

**An Assessment of  
Local Government and  
Proposed Recommendations  
for Future Assistance  
in Guyana**

*March, 1995*

# National Democratic Institute For International Affairs

conducting nonpartisan international programs to help promote, maintain and strengthen democratic institutions



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## NATIONAL DEMOCRATIC INSTITUTE FOR INTERNATIONAL AFFAIRS

The National Democratic Institute for International Affairs (NDI) was established in 1983. By working with political parties and other institutions, NDI seeks to promote, maintain and strengthen democratic institutions in new and emerging democracies. The Institute is headquartered in Washington, D.C., and has a staff of 120 with field offices in Africa, Asia, Eastern Europe, Latin America, the Middle East and the former Soviet Union.

NDI has supported the development of democratic institutions in more than 60 countries. Programs focus on six major areas:

**Political Party Training:** NDI conducts multipartisan training seminars in political development with a broad spectrum of democratic parties. NDI draws international experts to forums where members of fledgling parties learn first-hand the techniques of organization, communication and constituent contact.

**Election Processes:** NDI provides technical assistance for political parties and nonpartisan associations to conduct voter and civic education campaigns and to organize election monitoring programs. The Institute has also organized more than 25 major international observer delegations.

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# MAP OF GUYANA



Source: Carter Center of Emory University

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## ACKNOWLEDGMENTS

This report examines the state of local government in Guyana following the August 8, 1994 local elections. Having been produced as part of a longer-term program by NDI to support Guyanese efforts to strengthen local democracy, we hope this report will contribute to future discussions in Guyana about how to proceed with local government reform efforts.

The report was written by NDI Program Officer Cara A. Hesse, who spent six weeks in Guyana, from November 3 through December 15, 1994. Additional information was provided by municipal government experts, Richard Bowers and Donald Slater, who volunteered their time to support NDI's program activities. Hesse was assisted by Senior Associate for Programs in Democratic Governance Thomas O. Melia, Program Officer Marissa Brown and Program Assistant Kirk Gregersen.

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Kenneth D. Wollack  
President  
National Democratic Institute for International Affairs

## I. EXECUTIVE SUMMARY

On August 8, 1994, Guyana successfully conducted local council elections in its six municipalities and 65 neighborhood districts, electing 1,238 officials nationwide. Despite a relatively low voter turnout, the local elections represented a major step forward in Guyana's democratic development, building on the foundation established in the pivotal 1992 national elections.

The "Local Authorities Elections" were the first such elections in more than 24 years, as well as the first elections to be completely free of violence in more than 30 years. Following the elections, the government of Guyana and representatives of the major parties asked the National Democratic Institute for International Affairs (NDI) to help conduct a training program for the newly elected local councilors. With funding from the U.S. Agency for International Development (AID), NDI participated in the development of a two-part program to help strengthen local government in Guyana.

In the first phase, NDI representatives helped conduct a series of day-long orientation seminars for the newly elected councilors. The seminars were developed by officials from the Ministry of Public Works, Communication and Regional Development (PWC&RD) and independent Guyanese experts. The ministry organized the seminars, which were held in nine of the 10 regions of the country. Held every weekend over the course of two months, the seminars provided the councilors with concrete operating procedures as well as grounding in broader democratic principles.

More than 525 of the 1,131 total neighborhood councilors attended the seminars. A team of six to eight Guyanese trainers and the NDI representative led discussions on local governance topics including financial management, communication, community development and accountability.

American local government experts, Richard Bowers and Donald Slater, volunteered their time as resource personnel for the first two weekend seminars. From November 3 to December 15, Cara Hesse represented NDI for the remaining weeks of the program.

Following the seminars, the NDI representative conducted interviews with a variety of party leaders, elected officials, and civic leaders to determine the content of the second phase of the program. This report presents the findings of this research, consolidating the views of a cross-section of Guyanese men and women concerned with local governance. It concludes with a discussion of possible programs to further strengthen the character and effectiveness of local governance in Guyana.

Topics suggested for future seminars include public participation, intergovernmental relations, financial management and conflict resolution. Training regional level government officials and creating an independent association of local government officials were also discussed.

## II. HISTORICAL BACKGROUND

On August 8, 1994, municipal and local elections were held in Guyana for the first time in 24 years. Several political parties, including the ruling People's Progressive Party/Civic (PPP/Civic), the People's National Congress (PNC), The United Force (TUF) and more than 30 community groups competed for a total of 1,238 seats in Guyana's six municipalities and 65 neighborhood council areas.

These elections built on the parliamentary and presidential elections held in Guyana on October 5, 1992. These elections were viewed by all parties as generally free and fair. The PPP/Civic, led by Cheddi Jagan, won 52 percent of the national vote and 32 seats in parliament; the PNC garnered 41 percent and 30 seats; and The United Force and the Working People's Alliance (WPA) won the remaining three seats.

Until the 1992 elections, Guyana's status as a democratic polity was questionable. From 1968 to 1992, opposition parties continually accused the ruling PNC of widespread electoral fraud. Despite Guyana's worsening economy, the PNC increased its margin of victory in each successive election. The 1980 Constitution of the Co-operative Republic of Guyana, enacted by the PNC-controlled parliament, concentrated great powers in the hands of the president vis-à-vis the legislature on the one hand, and local and regional government on the other. (See Appendix 1.)

For almost 25 years, opposition parties boycotted local elections to protest perceived fraud in the national elections. During that time, the local government system comprised mayors and district councilors appointed by the central government, leaving a skeletal system of district, village, country and rural governments that had come to a virtual standstill. This inefficient and fragmented system of local government was further burdened by a poor economy and continuing emigration of skilled and professional labor in the late 1970s and 1980s. The most debilitating factor, however, may have been the complete control exercised by the central government; local officials were unable to provide even the most basic public services, unless expressly authorized by the central government.

The Local Democratic Organs Act of 1980 divided the country into 10 administrative regions controlled by the central government. While these newly created regional democratic councils (RDCs) gained power over local affairs, the existing local government system struggled. Although the neighborhood concept also originated with the Local Democratic Organs Act, the legal framework for the neighborhood democratic councils was not established until 1990 when an amendment to the Act dissolved the existing local government system and replaced it with 129 neighborhood democratic councils (NDCs) throughout the country. Just before the first NDC elections in 1994, however, the central government decided to hold elections in only 65 of the 129 NDCs, declaring the remaining 64 neighborhood areas too sparsely populated to justify the implementation of a local government system.

NDCs operate under Chapter 28.02, the Local Government Act, originally written for the now discarded system of village, country and rural governments and last updated in 1980. (See Appendix 2.) Chapter 28.02 sets forth NDC regulations for levying taxes, borrowing

money, electing officers and operating a local authority office. The regional system has remained unchanged since 1980; it continues to operate under Chapter 28:01, the Municipal and District Councils Act.

The 1994 local elections resulted in the election of 107 municipal councilors and 1,131 neighborhood councilors, many of whom are new to local governance and community development. The PPP/Civic fielded 1,875 candidates nationwide, winning a majority in 47 of the 65 neighborhood councils and three of the six municipalities. The PNC participated in elections in the municipalities, but did not contest the neighborhood elections directly. Instead, the PNC supported many community groups. Community groups won a majority in 18 neighborhood councils. (See Appendix 3.)

Currently, Guyanese officials are considering a complete revision of the 1980 Constitution. In December, 1994 parliament created a committee to study constitutional issues, to conduct public hearings and to present a final report within two to three years. According to many Guyanese, local government officials are eager to begin a nationwide dialogue to discuss the future structure of local government in Guyana.

### **NDI Involvement in Guyana**

NDI has been involved in Guyana since 1990. NDI's first program encouraged the development of an independent, nonpartisan civic organization that would strengthen the prospects for free and fair elections and healthy citizen participation in the political process. Working with the newly created Electoral Assistance Bureau (EAB), NDI has continued to support Guyana in its peaceful democratic transition.

NDI contributed to the 1994 local elections by helping the EAB to conduct Guyana's first national election monitoring effort and implementing a much-needed voter education program.<sup>1</sup> At the request of Guyanese officials, NDI has continued to support the democratic transition by helping develop training programs for newly elected officials.

### **III. NEIGHBORHOOD DEMOCRATIC COUNCIL SEMINARS**

Officials from the Ministry of Public Works, Communication and Regional Development (PWC&RD), local civic leaders and Guyanese local government experts developed the neighborhood democratic council seminars. The seminars were primarily directed at newly elected councilors throughout the country with no prior experience in local governance. The seminars were designed to provide the councilors with the broad concepts of democratic principles and concrete procedural aspects of operating a council office.

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<sup>1</sup>A report on the NDI program in support of the August, 1994 Local Authorities Elections is available from NDI.



Following their visits, Slater and Bowers provided NDI with an assessment of the Ministry trainers and the structure of the training. While their impressions of the program were generally favorable, both consultants commented that several basic but relevant topics, such as conflict of interest considerations and meeting management, were overlooked in the initial sessions. Slater and Bowers recommended several reforms in local government laws and procedures. Most comments focused on weaknesses in the budgeting process and the lack of autonomy and decisionmaking power of local councils.

From November 4 to 7, NDI staff members Cara Hesse and Kirk Gregersen traveled to Georgetown to meet with Guyanese from various sectors and to participate in the next training seminar in the series, held in Bartica. (See Appendix 6.) Hesse remained in Guyana until mid-December to participate as a trainer in the remainder of the orientation seminars. Slater, Bowers and Hesse provided information on different methods of communicating with voters, financial management, and the role of local government advocacy at the national level. (See Appendix 7.)

