

REPUBLIC OF CAMEROON

Peace – Work – Fatherland

CIVIL STATUS REGISTRATION

Ordinance No. 81 – 02 of 29 June 1981

(Extract of the O.G. the U.R.C No. 14 of 1 August 1981)

Ordinance No. 81 – 2 of 29 June 1981

To organize Civil Status Registration

THE PRESIDENT OF THE REPUBLIC,

Mindful of the Constitution of 2 June 1972 and subsequent amendments thereto, in particular Law No. 79-2 of 29 June 1979:

Mindful of Law No. 80 – 4 of 14 July 1980 to empower the President of the Republic to amend by Ordinance the legislation governing the status of natural persons,

HEREBY ORDAINS AS FOLLOWS:

PART I

General Provisions

1. (1) This ordinance shall govern the legal registration of births, marriages and deaths in the United Republic of Cameroon.
(2) It shall lay down the conditions of validity of civil status certificates and certain provisions relating to the status of natural persons.
2. Birth, marriage and death certificates shall be intangible and final documents, and may be rectified after signature only under conditions laid down by the law.
3. Apart from the entries provided for in this Ordinance, entries to be made on civil status certificates shall be laid down by decree.
4. (1) Every Cameroonian residing in Cameroon shall, under pain of the penalties provided for in Section 370 of the Penal Code, be bound to declare to the competent civil status registrar of his area births, deaths and marriages concerning him and taking place or celebrated in Cameroon.
(2) Foreigners residing in Cameroon shall be bound to have registered or transcribed into civil status registers opened in their area of residence births, deaths and marriages concerning them or taking place or celebrated in Cameroon.
5. (1) In countries where Cameroon has a diplomatic mission, Cameroonians shall be bound to declare or have registered with the Head of diplomatic or consular mission births, marriages and deaths concerning them.
(2) However, civil status certificates drawn up in foreign countries shall be authentic if they are drafted in the manner obtaining in those countries.
6. Nationals born or residing abroad in countries without Cameroonian civil status registries and finding themselves unable to have a civil status certificate drawn up for them in the said countries must, within a period of six months with effect from their return to Cameroon and under pain of foreclosure, declare the births, marriages, or deaths of their children, relatives or dependents at the civil status registry of their actual place of residence in Cameroon or, failing this, at their place of birth, upon presentation of supporting documents. Failing such supporting documents, the civil status certificates shall be reconstituted in accordance with Article 23 *et seq* below.
7. (1) Government delegates to urban councils, mayors, municipal administrators as well as their assistants, and heads of diplomatic and consular missions of Cameroon abroad, shall be civil status registrars.
(2) In the event of war or serious disasters, the President of the Republic may, by decree, appoint other civil status registrars. Such decree shall determine the terms governing the performance of their duties.
(3) Civil status registrars shall, prior to the performance of their duties, take oath before the competent Court of first instance.

Heads of diplomatic or consular missions shall take oath orally or in writing before the court of first instance of Yaounde.
8. (1) During the oath-taking ceremony, the president of the court shall, after reading the order conferring the title upon the persons mentioned in Article 7 (1) above, put the following question to the person concerned:

«Do you undertake on your honor to loyally and faithfully perform in accordance with the law, the duties of civil status registrar assigned to you by virtue of your appointment (or election) as?»

The Government delegate, the mayor or municipal administrator or his assistant, the head of the diplomatic or consular mission shall raise his right hand and shall answer: «I do»
(2) A report shall be made of the oath-taking ceremony.
9. (1) The oath may, in exceptional cases, be taken in writing according to the following form:

«Your Worship, the President of the Court of First Instance of»

«Appointed (or elected) By reference to the instrument of appointment or to the report attesting to the (election), I hereby undertake and swear on my honor to loyally and faithfully perform the duties of civil status registrar thus assigned to me in accordance with the law»

(2) Notice of his oath-taking shall be given to him by the President of the court

10. (1) A civil status registry shall be opened in each council and diplomatic or consular mission of Cameroon abroad.
- (2) One or more special civil status registries may be opened by statutory instrument in a council depending on the area of such council, the density of the population or communication difficulties.
- the instrument setting up the civil status registry shall specify its headquarters and area of jurisdiction.
- (3) Registrars of special civil status registries shall be appointed in accordance with conditions laid down by decree. They shall take oath in accordance with Article 8 and 9 above.
11. The civil status registrar shall be assisted by one or more secretaries appointed in accordance with the conditions laid down in regulations.
- The Secretary shall take oath orally or in writing before the competent court of first instance in the form set out in Articles 8 or 9 above.

