaction of business.

5. The Registration Officer or any Assistant Registration Officer on his behalf shall give notice of the places and times at which Assistant Registration Officers will attend for the transaction of business in the registration area.

PART II—PREPARATION OF PRELIMINARY LIST

Notice as to claims for registration.

6. On or before the 17th October, 1960, each Assistant Plebiscite Administrator shall give notice in the plebiscite district or districts for which he is responsible of the manner in which and the places at which claims for registration as a voter in the plebiscite may be made:

Provided that an Assistant Plebiscite Administrator may at any time by notice given in a plebiscite district for which he is responsible appoint such further places as he may think necessary as places at which claims for registration in that district may be made.

Claims to enter on preliminary list. Second Schedule, Form A.

7. (1) Any person who is entitled to be registered as a voter in the plebiscite may submit a claim to be registered as a voter in Form A in the Second Schedule.

(2) Subject to the provisions of paragraph (8), claims under this regulation shall be submitted to an Assistant Registration Officer for the registration area in which the applicant claims to be registered, being the registration area in which he is ordinarily resident, not earlier than the 17th October and not later than the 13th November, 1960:

Provided that the Administrator may, after consultation with the United Nations Commissioner or a person designated by the Commissioner in that behalf, extend the period within which claims to be registered may be made in any registration area.

- (3) (a) A person making a claim to be registered as a voter under this regulation shall attend before the Assistant Registration Officer, and deliver the prescribed form to him.
- (b) If the claimant is illiterate he shall, when attending before the Assistant Registration Officer, be entitled to be accompanied by a person of his choice who is literate.
- (c) The Assistant Registration Officer shall render all necessary assistance to persons claiming to be registered, and may if necessary himself complete the application for registration on behalf of any such person.
- (4) The Assistant Registration Officer shall read aloud the name, description and address of the claimant shown on the prescribed form and, if the prescribed form is duly completed and if he has no reason to suspect its accuracy or the validity of the claim, he shall accept the claim.
- (4A) If the Assistant Registration Officer refuses a claim to be registered he shall endorse upon the application form his grounds for so doing, and shall return the form to the claimant, informing him of his right to appeal.
- (5) When the Assistant Registration Officer has accepted a claim under this regulation he shall issue to the claimant a registration card numbered in such manner as the Administrator shall direct.
- (6) The registration card shall be retained by the claimant for the purpose of production at the time of voting.

(7) If it is proved to the satisfaction of the Registration Officer that a registration card is lost or destroyed he may issue a duplicate in replacement thereof:

Provided that the Administrator may prescribe a time at which or a period during which applications in respect of lost or destroyed registration cards shall be considered.

(8) Any Assistant Registration Officer who is entitled to be registered as a voter in the plebiscite may submit his claim to the Registration Officer for the plebiscite district in which he is entitled to be registered not later than the 20th November, 1960, and in relation to such a claim the Registration Officer shall perform the functions of an Assistant Registration Officer under this regulation other than the function prescribed by paragraph 4 (A).

7A. (1) A person whose claim to be registered under paragraph (2) of regulation 7 has been refused may, not earlier than the 20th November and not later than the 29th November, 1960, appeal to the Registration Officer by submitting in person his application form endorsed as provided in paragraph (4A) of regulation 7 and stating his grounds of appeal. Appeal against refusal of claim.

(2) The hearing of appeals by a Registration Officer under this regulation shall be open to the public, and the Registration Officer shall receive such evidence as he may consider necessary and may administer the oath.

(3) The decision of a Registration Officer on the hearing of an appeal under this regulation shall be final.

(4) If the Registration Officer allows an appeal under this regulation he shall issue to the claimant a registration card, and shall inform the Administrator that the claim has been accepted.

(5) An Assistant Plebiscite Administrator may exercise the functions of a Registration Officer under this regulation.

8. (1) After the last day for making a claim under regulation 7 the Administrator shall prepare and publish a list, to be called the preliminary list of voters, which shall contain the names and addresses of the persons whose claims under regulation 7 were accepted and shall be arranged in the manner provided under regulation 4: Preliminary list.

Provided that the name of any person whose appeal under regulation 7A is allowed shall be added to the preliminary list in such manner as the Administrator may direct.

(2) The preliminary list shall be published on or about the 18th December, 1960, and the manner of publication shall be by displaying copies of the whole or part thereof at such place or places in each plebiscite district as the Administrator may think fit.

(3) The Administrator shall publish notices in each plebiscite district which shall state—

- (a) the places where the preliminary list may be inspected;
- (b) the manner in which claims for registration or applications for transfer or objections may be made;
- (c) the last day for making such claims, applications or objections.

(4) A copy of the preliminary list shall be made available for inspection by members of the public during normal office hours at the office of the Administrator for a period of thirty days after its first publication.

(5) The Administrator shall make available such number of copies of the preliminary list for sale to members of the public as he shall consider desirable and practicable and shall prescribe such fee as the price thereof as he thinks reasonable.

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PART III—REVISION OF PRELIMINARY LIST

Claims after
publication of
preliminary
list.
Second
Schedule,
Form B.

9. (1) Every person whose name does not appear in the preliminary list and who submitted a claim under regulation 7 which was accepted may within fifteen days of the first publication of the preliminary list apply in Form B in the Second Schedule to be registered as a voter.

(2) An application under this regulation shall be delivered by the applicant in person to the Revising Officer for the plebiscite district in which he claims to be registered.

Application
for transfer.

10. (1) Any person whose name appears on the preliminary list as having been registered in a registration area other than the registration area in respect of which he applied to be registered may apply to the Revising Officer within fifteen days of the first publication of the preliminary list in Form C in the Second Schedule to have his name transferred to the register for the registration area in respect of which he applied to be registered.

Second
Schedule,
Form C.

(2) An application under this regulation shall be delivered to the Revising Officer by the applicant in person.

(3) Nothing in this regulation shall entitle a person to apply for transfer to any register for a registration area situated in another plebiscite district.

Objections.

11. Any person whose name appears in the preliminary list may object to any person whose name appears in respect of the same registration area on the ground that the person objected to is either—

- (a) not qualified to be registered; or
- (b) disqualified from being registered; or
- (c) not entitled to be registered in that registration area; or
- (d) dead.

Notice of
objection.
Second
Schedule,
Form D.

12. The person objecting shall within fifteen days of the first publication of the preliminary list deliver in person to the Revising Officer written notice of his objection in Form D in the Second Schedule.

Determina-
tion of claims,
applications
and
objections.

13. (1) The Revising Officer shall determine all claims, applications and objections submitted to him in accordance with regulations 9, 10 and 12, and his decision thereon shall be final.

(2) With respect to any objection made under regulation 12 the Revising Officer, if he is satisfied that the grounds of the objection are established, shall strike out the name of the person objected to from the preliminary list:

Provided that the Revising Officer may, if he is satisfied that the person objected to is entitled to be registered in another registration area of the plebiscite district, transfer his name to the preliminary list for that registration area.

(3) Before striking out or transferring the name of a person under paragraph (2) the Revising Officer shall give him an opportunity to be heard with respect thereto.

(4) With respect to claims or applications under regulations 9 and 10, the Revising Officer, if he is satisfied that the grounds of the claim or application have been established, shall enter the name of the claimant in the preliminary list.

(5) An Assistant Plebiscite Administrator may exercise the functions of a Revising Officer under this regulation.

14. For the purpose of determining claims, applications and objections the Revising Officer or Assistant Plebiscite Administrator shall receive such evidence as he may consider necessary and may administer oaths to all persons making claims, applications or objections and to all witnesses called upon in respect of the claim, application or objection. Evidence.

15. (1) The Revising Officer shall not later than the 10th January, 1961, make any corrections and additions to the preliminary list consequential upon his decision on any claims, applications or objections, and shall cause the names therein to be numbered in such manner as the Administrator may direct and then sign the list and forward it to the Administrator. Final register of voters.

(2) The Administrator shall cause the list to be published, with such alterations or amendments as he may consider necessary for the purpose of correcting any typographical or clerical errors, not later than the 7th February, 1961.

(3) At any time either before or after publication of the list, but not later than the eighth day before the day of the plebiscite, the Administrator may make any alteration or addition to the list necessary in the compilation thereof.

(4) The list when so published shall be in respect of each registration area to which it relates the register of voters for that registration area.

(5) After publication, copies of the register for each registration area in a plebiscite district shall be made available for inspection by members of the public during normal office hours at the office of the Registration Officer for that plebiscite district.

(6) The Administrator shall make available for sale to the public such number of copies of the registers as he shall consider desirable and practicable, and shall prescribe such fee as the price thereof as he thinks reasonable.

PART IV—OFFENCES

16. (1) If any person to whom this regulation applies, or who is for the time being under a duty to discharge any of the functions of such a person, is without reasonable cause guilty of any act or omission in breach of his official duty, he shall be liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding six months, or to both such fine and imprisonment. Breaches of official duties.

(2) The persons to whom this regulation applies are any Assistant Plebiscite Administrator, Registration Officer, Assistant Registration Officer or Revising Officer, and the expression "official duty" shall for the purposes of this regulation be construed accordingly, but shall not include duties imposed otherwise than by these regulations.

(3) Where a prosecution for an offence against this regulation is instituted by a private prosecutor the court having cognisance of the case may order the prosecutor to give security for such costs as may become payable to the accused person for such amount and in such manner as to the court may seem fit, and in the event of failure to comply with such order the court shall discharge the accused person.

17. Any person who—

(a) without lawful authority destroys, mutilates, defaces or removes, or makes any alteration in any notice or document required to be made under the provisions of these regulations; or

Miscellaneous offences.

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- (b) wilfully and knowingly gives false information or makes a false statement in relation to any claim or application to have his name placed on or retained in a register, or transferred to any portion of a register; or
 - (c) publishes any statement, rumour or report which he knows or has reason to believe is false for the purpose of preventing persons who are qualified as voters from registering in accordance with these regulations; or
 - (d) makes in any register or document which he is required to prepare or publish in accordance with these regulations, any statement or entry which he knows to be false or does not believe to be true,
- shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding twelve months or to both such fine and imprisonment.

PART V—REVOCATION

Revocation. 18. The Northern Cameroons Plebiscite (Registration) Regulations, NCLN 3 of 1960, are hereby revoked.

FIRST SCHEDULE

RULES AS TO THE ORDINARY RESIDENCE OF VOTERS

1. The place of ordinary residence of a person is that place where he usually lives, or which has always or generally been his home, or which is the place to which he intends to return when away therefrom.
2. Where a person usually sleeps in one place and has his meals or is employed in another place, his place of ordinary residence will be where he sleeps.
3. For the purpose of these rules it will be assumed that a person can have only one place of ordinary residence and that it cannot be lost until it is replaced by another.
4. Temporary absence does not cause a loss, and an absence of less than six months, or which is anticipated to be less than six months, will be regarded as temporary if the intention is to resume actual residence within that period.
5. Where after consideration of these rules in respect of an application for registration there appears some doubt as to whether a person's ordinary residence is in one registration area or another, an Assistant Registration Officer may decide between such areas (and other matters being equal may take into account the probable conveniences of the applicant).

SECOND SCHEDULE

FORM A

(Regn. 7).

Application for Registration

To the Registration Officer of.....

I,.....of.....
occupation....., hereby claim to be registered as a voter in the plebiscite
district of.....in respect of.....registration area.

I declare as follows:—

- (1) I am twenty-one years of age or over.
- (2) I am ordinarily resident at.....

- (3) I am not disqualified from being registered.
(4) I have not applied to be registered in another plebiscite district or registration area.

DATED this.....day of....., 1960.

.....
Claimant

.....
*Signature of Witness to
thumb print impression*

NOTES

The following notes should be read before this form is completed:—

1. A person claiming to be registered must present his application to the Registration Officer in the registration area where he resides.
2. The *Must* applicant insert *TWO* or *MORE* names by which he is known and his qualifying address otherwise his application to be registered will be refused.
3. Making a false declaration on this form is an offence punishable with a fine of one hundred pounds or a year's imprisonment.

FORM B

(Regn. 9).

Second Application for Registration

To the Revising Officer.....

I,hereby claim to be registered as a voter in.....plebiscite district in respect of.....registration area.

I DECLARE that:—

1. I submitted a claim to be registered in the above plebiscite district and registration area and that the claim was accepted.
2. My name does not appear on the preliminary list for the above plebiscite district.
3. I am qualified and not disqualified to be registered as a voter.

DATED this.....day of.....1960.

.....
Claimant

.....
*Signature of Witness to
thumb print impression*

Note.—An application for registration on this Form should only be made by persons who claim to have applied to be registered before publication of the preliminary list.