Based on recommendations from Slater and Bowers, Hesse's presentation focused primarily on helping elected officials develop a communication strategy as a means of building trust and support in the community. Provision of proper public notice, open meetings, public hearings and personal communication skills were discussed as ways to increase transparency. Specifically, Hesse emphasized methods to increase citizen participation in the political process, such as holding additional town meetings, developing a town mission, conducting informal opinion and evaluation surveys and appointing a specific councilor to act as a citizen liaison. In addition, Hesse emphasized the importance of public perception and avoiding conflicts of interest.

A substantial amount of time was spent with new councils, such as in Lethem, Region 9, where no councilor possessed experience in accounting, rates collection, or standard operating procedures. The Lethem seminar lasted from 8 a.m. to 5 p.m. on a Friday and resumed the following day until 12 noon.

### **Assessment/Analysis**

Presentations were primarily delivered as lectures, and relied on presenters with strong academic backgrounds. Although the presenter's skills were excellent, much of what was offered focused on management and personal planning techniques that were too advanced for the majority of the councilors observed, particularly in the interior regions. Interaction between the presenters and participants was minimal, hindering an accurate assessment of the degree and depth of understanding of the material. The procedural information provided by the Ministry officials prompted the most questions from the councilors. Few materials were distributed. (See Appendix 8.) Overall, the program provided the councilors with no specific training in learning to work as a group, making decisions as an elected body or overseeing implementation of development projects.

Because Guyana has so few local government experts, no alternate presenters were designated. The team of Guyanese presenters represented the most capable local government experts in the country. However, after 14 consecutive seminars, the small pool of resource

personnel was clearly exhausted. Only three presenters attended the final seminar, requiring the remaining presenters to cover the missing material.

Participation, motivation and commitment on the part of the councilors were highest in the interior, particularly where no mechanism for self determination or local government has previously existed. Seminars were held in elementary school buildings and community centers, and were often cramped and poorly lit. Despite the long hours and poor conditions, most councilors remained attentive throughout the day and some took notes. While the number of women in elective office at the national level is 20 percent, the number of women at the local level is 10 percent, as reflected in the attendance at the seminars.

NDI prepared and distributed seminar evaluations. (See Appendix 9.) According to evaluations collected by the NDI representative, the councilors believed the seminars were helpful in teaching financial management, communication and planning. When asked what they believed was the most useful part of the seminar, one councilor said, "The role of the councilors, because I feel that if we do not know our role we cannot be effective." Another said, "All the lectures, because most of what was said is new to me."

Most councilors saw their biggest challenge as motivating and involving citizens in decisionmaking. One councilor, for example, perceived his most significant challenge as "winning the confidence of the community and to motivate them to join in development." Another said that he thought that teaching citizens to be openminded and to accept new practices with which they were unaccustomed were most important, such as paying rates and taxes.

Many councilors believed that attending council meetings, developing the community, and fulfilling promises to the community represented their most important responsibilities. One councilor listed his responsibilities as: 1) ensuring that everyone enjoys a healthy environment; 2) ensuring taxes are paid; and 3) ensuring the realization of neighborhood development. Overall, evaluations were extremely positive, and *all* responding councilors requested additional seminars.

#### **IV. CURRENT GOVERNMENT STRUCTURE**

The 1980 Constitution of the Co-operative Republic of Guyana and subsequent amendments established six levels of government in Guyana:

- Supreme Congress of the People of Guyana
- National Assembly
- National Congress of Local Democratic Organs
- 10 Regional Democratic Councils
- 65 Neighborhood Democratic Councils
- People's Cooperative Units

The parliament comprises the president and the National Assembly and is responsible for national policymaking through legislation, grant allocation ("subvention") and the provision of

general services. The 10 regional democratic councils, although varying greatly from region to region, act as regionalized central government administrative centers as well as local government supervisors. The regional democratic councils also provide some services such as road and bridge maintenance. At the local level, neighborhood democratic councils are responsible for the establishment and collection of taxes, local roads, drainage and small capital improvements.

Only parliament and the regional and neighborhood democratic councils are currently functioning. The Supreme Congress of the People of Guyana, consisting of the National Congress of Local Democratic Organs (NCLDO) and parliament, has never held a meeting. The NCLDO exists, but has met only once since the 1992 elections. People's Cooperative Units have never been formally established on a nationwide basis.

## **MINISTRY OF PUBLIC WORKS, COMMUNICATION AND REGIONAL DEVELOPMENT**

Central government administration of local programs is housed within the Ministry of Public Works, Communication and Regional Development (PWC&RD). The regional development division is divided into three departments: Local Government; Planning and Training; and Amerindian Affairs. (See Appendix 10.) The Ministry is headed by Senior Minister Harripersaud Nokta and Prime Minister Samuel Hinds. The regional development division is supervised by Deputy Permanent Secretary Edgar Kendall.

The Local Government Department is legally responsible for: 1) ensuring that the neighborhood and regional councils comply with the law; 2) providing assistance to local government concerning their roles, functions and responsibilities; 3) coordinating and training local government officials; 4) handling public inquiries concerning local government matters; and 5) receiving from regional or neighborhood councils their annual budgets, grant requests and general financial information. The Ministry will work with a regional democratic council, for example, in formulating its development priorities.

All budget and grant requests are subject to the minister's discretion. The constitution provides the minister of PWC&RD with absolute authority. He may take any action he feels necessary in the interest of that local authority. The minister may, for example, deny grant requests from a regional democratic council (RDC) for road repairs, or acting as a local authority, may assume the responsibility to fix the road.

### **Identified Problems/Obstacles**

The national government has not fulfilled its stated commitment to strengthen local government. Resources allocated to the Ministry of PWC&RD and to other local government offices (such as the NCLDO, described below) cannot adequately respond to the development needs of local government. As of February 1995, only one of the seven local government staff positions within the Ministry were filled. Many Guyanese cite the low pay and lack of incentives as the reason that many public service positions remain vacant. A 1992 Inter-American

Development Bank (IDB) study<sup>3</sup> estimated that staff vacancy rates vary from 12 percent to almost 53 percent at all levels of government.

Although the Ministry of PWC&RD seems committed to the development of local government, the absence of essential equipment such as telephones, computers, facsimiles, typewriters and general office supplies makes it virtually impossible to adequately respond to the needs of local government. According to the IDB study, the shortage of formal training and the lack of incentives for staff have led to overall poor performance at all levels of government. There seemed to be minimal coordination within the government. Information is not shared among different levels of government, which has resulted in poor coordination and duplicity of efforts.

Because many local government officials do not have telephones, communication between the Ministry and local government offices is minimal. One regional democratic council, for instance, was without a telephone for several months. All communication between the PWC&RD and the council was on a "drop-in" basis, forcing the chairperson to drive 20 miles or more to the PWC&RD office to conduct business. Otherwise, communication took place at the chairperson's home during evening hours.

Computerized lists of neighborhood democratic council (NDC) officials and NDC offices do not exist. A handwritten list of all NDC councilors elected is available only at the National Registration Office of the Elections Commission, and takes days to reproduce. Each list of elected NDC officials provided to NDI contained different information. NDC lists contained the names and political parties of officials, but rarely the addresses, telephone numbers or occupations. The Elections Commission is exploring the possibility of creating a computerized database of elected officials.

Although the central government's current priority is economic development, this development is concentrated in the larger regions and municipal areas. According to many local officials, the funds allocated to the RDCs for local development never reach the interior. It is the perception of some community leaders that central government makes very little effort to ensure that development funds reach beyond the regional administrative office.

## **NATIONAL CONGRESS OF LOCAL DEMOCRATIC ORGANS**

The Local Democratic Organs Act of 1980 established the National Congress of Local Democratic Organs (NCLDO). As a constitutional body, the NCLDO is charged with the broad responsibility of representing the interest of local government in Guyana. Its purpose is to stand at the apex of the entire local government system and to facilitate the coordination, training and monitoring of all local government authorities.

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<sup>3</sup>Volume III, Institutional Development Programme, August 1993, sponsored by the Government of Guyana and the Inter-American Development Bank.

The NCLDO comprises two elected representatives from each of the 10 regional democratic councils. Regional democratic councils elect NCLDO members at their first official meeting following elections, the most recent of which was held in 1992. From the 20 NCLDO members, two are elected to serve in parliament to represent local government interests. Currently, the NCLDO includes 12 PPP members, seven PNC members and one WPA member. One PPP and one WPA member from the NCLDO serve in parliament.

The NCLDO elects a chairperson and a vice-chairperson who continue to serve on their respective regional democratic councils. Since its inception in 1980, the NCLDO has existed with virtually no resources.

### **Identified Obstacles/Problems**

When the NCLDO was created in 1980, many local government officials believed that it would assume some of the responsibilities of the Guyana Association of Local Authorities (GALA)<sup>4</sup>. In addition to serving as a clearinghouse and information center for local authorities, GALA also acted as a watchdog of the central government. GALA was nonpartisan and said by many Guyanese to have been rather effective as a watchdog organization.

In addition to assuming the administrative duties of GALA, the NCLDO was created to assume part of its advocacy role. Although the constitution states that the NCLDO shall serve as an advocate for local government, that role has never been fulfilled.

Critics claim that one underlying motive behind creating the NCLDO may have been to replace GALA with a governmental "association" more favorable to central government policies and actions. As a central government creation, the NCLDO was, in fact, much more predisposed to government policies. With the creation of the NCLDO, GALA was no longer considered relevant, a sentiment that led to its demise.

The NCLDO is not perceived as a strong or effective part of government. The NCLDO does not have a telephone, nor does it have the resources necessary to carry out any part of its mission. Although funds are appropriated annually by parliament, disbursements have never been made. In addition, the NCLDO has met only once since the 1992 elections. Many people have noted that if the constitution were rewritten in the near future, the NCLDO would probably be eliminated.