PART II

Drawing up and preservation of civil status certificates

12. (1) Civil status certificates shall state the date of events attested to therein, the date on which they were drawn up, and the full name, sex, occupation and domicile or place of residence of the persons concerned.
- (2) Witnesses produced must be at least 21 years old or married, and must have witnessed the events that they are attesting to or have evidence related to the said events.
- (3) They shall be produced by persons wishing to obtain a civil status certificate
- (4) They may also appear personally and voluntarily, or at the request of the public prosecutor.
13. (1) After drawing up the certificates and prior to their signature, the civil status registrar shall read the same to the parties and witnesses. The parties and witnesses may, on the spot, request the civil status registrar to make necessary rectifications in case of error.
- (2) Such rectifications shall be made in the margin and signed by the civil status registrar or the secretary in case of birth or death certificate. It shall be countersigned by the parties in the case of a marriage certificate.
- (3) Unapproved certificates shall be null and void.
14. (1) Birth and death certificates shall be signed jointly by the civil status registrar and secretary of the registry upon production of declaration from the father or mother, or from the head of the hospital or other medical institution where the birth or death took place, or from any other person having knowledge of the event.
- (2) The capacity of the declarant shall be stated on the certificate.
15. (1) There shall be three types of registers:
- the register of births, adoptions and legitimations;
 - the register of marriages;
 - the register of death.
- (2) Each type of register shall comprise two counterfoil registers, numbered initialed by the president of the competent court of first instance.
16. (1) Civil status certificates shall be recorded serially in the register, without any blanks, erasures or insertions, and numbered according to the entries, the same serial numbers being maintained in each civil status registry for the same type of register.

- (2) There shall be no abbreviations, and all dates written in figures must also be written in words.
17. (1) The entry of a certificate in a civil status register shall be free of charge.
- (2) The issue of copies, abstracts or forms by the appropriate public services shall be subject to the payment of an amount fixed in accordance with registration, stamp, Duty and Trusteeship Code.
18. (1) In order to ensure that they are properly kept, civil status registers shall be cross checked and endorsed at least once a year by heads of administrative units.
- (2) They shall be closed off on 31 December of each year by the competent civil status registrar and secretary and forwarded within 15 days to the state counsel of the area for endorsement and cancellation of unused leaves.
- (3) Within three months of their receipt by the state counsel, and after fulfilling the abovementioned formalities, he shall forward a copy of each register to the council official in the case of Main registries, to the Subdivisional officer or District head in the case of special registries, for preservation. The second register shall be preserved as a counterfoil at the registry of first instance.
- (4) Registers opened in diplomatic and consular missions shall, after having been closed off, be forwarded to the Ministry of Foreign Affairs which shall submit them to the state counsel of the Yaounde Court of First Instance: the latter shall, after endorsement, forward them to the Mayor's Office, Yaounde, for preservation and issue of copies.
19. (1) Where reference to a civil status certificate must be made in the margin of a certificate already registered, this shall be done automatically or at the request of one of the parties.
- (2) The civil status registrar who drew up or registered the certificate to which reference must be made shall, forthwith, make such reference in the registers in the possession and forward an abstract to the court registry for the same purpose.
- (3) Where the certificate onto which marginal notes must be made was drawn up or registered in another civil status registry, notice shall be given within 15 days to the civil status registry preserving the certificate.
20. (1) A civil status registrar shall not draw up certificates concerning himself or a member of his family. Where he does not have an assistant, he shall be replaced automatically by the mayor, municipal administrator or any other civil status registrar of the council under which the registry concerned falls.
- (2) Certificates drawn up in contravention of the provisions of article 20(1) above shall be null and void, without prejudice, where necessary, to criminal prosecution for forgery of public documents.
21. Any alteration or forgery of civil status documents, and any entry of such documents, other than in the registers intended thereof, may, without prejudice to the penalties provided for in criminal law, lead to claims for damages by aggrieved parties.

PART III

Rectification and reconstitution.