FORM C

(Regn. 10).

Application for Transfer of a Name on Preliminary List

To the Revising Officer of... ..plebiscite district.

I,of.....
being a person whose name appears in the preliminary list of voters for the.....
plebiscite district in respect of.....registration area hereby apply to have
my name transferred to the section of the register which relates to.....
registration area.

DATED this.....day of....., 1960.

.....
Applicant

.....
Signature of witness to thumb print impression

Note.—Application should not be made on this Form for transfer except by persons whose names appear under a different registration area from that in which they applied to be registered.

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FORM D

(Regn. 12).

Notice of Objection to Name in Preliminary List

To the Revising Officer of.....plebiscite district.

I,of.....
being a person whose name appears in the preliminary list of voters for the.....
plebiscite district hereby give you notice that I object to the name of
of.....being retained in the said list of voters on the following grounds*:-

1. That the person objected to is not qualified to have his name on the list.
2. That the person objected to is disqualified.
3. That the person objected to is dead.
4. That the person objected to is not entitled to register in the registration area under which his name appears on the list.

DATED this.....day of....., 1960.

.....
Objector

.....
Signature of witness to thumb print impression

*Strike out whichever is not applicable.

MADE this 24th day of October, 1960.

P. WYN-HARRIS,
Administrator of the Northern Cameroons

ANNEX XVIII. Northern Cameroons Plebiscite Registration Instructions
NORTHERN CAMEROONS PLEBISCITE
1960.

REGISTRATION INSTRUCTIONS

INTRODUCTION

A plebiscite will be held throughout the Northern Cameroons Territory on the 11th of February 1961, under the supervision of the United Nations.

On this day the people of the Northern Cameroons will go to the polling stations to choose between these two alternatives:

(1) Do you wish to achieve independence by joining the independent Republic of the Cameroons

OR

(2) Do you wish to achieve independence by joining the independent Federation of Nigeria.

Before the voting takes place we must prepare a Register of Voters.

You have been appointed as an Assistant Registration Officer in charge of a Registration Area.

Your job will be to register the names of all people, both men and women, who wish to vote on polling day.

This is a very important duty. If you carry out your task properly you will be paid at the rate of 15/- per day. If your work is not satisfactory you will be replaced.

For the purpose of the Plebiscite the Northern Cameroons is divided into NINE PLEBISCITE DISTRICTS:

<u>PLEBISCITE DISTRICT</u>	<u>HEADQUARTERS TOWN</u>
A DIKWA NORTH	DIKWA
B DIKWA CENTRAL	BAMA
C GWOZA	GWOZA
D CUBUNAWA MADAGALI	MICHIKA
E MUBI	MUBI
F CHAMBA	GANYE
G GASHAKA - TOUNGO	KARAMTI
H MAMBILIM	GEMBU
J UNITED HILLS	BAISSA

Each of these Districts is in the charge of a Registration Officer who has his Headquarters at the town shown above.

Each District is divided into a number of Registration Area which correspond to the area served by the polling stations in the Plebiscite held last November. Each area will be given a number by the Registration Officer.

The place which was the polling station in the last Plebiscite will be the Registration Headquarter for the Area.

You, as an Assistant Registration Officer, will be in charge of one of these Areas.

The Registration will be held between the 17th of October and the 6th of November this year.

Early in October you will be required to come to the Headquarters Town of the Plebiscite District in which your Registration Area is situated. Here you will be given a short course of instruction, to give you practice in carrying out duties. You will then be provided with the necessary posters and equipment and sent out to your own Headquarters so that you can start work on the 17th of October.

For the first week of Registration you will stay in your Headquarter and take the names of the people who live close by. The second and third weeks you will have to visit other centres in your area and register the names of the people who live in and near those places. Your Registration Officer will tell you where to go.

The purpose of these Instructions is to explain the way in which the Registration will work and how you will set about carrying it out.

A set of Regulations has been issued, and your activities must be based upon them. Those parts of the Regulations which particularly apply to your work in Registering the people have been set out in full at the back of these instructions /Appendix A/ These Regulations must be followed exactly.

PEOPLE WHO ARE ENTITLED
TO REGISTER

REGISTRA-
TION
QUALIFICA-
TIONS

BOTH MEN AND WOMEN ARE ENTITLED TO REGISTER THEIR NAMES PROVIDED. (1) At the date of application they are 21 years old, or more

(2) They ordinarily live in the Northern Cameroons. (NOTE. At the back of these instructions you will find some notes to help you about the ordinary state of residence of voters /Appendix B./ BUT. Even if a man or woman fulfills these two conditions, he CANNOT be allowed to Register.

IF (1) He is under sentence of death
OR (2) Is serving a sentence of six months or more in prison.
OR (3) Is not sane
OR (4) Commits an Election Offence (NOTE Election Offences are to be found at the back of these instructions /Appendix 3/)

NO PERSON SHALL BE ALLOWED TO REGISTER HIS OR HER NAME MORE THAN ONCE

AFTER YOUR TRAINING COURSE

YOU will be sent out to a Registration Area.

YOU will be given the following equipment.

1. A BOX and padlock to carry your papers.
2. A PEN to write your list.
3. A SUPPLY of envelopes and paper for notes.
4. A NUMBER of Forms A(R). Application to Register.

5. A NUMBER of Forms D(R) Registration Cards to give
to people who you register.
6. A NUMBER of Forms F(R) Lists on which you can fill
in the names of people Registered.
7. A NUMBER of Forms G(R) Files in which to put the
completed Application Form A(R).
8. A NUMBER of Forms H(R) Files in which to put your
completed lists Form F(R).
9. A CARD OF APPOINTMENT Form J. (R)
10. SIGNS FOR YOUR REGISTRATION OFFICE Form I(R)
11. LETTERS to be filled in and sent to Villages which
you will visit during your
Registration Tour (REGULATION 5)
12. A PA AND LINK for thumbprint services.

HOW TO
MAKE A
REGISTER

WHERE YOU GET TO YOUR REGISTRATION HEADQUARTERS

SEE THE DISTRICT OR VILLAGE HEAD. He will be expecting
you and you can arrange with him to make your office at the
place where the Polling Station was during the last Plebiscite.
ON THE MORNING OF THE 17 OCTOBER you will start Registering.

REGULATION

YOU WILL WORK each day between the hours of 8 o'clock in
the Morning and 5 o'clock in the Evening

BETWEEN THESE HOURS YOU MUST ALWAYS BE AVAILABLE

TO ANY MAN OR WOMAN WHO WISHES TO MAKE A

REGISTRATION CLAIM

ANY MAN OR WOMAN WHO WISHES TO MAKE A REGISTRATION

CLAIM. MUST APPEAR BEFORE YOU HIMSELF OR HERSELF

THEY CANNOT SEND SOMEONE ELSE TO REGISTER FOR THEM.

WHEN a person comes to Register he must fill up Form A.

This is his claim to be Registered.

IF He or She cannot write, you, or a friend can fill it
in for them.

AFTER the claimant has given you the form you shall read aloud the names, occupation, and address, on this form.

IF the form has been correctly filled in and you have no reason to doubt that the facts are correct, and that the claimant is 21 years old or more, and that he or she is not disqualified under Section 2 of these instructions:-

YOU WILL

- (1) GIVE HIM OR HER A NUMBER.
- (2) WRITE HIS OR HER NAME ON THE PROPER LIST.
- (3) GIVE HIM OR HER A REGISTRATION CARD WHICH YOU HAVE FILLED IN AND SIGNED.
- (4) TELL THE PERSON THAT WHEN THEY COME TO VOTE THEY MUST BRING THE CARD WITH THEM.

THE REGISTRATION IS NOW COMPLETE

REMEMBER

1. You must not issue a card or put the name on your list if you think that -

The claimant is not 21 years old or more

2. If the claimant does not live in the Northern Cameroons.

3. If a man or woman normally lives in the Northern Cameroon [Appendix B.] it does not matter what his tribe is, he can be registered.

HOW TO
FILL IN
YOUR FORMS

THE REGISTRATION OFFICER IN CHARGE OF
YOUR AREA WILL SHOW YOU HOW TO
FILL IN THE REGISTRATION DOCUMENTS

THE CLAIM

(1) FORM A.

Has to be filled in by the Claimant or by a friend or by you. The Claimant must sign it, or put his thumb mark on the paper.

REMEMBER

- (1) The Claimant must give two names
- (2) The Claimant must write an address
- (3) The Claimant must give his occupation
- (4) The form must be signed or have the thumb print of the Claimant.

IF a thumb mark is used a witness must sign the form.

UNLESS ALL THIS IS DONE

THE REGISTRATION WILL NOT BE LEGAL

(2) FORM E THE REGISTRATION CARD

To be filled up by you, signed and given to the CLAIMANT.

(3) FORM F. THE REGISTRATION LIST.

The name and number occupation and address of the CLAIMANT will be entered here.

THIS FORM MUST BE FILLED UP NEATLY AND CLEARLY.

FROM IT THE REGISTRATION LIST

WILL BE PRINTED

COLOURS

Your Form are in TWO COLOURS

RED

and BLACK

THE RED FORMS ARE FOR WOMEN

THE BLACK FORMS ARE FOR MEN.

When you Register a WOMAN give her a RED card and put her name on the RED LIST.

When you Register a MAN give him a BLACK card and put his name on the BLACK LIST

EACH PERSON MUST BE GIVEN A PLEBISCITE NUMBER
--

THE PLEBISCITE DISTRICTS each have a letter
(See the Introduction in these Instructions)

THIS IS THE FIRST PART OF THE PLEBISCITE NUMBER.

THE REGISTRATION AREAS each have a number
(you will be told your number by your
Registration Officer)

THIS IS THE SECOND PART OF THE PLEBISCITE NUMBER.

WOMEN (RED) will have W
and MEN (BLACK) will have M
added to their numbers.

THIS IS THE THIRD PART OF THE PLEBISCITE NUMBER

THE order in which they register will give them
the number, 1, 2, 3, and so on.

THIS IS THE FOURTH PART OF THE PLEBISCITE NUMBER.

<u>EXAMPLE</u>	WOMAN	A/1/W/1	
	MAN	A/1/M/1	- and so on.

THESE NUMBERS WILL BE FILLED IN ON THE CARDS
AND ON THE LISTS.

YOUR RETURNING OFFICER WILL SHOW YOU HOW.

MAKE SURE THAT YOU UNDERSTAND THIS QUITE CLEARLY
BEFORE YOU GO OUT TO REGISTER.

KEEP YOUR REGISTRATION (FORMS A) AND YOUR FILLED IN
LISTS, (FORMS F) IN THE FILES PROVIDED.

WHEN YOU RETURN FROM YOUR REGISTRATION
AFTER THE 6TH OF NOVEMBER. GIVE THESE
COMPLETED FILES TO YOUR RETURNING OFFICER
THIS IS A MOST IMPORTANT DUTY

ON YOUR WORK DEPENDS THE SUCCESS OF REGISTRATION

When you return from your Registration Tour, you must
return to your Registration Officer all the papers and
equipment left over from the operation.

ANNEX XIX. Northern Cameroons Plebiscite (Voting) Regulations, 1960

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Northern Cameroons Gazette No. 5, Vol. 1, 31st December 1960—Supplement Part B

N.C.L.N. 6 of 1960

THE NORTHERN CAMEROONS PLEBISCITE ORDER IN
COUNCIL, 1960

THE NORTHERN CAMEROONS PLEBISCITE (VOTING)
REGULATIONS, 1960

Date of Commencement: 31st December, 1960

In exercise of the powers conferred by Article 4 of the Northern Cameroons Plebiscite Order in Council, 1960, the following regulations are hereby made:—

PART I.—PRELIMINARY

1. These regulations may be cited as the Northern Cameroons Title. Plebiscite (Voting) Regulations, 1960.

2. In these regulations, unless the context otherwise requires—

“assistant plebiscite administrator” means a person appointed as such under Article 6 of the Order;

“assistant returning officer” means a person appointed as such under Article 6 of the Order;

“counting agent” means a counting agent appointed in accordance with regulation 34;

“chief returning officer” means a person appointed as such under Article 6 of the Order;

“counting officer” means a person appointed as such under Article 6 of the Order;

“Deputy Plebiscite Administrator” means the person appointed as such under Article 6 of the Order;

“the Order” means the Northern Cameroons Plebiscite Order in Council, 1960; N.C.L.N. 2 of 1960.