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<sup>4</sup>GALA existed from the early 1970s to 1981, and was an offshoot of the Conference of Village Chairmen in the early 1970s. It was formed to be an advocate of the local councils and to protect the interests, rights and functions of local authorities. GALA was funded through contributions and dues from members and member organizations to free it from national government control. Membership was open to local authorities, former chairs and mayors of local authorities.

NCLDO Chairperson Isahak Bashir has also advocated eliminating the NCLDO as it is not currently serving a useful purpose. In effect, its only accomplishment to date has been electing two of its members to serve in parliament. As a part-time chairperson receiving only a small stipend, Bashir is limited in pursuing his mandate. As the chairperson of a local government institution, for example, he was able to attend only one NDC seminar due to budget restrictions.

## **REGIONAL DEMOCRATIC COUNCILS**

Each of the 10 regions in Guyana is administered by an elected body of between 12 and 36 officials. Regional democratic councilors are elected through a system of proportional representation for a term of five years. Although each political party presents a slate of regional candidates at election time, the regional party leader has complete authority to choose who on that list will serve as a councilor after the elections. The most recent election was held in 1992 in conjunction with presidential and parliamentary elections.

RDCs do not possess policymaking authority; they serve as a quasi-administrative branch to carry out central government policies. They have supervisory authority over the neighborhood democratic councils, although that authority and subsequent interaction varies profoundly from region to region. In the Kwakwani region, for instance, the relationship between the RDC and the NDC is often adversarial. In Region 5, however, regional councilors seemed to interact with and assist neighborhood councilors on a more regular basis.

RDC funds are appropriated by parliament, and are disbursed in monthly allotments from the Ministry of Finance. The amount of appropriated funds varies, and is determined by the central government and parliament. Clearly, some RDCs, such as Region 4, are underfunded and are lacking the finances to support their own overhead. There is no telephone or facsimile, and the office was infested by swarming bees on the day it was visited by NDI.

RDCs cannot levy taxes, but do have the authority to raise money in small profitmaking ventures, such as operating street-side markets or other fundraising activities. Although they have the ability to raise additional funds, most councils depend heavily on the central government to finance development projects. For the most part, funding from the central government barely covers general operating costs and salaries. Most RDCs must apply for specific grants on a project-by-project basis.

At the first meeting after elections, each regional council elects one member to serve in parliament. Two members are elected to the NCLDO. A chairperson and vice-chairperson are elected by majority vote. While the chairperson and vice-chairperson preside over the council, day-to-day activities are, in effect, run by a regional executive officer (REO) and a regional chairperson, who are the two full-time paid staff members responsible for fulfilling the policies of the council.

Chapter 28.01, the Municipal and District Government Laws, require RDCs to hold one meeting per month. They are also required to provide public notice three days prior to meetings, and to provide that notice and meeting agenda to each councilor. The chairperson has the

authority to convene special meetings. If the chairperson refuses to call a meeting at the request of another councilor, three councilors may sign a declaration to hold a meeting. The monthly statutory meetings are open to the public, but attendance is low.

A district development officer (DDO), who is paid by the ministry, serves as the local government link between the regional and neighborhood councils of that region. If there is no DDO, a member of the council or the REO will assume the responsibility of coordinating with NDCs. In theory, the DDO or local government officer will attend neighborhood council meetings throughout the region. The local DDO then reports to the REO and the regional chairperson (RCO) on community level perspectives on their needs as expressed in the meetings convened by NDCs. Some regions have local government administrative offices that handle the disbursement of funds, accounting, among other administrative matters. A neighborhood councilor or executive officer may use this office to deliver budgets, grant requests, etc.

At least three RDCs have established regional administrative committees (RACs), which meet twice a month and include the chairpersons of the region's NDCs, as well as public health officials, police officers, and sanitation officials, among others. The RAC attempts to bring together various public officials throughout the region.

### **Identified Problems/Obstacles**

While the system of local government has begun to evolve, the regional democratic council has remained unchanged since 1980. Many Guyanese question its current utility. Because regional staff have also been retained, many regional staff members are unclear about their roles vis-à-vis the neighborhood councils. In addition, there exists no common understanding between elected and nonelected local government officials about their respective roles.

Several executive staff members mentioned that they believed that they were more accountable for the council's actions than the council itself. For instance, if a council voted to repair a dam or part of the sea wall, councilors would play no future role in the development of the plans to fulfill that goal. Instead, the executive officer would be responsible for the implementation of those plans. There are no oversight or progress reports made; the executive officer is held responsible for the success or failure of that project.

Because of the many vacancies on regional and local council staffs, the chairperson of a council, for instance, may also be acting as the town accounting officer. Many councilors have found themselves trapped in the day-to-day administrative aspects of the council rather than involved in policy development or planning.

Delineation of jurisdictions between the regional and neighborhood councils, in some areas, are very confusing and not clearly defined. There is no legal framework establishing a formal relationship between the two councils, and therefore the relationship varies throughout the country. Some elected regional councilors are unaware of the needs of different communities. In Region 3, for instance, the regional vice-chairperson had never attended an NDC meeting, nor had he met any of the councilors in his own neighborhood. Some regional councils place

very little emphasis on local government, which is reflected in their failure to hire or even select a local government officer since the elections of October 1992.

The lack of communication and confusion of roles have led to an extraordinarily low level of integration of development plans between the regional and neighborhood levels. Some services are duplicated, and there is no clear definition of responsibilities. In one region, for instance, the regional democratic council requested a grant from the central government to repair a bridge and subsequently began the repair work with no communication with the NDC or the community. Several NDC councilors and community activists had also begun the application process for funding to repair the same bridge, and were frustrated to find that the RDC had already made plans, without any public consultation or notification.

Because an RDC receives the majority of funding from the central government, the RDC is, in effect, accountable to the government rather than to the people who elected it. Many civic leaders believe that the loyalties of regional staff may be in conflict as they attempt to reconcile their allegiance to the central government that provides their salaries with the region they are there to serve. Some RDCs, particularly those with a PNC majority, believe that there is discrimination in the amount appropriated to PPP-governed RDCs as opposed to PNC-governed RDCs.

The central government makes almost all important financial and budgetary decisions concerning regional democratic councils. Many perceive the RDC to be an extension of the central government, and of the historic top-down approach to governance in Guyana. Guyanese do not believe that the regional system is a responsive dimension of government.

## **NEIGHBORHOOD DEMOCRATIC COUNCILS**

The 65 Neighborhood Democratic Councils (NDCs) are distributed throughout nine of the 10 regions in Guyana. Most NDCs comprise 18 councilors, and are elected through a system of proportional representation for three-year terms. Immediately after elections are held, candidates are selected from the party list by party leaders. According to Chapter 28.02, NDC jurisdiction includes tax collection, bridge and road maintenance, licensing and fees, market operation, rent collection, garbage collection, public playgrounds and day-care centers.

The majority of the NDC councilors are new to local government, community development and leadership. Many of the councilors elected in the 1994 elections have never held a leadership position, much less an elected office. They represent the widest range of knowledge and experience in Guyana -- from seasoned political operatives to farmers and homemakers. Many are shop owners, farmers, teachers or technicians.

Each NDC is provided an initial grant by the central government of between 100,000 and 300,000 Guyanese dollars (approximately \$700-\$2,000 US). According to ministry officials, there is no standard formula to calculate that amount. This grant provides start-up funds for paper supplies, office rental, personnel, etc. Theoretically, NDC operating costs are financed through self-generated revenue such as property taxes, while the central government provides capital improvement grants. Since property assessments have not been completed since the



1970s, however, the NDCs have relied primarily on central government grants for operating expenses.

NDCs are governed internally through the by-laws set forth in Chapter 28.02. The national Parliament must officially approve of any amendment to NDC by-laws. The law requires each NDC to hold at least one meeting per month; by December 1994 many NDCs had also held at least one special meeting. Only two NDCs consulted had not held an official meeting, primarily attributable to delays in receiving their first grants from the central government.

NDCs are required to create at least two standing committees: public works and finance. Optional committees include land distribution, health and environment. Many NDCs had created committees, but did not consider them to be particularly effective.

According to Chapter 28.02, the NDC is required to provide three days notice of any public meeting, and is required to post that notice at the council office. The chairperson has the power to convene special meetings. If the chairperson refuses to call a meeting at the request of another councilor, three members together may convene a meeting of the council.

Although monthly meetings are open to the public, attendance is low. Because community involvement has never been encouraged in local decisionmaking, historically there has been no reason for the public to attend council meetings. Although there are no formal guidelines or laws that establish mechanisms for public participation, the councilors seem eager to learn ways in which to include the public in the decisionmaking process.

Between the statutory monthly NDC meetings, the chairperson of the NDC holds the power to make decisions, take action and spend public money on behalf of the council. Clearly, some councilors are uncomfortable with the amount of power vested in the chairperson between meetings, as it was an issue raised at every seminar attended by the NDI representative. A system of "round-robins" was suggested, whereby the chairperson would call all councilors before making a decision. Emergency decisions made by the chairperson between public meetings must subsequently be approved or denied by the full council.

NDCs submit annual budgets and grant requests to the regional democratic councils or the district development officers, who then have the authority to approve or deny the proposals. Actions taken by the NDC are subject to review and approval by the regional democratic council. If a request is denied, neighborhood democratic councils can then appeal to the Ministry of Public Works, Communication and Regional Development (PWC&RD). The minister of PWC&RD has the authority to review and declare invalid the decision of any local government entity, including some municipal councils and all RDCs and NDCs. Chapter 28.02 allows the minister "to act as and take action as any local authority."

Unlike regional councils, NDCs possess the authority to levy and collect taxes, upon which they depend for continuing maintenance projects and administrative costs. NDCs are primarily dependent on property taxes, which are based on the annual rental value of property in the council area. Although there is a property tax system in place, assessments have not been

updated since the mid-1970s.