22. (1) The rectification and reconstitution of civil status certificates may be affected only by court decision.
- (2) Civil status certificates may be reconstituted in cases of loss or destruction of registrars, or where a declaration could not be made within the time-limits prescribed by this Ordinance.
- (3) Civil status certificates shall be rectifiable if they contain erroneous information that could not be corrected at the time the said certificates were drawn up.
23. (1) Applications for rectification or reconstitution of civil status certifications shall be brought before the competent court under which fall the civil status registry in which the certificate was or ought to have been drawn up.
- (2) Such applications shall state, inter alia:
- (a) the full name of the applicant;
 - (b) the full name, affiliation, date and place of birth of the person whose certificate is to be rectified or reconstituted;
 - (c) detailed reasons justifying reconstitution or rectification;
 - (d) the full names, age and place of residence of witnesses;
 - (e) the civil status, registry where the certificate was or ought to have been drawn up.
24. (1) The court seised of the application under the above conditions must, before any decision is taken, forward the application to the Legal Department for purposes of enquiry, and to ensure:
- that another civil status certificate of the same type does not already exist for the same person;
 - that the witnesses presented by the applicant are likely either to have been actually present at the birth, marriage or death they are attesting to, or to furnish proof of the same;
 - that the declaratory judgment sought will not have the effect of fraudulently changing the full name, affiliation, date of birth or death, in the marital status.
- (2) The enquiry provided for in paragraph 1 shall not be obligatory in the case of applications concerning minors less than 15 years old.
25. Declaratory judgments in respect of the death certificates of soldiers who die in action may be prepared at the request of military authorities or parents.
26. (1) In the event of war or a natural disaster, and notwithstanding the provisions of Article 23 above, death certificates may be reconstituted through administrative procedures. The same shall apply to births and marriages which took place in occupied territory.
- In order to effect the reconstitution, the senior divisional officer shall order the civil status registrar to prepare certificates for persons whose deaths are not subject to question.
- (2) Such administrative order shall be entered as marginal notes on each certificate issued by the civil status registrar.
27. Where a death or birth has been reconstituted through administrative procedure, the certificate drawn up may be cancelled only by judgment following and application by any person concerned.
28. Where a death certificate attesting to the death of someone was prepared in error and it was later established that the person was not yet deceased, the competent high court shall, at the request of the legal department or any person concerned, immediately order that the certificate or declaratory judgment on the death certificate be cancelled.
29. The rectification or reconstitution of a civil status certificate or judgment may be challenged by a third party.

PART IV

Birth registration.

30. A birth shall be declared to the civil status registrar of the place of the birth within 30 days following such a birth.
31. (1) Where a child is born in a hospital or other medical institution, the head of the hospital or, in his absence, the doctor or any person who attended the birth, shall be bound to declare the birth of the child within 15 days of such birth.
- (2) If the birth was not declared within the period referred to in paragraph 1 above, the parents of the child shall have an additional period of 15 days within which to make the declaration before the civil status registrar or the place of the birth.
32. Births declared after the expiry of the period referred to in the preceding articles may be registered at the instance of the competent state counsel seized of the matter who shall move the court within three months of the birth.
33. If a birth was not declared within three months, it can be registered by the civil status registrar only by virtue of judgment of the competent court, and in accordance with the conditions laid down in Articles 23 and 24 above.
34. (1) Every birth certificate shall state:
- the date and place of birth;
 - the full name, age, occupation and domicile or place of residence of the father and mother;
 - where applicable, the full name and domicile or place of residence of the witnesses.
- (2) Notwithstanding the provisions of paragraph 1 above, no mention of the father's name may be made on the birth certificate save in case of recognized or legitimate children.
- (3) Where information relating to the father or mother is not known, corresponding items on the birth certificate shall be left blank; it shall be forbidden to indicate that the father is unknown.
35. (1) The full name of the child shall be freely chosen by his parents.
- (2) In the case of a child who has been found, his full name shall be chosen by the person who found him or by the civil status registrar receiving the declaration.
- (3) However, the assignment of a name or first name that is improper or obviously ridiculous with respect to the law, public decency, customs and beliefs, shall be forbidden. The civil status registrar shall, in such cases, be bound to refuse to enter such name or first name in the certificate, and to invite the person making the declaration to suggest another or first name or to refer the matter to the president of the competent court within the time limit specified in the Article 33.
- (4) The court president shall decide thereon by order without costs.
36. The following may in particular be chosen as first names in birth certificates:
- names in use in the tradition;
 - names of religious inspiration;
 - names of historical figures.
37. Where a child has been given a name or first name involving a combination of several names, first names, appellations or titles of nobility, such names, first names, appellations or titles of nobility must be used in order in which they appear in the birth certificate.
38. (1) Any person who finds an abandoned newly born child shall be bound to report the same to the nearest police or gendarmerie services.
- (2) Such services shall prepare a detailed report containing the date, time, place and circumstances of the discovery, the apparent age and the sex of the child, any index that might help identify both the child and the person into whose custody the child is temporarily given.