“plebiscite district” means any plebiscite district established by Article 3 of the Order;

“the plebiscite” means the plebiscite provided for in the Order;

“polling agent” means a polling agent appointed in accordance with regulation 10;

“polling marshall” means a person appointed as such under Article 6 of the Order;

“polling officer” means a person appointed as such under Article 6 of the Order;

“polling station” means a polling station appointed under regulation 5, and includes a section of a polling station;

“presiding officer” means a person appointed as such under Article 6 of the Order;

“register of voters” means a register of voters prepared under Article 5 of the Order;

“returning officer” means a person appointed as such under Article 6 of the Order;

“registration area” means a registration area established under regulation 3 of the Northern Cameroons Plebiscite (Registration) Regulations, 1960; N.C.L.N. 5 of 1960.

“United Nations Plebiscite Commissioner” means the person appointed by the General Assembly of the United Nations to supervise the plebiscite on behalf of the United Nations;

“United Nations observer” means a person appointed to assist the United Nations Plebiscite Commissioner in observing the plebiscite on behalf of the United Nations;

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“United Nations official” means any member of the United Nations staff appointed by the United Nations Plebiscite Commissioner to carry out duties in connection with the plebiscite;

“voter” means a person who has been registered on a register of voters prepared under Article 5 of the Order.

PART II.—PROCEDURE AT PLEBISCITE

Notice of
plebiscite.

3. The Administrator shall on or before the twenty-eighth day before the first day of the plebiscite cause to be published in every registration area in such manner as he may think fit a notice specifying—

- (a) the days and hours fixed for the poll;
- (b) the situation of every polling station in each plebiscite district and an indication of the persons entitled to vote therein:

Provided that at any time not later than the seventh day before the poll the Administrator may by notice published in the registration area change the situation of any polling station;

- (c) the colour allocated to each alternative on which a vote can be cast; and
- (d) the alternatives on which a vote can be cast at the plebiscite.

Powers and
duties of
officers.

4. (1) The Administrator shall direct for which area or areas assistant plebiscite administrators, returning officers, assistant returning officers, presiding officers and polling officers shall exercise their functions, and he may delegate to any assistant plebiscite administrator such power in respect of returning officers, assistant returning officers, presiding officers and polling officers.

(2) Subject to any direction of the Administrator, the Deputy Plebiscite Administrator and any assistant plebiscite administrator shall have all the powers and may perform any of the duties of the Administrator.

(3) Subject to any direction of the Administrator, an assistant returning officer shall have all the powers and may perform all the duties of a returning officer appointed in respect of the same plebiscite district or part thereof.

(4) An assistant plebiscite administrator shall exercise supervision over the performance of the functions of returning officers and polling officers in the area in respect of which they are appointed, and subject to any direction of the Administrator and to the provisions of these regulations may give to such officers directions as to the performance of their functions.

Appointment
of polling
stations.

5. The Administrator shall appoint a polling station for each registration area:

Provided that where in his opinion the number of persons entitled to vote at any polling station is excessive the Administrator may divide the polling station into two or more sections.

Polling staff.

6. (1) Each polling station shall be under the charge of a presiding officer, who shall have to assist him not less than one polling officer and such number of polling marshalls as the Administrator may direct.

(2) A polling officer may subject to the directions of the presiding officer do any act which the presiding officer is required or authorised to do at a polling station.

Facilities at
polling
stations.

7. An assistant plebiscite administrator shall—

- (a) ensure that in each polling station there is a compartment in which voters can cast their votes screened from observation;

- (b) furnish each presiding officer with such number of ballot boxes and such ballot papers under sealed covers as may be necessary;
- (c) provide each polling station with instruments for making an official mark on the ballot papers and with pads impregnated with indelible ink of a distinctive colour;
- (d) provide each polling station with copies of the register of voters;
- (e) ensure that a presiding officer shall be in charge of each polling station;
- (f) cause to be published in each polling station the colour which has been allocated to each alternative on which a vote can be cast; and
- (g) do such other acts and things as may be necessary for conducting the plebiscite in the manner provided in these regulations.

8. The ballot boxes shall be provided by the Administrator, and shall be so constructed that a ballot paper may be put therein by a voter but may not be withdrawn by him or by any succeeding voter. Ballot boxes.

9. Every ballot paper shall be in a form prescribed by the Administrator and shall— Ballot papers.

- (a) have a serial number printed or stamped on the back;
- (b) be attached to a counterfoil bearing the same serial number as printed or stamped on the back of the ballot paper.

10. (1) On or before the 14th January, 1961, any political party may apply to the Administrator for permission to appoint polling agents for the purpose of detecting personation at the poll: Polling agents.

Provided that any political parties which for the purposes of the plebiscite form an alliance shall apply jointly.

(2) The Administrator, after consultation with the United Nations Plebiscite Commissioner, may by notice in writing grant to any political party or alliance of parties, accepted by him in his absolute discretion as representing a sufficient number of persons to merit recognition, permission to appoint polling agents.

(3) The notice referred to in paragraph (2) shall specify the number of polling agents who may be appointed for polling stations generally or for polling stations in a particular area:

Provided that not more than one polling agent may be appointed for any polling station by a political party or alliance of parties.

(4) No person shall be appointed a polling agent who is not registered as being entitled to vote in the plebiscite.

(5) Notice in writing of the appointment of polling agents, stating their names, addresses and numbers on the register of voters, and stating the polling stations to which they are assigned, shall be given to the assistant plebiscite administrator in charge of the plebiscite district not later than 25th January, 1961.

(6) The duties of polling agents shall be as prescribed by the Administrator after consultation with the United Nations Plebiscite Commissioner.

11. (1) Each ballot box shall be painted with the colour allocated by the Administrator to one or other of the alternatives on which a vote can be cast at the plebiscite, and shall have attached to it with a seal a notice indicating that alternative and the polling station and plebiscite district in which the box is used. Preparation of ballot boxes.

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(2) Before voting commences each ballot box shall be shown to such persons as may be present to be prepared as provided above and to be empty before being locked and sealed and placed in the polling station, and at the same time the sealed packets of ballot papers shall be opened, and may be shown to such polling agents, United Nations officials, plebiscite officials and other persons authorised in writing by the Administrator as may be present.

(3) When in use for voting the ballot boxes shall be at least three feet away from each other and shall be screened from observation by all persons other than the voter casting his vote.

(4) The ballot boxes shall be placed so that they are clearly visible to voters entering the compartment and as far as practicable equidistant from and facing the entrance to the compartment in which they are placed, and shall be so fixed in position that they cannot be moved during the hours of voting.

Issue of
ballot paper.

12. (1) Every voter desiring to cast his vote shall present himself to a polling officer at the polling station for the registration area in which he is registered as being entitled to vote, and the polling officer, after satisfying himself that the voter is so registered and has not already voted, shall deliver to him a ballot paper.

N.C.L.N. 5
of 1960.

(2) The production to a polling officer of a registration card issued in accordance with regulation 7 of the Northern Cameroons Plebiscite (Registration) Regulations, 1960, shall entitle the holder to be dealt with by the polling officer prior to any voter then present who is unable to present his card, and such card may be accepted by the polling officer as *prima facie* evidence of the registration of such voter.

(3) Before delivering a ballot paper to a voter, the presiding officer may require the voter to submit to being searched in private by a polling officer or by a person appointed by the presiding officer, for the purpose of ensuring that no ballot paper relating to the plebiscite is already in his possession, and if the voter in such case does not submit to a search he shall not be entitled to receive a ballot paper:

Provided that no female voter shall be searched except by a female.

Marking of
ballot paper,
etc.

13. Immediately before the polling officer delivers a ballot paper to a voter—

- (a) the ballot paper shall be marked or punched with an official secret mark, and shown to any polling agents who are present if they so request;
- (b) the number and name of the voter as stated in the register of voters shall be called out;
- (c) the number of the voter in the register of voters shall be marked on the counterfoil; and
- (d) a mark shall be placed against the number of the voter in the copy of the register of voters to denote that the ballot paper has been received by the voter but without stating the serial number of the ballot paper which has been received.

Voter may be
questioned.

14. A polling officer may, and shall if required by a polling agent, put to a voter applying for a ballot paper, at the time of his application but not at any other time, the following questions or either of them—

- (a) "Are you the person who is on the register of voters as follows ?" (reading the copy of the entry in the register);
- (b) "Have you already voted at the plebiscite at this or any other polling station?"

15. Immediately before casting his vote, a voter shall submit to having the little finger of either hand marked with indelible ink, and any voter who does not so submit shall not be permitted to vote.

Marking of
little finger.

16. A voter on receiving a ballot paper shall go immediately into the screened compartment in the polling station and there secretly cast his vote by placing his ballot paper in the ballot box of his choice, and shall then leave the compartment without delay.

Recording of
vote.

17. (1) A voter shall not place on the ballot paper any writing or mark by which he may be identified.

No mark on
ballot paper.

(2) For the purpose of this regulation a mark resulting from the marking of the little finger of the voter in accordance with regulation 15 shall not be regarded as a mark of identification.

18. A voter who has accidentally dealt with his ballot paper in such manner that it may not be conveniently used as a ballot paper may, on delivering such ballot paper to the presiding officer, and after satisfying the presiding officer that the ballot paper has been spoilt by accident, obtain another ballot paper in place thereof, and the spoilt ballot paper shall be immediately cancelled.

Accidental
destruction
of ballot
paper.

19. (1) A voter who is unable to distinguish colours or who suffers from blindness or from any other physical disability may at the discretion of the presiding officer be accompanied by such friend or relative as he may choose, and the presiding officer shall in the presence of the voter and of the friend or relative place the ballot paper issued to the voter in the ballot box nominated by the voter.

Blind and
other voters.

(2) Any friend or relative who accompanies a voter in accordance with paragraph (1) may be required to submit to being searched in accordance with the provisions of paragraph (3) of regulation 12.

20. A vote may not be recorded by a voter except by his attending in person at the polling station and recording his vote in accordance with these regulations.

Personal
attendance.

21. Subject to the provisions of regulation 22 a person shall be permitted to vote only at the polling station appointed for the registration area in which he is registered as being entitled to vote.

Appropriate
polling
station.

22. (1) Where the polling station at which an officer is on duty is within a reasonable distance of the polling station at which he is entitled to vote he shall be permitted to leave the polling station at which he is on duty at such time as the presiding officer considers reasonable and convenient in order to cast his vote.

Voting by
plebiscite
officers.

(2) Wherever an officer will be on duty at a polling station other than that at which he is entitled to vote, and compliance with paragraph (1) will be impracticable, the Administrator may, upon the written application of such officer, direct in writing that the name of such officer be transferred to the register of voters for the polling station at which he will be on duty.

(3) The presiding officer shall supervise the formalities necessary for the casting of the vote of an officer on duty at his polling station.

(4) A polling officer shall supervise the formalities necessary for the casting of the vote of the presiding officer at a polling station.

(5) In this regulation "officer" means an officer appointed to perform duties in relation to the plebiscite, and includes a police officer on duty at a polling station.

23. If at the time a person applies for a ballot paper, or after he has applied and before he has left the polling station, a polling agent declares to the

Declaration as
to impersona-
tion.

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presiding officer that he has reasonable cause to believe that the applicant has committed an offence of impersonation and undertakes in writing at the time of such declaration to substantiate the charge in a court of law, the presiding officer may order a police officer to arrest such person, and the order of the presiding officer shall be sufficient authority for the police officer to do so.

Votes may
be protested
against.

24. Any person in respect of whom a polling agent makes a declaration in accordance with regulation 23 shall not by reason thereof be prevented from voting, but the presiding officer shall cause the words "protested against for impersonation" to be placed against that name in the marked copy of the register of voters:

Provided that where a person in respect of whom such a declaration is made admits to the presiding officer that he is not the person he holds himself out to be, he shall not be permitted to vote if he has not already done so, and if he has already voted the presiding officer shall make a note of the number of the ballot paper delivered to him as being invalid, and upon the count being taken such ballot paper shall not be counted.

Validity of
arrest.

25. A person arrested under the provisions of regulation 23 shall be deemed to be a person taken into custody by a police officer for an offence in respect of which he may be arrested without a warrant.

Tendered
ballot papers.

26. (1) If a person representing himself to be a voter named in the register of voters applies for a ballot paper after another person has voted in the same name, the applicant shall upon giving satisfactory answers to any questions put to him by the presiding officer or a polling officer be entitled to receive a ballot paper in the same manner as any other voter, but such ballot paper (hereinafter referred to as the tendered ballot paper) shall be of a colour different from that of the ordinary ballot paper.

(2) Before the presiding officer or polling officer delivers a tendered ballot paper to the voter the name of the voter and his number in the register of voters shall be written on the counterfoil of the tendered ballot paper and shall also be entered on a list to be called the tendered votes list, and this list shall be admissible in any legal proceedings arising out of the plebiscite.