Until assessments can be revaluated and completed, the central government has promised to provide local authorities with occasional grants. NDCs have a small staff of one or two, usually consisting of an overseer and a secretary. An overseer may oversee two or more councils, with the minister of PWC&RD determining the terms of appointment and salary division. Overseers are responsible for tax collection. In councils that lack the resources to hire an overseer, tax collection can fall upon the elected NDC officials. Remuneration for overseers may consist of a percentage of the money actually collected.

### **Identified Problems/Obstacles**

The NDCs have virtually no autonomy -- they are dependent upon two upper tiers of government for approval of their annual budgets, and all actions are subject to the approval by the minister of PWC&RD. Almost all councilors with whom NDI spoke voiced frustration over their lack of independence and authority. For example, many councilors are frustrated by regulations that prohibit them from amending or changing the rules that govern their own internal operations.

Because the neighborhood democratic council system is so new, laws governing the roles of the council, councilors and staff have not yet been defined. Chapter 28.02, containing the rules governing local government, was written almost 20 years ago for the use of village, country, and rural authorities, and is currently the only resource available to NDC councilors. Although each council is furnished two copies of Chapter 28.02, it is usually only the chairperson or the overseer who has access to them. Councilors in Bartica, for example, spent their own money to buy a copy of the laws for their own use despite their poor financial situation.

Although the chairperson and overseer of the NDC usually possess a reasonable understanding of their roles, the rest of the councilors seem somewhat unclear as to how they are to relate to other levels of government. Because councilors are selected by party leaders based on political allegiance, some possess very little understanding of the purpose of local government and their roles as elected officials.

Since the NDC lacks readily available financial information, councilors are thwarted from adequately managing and analyzing project expenditures. Formulating long-term planning based on past performance is impossible since there is no accurate accounting procedure or data-base to collect or decipher the information.

Several NDC staff members expressed frustration about the political infighting in the councils, and felt vulnerable to the whims of individual council members. One overseer believed that his job was in constant jeopardy because he was affiliated with the PNC, and the majority of the council comprised PPP members. Many NDC staff members have been retained from the previous system of local government that governed larger areas and feel demoted.

## **Relationship with Central Government and the RDC**

Although councils enjoy broad latitude in terms of functional authority, every action taken is subject to the discretion by the minister of PWC&RD. If it is determined, for example, that work performed benefits another council's jurisdiction, the minister may determine the amount that council will contribute to the project.

Some NDCs expressed frustration with the regional democratic council, particularly if the majority of the RDC was of another party. (See Appendix 11.) In Region 4, for example, the PPP-controlled Grove/Diamond Creek NDC was extraordinarily frustrated with the PNC-governed regional democratic council. According to the councilors, it takes months to receive a reply from the regional council for any request, no matter how small.

## **Finances/Resources**

NDCs are required to obtain approval from the regional democratic council for purchases more than 1,000 Guyanese dollars (\$7.00 US), a requirement that inflation has rendered outdated and onerous. Some NDCs seemed overwhelmed by the enormity of their tax collection responsibilities. As the majority of councilors are untrained in tax collection, many councilors expressed concern with the financial vulnerability of NDCs. Councils are required to budget 100 percent of property taxes despite a collection rate of only 25 to 30 percent. In addition, 90 percent of funds received by NDCs are spent on staff salaries and administrative costs, leaving virtually no resources for community projects.

The central government is currently addressing the issue of property revaluation. The ministry of PWC&RD is first focusing on municipal property taxes and next plans to reevaluate property in rural areas. A shortage of trained appraisers as well as inadequate training in tax collection in general represent two major obstacle to resolving the property tax crisis.

According to the December 24, 1994 *Stabroek*, one of the largest daily newspaper in Guyana, Prime Minister Hinds stated the Ministry will continue to assist the neighborhood democratic councils with grants based on the amount of funds available and the merits of the NDC programs. The main obstacles in completing tax assessments, however, are hiring competent valuers at such low salaries (G17,000/month = \$121 US/month) and establishing a standard nationwide system.

## **Community Development/General Functions**

Although some NDC chairpersons may have experience in running meetings, the rest of the councilors are often unacquainted with parliamentary procedure. In addition, all councilors seemed unfamiliar with the notion of their oversight role, particularly oversight of public employees and development projects. Councilors may be frustrated with the implementation of some community development projects, but are ill-equipped to handle subsequent responsibility or accountability for the success/failure of projects.

Often councilors have no recourse for guidance, such as a manual on conflict resolution or a rule book on parliamentary procedure. In addition, no standardized mechanism exists to apprise councilors of changes in national government policies, and how those policies may affect the NDC.

According to many councilors, NDCs often waste valuable time on personal or political infighting at the expense of meeting the needs of the community. Many officials acknowledged that some councilors ran for office for self interest alone, rather than for the good of the community. For instance, one councilor was upset with a colleague who chaired the lands committee. Instead of repairing the roads most in need, he chose to repair the road in front of his house. The dirt and sand for the project was dumped in front of the council office, moreover, blocking the entrance. Clearly, the concept of public service versus personal benefit is still unclear to some councilors.

## **COMMUNITY DEVELOPMENT COUNCILS**

Community Development Councils (CDCs) are very loosely structured and do not have legal standing. CDCs were created in the late 1980s to implement development projects stemming from the hardship created by the Economic Recovery Plan. They were created, in large part, to work with funding agencies, in order to obtain funds for development projects. They are self-generated and project based, although the life of a CDC can last longer than a single project. A CDC may be created, for instance, by a church group hoping to improve a playground or health conditions in the immediate area.

CDCs most often work with and receive their funding from the Social Impact Amelioration Program (SIMAP). SIMAP, a semi-autonomous government entity, was created in 1989 to help cushion the negative impact of the Economic Recovery Programme through funding small-scale development projects. SIMAP projects include: public service and infrastructure development, including road repair, drainage and irrigation, and nursery schools; health centers and community resource centers; technical and vocational training, and strengthening the organizational capabilities of nongovernmental organizations and community groups.

CDCs are not elected councils, nor are they designed to be political. CDCs may, however, be created within an NDC. All CDC proposed development projects must be approved by the appropriate NDC. By so doing, the NDC agrees to handle future financial responsibility for maintenance of the project. According to many sources, the role of the CDC may ultimately be absorbed by the NDC.

### **Identified Problems/Obstacles**

The method by which NDCs approve of CDC projects has already become, and will most likely continue to be, a critical problem. Many councilors are unaware of the concept of conflict of interest or the appearance of a conflict of interest. The seminars demonstrated that the councilors did not have experience in dealing with public perception or building community trust.

One councilor, for instance, was completely unaware that his position as chairperson of the NDC and the chairperson of two CDCs (within the NDC geographical jurisdiction) may create the appearance of a conflict of interest. Other councilors mentioned that they assumed that he accepted the NDC chairmanship position so that he could advance the projects of his own CDCs. It is not uncommon for several NDC councilors to be involved in more than one CDC. Potential problems could arise in NDCs where councilors are faced with choosing from among several CDC proposals before them, with no standardized guidelines for approval.

In addition, development experts expressed concern over the relationship between the NDC and the CDC. SIMAP representatives, in particular, were concerned that NDCs may ultimately absorb the responsibilities of CDCs. They felt that without proper training, CDCs may become political groups, which could ultimately kill vital development projects.

## **NONGOVERNMENTAL AND INTERNATIONAL ORGANIZATIONS**

Several nongovernmental and international organizations have expressed an interest in strengthening local government in Guyana. Representatives from the University of Guyana's Institute for Adult and Continuing Education (IACE), for example, had developed a training program for one NDC in December 1994. According to IACE officials, they hope to increase the number and scope of future training seminars. IACE believed that working with NDC councilors offered an excellent opportunity to begin a small-scale civic education program on the rights and responsibilities of citizens in a democracy.

The IACE's small Georgetown-based staff includes the executive director, a secretary and several teachers. IACE also has satellite locations in New Amsterdam, Anna Regina and Linden, and reaches students in the interior via radio communication.

The Commonwealth Local Government Forum (CLGF) has expressed additional interest in supporting the development of local government in Guyana. The United Kingdom-based CLGF is a recently created network of Commonwealth countries promoting democratic, decentralized local government. The CLGF plans to undertake practical programs in support of democratic objectives. Membership in the CLGF offers access to international publications, databases, conferences and technical assistance to reach these objectives.

In November 1994, the CLGF held a Caribbean local government seminar in Trinidad. According to Ministry of PWC&RD officials, Guyana was targeted to be the model for a decentralized local government system in the Caribbean. Support from international CLGF participants has increased the desire of Guyanese officials to move forward on the development of the local government system.

The Inter-American Development Bank and the World Bank currently sponsor development programs in Guyana. According to representatives from both organizations, each would like to pursue programs with local government councilors to facilitate development efforts outside Georgetown. Lastly, the Unit for the Promotion of Democracy of the Organization of American States has also expressed interest in providing training seminars and technical assistance to help foster the growth of democracy in Latin America.

## V. CONCLUSIONS

The central government and national political parties have paid scant attention to the development of local government in Guyana. Despite the growing public enthusiasm for meaningful, accessible governance, the confusion of roles and responsibilities, the lack of council autonomy, and absence of formal training opportunities have all contributed to the inability of the government to provide adequate services. In addition, the continuing financial vulnerability of local government entities and the absence of trained and professional government officials have led to a lack of public confidence in local government, which continues today.

Many Guyanese suggested changes to current laws and procedures to enhance the ability of local government to provide valuable services. The following structural recommendations combine those suggestions made by Guyanese with observations made by NDI representatives. The following suggestions are appropriate for consideration by parliament, national political leaders, the Ministry of PWC&RD, interested nongovernmental organizations, and by elected local officials themselves.