(3) At the request in court of the state counsel, the civil status registrar shall prepare a temporary birth certificate in accordance with the provisions of Articles 35 and 36 above.

(4) If the parents or guardians of the child are later discovered or if the birth of the child had already been declared before a different civil status registrar, the birth certificate prepared in accordance with paragraph 3 above shall be cancelled or amended, depending on the case, by order of the president of the high court at the request of either the state counsel, contacted where applicable by the civil status registrar, or interested parties.

39. Where within the same family, parents decide to give the same names and first names to several children, they shall be bound to add to such names a names or first name that helps identify the children unequivocally.
40. (1) Notwithstanding the provision of Article 34 above, if the name of a person is mistakenly or fraudulently written as father or mother on the birth certificate of a child, the said person may take the matter to the appropriate court to have his name removed from the birth certificate in question.
- (2) In case of death or incapacity, like action may be taken by any person concerned.

PART V

Affiliation of illegitimate children

CHAPTER 1

Recognition of children.

41. (1) a) The recognition or legitimation of a child born out of wedlock shall be established by court decision. The same shall apply to cases of adoption.
- b) However, delivery shall be equivalent to recognition of the child by the mother, and marriage celebrated after recognition shall imply legitimation of the children recognized as born of the spouses.
- (2) Recognition and legitimation, excepting adoptive legitimation shall be based on blood relationship. Once the relationship has been established, no one may raise objection to recognition.
- (3) Court judgments on recognition, legitimation and adoption shall be inscribed as marginal notes on birth certificates.
42. Substantive conditions for adoption shall be those contained in the written law, except where there is provision to the contrary in the present Ordinance.
43. (1) A child born out of wedlock may be recognized by his natural father. In such a case, the mother shall be heard and if she is a minor, her parents too.
- (2) However, a child born as a result of adultery on the part of the mother may be recognized by the natural father only after disavowal by the husband before a law court.
- (3) Action to recognize a child born as a result of rape shall be inadmissible.
44. (1) a) Notwithstanding the provisions of Article 41 hereabove, recognition of children born out of wedlock may be done by declaration made before a civil status registrar during the birth registration.
- b) In such a case, the declaration of the presumed father shall be accepted by the civil status registrar after the consent of the mother, and in the presence of two witnesses.
- (2) The civil status registrar shall identify the parents of the child and shall transcribe the declaration into a register, numbered and initialed by the president of the court of the first instance, and kept for that purpose.
- (3) Such declaration shall be signed by the father, the mother, the witnesses and the civil status registrar before the birth certificate is drawn up.
- (4) If one of the parents is minor, his consent shall be given by the father, mother or guardian, consent shall be given verbally before the civil status registrar or in writing duly legalized and annexed to the register.

(5) The procedure provided for in the above paragraph shall not apply when there is a dispute and, especially, if paternity is claimed by several persons before the establishment of the civil status certificate.

45. Any recognition before a civil status registrar may be challenged before a competent court by any person claiming paternity over the same child.

CHAPTER II

The search for the real father.

46. (1) The mother of a minor or a person of full age may, through application before a competent court, bring action for the search of the real father.

(2) However, any action in search of the real father shall be rejected if during the legal period of conception, the mother led a loose life or had intercourse with another man or if the alleged father was physically unfit to be the father.

(3) Under pain of foreclosure, action in search of the real father shall be taken by:

- a) the mother within two (2) years from the date of delivery or when the father ceases to maintain the child;
- b) the child of full age, within one(1) year from the date of his majority.

(4) Judgments relating to the search for the real father shall be entered in the margin of birth certificates.

CHAPTER III

Parental power and the custody of illegitimate children.

47. Parental power over children born out of wedlock shall be jointly exercised by the mother and the father with whom the affiliation was legally established.