(3) A voter shall upon receiving a tendered ballot paper immediately cast his vote in the manner prescribed in regulation 16.

Order at
polling
stations.

27. The presiding officer shall regulate the admission of voters to the polling station and shall exclude all other persons except United Nations observers and officials, polling agents, plebiscite officials and any other person authorised in writing by the Administrator or who has reason in accordance with any written law to be admitted, and shall keep order and ensure compliance with these regulations at the polling station.

Removal of
persons
miscon-
ducting
themselves.

28. If any person misconducts himself at a polling station or fails to obey any order made in accordance with these regulations by the presiding officer he may by order of the presiding officer be removed from the polling station by a police officer or any other person authorised so to do in writing by the presiding officer, and a person so removed shall not without the permission of the presiding officer again enter the polling station during the day of the plebiscite except for the purpose of casting his vote.

Interruption
of plebiscite.

29. (1) If the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer may adjourn the proceedings until later in the day or until the following day and, after taking such precautions as are necessary to safeguard the ballot boxes and papers and other plebiscite requisites, shall forthwith notify the assistant plebiscite administrator, who shall in turn notify the Administrator.

(2) If the poll is adjourned at any polling station the hours of polling on the day to which it is adjourned shall be the same as for the original day, and references in these regulations to the closing of the poll shall be construed accordingly.

PART III.—TERMINATION OF PLEBISCITE, COUNTING, ETC.

30. At the prescribed hour for the closing of the poll, the presiding officer shall declare that no more persons shall be admitted to the polling station, and thereafter only the persons already inside the polling station, or in the area set aside for waiting voters, shall be permitted to vote.

Closing of
polling
station.

31. (1) At the closing of the poll on the first day the presiding officer shall in the presence of any United Nations observers and officials, plebiscite officials, polling agents and other persons authorised in writing by the Administrator who are in attendance—

Arrange-
ments at
conclusion
of first day.

- (a) seal the ballot boxes in use for that day so as to prevent the introduction of additional ballot papers;
- (b) cancel any ballot papers left lying in the screened compartment of the polling station;
- (c) place separately in a box (hereinafter referred to as the security box) provided by the Administrator—
 - (i) the marked copy of the register of voters together with any written directions issued in accordance with paragraph (2) of regulation 22;
 - (ii) the unissued ballot papers sealed in an envelope provided for their safe custody;
 - (iii) the counterfoils of the used ballot papers;
 - (iv) the spoilt ballot papers;
 - (v) any ballot papers cancelled in accordance with sub-paragraph (b);
 - (vi) the statement of ballot papers noted as being invalid in accordance with regulation 24;
 - (vii) the tendered votes list.

(2) The security box shall be sealed by the presiding officer in a manner determined by the Administrator, and may if so required be further sealed by any polling agent in attendance.

(3) The presiding officer shall be responsible for the custody of the ballot boxes and of the security box.

32. (1) At the opening of the poll on the second day the presiding officer shall in the presence of any United Nations observers and officials, plebiscite officials, polling agents and other persons authorised in writing by the Administrator who are in attendance open the security box, and shall then proceed with the poll as provided in Part II of these regulations.

Poll on
second day.

(2) The ballot boxes used on the first day of the poll and sealed in accordance with regulation 31 shall not be used on the second day, but shall be replaced by a second set of ballot boxes furnished in accordance with regulation 7.

33. (1) At the closing of the poll on the second day the presiding officer shall in the presence of any United Nations observers and officials, plebiscite officials, polling agents and other persons authorised in writing by the Administrator who are in attendance—

Arrange-
ments at
conclusion of
second day.

- (a) seal the ballot boxes in use for that day so as to prevent the introduction of additional ballot papers;

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- (b) cancel any ballot papers left lying in the screened compartment of the polling station;
 - (c) make up into separate packets sealed and marked for identification—
 - (i) the marked copy of the register of voters together with any written directions issued in accordance with paragraph (2) of regulation 22;
 - (ii) the unissued ballot papers;
 - (iii) the counterfoils of the used ballot papers;
 - (iv) the spoilt ballot papers;
 - (v) any ballot papers cancelled in accordance with sub-paragraph (b);
 - (vi) the statement of ballot papers noted as being invalid in accordance with regulation 24;
 - (vii) the tendered votes list;
 - (d) forward the packets and the ballot boxes to the chief returning officer.
- (2) The packets shall be accompanied by a statement to be called the ballot papers account prepared by the presiding officer stating—
- (i) the number of ballot papers entrusted to him;
 - (ii) the number of spoilt ballot papers;
 - (iii) the number of unissued ballot papers;
 - (iv) the number of ballot papers cancelled as being found in the voting compartment outside the ballot boxes;
 - (v) the number of tendered ballot papers;
 - (vi) the number of persons marked on the register of voters (including any additions made thereto as directed in accordance with paragraph (2) of regulation 22) as having been issued with a ballot paper;
 - (vii) the number of ballot papers noted as being invalid in accordance with regulation 24.
- (3) The ballot papers account may be verified by any polling agent after it has been made up and before the packets are sealed up for delivery to the returning officer, and any polling agent by whom such verification is made shall sign his name on the account.

Counting agents.

34. (1) Any political party or alliance of parties accepted by the Administrator after consultation with the United Nations Plebiscite Commissioner as representing a sufficient number of persons to merit recognition may appoint a counting agent to attend at each place appointed for the counting of votes.

(2) Notice in writing of the appointment, stating the name and address of the counting agent, shall be given to the chief returning officer not later than one day before the first day of the plebiscite, and the chief returning officer may refuse to admit to the place where the votes are counted any person purporting to be a counting agent in respect of whom no such notice has been given.

(3) If a counting agent dies, or becomes incapable of acting as such, another counting agent may be appointed in his place, and notice in writing shall be given of his appointment as provided in paragraph (2).

Counting of votes.

35. (1) The chief returning officer shall, as soon as practicable after the closing of the poll, make arrangements for counting the votes at a place to be determined by him.

(2) The votes shall be counted in the presence of a United Nations observer and of any counting agents in attendance, and so far as practicable the counting shall proceed continuously until completed.

(3) Except with the consent of the chief returning officer, who shall have sole charge of the counting, no person other than the chief returning officer, returning officers, counting officers, assistant returning officers, counting agents, United Nations observer and any other person authorised in writing by the Administrator may be present at the counting of the votes.

36. (1) Before opening any ballot box the chief returning officer shall in the presence of a United Nations observer alone reverse the notice attached in accordance with paragraph (1) of regulation 11, and shall mark upon the reverse side of the notice a code number issued by the Administrator for the polling station and plebiscite district in which the box was used. Method of counting.

(2) The chief returning officer shall then, in the presence of the United Nations observer and of any counting agents, plebiscite officials and other persons authorised in writing by the Administrator who are in attendance, open each ballot box in turn, and proceed, assisted as he may direct, to count the ballot papers in each box, recording the total number of votes cast in favour of the alternative the allocated colour of which is shown on that box.

(3) During the counting the ballot papers shall be kept with their faces upwards.

(4) Any ballot paper which does not bear the official mark shall not be counted, and the chief returning officer shall endorse thereon the word "rejected", adding the words "rejection objected to" if an objection to his decision is made by any counting agent.

(5) Any ballot paper which is mutilated shall not be counted, unless it is clear that the mutilation was accidental.

(6) Tendered ballot papers shall not be counted.

37. (1) The chief returning officer shall then prepare a statement showing the number of ballot papers rejected and shall on request allow any counting agent to copy the statement. Statement of rejected papers.

(2) No counting agent shall record the number of any rejected ballot paper which he sees during the counting.

38. The decision of the chief returning officer as to any question arising in respect of any ballot paper shall be final and shall not be subject to review except on a voting petition. Returning officer's decision final.

39. At the conclusion of the counting of the votes the chief returning officer shall seal up in separate packets the counted, mutilated and rejected ballot papers. He shall not open the sealed packet containing the marked copy of the register of voters or the sealed packet containing the counterfoils of used ballot papers, but shall proceed in the presence of any counting agents in attendance to verify the ballot papers account submitted by the presiding officer by comparing it with the total number of ballot papers recorded and with the number of unused, spoilt, invalid, mutilated and rejected papers delivered to him. The chief returning officer shall prepare a statement as to the result of the verification and shall on request allow any counting agent to copy such statement. After examination the chief returning officer shall re-seal the packets containing the unused, spoilt and invalid ballot papers and shall pack and seal the mutilated and rejected papers. Method of dealing with papers.

40. A counting agent may, if present when the counting or any re-count of the papers is concluded, require the chief returning officer to have the votes re-counted or again re-counted, but the chief returning officer may refuse to do so if, in his opinion, the request is unreasonable, or if the Re-count.

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difference exceeds ten per centum of the total votes counted for the polling station concerned.

Declaration of result.

41. When the result of the voting has been ascertained, the chief returning officer shall in respect of the plebiscite district or districts for which he is exercising functions—

- (a) forthwith publish at the place of counting the number of votes cast in favour of each alternative in each plebiscite district;
- (b) report the result of the voting to the Administrator, who shall notify the United Nations Commissioner and cause the result of the voting, together with the number of votes recorded for each alternative, to be published in the *Official Gazette of the Northern Cameroons*.

Custody of documents.

42. (1) Upon the completion of the counting of the votes the chief returning officer shall arrange with the Administrator for the safe custody of all documents relating to the conduct of the plebiscite.

(2) All such documents shall be destroyed on a date to be notified by the Administrator in the *Gazette of the Northern Cameroons*, unless otherwise directed in respect of any registration area by order of a court in any proceedings relating to the plebiscite.

Secrecy of vote.

43. No person who has voted at the plebiscite shall, in any legal proceedings arising out of the plebiscite, be required to state for which alternative he voted.

Absence of United Nations observers or agents not to invalidate proceedings.

44. Where in these regulations any act or thing is required or authorised to be done in the presence of a United Nations observer or official, a polling agent or a counting agent the non-attendance of any such person at the time and place appointed for the purpose shall not, if any act or thing is otherwise properly done, invalidate the act or thing done.

PART IV.—PLEBISCITE OFFENCES

Personation and punishment therefor.

45. (1) Any person who, at the plebiscite, applies for a ballot paper in the name of some other person whether that name be the name of a person living or dead, or of a fictitious person, or who, having voted once at the plebiscite, applies for a second ballot paper in the plebiscite in his own name, shall be guilty of the offence of personation.

(2) Any person who is guilty of personation, or of aiding, abetting, counselling or procuring the commission of the offence of personation, shall be liable on conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

(3) A person charged with the offence of personation shall not be convicted except on the evidence of not less than two witnesses.

Treating.

46. The following persons shall be guilty of treating—

- (a) any person who corruptly, by himself or by any other person, either before, during or after the plebiscite, directly or indirectly gives or provides or pays, wholly or in part, the expenses of giving or providing any food, drink, entertainment or provision to or for any person for the purpose of corruptly influencing that person or any other person to vote or refrain from voting at the plebiscite, or on account of such person or any other person having voted or refrained from voting at the plebiscite; and
- (b) any voter who corruptly accepts or takes any such food, drink, entertainment or provision.

47. Any person who directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of any force, violence, or restraint, or inflicts or threatens to inflict by himself or by any other person any temporal or spiritual injury, damage, harm or loss upon or against any person, in order to induce or compel anyone to vote or refrain from voting, or on account of anyone having voted or refrained from voting, at the plebiscite, or who by abduction, duress, or any fraudulent device or contrivance impedes or prevents the free use of the vote by any voter or thereby compels, induces or prevails upon any voter either to give or refrain from giving his vote at the plebiscite, shall be guilty of undue influence.

Undue
influence.

48. The following persons shall be guilty of bribery—

Bribery.

- (a) any person who directly or indirectly, by himself or by any other person on his behalf, gives, lends, or agrees to give or lend, or offers, promises or promises to procure or to endeavour to procure, any money or valuable consideration to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of such voter having voted or refrained from voting, at the plebiscite;
- (b) any person who directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers, promises or promises to procure or to endeavour to procure, any office, place or employment to or for any voter, or to or for any other person, in order to induce any voter to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any voter having voted or refrained from voting, at the plebiscite;
- (c) any person who directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement or agreement as aforesaid to or for any person, in order to induce such person to procure, or to endeavour to procure, the vote of any voter at the plebiscite in favour of a particular alternative;
- (d) any person who, upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures, or engages, promises or endeavours to procure the vote of any voter at the plebiscite in favour of a particular alternative;
- (e) any person who advances or pays, or causes to be paid, any money to or for the use of any other person, with intent that such money or any part thereof shall be expended in bribery at the plebiscite, or who knowingly pays, or causes to be paid, any money to any person in discharge or repayment of any money wholly in or part expended in bribery at the plebiscite;
- (f) any voter who before or during the plebiscite, directly or indirectly, by himself or by any other person on his behalf, receives, agrees, or contracts for any money, gift, loan or valuable consideration, office, place, or employment, for himself or for any other person, for voting or agreeing to vote or for refraining or agreeing to refrain from voting at the plebiscite;
- (g) any person who, after the plebiscite, directly or indirectly, by himself or by any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or refrain from voting at the plebiscite:

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Provided that the provisions of this regulation shall not extend or be construed to extend to any money paid or agreed to be paid for or on account of any legal expenses *bona fide* incurred at or concerning the plebiscite.