- Examine issues of separation of power and devolution of authority throughout the local government system in the context of the impending constitutional reform.
- Devolve decisionmaking authority to local government on issues such as: budgeting, setting development priorities, creating by-laws, establishing rules of order, and determining the scope of the power of the chairperson.
- Promote financial independence of NDCs by devoting financial and technical resources to property revaluation and modernization of the property tax system.
- Reform budgeting procedures to reflect estimated tax revenues. (Currently, NDCs are required to formulate budgets based on 100% tax revenue while actual collection rates average 25 to 30 percent. Current budgeting procedures create unrealistic expectations and confusion between officials and the public.)
- Reduce or eliminate the ability of the Minister of PWC&RD to act as a local authority and to arbitrarily overturn local government decisions.
- Establish comprehensive conflict-of-interest regulations/guidelines for all elected officials.
- Dissolve or restructure the NCLDO.
- Establish guidelines and procedures for the handling of NDC proposals and requests by the central government and the regional democratic councils.
- Establish model criteria for NDC consideration and approval of community development projects by CDCs and other community groups.

The NDC seminars clearly demonstrated that the newly elected local councilors are committed to performing their official duties as responsibly as possible. Virtually every councilor stressed the importance of choosing community development over partisan politics. Given the proper tools, training and resources, the councilors could provide improved public services and ultimately increase public confidence in local government.

## **VI. RECOMMENDATIONS FOR ASSISTANCE**

While in Guyana, Cara Hesse conducted an assessment of the state of local governance and the challenges confronting the newly elected councilors. She developed recommendations for future local government assistance programs through consultations with a wide spectrum of political and nonpolitical sources in Guyana. Party representatives, nongovernmental organizations, and ministry officials were invited to provide ideas and input to help formulate the content of future follow-up training programs.

Hesse also met with the newly elected councilors in order to learn their thoughts on the types of assistance they believed would be most beneficial as they assume their roles as elected officials. Every attempt was made to include and/or consult with a cross-section of councilors in terms of age, gender, political party affiliation, experience and geographic location. (See Appendix 12.)

NDI recognizes that the near complete lack of infrastructure is one of the primary obstacles to efficient local government in Guyana. The absence of telephones, facsimiles and general resources have contributed to the inability to communicate within all levels of government. The recommendations NDI proposes are designed to help elected officials explore ways they can improve efficiency and communication with available resources. Through seminars and through strengthening institutions, NDI hopes to help initiate the dialogue among elected officials that will address these issues.

The following recommendations include both short- and long-term possibilities, as well as suggestions for specific training programs and institutional assistance. While NDI is prepared to implement any or all of the following suggestions, our primary recommendation is that a local government summit be convened, as we believe this could be the catalyst for Guyana's local officials to begin addressing the larger issues of communication and effective democratic governance.

The recommendations below are listed in the order NDI believes would be of most value to the citizens and government of Guyana as they endeavor to strengthen local democracy. The recommendations are presented not as the last word on what ought to be done, but as our contribution to initiate discussion. NDI is prepared to work with the men and women of Guyana to refine and implement these programs as they deem appropriate.

## ***Training/Assistance Programs***

### **1) Convene a national local government summit**

Provide a national forum for both newly elected and experienced officials to discuss the role of local government with each other, with experts (both Guyanese and international), and with national Guyanese political leaders who have not, thus far, focused on the issue of local democracy. The seminar could include two representatives from each municipal council, two from each regional democratic council, and two from each neighborhood democratic council (approximately 150-200 participants).

Topics could include: 1) role/function of local government; 2) intergovernmental relations; 3) committee organization and administration; 4) oversight responsibilities; 5) conflict resolution; 6) parliamentary procedure; and 7) financial management. Role-play activities could feature a mock hearing or public meeting using parliamentary procedure skills. In addition, a structured audience could be prepared in advance of the mock hearing to enhance practical skills of "public" interaction.

**Rationale:** Providing a national forum for local government authorities could begin a public discourse on the future role of local government as the debate on constitutional reform evolves. Many Guyanese leaders seemed eager to generate public debate; by involving local government officials, they will play a part in the development of local government.

The seminar should allow some flexibility in terms of the topics covered. Many crucial issues could be addressed, such as local tax systems, the politics of decentralization and public participation in government. In addition, a seminar would generate much-needed media, political and public attention to the strengths, weaknesses and needs of local government. A large local government forum has not been held in Guyana since the late 1970s, and would initiate discussion of local government issues by national leaders.

### **2) Convene a seminar for regional democratic councils**

Conduct a seminar for 10 councilors from each regional democratic council (approximately 100 participants) in Georgetown. Many crucial issues could be addressed, such as local government interaction, and methods for addressing specific local government needs in each region. A one- or two-day seminar is long enough to allow some flexibility in offering a range of topics to be covered.

Specific seminars could be developed for each region, addressing the needs of each particular area. For instance, some regions identified public participation as their biggest need, while others identified project implementation and oversight as their main priority. Coalition-building and working with neighborhood councils also could be addressed.

**Rationale:** Since they were elected in 1992, regional democratic councils have had no orientation or training to prepare them for their roles as elected officials. Many Guyanese consulted felt that the next step in furthering local government should be targeted towards the



regional democratic councilors. A training seminar or summit for the regional democratic councilors could focus on establishing communication links and working with the neighborhood democratic councils as well as forming broad-based coalitions with NDCs and community leaders.

**3) Provide a small local authority conference to begin discussions on developing a local government association**

Conduct a conference with the chairpersons, vice-chairpersons and one staff member from the regional democratic councils and the chairpersons of the neighborhood democratic councils (approximately 80 to 120 participants). The conference could focus on a debate on whether to form an association similar to what the now defunct Guyana Association of Local Authorities (GALA) once was.

Following the conference, additional consultations could be provided to key political parties, ministry officials and nongovernmental organizations. Participants would be provided resource material such as model by-laws of a U.S. association (i.e. National League of Cities), model membership guidelines and forms, as well as model committee structures.

**Rationale:** Virtually every councilor, ministry official and civic leader consulted in Guyana expressed sincere interest and support for reestablishing a GALA-type organization. Many saw a need to coordinate local government efforts and share information. Moreover, an association could provide a permanent vehicle for professional development to local officials, non-governmental organizations, and political parties. In addition, an association could give a voice to local government as the constitutional debate regarding the future of local democracy evolves. Interest in a local government organization is increasing in Guyana, particularly in Linden, where the mayor has publicly stated that he intends to establish such an organization.

Chairpersons, vice-chairpersons and executive officers are the most familiar with the operations of the government structure, and providing a conference in Georgetown could generate the much-needed discussion on addressing the demands of local government.

**4) Convene a small conference on the financing of local government**

Provide a forum for members of parliament, and NCLDO, NDC and RDC representatives to discuss the role of local government, the division of power, and the relationship between decentralization and independent financing mechanisms for local government. Provide technical assistance and advice, if requested, on developing the local revenue base and the local government structure. In addition to focusing on local financing systems, the conference could also be used to facilitate constitutional deliberations.

Developing realistic budgets, accounting procedures and overall financial management on the local level represent potential topics for a seminar in Georgetown. A discussion on the financial obstacles facing NDCs could generate further dialogue and perhaps lead to the creation of a long-term financial plan based on actual revenue and available resources.

**Rationale:** Although the authority and autonomy of local governments may not change, the potential for change exists for local financing. The current system of rates and collection is archaic and in need of revision, and is currently under review by the Guyanese central government. While the central government is focusing on the reassessment of properties in municipalities, revaluation of property within all NDC jurisdictions should be addressed as soon as possible.

**5) Target one region (such as Region 5) to receive training**

Conduct the same content as number 1 above, but with a higher number of NDC and RDC representatives from the region. Region 5 is ideal; it is accessible to Georgetown, but is far enough away from the capital city to be removed from the high level of cynicism found there. Region 5 also offers diversity of political parties with six PPP neighborhood councils and four councils led by various community groups. It falls in the mid-range in the number of neighborhood councilors (168). On the regional level, the RDC consists of 11 PPP and seven PNC representatives.

**Rationale:** Specific, regionalized training offers the advantage of reaching more councilors and staff than would training for fewer councilors nationwide. Many saw formal, accessible training for council staff as a high priority. In addition, a regional seminar could address issues specific to that region, and could include in-depth workshops on project implementation and working with a "ward" or direct representation system. Follow-up training for specific needs would be more likely on a smaller, regional basis. If successful, such concentrated training could then be replicated in other regions.

**6) Provide training on committee structures and functions to municipal councils and staff**

Provide short-term training for municipal and regional councils on the role of effective committee structures in local governance. Convene a conference of municipal and regional representatives to discuss effective committee structures. Workshops on conflict resolution and oversight responsibilities in a committee structure would be extraordinarily beneficial. Role-play activities on specific committee issues could be available to enhance practical skills.

**Rationale:** Training could tangibly improve the councils ability to provide services. Municipal councilors and mayors identified the provision of services and project implementation as their top priorities. Although municipal and some regional councils already have in place a skeletal system of committees, they do not function well. The authority given to committees is minimal, and all committee proceedings are confidential. Many Guyanese officials are unaware of the importance of committees in dividing labor and decentralizing power.

### *Institutional Assistance*

- 1) **Provide technical assistance and advice to the Ministry of Public Works, Communication and Regional Development on methods to strengthen local government as it currently exists**

Topics of discussion could include long-term personnel strategies, and structures that would enhance the ability of the Ministry of PWC&RD to respond in a standardized, professional manner to local government needs. Other issues could include defining and identifying conflicts of interest, developing better management skills, improving intergovernmental relations, streamlining office procedures and learning efficient accounting practices. Discussing these topics could enable Ministry of PWC&RD officials to guide and help develop these skills in local government officials. This conference could also include a small group of Ministry officials, members of parliament, local government experts and political leaders.