In case of disagreement, it shall be exercised by the parent who has the effective custody of the child except the judge decides otherwise.

PART VI

Marriages.

48. A marriage shall be celebrated by a civil status registrar of the place of birth or residence of one of the spouse to be.

49. The marriage certificate shall specify the following:

- the name of the civil status centre;
- the full name, date and place of birth, residence and occupation of the spouses;
- the consent of each of the spouses;
- the consent of the parent in case of minor children;
- the full names of the witnesses;
- the date and place of celebration of the marriage;
- where applicable, the mention of the existence of a marriage contract: co-ownership or separation of property;
- the mention of the type of marriage chosen: polygamy or monogamy;
- the full name of the civil status registrar;
- the signatures of the spouses, witnesses and the civil status registrar.

50. (1) Mention of the marriage shall be made in the margin of the birth certificate of each of the spouses in compliance with Article 19 above and on the initiative of the competent civil status registrar.

(2) Failure to forward copy or notice of such registration shall be punishable by a fine of 500 francs pronounced by the competent state counsel.

51. In case of divorce, mention of it shall be made on the birth and marriage certificates of the spouses on the initiative of the Legal Department.
52. No marriage may be celebrated:
 - (1) if the girl is a minor of 15 years old or the boy of 18 years old, unless for serious reasons a waiver has been granted by the President of the Republic;
 - (2) if such marriage is not preceded by a publication of banns;
 - (3) if the spouses-to-be are of the same sex;
 - (4) if the spouses-to-be do not consent;
 - (5) if one of the spouses-to-be is deceased, unless a waiver has been granted by the President of the Republic under the conditions laid down in Article 67 hereafter.

CHAPTER I

Publication.

53. At least one month before the celebration of the marriage, a declaration mentioning the full names, occupation, residence, age and place of birth of the spouses-to-be and their intention to contract marriage shall be lodged with the civil status registrar.
54. (1) The civil status registrar with whom the declaration has been lodged shall immediately publish the said declaration by posting it on the notice board of the civil status registry.
 - (2) A copy of the publication shall be forwarded by the same registrar to the authority of the place of birth of the spouses, in charge of keeping birth registers, to be published thereat under the same conditions.
 - (3) The authority thus notified shall also ascertain whether one of the spouses to be is bound by a previous marriage constituting an impediment to the celebration. The authority shall transmit the results of his investigation as well as any objection made to the civil status registrar in charge of celebrating the marriage, through the fastest means and exempt of any taxes.
 - (4) The civil status registrar of the last residence of each spouse – to-be shall be notified of the publication under the same conditions and shall immediately post it up.
55. The State Counsel may, for serious reasons demanding immediate action, grant a total or partial waiver of the publication of the banns.

A waiver of the publication of the banns shall be requested through a reasoned letter of either the spouses – to-be; their father, mother, or guardian in case of minors.
56. No appeal against the rejection of an application for a waiver of publication of banns shall be admissible.
57. (1) notwithstanding the provisions of Article 55 above, no waiver of publication of banns shall be granted if within the period preceding the decision of the State Counsel, an objection is made to the civil status registrar who is called upon to celebrate the marriage.
 - (2) In case of breach of the provisions of the above paragraph, the marriage shall be annulled if the objection is adjudged by the court to be founded.

CHAPTER II

Objections

58. Within the period provided for in the Article 53 above, any person who has a legitimate interest may object to the celebration of a marriage, in particular:
- the father, mother, guardian for spouses-to-be who are minors;
 - a customary authority, particularly in case of customary incest;
 - the husband of a woman who is committed by the bonds of an undisclosed previous marriage;
 - The wife of a man who is committed by the bonds of an undisclosed previous monogamous marriage.
59. (1) Objection may be raised verbally or in writing to civil status registrar who shall publish the marriage.
- (2) When objection is verbally, the civil status registrar shall draw up a statement signed by the objector
- (3) The notice of objection shall mention:
- The full name of the objector;
 - his address;
 - the capacity in which he is raising such objection;
 - the references of the publication of the banns;
 - detailed reasons for the objection.
60. The civil status register in charge of celebrating the marriage shall suspend it and transmit the objections to the President of the Court of the First Instance within the prescribed period and received before the celebration of the marriage, as well as the results of his investigation constituting an impediment to such marriage. He shall notify the spouses to be of the objection.
61. The President of the Court thus seized shall give a decision on the objection within ten days; he may forbid the celebration of the marriage or dismiss the objection by order rendered free of charge, after hearing the parties.
- (2) Any objection based on the existence, payment or terms of the customary dowry, even if agreed to in advance, shall be inadmissible and against public policy.
62. The order forbidding or authorizing the celebration of a marriage may be appealed against before a competent court at the instance of the parties.
63. 63. Notwithstanding the inexistence of an objection, any marriage contracted by a woman who is legally married or by a man who is legally committed on the bonds of a previous undissolved monogamous marriage, shall be null and against public policy.