Punishment of bribery, treating and undue influence.

49. (1) Any person who commits bribery, treating or undue influence shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

(2) Any person who is convicted of bribery, treating, undue influence, or personation, or of aiding, abetting, counselling or procuring the commission of the offence of personation, shall (in addition to any other punishment) be incapable, during a period of one year from the date of his conviction—

- (a) of being registered as an elector for any election of members to any Native Authority Council, local council, town council, outer council or other local government body in the Northern Cameroons;
- (b) of being elected as a member of such council or body or, if elected, of retaining his seat as such member.

Offences in respect of ballot papers, etc.

50. (1) Any person who—

- (a) forges or counterfeits or fraudulently destroys any ballot paper or official mark on any ballot paper or any certificate or return; or
- (b) without due authority supplies any ballot paper to any person; or
- (c) fraudulently puts into any ballot box any paper which he is not authorised by law to put in; or
- (d) fraudulently takes out of the polling station any ballot paper; or
- (e) without due authority destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers then in use for the purpose of the plebiscite,

shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

(2) Any attempt to commit any offence specified in this regulation shall be punishable in the manner in which the offence itself is punishable.

(3) In any prosecution for an offence in relation to ballot papers, ballot boxes and marking instruments at the plebiscite the property in such papers, boxes and instruments may be stated to be in the Administrator.

Dereliction of duty by plebiscite officials.

51. Any assistant plebiscite administrator, returning officer, assistant returning officer, presiding officer, polling officer or counting officer who is without reasonable cause guilty of any act or omission in breach of his official duty shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

Requirement of secrecy.

52. (1) Every officer mentioned in regulation 51 and every polling agent and counting agent in attendance at a polling station or at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting.

(2) No such person shall, except for some purpose authorised by law, communicate before the poll is closed to any person any information as to the name or number on the register of voters of any voter who has or has not voted at the place of voting.

(3) No person shall—

- (a) interfere with a voter recording his vote; or

- (b) otherwise obtain or attempt to obtain in a place of voting information as to the particular alternative for which a voter in that place is about to vote or has voted; or
- (c) communicate at any time to any person any information obtained in a place of voting as to the particular alternative for which a voter in that place is about to vote or has voted.

(4) Any person who contravenes or fails to comply with any of the provisions of this regulation shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

53. Any person who votes, or induces or procures any person to vote, at the plebiscite, knowing that he or such person is prohibited by these regulations or by any other law from voting at the plebiscite, shall be guilty of an illegal practice and liable on conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months or to both such fine and imprisonment, and shall be incapable, during a period of one year from the date of his conviction, of being registered as an elector at any election of members of any Native Authority Council, local council, town council, outer council or other local government body in the Northern Cameroons.

Punishment of persons guilty of certain illegal practices.

54. (1) Any person who—

- (a) wilfully and knowingly votes in a registration area in respect of which his name is not on the register of voters; or
- (b) having been issued with a ballot paper in a polling station takes or attempts to take that ballot paper out of the polling station; or
- (c) at the plebiscite brings into the polling station a ballot paper issued to another person,

Voting by unregistered person, removal of ballot paper, etc.

shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

(2) In order to detect whether an offence under paragraph (1) (b) has been committed the presiding officer at any polling station may require a person who has voted to submit to being searched in private by a polling officer or any other person appointed by the presiding officer for the purpose of ensuring that no ballot paper or papers can be taken out of the polling station:

Provided that no female shall be searched except by a female.

55. Any person who is convicted of an offence under regulation 50, 52 or 54 shall be incapable for a period of one year from the date of his conviction—

Disqualification following certain convictions.

- (a) of being registered as an elector for any election of members to any Native Authority Council, local council, town council, outer council or other local government body in the Northern Cameroons;
- (b) of being elected as a member of any such council or body or, if elected, of retaining his seat as such member.

56. Any person who at the plebiscite acts or incites others to act in a disorderly manner for the purpose of preventing or obstructing the conduct of the plebiscite shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Disorderly conduct at the plebiscite.

B 54

Offences on day of the plebiscite.

57. (1) No person shall on the days on which the plebiscite is held commit any of the following acts within a polling station or within a distance of two hundred yards of a polling station, namely—

- (a) persuading any voter to vote or not to vote for any particular alternative;
- (b) persuading any voter not to vote at the plebiscite;
- (c) shouting slogans concerning the plebiscite;
- (d) being in possession of any offensive weapon or wearing any dress or having any facial or other decoration which is calculated to intimidate voters;
- (e) exhibiting, wearing or tendering any notice, symbol, badge, photograph or party card referring to the plebiscite:

Provided that this provision shall not prohibit the retention on a vehicle of a flag of a political party if such flag is furled.

(2) No person shall on the days on which the plebiscite is held—

- (a) convene, hold or attend any public meeting; or
- (b) operate any megaphone, amplifier or public address apparatus for the purpose of making announcements concerned with the plebiscite (unless he is an officer carrying out duties in relation to the plebiscite and making official announcements).

(3) Any person who contravenes or fails to comply with any of the provisions of this regulation shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

Improper use of vehicles.

58. (1) No person shall provide for the purpose of conveying any person to a polling station any Government or local government or local authority vehicle or boat or any vehicle or boat belonging to a public corporation except in respect of a person who is ordinarily entitled to use such vehicle or boat and upon payment of the usual charges.

(2) Any person who contravenes the provisions of paragraph (1) shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Attempts to mislead the public in relation to the plebiscite.

59. Any person who publishes in writing any matter which is reasonably calculated to deceive the public as to any matter for which the order or these regulations provide shall be guilty of an offence and liable on conviction to a fine not exceeding twenty-five pounds or to imprisonment for a term not exceeding three months or to both such fine and imprisonment:

Provided that no prosecution for an offence under this regulation shall be commenced without the consent of the Legal Secretary of the Northern Cameroons.

Interference with lawful public meeting.

60. Any person who, at a lawful public meeting held in connection with the plebiscite between the date of publication of the notice appointing the days for the holding of the plebiscite under these regulations and the date at which the result of the plebiscite is published, acts or incites others to act in a disorderly manner for the purpose of preventing the transaction of the business for which the meeting was called together shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months or to both such fine and imprisonment:

Provided that no prosecution for an offence under this regulation shall be commenced without the consent of the Legal Secretary of the Northern Cameroons.

MADE at Mubi this 18th day of December, 1960.

P. WYN-HARRIS,
Administrator of the Northern Cameroons

ANNEX XX. Administrative Instructions for Presiding and Polling Officers

NORTHERN CAMEROONS PLEBISCITE

FEBRUARY 11th AND 12th 1961.

ADMINISTRATIVE INSTRUCTIONS FOR PRESIDING
AND POLLING OFFICERS

INTRODUCTION

You are about to start a Training Course to enable you to carry out the duties of an Official in the Northern Cameroons Plebiscite for which the polling days are 11th and 12th of February, 1961.

On that day the men and women of the Northern Cameroons who have registered their names as voters will come to the Polling Stations to choose, by secret ballot, between these two questions.

EITHER

Do you wish to achieve Independence by joining
the Independent Republic of Cameroun

OR

Do you wish to achieve Independence by joining
the Independent Federation of Nigeria.

For publicity purposes and to differentiate the Polling Boxes a colour has been allocated to each Alternative.

The colour for the Independent Republic of Cameroun
is - PINK

The colour for the Independent Federation of Nigeria
is - BLACK.

During the next week, you will receive Training in all the aspects of your duties, and, depending upon how well you do you will be appointed either a Supervisory Officer, a Presiding Officer, or a Polling Officer.

Your pay during training, travelling, and preparation will be at the rate of 7/6d per day.

Your pay when on duty ^{to} commence on the 8th of February (when you will reach your station) and to cease on the day that you hand over your polling boxes after the completion of voting ⁷ will be at the rate of £1 per day for Supervisors, 15/- per day for Presiding Officers and 10/- per day for Polling Officers. You will be given allowances for your Carriers.

This is a very important duty, and you are being well paid to carry it out efficiently. See you do your best.

The Northern Cameroons, for the purpose of the Plebiscite, has been divided into three Areas, - North, Central and South, under the charge of Assistant Plebiscite Administrators stationed at BAMA, MUBI and GANYE.

Each of these areas has been sub-divided into a number of Plebiscite Districts, as follows.

- | | |
|----------------|----------------------|
| <u>North</u> | A. Dikwa North |
| | B. Dikwa Central |
| | C. Gwoza |
| <u>Central</u> | D. Cubunawa/Madagali |
| | E. Mubi |
| <u>South</u> | F. Chamba |
| | G. Gashaka/Toungo |
| | H. Mambilla |
| | J. United Hills. |

Each Plebiscite District, which is under the charge of a Returning Officer, has been divided into a number of Polling Areas, which correspond to the Registration Areas used for registering voters. In each Polling Area is a Polling Station, with one or more voting units, depending upon the number of people expected to vote at each place.

- (1) A Returning Officer is in charge of a Plebiscite District.
- (2) An Assistant Returning Officer will assist the Returning Officer in his duties.
- (3) A Supervisor is in charge of a number of Polling Stations.
- (4) A Presiding Officer is in charge of a Polling Station.
- (5) A Polling Officer will assist a Presiding Officer in his duties.

The purpose of this organisation of which you will form an important part is to allow the maximum number of men and women who have registered their names to vote in the Plebiscite, to cast their votes in secret at the appropriate polling stations for one or other of the alternatives. All your activities will be directed to this end.

The purpose of the instructions which follow is to explain the things which you must do, before, during, and after the polling days, and to explain to you how to set about your work. These instructions will be fully explained to you in the Course which is about to begin; -

MAKE SURE THAT YOU UNDERSTAND THEM.

A set of Regulations has been issued by H.H. the Administrator of the Northern Cameroons which makes lawful the voting operation. The Instructions in this paper are based upon the Regulations. The Regulations which particularly apply to your work are set out in full (Appendix A) to these Instructions.

A list of the more important Plebiscite Offences will also be found at the back of these instructions (Appendix B) They are for your information and guidance.

REMEMBER THAT AT THIS PLEBISCITE ONLY THOSE MEN AND WOMEN WHOSE NAMES APPEAR ON THE REGISTER GIVEN TO YOU MAY VOTE AT YOUR POLLING STATIONS.

BEFORE POLLING DAY.

1. Attend the course of Instruction.
2. Study these Instructions and the Regulations.
3. Receive certain items of equipment from the Returning Officer in charge of your course, and sign for them.
(Appendix C)
4. When your training is complete take your equipment and go to the Polling Station to which you have been allocated. Seek out the Village Head and introduce yourself. Make sure that the Polling Station is properly built. If it is not, put it in order. (You will be shown a model Polling Station during your course)
A plan is attached to these instructions (Appendix D)
5. Train and instruct your Polling Marshals and Female Searchers, in their duties.

During the Voting, put one Polling Marshal at the entrance gate to see that the voters enter the station in a proper manner. Put another inside the enclosure to control the approach of the voters to the Presiding Officer's table. Place the third marshal at the exit to see that no one enters the station that way 7

POLLING DAYS

Voting will take place over two days. Saturday 11th February and Sunday 12th February. The Polling Station will be open between the hours of 7 o'clock in the morning and 5 o'clock in the evening. During these times the station must NOT be left unattended.

You will have received all your equipment (Appendix C) from your returning officer, who will have shown you how to use it. CARRY OUT ALL HIS INSTRUCTIONS EXACTLY.

The Village Headman and his people will have been told all about the place and time of voting by posters and publicity agents. The men have been asked to come on the first day (11th February) and the women on the second day (12th February). The reason for this is to avoid congestion at the polling station, and to make your work easier. It has been decided that a polling station can handle up to 650 people in one day. The numbers of polling stations in an area have been calculated on this basis.

BUT. Although we have asked men to come on the first day and women on the second, you must NOT prevent them from voting if they come on the wrong day. That is why the waiting area in the Polling Station has two compartments - the large one for men on the first day and women on the second day. The small one for women on the first day and men on the second day.