**Rationale:** The frustrations of many councilors seemed to stem from the perception (real or imagined) that parliament and central government administrators were inequitably allocating precious resources. The provision of financial resources, grant requests and overall emphasis were all thought to be politically motivated. Standardized methods of calculating and measuring local needs would clearly benefit both the Ministry and local government officials.

- 2) **Provide assistance to the central government, parliament and the Ministry of Regional Development on model local government structures**

Provide information on local government structures from other countries, as well as by-laws of local government structures. Provide guidance to a legal draftsman and members of parliament on defining the roles of elected officials and staff in local government. Provide assistance in redrafting of the Local Government Law contained in Chapters 28.01 and 28.02 so that they are relevant to current needs and easier to understand.

**Rationale:** If indeed Guyanese officials are prepared to revise the structure of local government as part of the constitutional debate, assistance on models of local government structures would be vital to the deliberation. Guyanese officials do not have the resources or incentives to conduct the necessary research. Even absent a constitutional revision, Guyanese officials could amend statutes to improve the daily operation of local government.

- 3) **Develop training manuals for all municipal, regional and neighborhood councilors**

Develop manuals that include job descriptions, terms of reference for local officials and staff, and information on the overall local and national government structure. Also include the proper procedures for submitting grant requests and developing long-term strategic plans. Definitions of legal and government terms should be cited. In addition, broader issues such as identifying and avoiding conflicts of interest and fostering public participation could be included.

**Rationale:** In the event that the local government legal framework remains the same (*i.e.* no structural laws are changed), local councilors must understand their current role and be able to obtain information on how to perform their duties as elected officials. Information and resources (such as Chapter 28.02, the local government laws) are traditionally distributed only to the chairperson, not to the council as a whole, which hampers the ability of councilors to contribute to the decisionmaking process.

**4) Provide financial and technical assistance to an established local government association, such as an association of mayors or an association of local authorities**

Provide information on model associations from around the world, including information on by-laws, membership guidelines and governmental relations. Furnish assistance in developing an information resource center as well as a long-term strategic plan. Supply the necessary resources for the inaugural planning conference and provide international experts to share insights into various structures of organizations.

**Rationale:** In the event that local government officials establish an association apart from government, start-up financial and technical resources should be available. Guyanese officials do not currently have access to the necessary information or resources to establish such an organization.

**5) Strengthen the Institute for Adult and Continuing Education (IACE) to provide professional development training to council members and staff**

Conduct education programs to train additional local government trainers. Using IACE's three regional offices in New Amsterdam, Anna Regina and Linden as training facilities, train future local government "experts" in issues such as rates collection, financial accountability, and efficient meetings. Participants in the initial training could also include regional and municipal officials who would then facilitate future IACE local government training sessions.

**Rationale:** IACE officials were very eager to begin a civic education campaign that would begin with local government officials and future local government trainers. They were also enthusiastic to help introduce training to the interior using modest technology such as radios. IACE officials believed that the priority in establishing a sustained local government program would be to increase and develop the pool of knowledgeable local government experts.

**6) Provide long-term, full-time assistance to one or two neighborhood or regional democratic councils**

Many obstacles for local government stem from lack of exposure to effective planning and implementation procedures. A full-time consultant working directly with one or two councils in areas such as committee structures and development, meeting structures, mechanisms for public participation in the political process and parliamentary procedure would provide enormous benefits.

**Rationale:** Once in-depth training and/or assistance is provided to one council, those techniques could be replicated elsewhere. The Corriverton municipal council had found the long-term presence of a Canadian Executive Service Organization (CESO) volunteer to be extremely helpful in learning better techniques to implement policies and development projects. Long-term assistance may help councilors bridge the existing gap between planning and implementation.

## APPENDICES

**APPENDIX 1**

70.(1) The President may at any time by proclamation prorogue Parliament.

(2) The President may at any time by proclamation dissolve Parliament.

(3) Parliament, unless sooner dissolved, shall continue for five years from the date when the Assembly first meets after any dissolution and shall then stand dissolved.

(4) During any time when the President considers that Guyana is at war Parliament may from time to time extend the period of five years specified in the preceding paragraph by not more than twelve months at a time:

Provided that the life of Parliament shall not be extended under this paragraph by more than five years.

(5) If, after a dissolution and before the holding of an election of members of the Assembly, pursuant to the provisions of article 61, the President considers that owing to the existence of a state of war or of a state of emergency in Guyana or any part thereof, it is necessary to recall Parliament, the President shall summon the Parliament that has been dissolved to meet, but the election of members of the Assembly shall proceed and the Parliament that has been recalled shall, if not sooner dissolved, again stand dissolved on the day before the day on which the election is held.

## CHAPTER VII

### LOCAL DEMOCRACY

#### Local Democratic Organs

71.(1) Local government is a vital aspect of socialist democracy and shall be organised so as to involve as many people as possible in the task of managing and developing the communities in which they live.

(2) For this purpose Parliament shall provide for the institution of a country-wide system of local government through the establishment of organs of local democratic power as an integral part of the political organisation of the State.

72.(1) Parliament may provide for the division of Guyana (save for any areas excluded by it) into ten regions and into such sub-regions

Prorogation and dissolution of Parliament.

Local government.

Local government areas.

and other subdivisions as it may deem fit for the purpose of organising local democratic organs.

(2) In defining the boundaries of any areas into which Guyana may be divided under paragraph (1) account shall be taken of the population, the physical size, the geographical characteristics, the economic resources and the existing and planned infrastructure of each area, as well as the possibilities of facilitating the most rational management and use of such resources and infrastructure, with a view to ensuring that the area is or has the potential for becoming economically viable.

73.(1) Members of a regional democratic council shall be elected by persons residing in the region and registered as electors for the purpose of article 159:

Election of members of regional councils.

Provided that Parliament may make provision for any areas which do not form part of any region to be represented on the regional democratic council of any region near to which it is situate for such purposes as Parliament may prescribe.

(2) Elections of members of regional democratic councils shall be held and the councils shall be dissolved at such times as, subject to paragraph (3), the President may appoint by proclamation.

(3) The interval between any two successive dissolutions of a regional democratic council shall not exceed five years and four months:

Provided that, if at the expiration of that period the duration of Parliament has been extended under article 70(4), that period shall not be deemed to come to an end until the expiration of the period for which the duration of Parliament has been extended.

74.(1) It shall be the primary duty of local democratic organs to ensure in accordance with law the efficient management and development of their areas and to provide leadership by example.

Duties of local democratic organs.

(2) Local democratic organs shall organise popular co-operation in respect of the political, economic, cultural and social life of their areas and shall co-operate with the social organisations of the working people.

(3) It shall be the duty of local democratic organs to maintain and protect public property, improve working and living conditions, promote the social and cultural life of the people, raise the level of civic consciousness, preserve law and order, consolidate socialist legality and safeguard the rights of citizens.

75. Parliament may provide for local democratic organs to take decisions which are binding upon their agencies and institutions, and upon the communities and citizens of their areas.

Power to take decisions.



76. Parliament may provide for regional democratic councils to raise their own revenues and to dispose of them for the benefit and welfare of their areas.

77. The development programme of each region shall be integrated into the national development plans, and the Government shall allocate funds to each region to enable it to implement its development programme.

78. Parliament may make provision for the election of members of local democratic organs (including the commencement of balloting before the day appointed for holding an election) and for all other matters relating to their membership, powers, duties, functions and responsibilities.

#### The National Congress of Local Democratic Organs

79. There shall be a National Congress of Local Democratic Organs which shall have responsibility for representing the interests of local government in Guyana and such other duties and functions as may be assigned to it by this Constitution or by any other law.

80.(1) The members of the National Congress of Local Democratic Organs shall be elected by and from among the members of such local democratic organs as may be prescribed by Parliament.

(2) Elections of members of the National Congress of Local Democratic Organs shall be held and the Congress shall be dissolved at such times as, subject to paragraph (3), the President may appoint by proclamation.

(3) The interval between any two successive dissolutions of the National Congress of Local Democratic Organs shall not exceed five years and four months:

Provided that, if at the expiration of that period the duration of Parliament has been extended under article 70(4), that period shall not be deemed to come to an end until the expiration of the period for which the duration of Parliament has been extended.

81. Parliament may make provision for all other matters relating to the establishment, membership and functions of the National Congress of Local Democratic Organs, for the election of the members thereof and for effective participation by them through the Congress in the decision-making processes of the State.

82. There shall be a Supreme Congress of the People of Guyana, which shall consist of all members of the National Assembly and all members of the National Congress of Local Democratic Organs.

83. The Supreme Congress of the People may discuss any matter of public interest and may make recommendations thereon to the National Assembly or the Government. In particular, the Congress shall advise the President on all matters which he may refer to it, and for this purpose article 67 shall apply in relation to the Congress as it applies in relation to the National Assembly.

84.(1) Each session of the Supreme Congress of the People shall be held at such place within Guyana and shall begin at such time as the President shall appoint by proclamation.

(2) Subject to the provisions of the preceding paragraph, the sittings of the Congress shall be held at such time and place as the Congress may, by its rules of procedure or otherwise, determine.

85.(1) The President may at any time by proclamation summon, prorogue or dissolve the Supreme Congress of the People.

(2) The Supreme Congress of the People, unless sooner dissolved, shall stand dissolved on the occurrence of a dissolution of Parliament.

86. The Chairman of the Supreme Congress of the People shall be the person who is entitled for the time being to discharge the functions of the office of Speaker of the National Assembly. If there is no such person, the Congress shall elect its own Chairman.