CHAPTER III

Consent of the spouses

64. (1) The consent of the spouses-to-be shall be given personally by the latter to the latter to the civil status registrar at the time of the celebration of the marriage.
- (2) The consent of the spouses-to-be shall be valid only when supported by that of his father and mother.
- (3) The consent of only one of the parents shall suffice:
- (a) For illegitimate children, where their affiliation is legally established in respect of only one of their parents;
 - (b) In case of the death or absence, legally established, of one of the parents or if one of them is unable to express his consent;
 - (c) In case of disagreement between the father and mother, if the person consenting is the one who is exercising parental power or has custody over the child, except the judge decides otherwise under the conditions of Article 61 above.
- (4) The consent of the guardian or customary authority shall validly replace:
- (a) That of the father and mother of a child whose parents are still unknown;

- (b) That of the father and mother of an orphan;
- (c) That of the father and mother of a child whose parents are unable to give their consent.

65. (1) The marriage shall not be celebrated if consent was obtained by force.

(2) Force shall be deemed to have been used where brutality or threats have been exercised on the person of the spouses-to-be, his father n, his mother, his legal guardian, his customary head or his children in order to obtain the consent or refusal of such a spouse.

66. (1) After the formalities provided for in article 53 et seq have been fulfilled, the civil status registrar may celebrate the marriage between two persons of whom one, in apparent danger of death, can no longer personally give his consent or appear before the registrar.

(2) Such consent shall then be given in his behalf by his father, mother, brother, sister, legal guardian or customary head.

(3) However, the marriage shall not be celebrated if it was objected to during examination or if the persons whose consent was sought refused to give it.

This shall apply, as the case may be, whereon dispensation of publication of banns has been granted.

67. (1) The President of the Republic may, for serious reasons, authorize the marriage of the two persons, one of whom is deceased, after the formalities stipulated in Article 53 et seq of the present Ordinance have been fulfilled.

(2) The deceased spouse shall be represented at the registration of the marriage by his father , mother ,brother, sister, relative in the ascending or descending line or by the customary head,.

Mention of the authorization by the President of the republic shall be made in the margin of the marriage certificate.

CHAPTER IV

Celebration of Marriage

68. Upon the expiry of one month after publication of banns and ascertaining that no objection or obstacle exists or that any objections which may have been formulated have been withdrawn, the civil status registrar shall proceed with the marriage ceremony in the premises intended for this purpose at the civil status registry.

69. (1) The following persons shall, of necessity, be present at the marriage celebration:

- the spouse-to-be and, in the case provided for in Article 66(2) above, the representative of the absent spouse-to-be;
- the parent or legal guardians or customary heads where their consent is required;
- At least two witness of full age, one for each spouse.

(2) The marriage certificate shall be signed by the spouses, witnesses and the civil status registrar. Each of the spouses' witnesses shall be given an original copy thereof

CHAPTER VI

Customary dowry

70. (1) The total or partial payment or non- payment of dowry, the total or partial execution or non-execution of any marriage agreement shall have no effect on the validity of the marriage

(2) Any action brought against the validity of a marriage as a result of the total or partial failure to execute a dotal or matrimonial agreement shall be rejected on grounds of public policy.

71. (1) anyone who receives anything before marriage as dowry or in compliance with the matrimonial agreement shall be deemed to be its depositary until marriage is celebrated.

(2) In the event of break off of the engagement, the depositary shall immediately return it

72. The total or partial settlement of a dowry shall under no circumstance give rise to natural paternity which can only result from existence of blood relations between the child and his father.

73. In the event of dissolution of a marriage as a result of divorce, the person who received the dowry may be asked to pay back all or part of the dowry if the Court feels that such a person is totally or partially responsible for the divorce.