CONDUCT OF THE POLL 1ST DAY

A.

Just before voting begins fasten Plebiscite (Voting) Form 'B' (Reg. 7 f) outside the entrance to the Polling Station. You must show the ballot boxes to any person present so that he can see that they are empty. Unlock your security box and take out the unpainted seal, the sealing ~~wax~~ and matches. Relock the security box.

Then lock the boxes in public and attach the Forms K. & L. to the boxes ~~of~~ their own colour. Then go into the polling booth with the Polling Agents, and fix the two Ballot Boxes inside it. REMEMBER The Black Box should be on the left, towards Nigeria, and the Pink Box should be on the right towards Cameroun. There ~~may~~ be a polling agent for each alternative, representing the political parties which favour each side. They will be in possession of papers of Appointment (Form D). They should be allowed to sit in the enclosure behind you. Their duties are listed in Appendix E.

B. Go to your table and again open up your security box, which will contain the documents and equipment, and will have been kept locked with the key in your possession. Take out your Register of voters, stamps, ink, pads etc and then in front of the Polling Agents, and any other official who may be present open your sealed packets of Ballot Papers.

C. The voters will be made to sit down in the waiting enclosures under the control of a Polling Marshal who will form them into a line and allow them to move past your table. Those with Registration cards will take priority over those without.

D. The voters will come to you one by one

- (1) Check each man or woman's name against the Register of Voters given to you by the Returning Officer. Call out the name and Number from the Register.
- (2) If you are satisfied that he is entitled to vote, put a line through his name on the Register of Voters.
- (3) Mark the Ballot Paper with the Official Secret Stamp (if you do not do this the vote cannot be counted).
- (4) Mark the Registration Card with the Official Secret Stamp and return it to the Voter.
- (5) Mark the NUMBER ONLY of the voter as shown in the Register on the counterfoil of the ballot paper you are going to give him or her.

NOTE If you suspect that the voter already has a ballot paper on his person you may have him searched in private in the zana mat enclosure provided. If the voter refuses he or she must NOT be allowed to vote. Women must of course be searched by the Female Searcher, provided by the Village Head.

E. If a Polling Agent (whose duty it is to detect impersonation) suspects that a man is voting in another man's name he can ask you to put the following questions to the Voter.

- (a) Are you the person who is on the Register of Voters, as follows
(Reading the copy of the entry in the Register)
- (b) Have you already voted at the Plebiscite at this or any other Polling Station ?

YOU MUST NOT ADD ANY MORE QUESTIONS

F. When the voter has been given his paper, but before he enters the Polling Booth, you must paint his left little finger with brush and ink provided.

G. Then tell the voter to go ALONE into the Polling Booth and put his paper in the box of his choice.

H. As soon as the voter has voted he must leave the Booth and go away from the Polling Station.

I. IMPORTANT POINTS TO REMEMBER WHEN A VOTER APPLIES TO VOTE

- (1) A voter must vote, IN PERSON, at the polling station.
- (2) A voter can only vote at that polling station which is in the Registration Area where he Registered. i.e. If his name is on the list supplied to you by the Returning Officer.
- (3) An officer on plebiscite duty may vote at the Polling Station where he is working, provided that he has filled in Form P, and given it to the Returning Officer, during the Course, who has issued a FORM Q, which the Presiding Officer of the Polling Station where he works, has in his possession.
- (4) If a Polling Agent tells you that a man who is applying for a ballot paper, or even a man who has already received one but has not left the Polling Station, is voting in another man's name, the Presiding Officer has the power to order his arrest, PROVIDED that the Polling Agent states, IN WRITING, that he will substantiate the charge in a Court of Law.

You must warn the man accused that if he is found guilty of voting in another man's name he will be liable to a fine of £50 and imprisonment for six months. If he does not admit the offence you must allow him to vote, but you must mark against his name in the register the words, "Protested against for impersonation."

If the man accused admits the offence you must not allow him to vote, but if he has already voted you must make a note of the number of the ballot paper given to him and show it as invalid in your Return of the Ballot Papers Account to the Returning Officer, and also fill in the statement of Invalid Ballot Papers (Form H).

- (5) If a man applies for a ballot paper after another has voted in his name and you are satisfied, after questioning him, that some other person has voted in his place, he must be given a SPECIAL BALLOT PAPER called a TENDERED BALLOT PAPER. You will write his or her NAME and NUMBER on the back of the paper, write the number on the counterfoil and allow the person to vote in the usual way. The name and number of the person will then be entered on the Tendered Votes List (Form F).

J. The following are important points to remember when a voter has got his ballot paper:-

- (1) A voter must not be allowed to mark his ballot paper in any way. If he damages or spoils it by accident you can give him another ballot paper in place of the spoilt one, which you must then cancel and keep separately.
- (11) If the voter is blind or disabled you can go into the booth with him and help him to vote (Reg.19)

- K. (1) If your Polling Marshals are registered to vote at your own station you (the Presiding Officer) yourself must supervise the voting formalities of these officers, and if you yourself are registered at your own station you must inform your Assistant Returning Officer in good time so that he can arrange to have your own voting formalities supervised.
- (11) If you or other Plebiscite Officials are registered at another polling station which is nearby, you and your officers can go there to vote if it is convenient on the polling day.

- (iii) If it is not convenient for you or the other Officials to go to vote at the polling station where you registered, you may enter their name on your Register and allow them to vote if they have a Form Q.

You must control through your Polling Marshals the admission of voters to the polling station, and you must keep out all other persons who have no right to be there. You must maintain order at the station, and if anyone misconducts himself or fails to obey a lawful order you (the Presiding Officer) have the power to have him removed from the station and he cannot return during the day except with your permission.

If such a person has committed any offence in the polling station he can be arrested on your authority. You must not, however, use your authority to prevent any voter who is entitled to vote from having the opportunity to do so.

M.

BUT REMEMBER THAT:

- (a) You must at all times be courteous and helpful towards the voters.
- (b) It is not your job to judge disputes because these can be settled in a court of law.
- (c) You must do everything to facilitate the voting of people who are eligible to vote.

If the proceedings at your polling station are interrupted during polling hours by riot or other serious trouble, you (the Presiding Officer) must adjourn the proceedings until later in the day or until the following day. Then, after locking up the ballot boxes, ballot papers and other plebiscite items, you must at once report the matter to your Returning Officer.

WHAT TO DO AFTER POLLING IS ENDED ON THE FIRST DAY

- (i) At 5 o'clock you must order that the entrance gate is closed, and only people already inside the enclosures will then be allowed to vote.
- (ii) Immediately voting is over, you will in the presence of the Polling Agents, and any authorised persons present, close and seal the two voting boxes with the wire, clamp and seal provided.

- (iii) Your unused ballot papers will be put into the envelopes provided sealed with the red painted seal, and put into the Security Box.
- (iv) The other papers and equipment will all be put into their envelopes, but NOT sealed, and placed in the Security Box.
- (v) The Security Box will then be locked, and sealed with the wire, clamp, and seal provided.
- (vi) The clamp will then be placed in an envelope sealed with the red painted seal.
- (vii) The red painted seal will then be destroyed. This will ensure that nobody can disturb the clamp overnight.
- (viii) You will take the polling boxes and the security box and the clamp, to your house, and you will ensure that either the Presiding Officer and a Polling Marshal, or the Polling Officer and a Polling Marshal, shall remain with it all night. THESE BOXES ARE SECURITY no one else should be allowed in the room with them during the night.

CONDUCT OF THE POLL 2ND DAY

At 7 o'clock on the morning of Sunday 12th February you will again open the Polling Station, and, using the SECOND set of boxes, proceed exactly as you did during the first day.

WHAT TO DO AFTER POLLING IS ENDED
ON THE SECOND DAY

- (i) At five o'clock you will again order the closing of the entrance, and only allow people within the enclosure to vote.
- (ii) Immediately the voting is over you will, in the presence of the Polling Agents and any other authorised persons present, close and seal the two voting boxes with the wire, clamp, and seal provided.
- (iii) Your unused ballot papers will be put into an envelope, marked and sealed with the remaining seal.

(iv) The following will then be made up into packages, sealed with the seal and marked with the contents.

- (a) Marked Register of Voters, together with any Forms Q which have been received.
- (b) The counterfoils of the used Ballot Papers.
- (c) The Tendered Votes List (Form F)
- (d) The unused and spoil Ballot Papers, for both days, placed all together.
- (e) Statement of Ballot Papers noted Invalid, for both days.
- (f) Any Ballot Papers left inside the Polling Booth, which were not put in the Ballot Boxes, after you have ~~cancelled~~ them by putting a red cross on the Front of the paper.
- (g) The Ballot Paper Account.
(Any Polling Agent present may check the Account if he so wishes before you seal it up - but he must sign it after doing so).

All these packages, properly sealed and marked, together with the rest of your equipment should be locked in the Security Box. The Security Box, plus the four Ballot Boxes will be taken to the Returning Officer.

HE WILL INSTRUCT YOU, DURING YOUR COURSE, HOW TO CARRY THEM, AND WHERE TO TAKE THEM.

BEFORE YOU LEAVE YOUR POLLING STATION COLLECT THE BAFT AND RETURN IT, WITH THE REST OF THE EQUIPMENT, TO THE RETURNING OFFICER.

NOTES FOR POLLING OFFICERS

RIGHTS OF POLLING AGENTS

A Polling Agent is a person appointed under Regulation 10 of the Northern Cameroons Plebiscite (Voting) Regulation 1960 for the purpose of detecting personation at the poll:

He will be issued with a letter of Appointment (Form E).
He will only be allowed to exercise the rights of a polling agent if he can produce this letter to the Presiding Officer i/c of his polling station.

1. A Polling Agent's principal Right is to observe.
2. A Polling Agent may be present at the opening of the sealed packets of Ballot Papers at the commencement of polling on both days [Reg. 11(2)] [Reg. 32(1)]
3. A Polling Agent may sit in the enclosure, behind the Polling Officers, [Reg. 27] - He shall not be allowed into any other part of the Polling Station.
4. A Polling Agent may see that the Ballot Paper when issued, is marked with the appropriate Official Mark. [Reg. 13(a)].
5. A Polling Agent may require a Polling Officer to ask a Voter applying for a Ballot Paper, at the time of his application, only, the following questions -
 - (a) Are you the person who is on the register of Voters as follows?
[Reading the copy of the entry in the register]
 - (b) Have you already voted at the Plebiscite at this or any other polling station? [Reg. 14]
6. A Polling Agent may at the time a person applies for a ballot paper, or after he has applied but ~~before~~ he has left the polling station, declare to the Presiding Officer that he believe that person has committed the offence of impersonation [i.e. he has pretended to be some other man so as to vote in that man's name].

If the Polling Agent undertakes, in writing, to support his charge in a Law Court, the man may be arrested on the order of the Presiding Officer. [Reg. 23]

7. A Polling Agent may observe the sealing and closing of the ballot boxes and the security box at the close of polling on both days.
8. A Polling Agent may seal the security box after it has been sealed by the Presiding Officer, with his own seal.
9. A Polling Agent may verify the Ballot Papers Account, after it has been prepared by the Presiding Officer. If he does this he must sign the Account.

THESE ARE THE ONLY RIGHTS OF THE POLLING AGENTS.

SHOULD THEY ATTEMPT TO INTERFERE IN ANY OTHER WAY

WITH THE CONDUCT OF THE POLL YOU MAY ORDER THEM TO BE

REMOVED UNDER REGULATION 28.

NORTHERN CAMEROONS PLEBISCITE ADMINISTRATION

INSPECTION OF POLLING BOOTH.

During the course of polling a Presiding or Polling Officer will enter the booth every half hour to examine it. Any polling papers lying outside the box will be collected and removed. Any papers stuck in the slot will be pushed into the box.

The Polling or Presiding Officer may also, if the box appears to be overflowing push down the papers inside with a thin stick.

The Polling Agents may accompany him into the booth to watch. They must not touch the papers or the boxes or approach within four feet of them.

ANNEX XXII. Counting Instructions Nos. 1-3

COUNTING INSTRUCTIONS 1.

It is to be understood that these Instructions lay down a guide, the principles of which should be followed, but it is appreciated that local conditions may well determine variations.

The object of the operation is to render an accurate and speedy return of the ballot papers count in each Plebiscite District.

For reasons of ballot secrecy it has been decided that the results shall be announced to the Public, NOT by Polling Stations but by Plebiscite Districts. - thus nine separate results will be announced.

For record purposes it will be necessary to count each Polling Station separately, and record the total votes cast for each alternative.