87. The Clerk, the Deputy Clerk and officers of the National Assembly shall also be the Clerk, the Deputy Clerk and officers respectively of the Supreme Congress of the People.

88. All other matters concerning the Supreme Congress of the People (including the procedure thereof) shall be regulated by the provisions of articles 173 to 176 (inclusive).

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Functions of Congress of the People.

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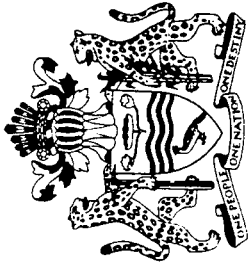
Chairman of Supreme Congress of the People.

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Regulation of procedure.

Establishment of office of President.

**APPENDIX 2**



# THE LAWS OF GUYANA

REVISED EDITION

CHAPTER 28:02  
LOCAL GOVERNMENT

Published by the Government of Guyana  
1977

LOCAL GOVERNMENT ACT  
CHAPTER 28:02

Act	
14 of 1945	9 of 1969
Amended by	
4 of 1957	11 of 1969
42 of 1957	12 of 1969
19 of 1959	23 of 1969
25 of 1961	24 of 1969
29 of 1961	25 of 1969
27 of 1953	4 of 1972
37 of 1955	25 of 1973
47 of 1955	17 of 1974
24 of 1956	0-74/1953
28 of 1956	
55 of 1956	

Current Authorised Pages		Pages (inclusive)		Authorised by L.R.O.	
1-2	37-38	1-2	37-38	1/1977	1/1977
3-16.4	39-40	3-16.4	39-40	1/1975	1/1975
17-20	41-48	17-20	41-48	1/1973	1/1973
21-24.4	49-50	21-24.4	49-50	1/1975	1/1975
25-28	51-52	25-28	51-52	1/1973	1/1973
29-30	53-64.4	29-30	53-64.4	1/1975	1/1975
31-34	65-70	31-34	65-70	1/1973	1/1973
35-36		35-36		1/1975	1/1975

Sanitary Care of Ports and Seamen By-laws  
(By-laws 9/11/1914)  
Sale of Milk By-laws  
(By-laws 17/9/1912, 1/8/1922)  
Bakeries and Provision Shops By-laws  
(By-laws 30/8/1915)

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(By-laws 5/1/1920)

Sale of Milk By-laws

(By-laws 17/9/1912, 25/1/1915, 12/1944)

Bakeries and Provision Shops By-laws

(By-laws 23/8/1915, 15/9/1920)

Scavenging and Cleansing of the City By-laws

(By-laws 26/7/1917)

Mosquito Prevention (Screening of Vats) By-laws

(By-laws 2/9/1907)

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(By-laws 1/2/1915)

Sale of Milk By-laws ... ..

(By-laws 1/2/1915)

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(By-laws 25/6/1924)

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## CHAPTER 28:02

## LOCAL GOVERNMENT ACT

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 The Local Government Ordinance, Chapter 84 of the 1929 Edition.  
 The Local Government (Village Councils) Ordinance (16 of 1935).  
 The Local Government (Village Councils) Ordinance (8 of 1937).  
 The Local Government Ordinance (12 of 1937).  
 The Local Government (No. 2) Ordinance (20 of 1937).  
 The Local Government (Village Councils) (No. 2) Ordinance (21 of 1937).  
 The Local Government (Amendment) Ordinance (15 of 1938).  
 The Local Government (Rose Hall Voters Register) (Continuance) Ordinance (20 of 1938).  
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CHAPTER 28:02

LOCAL GOVERNMENT ACT

1953 Ed.  
c. 150

14 of 1945

An Act to make provision for local government in village districts, country districts and rural districts and for matters related thereto.

[4TH DECEMBER, 1945]

1. This Act may be cited as the Local Government Act.

Short title.

2. In this Act—

Interpretation.  
[23 of 1969  
4 of 1972]

“building” includes any kitchen, bathroom or outhouse appurtenant thereto;

“by-laws” means any by-laws made under the authority of this Act and for the time being in force;

“district” means any village, country and rural district constituted under this Act;

“district commissioner” means the district commissioner of the area, and includes the assistant district commissioner;

“drain” means any drain of one lot or two lots or of premises within the same curtilage, made for the purpose of conveying the water received thereon to any main drain or trench;

“lot” means any portion of land separately appraised, and any subdivision of a lot, together with any easement attached thereto;

“local authority” means village council, country authority and rural authority;

“main drain” includes drains and trenches of every description except drains to which the word “drain” defined as aforesaid applies;

“the marshal” means the Registrar of Deeds, and includes any marshal in the registry of deeds;

“officer” includes any person employed temporarily or otherwise by local authority to perform any duty;

“overseer” means the overseer of a district and includes an assistant overseer;

“proprietor” includes the person in whose name any lot or building is rated in the assessment book for rates;

“street” includes any highway and any public bridge, also any road, land, footway, square, court, alley, or passage, whether a thoroughfare or not;

“village” means any place duly declared to be a village district within the meaning and for the purposes of this Act.

3. (1) There shall be such number of public officers as may be necessary to assist the Minister in the performance of his functions under this Act.

Officers to be appointed. (4 of 1972)

(2) The Minister may, by notice published in the *Gazette*, designate any public officer to perform any of the functions conferred on the Minister by this Act.

PART I

CENTRAL ADMINISTRATION

4. With the approval of the Minister, a local authority shall have power to borrow money for the execution of any of the purposes of this Act, and may mortgage any rate for the repayment thereof.

Power to borrow money. (4 of 1972)

5. If it appears to the Minister that property being sold for non-payment of any rate should be purchased by the State, the Minister may designate a public officer to purchase such property at the execution sale and to hold such property on behalf of the State for the purposes of this Act.

Power to purchase property sold for non-payment of rate. (4 of 1972)

6. The Minister may, from time to time, cause to be made any inquiries directed by this Act and any inquiries it sees fit in relation to any matters with respect to which their consent, sanction, or approval is required by this Act.

Power in the Minister to make inquiries.

7. (1) A public officer designated by the Minister for the purposes of any inquiry, shall have, in relation to witnesses and their examination, the production of papers and accounts, and the inspection of places and matters required to be inspected, similar powers to those

Powers of officer directed to inquire. (4 of 1972)

which magistrates have under the Summary Jurisdiction (Petty Debt) c. 7:01 Act.

(2) Every person duly summoned to attend any such inquiry as a witness who does not attend at the time and place specified in the summons, or who refuses to be sworn or to answer any question, or to produce any document, may be summoned before a magistrate on the complaint of a public officer designated by the Minister, and the magistrate may deal with him in the same manner as if he were a witness duly summoned before a magistrate's court in the exercise of its jurisdiction under the Summary Jurisdiction (Petty Debt) Act.

8. Whenever the Minister is of opinion that work performed or to be performed in a district has benefited or will benefit another district, or any part thereof, the Minister shall determine the amount to be contributed by the local authority of the other district and such local authority shall be authorised and empowered to levy a rate for the recovery of such amount to enforce payment thereof.

Contribution where work performed in a district benefits another district.

9. (1) Where complaint is made to the Minister that the local authority of a village or country district has made default—

Mode of enforcing obligation of local authority.

(a) in providing the district with sufficient drains, or

(b) in the maintenance of existing drains, or

(c) in providing the district with a supply of water in cases where the existing supply is either insufficient or unwholesome and a proper supply can be obtained at a reasonable cost, or

(d) in enforcing any of the provisions of this Act which it is its duty to enforce,

the Minister may, if satisfied after due inquiry that the local authority has been guilty of the alleged default, make an order limiting a time for the performance by the local authority of its duty in the matter of the complaint, and the order shall be served upon the local authority.

(2) If the duty is not performed within the time limited by the order, the order may be enforced by mandamus, or the Minister may appoint some person to perform the duty and shall, by order, direct that the expenses of performance, together with a reasonable remuneration to the person appointed as aforesaid, amounting to a sum specified in the order, shall be paid by the authority in default.

(3) Any person appointed under subsection (2) for the purposes of his appointment and in the performance of the duty as aforesaid, shall have and may exercise all the powers, other than the power to levy rates, of the local authority in default.

(4) The Minister may from time to time, by order, remove any person so appointed and appoint another person in his place.

(5) In this section and in section 10 the expression "expenses" includes all sums payable under the said sections by or by order of the Minister or the person appointed by the Minister under this section.

10. (1) The Minister may from time to time certify the amount of the expenses which have been incurred, or an estimate of the expenses about to be incurred, by any person appointed by the Minister under section 9, and also the amount of any loan which may be required to be raised for the purpose of defraying expenses so incurred, or estimated as about to be incurred.

(2) Any such certificate of the Minister shall be conclusive as to the matters to which it relates.

11. (1) Whenever the Minister certifies under section 10 that a loan is required, the Minister or the person appointed under section 9 may, by any document duly executed, charge the district rate with the principal and interest payable in respect of the loan.

(2) The charge shall have effect as if the local authority of the district to which the charge relates were empowered to raise the loan on the security of the district rate and had duly executed a document charging the loan on the district rate.

(3) Any principal or interest due or payable from time to time in respect of any loan certified by the Minister to be required as aforesaid shall be a debt due by the local authority of the district to which the loan relates.

12. (1) A public officer designated by the Minister may institute and carry on or defend any action or prosecution in any court of justice for and on behalf of any village or country district.

(2) The Limitation Act and the Title to Land (Prescription and Limitation) Act do not, in so far as they prescribe a period of limitation within which a sum of money may be recovered, apply to a claim by a local authority.

12A. Section 12 of the Act shall have effect as if—

(a) there had been substituted for section 23(1)(a) of the Municipal and District Councils (Amendment) (No. 2) Act 1973 at the time of its enactment the following provision—

"Amendment of the Local Government Act.