CHAPTER VI

Miscellaneous provisions relating to marriage

74. (1) A married woman may exercise a trade different from that of her husband.

(2) The husband may object to exercise of such a trade in the interest of the marriage or their children.

(3) The president of the court with jurisdiction shall decide by order on such an objection by the husband within ten days of being seized of the matter. His decision shall be rendered free of charge and shall be taken only after the parties have been heard.

75. (1) where a woman exercises a trade separate from that of her husband, she may open a separate account in her own name and make deposits or withdrawal as she sees fit. However, she shall be bound to contribute to the cost of running the home

(2) The husband's creditor may only take court action relating to such funds and the property bought there from if they can prove that the loan was contracted in interest of the couple. The woman may only commit the husband for liabilities incurred in the interest of the couple.

(3) Rulings on actions in pursuance of the present article shall be in the same forms as that provided for in the Article 74 (3) above.

76. (1) a wife who has been deserted by her husband may bring action before the court in order to obtain alimony for both the children left under her care and herself.

(2) The court register shall summon the spouses before the court within a period of one month by registered mail indicating the object of the summons. They must appear in persons except where unable to do so for fully justified reasons.

(3) The court shall rule according to the needs and possibilities of each of the parties, and if need be, authorize the wife to detrain a part of the salary, work proceeds or income of the husband.

(4) the judgment delivered, and registered free of charge, shall be for provisional enforcement notwithstanding objections or appeal, and the wife shall be entitled to legal aid for the purpose of pursuing its enforcement .

(5) Similarly, a woman exercising a separate trade or possessing personal income may, at the request of the husband, be obliged to contribute to the cost of running the home.

77. (1) in the event of death of one of the spouses or of legally pronounced divorced, the marriage shall be dissolved.

(2) In the event of death of the husband, his heirs shall have no right over the widow, nor over her freedom or the share of property belonging to her. She may, provided that she observes the period of widowhood of 180days from the date of the death of her husband, freely remarry without anyone laying claim whatsoever to any compensation or material benefit for dowry or otherwise, received either at the time of engagement , during marriage or after marriage .

PART VII

Death registration

78. (1) Death declaration must be made within one month, by the head of the family, a relative of the deceased or by any person who has had full knowledge of the death.
- (2) The declaration made by the persons referred to in the foregoing paragraph shall be certified by two witnesses
- (3) In the case of decease in a hospital or other medical institution or in a prison, the head of the establishment must declare the death within fifteen days.
79. The death certificate shall mention:
- the date and place of death;
 - the full name, age, sex, marital status, occupation and residence of the deceased;
 - the full name, occupation and residence of the father and mother;
 - the full name, occupation and residence of the person making the declaration;
 - the full name, occupation and residence of the witnesses
80. (1) Where the body of a deceased person is found and can be identified, a death certificate shall be drawn by the civil status registrar of the place where the body was found on the declaration of judicial police officers.
- (2) If the deceased cannot be identified, the death certificate shall give the fullest description possible and refer to the investigations carried out by the police.

PART VIII

Miscellaneous and transitional measures.

81. (1) customary marriages shall be recorded in the civil status registers of the place of birth or residence of one of the spouses.
- (2) However, the President of the Republic may, by decree, prohibit the celebration of customary marriages on all part of the territory.
82. If a person is found in possession of two birth certificates, only the oldest in date shall be taken into consideration, without prejudice to any legal action that may be taken.
83. Any civil status registrar who:
1. Having received a birth or death declaration, fails to enter such birth or death declaration into the register;
 2. celebrates a marriage over which he has no territorial jurisdiction;
 3. makes an entry other than those provided for;
 4. Intentionally enters into his register a marriage which was not published or against which the caveat lodged has not been withdrawn;
 5. Registers a customary marriage which has not been certified by the customary heads of the two spouses, shall be punished with the imprisonment and fine provided for under section 151 of the Penal Code.
84. Any previous provisions that are repugnant to this Ordinance, in particular those of Laws Nos. 66-2-COR of 7 July 1966 and 68-LF-2 of 11 June 1968 are here by repealed.
85. This Ordinance which shall be implemented as a law of the Republic shall be registered and published In the Official Gazette in French and English.

Yaoundé, 29 June 1981.
AHMADOU AHIDJO
President of the Republic.