A code system has been instituted whereby the votes for each polling station will be recorded under a code, NOT, under the name of the Polling Station. This is to ensure that the secrecy of the ballot is maintained and that the actual voting, village by village is known only to officials holding the code-key.

Under no circumstances must this information be divulged to any unauthorised persons. The officials holding the key will be the (i) Plebiscite Administrator, (ii) the United Nations Commissioner, (iii) the Returning Officer i/c each Count, and (iv) the United Nations Observer in attendance.

After the close of the poll on the second day the Presiding Officers will be responsible for bringing the ballot boxes in to the counting or collecting centre with all speed. A receipt will be given to the Presiding Officer by the official who receives his four boxes.
(Appendix A)

Counting will commence so soon as the first half of the boxes for the Plebiscite District has been received at the counting station, and will proceed without break until this part of the count is completed. When the second half of the boxes have been received the completion of the count will take place.

A plan of a suggested counting centre is attached and the notes that follow are based upon some similar lay-out. (Appendix B).

At one end of the room a space is reserved for the collection of sealed boxes. When the time for counting comes the seals on these boxes will be broken by the Chief Returning Officer, or Returning Officer in charge of the count, and the lid, covering the slot, raised. The Form K or L, will be removed, reversed, and fastened by Celotape to the front of the box, and the appropriate code number for the polling station (as disclosed by the Top Secret attachment to this instruction) written thereon. The Counting Agents may watch this operation from a distance but care must be exercised to ensure that they do not see which code number has been allocated to which Polling Station.

After the boxes have been so dealt with, they should be issued, Polling Station by Polling Station, to each pair of Counting Assistants, unlocked, and counted; first the 2 Pink Boxes, then the 2 Black Boxes, - and the results recorded on the Tally Sheets, in Triplicate. (Appendix C). One copy shall be kept by the Counting Assistants, and two passed to the Official Recorder's Table. There the Ballot Paper Count Form (Appendix D) will be filled in. The Returning Officer, in charge will there verify the Ballot Paper Account.

As soon as the result of a Polling Station has been approved by the Returning Officer in charge he shall send by Army Signal, a message on the lines of the Instruction to this letter (Appendix E) to ADPLEB MUBI.

After all the boxes have been counted, and the Ballot Paper Count certified, the Returning Officer in charge should publish the number of votes count for each alternative at his Headquarters and forward by signal this final figures to Mubi. The Ballot Paper Count will be signed and forwarded in Quintuplicate to Deputy Plebiscite Administrator by Land Rover, with copies of Appendix C attached.

APPENDIX A.

FORM OF RECEIPT

BALLOT BOXES

This is to certify that I have this day
received four locked and sealed ballot boxes from
..... Polling Station.

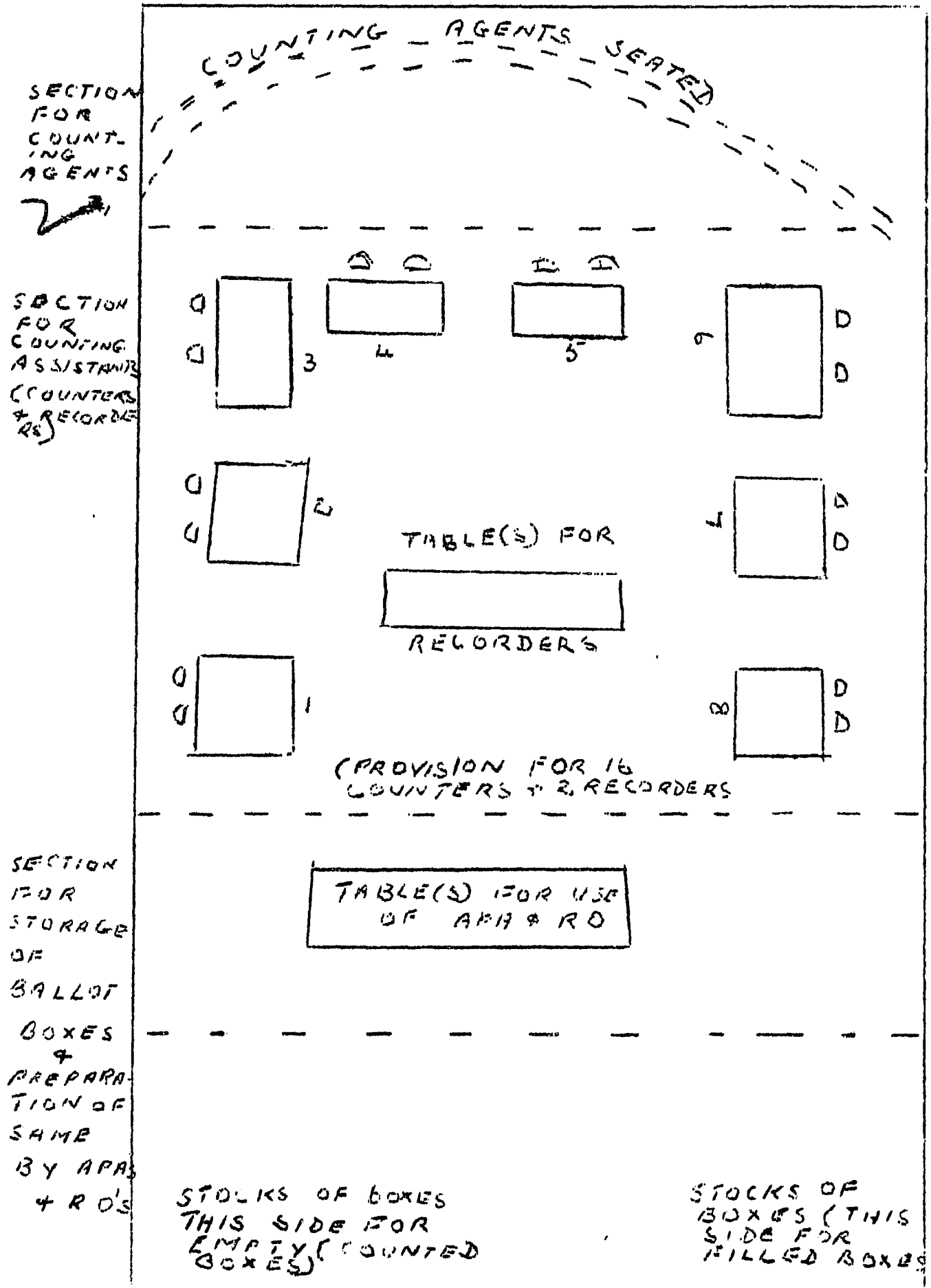
Assistant Returning Officer
Receiving.

Date

Presiding Officer
Handing Over.

APPENDIX B

SUGGESTED PLAN FOR ARRANGEMENT OF COUNTING ROOM



APPENDIX C.

(TALLY SHEET FOR INDIVIDUAL POLLING STATIONS)

CODE NO. _____			
	NIGERIA (BLACK BOX)	CAMEROUN (PINK BOX)	TOTALS
<u>VALID BALLOTS</u>			
# REJECTED BALLOT PAPERS →			
## CANCELLED BALLOT PAPERS →			
XXX TOTAL BALLOTS →			
TENDERED BALLOT PAPERS →			#####

Notes:

#

REJECTED BALLOT PAPERS are those found inside ballot box without official mark; they must be marked rejected only by a Returning Officer.

##

CANCELLED BALLOT PAPERS are NOT recorded by Counting Assistants; these are recorded by official recorders, from the Ballot Papers Account.

COUNTING INSTRUCTIONS 2.

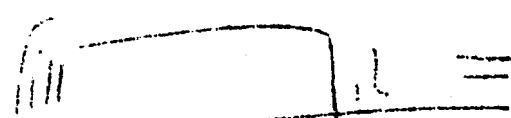
BALLOT PAPERS ACCOUNT.

It will be noted that the Ballot Papers Account (Form G) is divided, by a seration, into two sections, each with a printed space for the code number. The top section contains spaces for various particulars and the bottom section is to be filled in as the form of account.

Under Regulation 39 of the Northern Cameroons Plebiscite (Voting) Regulations, Counting Agents shall see the verification of the ballot papers account after the polling station has been counted. This form has been evolved in such a way as to ensure that they are unable to relate the name of the Polling Station to the actual boxes being counted.

The method of dealing with it shall be as follows:-

- (i) The envelope containing the Ballot Papers Account will be opened and the appropriate code number for the Polling Station inscrted in the two squares so provided.
- (ii) The Paper will be divided into two portions across the seration. The top half will be placed in an envelope, suitably marked, and the bottom half placed on the recording officers table.
- (iii) After the account has been verified the bottom half will be placed in the same envelope which will be sealed, and shall form part of the records of the count.


Deputy Plebiscite Administrator.

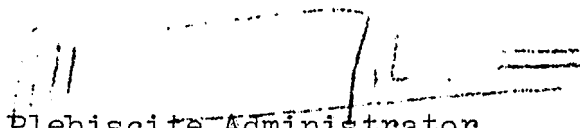
COUNTING INSTRUCTIONS 3.

SPOILT PAPERS.

Attached for reference is Appendix C to Counting Instructions 1.

My attention has been drawn to the fact that no provision is made **in** the form for the recording of 'spoilt' papers.

I draw your attention to Regulation 18. It is laid down that any 'spoilt paper' shall be immediately cancelled. It follows, therefore, that when Appendix C is being compiled, the spoilt papers, having been cancelled, shall be accounted for in the cancelled column.


Deputy Plebiscite Administrator.

NORTHERN CAMEROONS PLEBISCITE ADMINISTRATION

APPENDIX 'C'

(TALLY SHEET FOR INDIVIDUAL POLLING STATIONS)

CODE NO.

	NIGERIA (BLACK BOX)	CAMEROUN (PINK BOX)	TOTALS
VALID BALLOTS			
/// REJECTED BALLOT PAPERS			
/// CANCELLED BALLOT PAPERS			
XXTOTAL BALLOTS			
TENDERED BALLOT PAPERS			///

NOTES:

~~///~~ REJECTED BALLOT PAPERS are those found inside ballot box without official mark; they must be marked rejected only by a Returning Officer.

~~///~~ CANCELLED BALLOT PAPERS are NOT recorded by Counting Assistants; these are recorded by official recorders, from the Ballot Papers Account.

ANNEX XXIII. Instructions to Counting Officers

INSTRUCTIONS TO COUNTING OFFICERS

A. (Counting of Ballots from Ballot Boxes)

1. Returning Officer arranges for delivering of set of four boxes, (two red, two black) to the two counting officers at their table.
2. Counting Officers check that the four boxes all bear the same code numbers.
3. Counting Officer records the code number on the tally sheet (Appendix 'C') which is kept in triplicate.
4. Returning Officer tips out the contents of the boxes into two heaps - one heap from the two black boxes and one heap from the two red boxes - and shows counting agents that the boxes are empty.
5. Ask the Returning Officer for the serial numbers of the invalid ballot papers (if any).
6. Returning Officer arranges for the 4 boxes to be removed from the table and takes away to the empty box area.
7. The ballots from the pink box are dealt with first.
8. Find, remove and count the invalid ballot papers (if any) and record how many on appendix C, and then put them in an envelope marked "Invalid Ballots from Pink box code number....."
9. Turn the ballots face upwards (i.e. the serial number on each ballot paper cannot then be seen)
10. Check that all ballots are stamped with the official rubber stamp and that all ballots are "E Mubi" (or "D Cubunawa Madagali" when checking ballots from Cubunawa Madagali boxes).
11. Remove any ballots to be rejected (including tendered ballots to be rejected) (i.e. those ballots without official rubber stamp) including any spoilt or mutilated ballots (including spoilt or mutilated Tendered Ballots) (i.e. those on which the serial number cannot be seen and those on which anyone has written his name) **count** them and record how many on Appendix C.

12. Remove any Tendered Ballot Papers, and count and record them on appendix C (which must be adapted to show they come from the pink box) and put them in an envelope marked "tendered ballots from Pink box Code number....."

13. The remainder of the ballots, which should now all be "valid", are then counted, with their faces upwards, (and stapled in twenties) and the total recorded on Appendix "C" and then put in an envelope marked "valid ballots from pink box code number....."

14. The Chief Returning Officer is then called so that he can endorse the word "rejected" on all rejected ballot papers. These papers are then put in an envelope marked "mutilated and rejected ballots from Pink box code number....."

15. The ballots from the black box are dealt with next, following the same system as when dealing with the ballots from the pink box.

16. All the envelopes unsealed, together with two copies of Appendix 'C', are then delivered to the Returning Officers table, and the Returning Officer should be asked for the next set of four boxes.

Chief Returning Officer
Mubi and Cubunawa Madagali Plebiscite
District.

ANNEX XXIV. Northern Cameroons Plebiscite (Voting Petitions)
Regulations, 1961

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Northern Cameroons Gazette No. 3, Vol. 2, 11th February 1961—Supplement Part B

N.C.L.N. 3 of 1961

THE NORTHERN CAMEROONS PLEBISCITE
ORDER IN COUNCIL, 1960

THE NORTHERN CAMEROONS PLEBISCITE (VOTING
PETITIONS) REGULATIONS, 1961

Date of Commencement: 11th February, 1961

In exercise of the powers conferred by Article 4 of the Northern Cameroons Plebiscite Order in Council, 1960, the following regulations are hereby made:—

1. These regulations may be cited as the Northern Cameroons Plebiscite (Voting Petitions) Regulations, 1961. Title.

2. In these regulations, unless the context otherwise requires— Interpreta-
tion.
“assistant plebiscite administrator” means a person appointed as such under Article 6 of the Order;

“the Court” means a Special Court constituted under Article 7 of the Order;

“the Order” means the Northern Cameroons Plebiscite Order in Council, 1960; N.C.L.N. 2
of 1960.

“register of voters” means a register of voters prepared under the provisions of Article 5 of the Order;

“registration area” means a registration area established under regulation 3 of the Northern Cameroons Plebiscite (Registration) Regulations, 1960; N.C.L.N.
5 of 1960.

“returning officer” means a person appointed as such under Article 6 of the Order;

“tendered votes list” means a tendered votes list prepared in accordance with regulation 26 of the Northern Cameroons Plebiscite (Voting) Regulations, 1960. N.C.L.N.
6 of 1960.

3. (1) Any person may petition the Court who, being registered as entitled to vote in any registration area, complains— Lodging of
petitions.

(a) that any person voted in that registration area who was not entitled so to vote;

(b) that his vote was only accepted on the tendered votes list;

(c) that any corrupt or illegal practice or any offence of bribery, treating or undue influence (within the meaning given to those expressions in the Northern Cameroons Plebiscite (Voting) Regulations, 1960) has been committed in that registration area. N.C.L.N. 6
of 1960.

(2) Petitions shall be lodged not later than 20th February, 1961, by the petitioner in person at the office of the Administrator in Mubi or the assistant plebiscite administrator at Bama or Ganye.

(3) Petitions shall be in the form prescribed in the Schedule, and shall be lodged in quadruplicate, together with as many additional copies as there are respondents. Schedule.

(4) Where a petition complains of the conduct of any plebiscite official he shall for all purposes be deemed to be a respondent.

(5) Upon receiving a petition the Administrator or assistant plebiscite administrator shall—

(a) give a receipt for the petition;

(b) forward the original of the petition to the Court;

(c) forward a copy to the returning officer for the registration area to which the petition relates;

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- (d) forward a copy to the United Nations Plebiscite Commissioner or his representative; and
 - (e) cause a copy to be served on each person named as a respondent in the petition if such person can be found.
- Service of petition. 4. Before proceeding to determine any petition the Court shall satisfy itself that every person required by these regulations to be served with a copy of the petition has been so served, or if such person cannot be found or has evaded service the Court shall satisfy itself that all reasonable efforts have been made to effect service, and may in its discretion direct what action, including an order for substituted service, shall be taken to effect service in any particular case.
- Security for costs. 5. The Court may require any person lodging a petition to give security for costs, in such manner and to such amount as the Court may direct, and where the Court so requires no petition shall be entertained until such security be given.
- Notification of time and place of trial. 6. The time and place of trial of each petition shall be fixed by the Court, and notice in writing thereof shall—
 - (a) be posted in a conspicuous place in the vicinity of the place of trial;
 - (b) be published in the registration area to which the petition relates; and
 - (c) be sent by post to the petitioner and to each person named as a respondent.
- Amendment of petition. 7. (1) Upon application by the petitioner the Court may in its discretion allow the petitioner to amend the petition upon such terms, as to costs or otherwise, as may seem just.
 (2) Application for leave to amend the petition shall be made by motion on notice to each person named as a respondent in the petition.
- Power of Court to summon witnesses, etc. 8. The Court may order the attendance of any person as a witness at the hearing of a petition, and shall for the purposes of compelling the attendance of any person before the Court to give evidence and of maintaining order during the hearing have the same powers as the High Court in the exercise of its civil jurisdiction.
- Production of documents. 9. At the trial of a petition the Court may order the production and inspection of any ballot papers, counterfoils, tendered votes list and register of voters and the production of any sealed packets containing the same, and may open such sealed packets:
 Provided that in making an order under this regulation and carrying it into effect the Court shall endeavour to ensure that the way in which any particular voter voted or wished to vote is not disclosed until it is proved that his vote was given and the vote is declared by the Court to be invalid or, in a case where it is complained that a vote was only accepted as a vote in the tendered votes list, until it is proved that the person was not entitled to vote.
- Intervention by Administrator. 10. Upon giving notice to the Court, the Administrator or any person appointed by him for that purpose shall be entitled, upon such terms as the Court may decide, to be heard upon any matter relating to a petition and to examine witnesses and to call evidence.
- Determination of petitions. 11. The decision of the Court on any petition lodged under the provisions of these regulations shall be final.
- Notification of decision. 12. (1) The decision of the Court in respect of any petition, including the findings upon the facts of the case, shall be transmitted to the Administrator in accordance with paragraph (1) of Article 9 of the Order.

(2) A copy of the decision, including the findings upon the facts of the case, shall be transmitted to the United Nations Plebiscite Commissioner.

13. Subject to the express provisions of these regulations, the practice and procedure of the Court in relation to a petition shall be assimilated as nearly as may be to the practice and procedure of the High Court in the exercise of its civil jurisdiction, and the Supreme Court (Civil Procedure) Rules shall apply with such modifications as may be necessary to render them conveniently applicable, as if the petitioner and the respondent were respectively the plaintiff and the defendant in a civil action.

Procedure generally.

Volume X,
1948 Laws of
Nigeria.

14. Any person who by abuse of the process of the Court attempts to impede, frustrate or delay the obtaining of the result of the plebiscite in any registration area shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Abuse of
process of
Court.

SCHEDULE

FORM OF PETITION

In the Special Court of the Northern Cameroons.

PETITION

concerning the plebiscite voting in.....
.....registration area of the.....
plebiscite district.

The petition of.....
of
(insert a sufficient postal address for effective service of any process by the Court)
whose name is subscribed hereto and who was registered as being entitled to vote in the
aforesaid.....
registration area.

1. Your petitioner claims that—

*(a) the person named below, who was not entitled so to vote, voted in the above mentioned registration area:—

Particulars

Name.....

Address.....

*(b) the petitioner's vote was only accepted as a vote on the tendered votes list.

*(c) the offence(s) specified below was/were committed by the person(s) named below in connection with the holding of the plebiscite in the above mentioned registration area:—

Particulars

2. And your petitioner prays that

(here state the relief which the petitioner seeks from the Court)

DATED this.....day of....., 1961.

SIGNED.....

Petitioner

*Delete whichever is not applicable.

MADE at Mubi this 25th day of January, 1961.

P. WYN-HARRIS,
Administrator of the Northern Cameroons

ANNEX XXV. The Constitutional Arrangements for the Implementation
of the Decision at the Plebiscite



THE NORTHERN CAMEROONS PLEBISCITE 1961
THE CONSTITUTIONAL ARRANGEMENTS
FOR THE IMPLEMENTATION OF
THE DECISION AT THE PLEBISCITE

Printed By the Authority of the Administrator

P. Wyn Harris
Administrator

Government Lodge
Mubi

16th January, 1961

QUESTION

Do you wish to achieve independence by joining the independent

REPUBLIC OF CAMEROUN ?

The following communique is published by the Administrator of the Northern Cameroons on the basis of the approach which has been made to the Government of the Republic of the Cameroun by Her Majesty's Government, asking the Government of the Republic to state what steps would be taken at the appropriate time for the implementation of the decision of the people of the Northern Cameroons should the Plebiscite be in favour of joining the Republic of Cameroun.

The Government of the Cameroun Republic have officially stated that "the basis of unification will be freely negotiated immediately after the Plebiscite and may be either:

- (a) Federation as agreed for the Southern Cameroons or
- (b) Provincial autonomy with an Administration depending on the Central Government of the Federal Republic or
- (c) Administrative Unification in the form of collective Regional or Provincial authorities, within the framework of the Present constitution of the Republic of Cameroun."

The Government of the Republic have further stated that "the procedure for constitutional modification at present in force in Republic of the Cameroun will be put into effect when the time comes in order that this unification should be realized.

With regard to the arrangements for federation agreed for the Southern Cameroons which is one of the choices offered by the Government of the Cameroun Republic to the Northern Cameroons, the President of the Republic, Monsieur Ahamadou Ahidjo, Mr. J. N. Foncha, Premier of the Southern Cameroons and Monsieur Charles Assale, Prime Minister of the Cameroun Republic, in a joint communique issued after their meeting from the 10th to the 13th October, 1960, made the following declaration :

1. That they wish to use every available means to bring to a successful conclusion the task of national re-unification which they have set themselves.
2. That in no case will the United Cameroun be a part either of the French Community or the British Commonwealth.
3. That they wish to create a Federal State whose institutions could be broadly outlined as follows:-

The Federal United Cameroun Republic will be a democratic state. It will have its Motto, its anthem and its flag. The nationals of the Federal State will enjoy Cameroonian nationality. The Federal State in the first stage will have power to deal with matters listed below as a minimum:-

- Public freedoms
- Nationality
- National defence
- Foreign affairs
- Higher education
- Immigration and emigration
- Federal Budget
- Post and Telecommunications

A list of powers which would fall within the competence of the Federal Government in the second stage will be set out in the Constitution.

The Federal Authorities will be composed of:

- a Federal Executive headed by the President of the Republic, Chief of the Federal State
- Federal Legislature consisting of a Federal Legislative Assembly and a Federal Senate.

(Continued on the last page)

QUESTION

Do you wish to achieve independence by joining the independent

FEDERATION OF NIGERIA?

The following communique is published by the Administrator of the Northern Cameroons on the basis of the approach which has been made to the Government of the Federation of Nigeria by Her Majesty's Government, asking the Government of the Federation to state what steps would be taken at the appropriate time for the implementation of the decision of the people of the Northern Cameroons should the Plebiscite be in favour of joining the Federation of Nigeria. The Government of the Federation of Nigeria have made the following statement :-

"If the Northern Cameroons joins Nigeria, it will form part of the Northern Region with the new Divisional and Local Government arrangements introduced on the 1st April 1960.

On the 1st April 1960, the new and independent Native Authorities of Mubi, Chamba, Gashaka-Mambilla, Gwoza and United Hills were formed from parts of Trust Territory formerly administered as part of Adamawa, Bornu and Benue Provinces. The Dikwa Native Authority of course continued as an independent Native Authority.

2. On the 1st July 1960 by Legal Notice No. 81 in the Gazette of the Northern Region of Nigeria a new Province was created to include the Northern Trust Territory divided into Native Authorities as set out above. The objects of the creation of this new Province were to guarantee the status of the new Native Authorities and to remove any fear which they might have that in future they would be made subordinate to any other Native Authority from outside the new Province.

3. The Governments of the Federation of Nigeria and of the Northern Region of Nigeria both confirm the undertaking set out in paragraph one above. The Government of the Northern Region of Nigeria has also declared that the area will continue to be administered as a separate Province of the Northern Region."

- Certain Federal Laws will only be enacted in such a way that no measures contrary to the interest of one State will be imposed upon it by the majority (system of second reading with a qualified majority).
- in the event of a conflict of laws between the Federal State and the Federated States the Federal law will prevail.
- in non-Federal matters the Authorities of each of the Federated States will have exclusive competence.
- Each of the Federated States will be ruled by a Government and will have a Legislative Assembly ;
- A Federal Court of Justice will have as its purpose to unify judicial systems and to act as the Highest Court of Appeal of the Federal State.
- Federal services will be established to carry out Federal Administration.
- Legislation (or systems of legislation in force) will remain valid until the enactment of Federal Legislation.

4. The Federation will be created by the Cameroun Republic and the Southern Cameroons under British Trusteeship. The two parties hope that the Northern Cameroons under British Trusteeship will also enter into this federation, either as a separate State, or as a part of the Cameroons at present under British Trusteeship.

5. In the event of the Southern and Northern Cameroons voting in favour of re-unification, those entrusted with the responsibility of the affairs of the Unified Cameroons would, through mutual agreement, specify the manner in which the populations of the Cameroons would be asked to express their opinion on the Federal Constitution.