23. The Local Government Act is hereby amended in the following respects—

by renumbering section 12 as section 12(1) and by adding the following subsections as subsections (2) and (3) thereof—

(2) The Limitation Act and the Title to Land (Prescription and Limitation) Act do not, in so far as they prescribe a period of limitation within which a sum of money may be recovered, apply to a claim for a sum of money by a local authority and whether or not such sum would have been irrecoverable prior to the enactment of this subsection\* by virtue of either of the said enactments.

(3) Where by virtue of subsection (2) a sum of money is claimed as rates due in respect of property from the owner thereof for a period during which he was not the owner of the property any sum of money paid by him in satisfaction of that claim shall, subject to any agreement to the contrary, be deemed to be money paid by him at the request of the person who was the owner during the said period.

(b) Section 23(2) had never been enacted."

13. The Minister shall have and may exercise in any village or country district any or all of the powers of a local authority whenever it appears to the Minister expedient so to do, and may exercise authority. is not a local authority thereof.

Power of the Minister to act as local authority.

14. (1) Subject to this Act and the by-laws, the Minister shall have the superintendence of all village and country districts in Guyana, and shall have and exercise general powers of supervision, inspection, and control over the several local authorities and the officers and servants thereof.

General powers of the Minister. [4 of 1972]

(2) In the exercise of those general powers the Minister may—

(a) review the order or decision of any village council or village authority, or of a committee or any chairman of a village council or country authority, and declare such order or decision to be invalid in which case the order or decision shall *ipso facto* be void, and may substitute for the order or decision any order or decision which he deems proper, and any order or decision so substituted shall have the same force and effect in all respects as if it had been made by the village council or country authority;

(b) for good cause remove from office the chairman or any

\*31st May 1974

member of a country authority, or any overseer or other officer of a village council or country authority and in his stead appoint a chairman, member, overseer or other officer, as the case may be.

(3) An overseer or other officer removed from his office as aforesaid shall not be entitled to any damages or payment of salary or other emolument in lieu of notice of termination of his engagement.

**15. (1)** The Minister may make by-laws with respect to all or any of the following matters—

(a) the definition and regulation of the respective rights and liabilities of the parties interested in the case of company canals or dams between any two contiguous villages or country districts or between or through a village or country district and any adjoining plantation or land;

(b) the definition and regulation of the powers and duties of village councils and country authorities and of their officers and the regulation of pensions and gratuities payable by village councils and country authorities;

(c) the management and administration of villages or country districts generally;

(d) the quorum, proceedings, and place of meeting of committees of the local authority of a village or country district.

(2) The Minister may for any purpose for which a local authority is authorised to make by-laws to have effect in any village or country district, and those by-laws, shall have effect in every village or country district, or in any village or country district specified in the by-laws.

(3) The Minister may by order direct that any by-laws so made and approved shall also have effect in any rural district specified in the order.

## PART II

### VILLAGE, COUNTRY AND RURAL DISTRICTS, AND LOCAL AUTHORITIES THEREOF

**16.** For the purposes of this Act, Guyana exclusive of the City of Georgetown, the Town of New Amsterdam, other towns and local government districts shall be divided into village districts, country districts and rural districts.

Village, country and rural districts. [24 of 1969 25 of 1973]

**17.** Every area of land which at the commencement of this Act is a village district or a country district and has not been brought within the operation of the Municipal and Districts Councils Act shall be a village district or a country district, as the case may be, under this Act.

Village and country districts at commencement of Act. [4 of 1972] c. 28:01

**18. (1)** The Minister may, by notice published in the *Gazette*—

Declaration, etc., of village and country districts and alteration of boundaries. [9 of 1969 4 of 1972 25 of 1973]

(a) declare any portion of Guyana not included in the City of Georgetown or the town of New Amsterdam or any other town or any local government district to be a village district or a country district;

(b) declare that any village district or any country district shall cease to be a village district or a country district, as the case may be;

(c) alter the boundaries of any village district or of any country district.

(2) In every notice under subsection (1)(a) the village district or the country district, as the case may be, shall be described by a name and its boundaries shall be defined.

(3) Where a notice is published under subsection (1), the Minister may make any orders or perform any acts which may be necessary to give effect to the notice.

(4) Where notices are published under subsection (1) disestablishing a district and constituting another district incorporating the area of the district so disestablished, the following provisions shall apply:

(a) the local authority of the district so constituted shall for all purposes be the successor of the local authority of the district disestablished and without prejudice to the generality of the foregoing provisions of this paragraph, the property, rights, powers, liabilities and obligations of the last-mentioned local authority shall thereupon be transferred to and vest in the first-mentioned authority accordingly;

(b) no notice hereinbefore mentioned shall be deemed to abrogate any appraisements, rates, estimates or other things provided, prescribed or done in the course of, or pursuant to, the execution of the functions of the Minister or the local authority in relation to a district so disestablished so, however, that every provision, prescription or other thing which would cease to have effect but for the foregoing provisions of this

paragraph shall, except in so far as otherwise provided, prescribed or disposed in the course of, or pursuant to, the execution of the functions of the Minister and the local authority of the district so constituted, continue to have effect as if the disestablished district remained constituted and the last mentioned authority were the local authority thereof, and the functions of the Minister and the local authority of the district so constituted shall be exercisable accordingly in so far as is expedient on account of anything continuing to have effect as aforesaid;

(c) all enactments, instruments thereunder and other documents whatsoever having special reference to a district immediately before its disestablishment as aforesaid shall (subject to variation or rescindment by any competent authority and to such modifications, adaptations, qualifications and exceptions as are necessary for the purpose of conformity with the provisions of this subsection) have effect with like reference to the area as was comprised in that district;

(d) except for the purpose of giving effect to the right to any payment of a person who, at the coming into operation of a notice disestablishing a district, is on leave of absence pending his relinquishment of any appointment to the service of the local authority of that district, nothing in this subsection shall be deemed to provide for the subsistence thereafter of any contract of service with a local authority and, subject to the provisions of the next succeeding paragraph of this subsection, no liabilities or obligations (other than in respect of superannuation rights or benefits or of leave, whether earned, accrued, inchoate or contingent) arising upon and in respect of the termination by virtue of the said notice, or for the purpose of carrying into effect any notice hereinbefore mentioned, of any service of any employee shall be deemed to be incurred by, or assigned to, the local authority of a district constituted as aforesaid or the Minister; and

(e) the local authority of a district so constituted shall afford to every employee, whose service is terminated as mentioned in paragraph (d), an opportunity of serving it, with effect from such termination, upon such terms and conditions as may be agreed upon between the local authority and him:

Provided that such terms and conditions proffered by the local authority shall, when taken as a whole, be no less favourable than those which the employee enjoyed with the authority of the disestablished district.

(5) Any question whether the provisions of paragraph (c) of the last preceding subsection are complied with shall be decided by the Minister.

19. Every district proclaimed under the District Government Act exclusive of those portions which are within the City of Georgetown, [24 of 1969 the town of New Amsterdam or any other town, any local government 23 of 1973] district, any village district or any country district, shall be a rural district.

20. (1) Village districts, country districts and rural districts shall be subject to the jurisdiction of local authorities. Local authorities.

(2) The local authority of a village district, a country district, and a rural district shall be called a village council, a country authority, and a rural authority, respectively.

21. (1) The Minister shall be the rural authority of every rural district. Rural authority. [4 of 1972]

(2) The Minister, as a rural authority, shall have and may exercise all the powers conferred by this Act upon the local authority of a village or country district.

(3) The Minister shall not be under any obligation to perform any act required by this Act to be performed by the Minister as a rural authority where it appears to the Minister that it is inexpedient so to do.

(4) The Minister, as rural authority, may by notice published in the *Gazette*, appoint an agent consisting of one or more persons in any rural district and thereupon that agent shall perform all the functions of, and may be dealt with as, the rural authority of the district for all the purposes of this Act subject to such qualifications as may be specified in the appointment.

## PART III

## LOCAL ADMINISTRATION IN VILLAGE AND COUNTRY DISTRICTS

*Village Councils*

22. (1) In every village there shall be constituted a village council which shall be entrusted with the management of the administrative and financial business of the village and with its government generally.

Constitution of village councils [19 of 1959 23 of 1969 4 of 1972]

(2) Each village council shall consist of such number of councillors not less than six, as the Minister may, from time to time determine.

(3) All village councillors shall be elected at elections held every third year during the period commencing on 1st November and ending on 7th December in accordance with the Local Authorities (Elections) Act; and every village council shall be a local authority to which that Act applies and a local authority within the meaning of that Act, and the overseer shall be the clerk of the local authority for the purposes of that Act. c.28:03

(4) The number of registered voters who may, under section 43 of the Local Authorities (Elections) Act submit a list of candidates shall be not less than twenty and not more than thirty. c.28:03

(5) The amount of the personal expenses which may be incurred under section 107(2) of the Local Authorities (Elections) Act by a candidate at an election to a village council shall not exceed one hundred dollars and the expenses which may be incurred under section 109(1) by or on behalf of a group of candidates shall not exceed five hundred dollars. c.28:03

(6) Where any portion of Guyana has been declared to be a village district under section 18, the following provisions shall have effect—

(a) if the village, at the time of the declaration, was a country district, the local authority of the country district shall discharge the powers, duties and functions of a village council of the district until the village council of the district has been constituted under paragraph (e) of this subsection, and the assessment book of the country district shall be the assessment book of the village;

(b) if the village, at the time of the declaration, was not a country district, the Minister shall appoint a local authority, and a chairman thereof, and the local authority shall discharge the powers, duties and functions of a village council of the

district until the village council of the district has been constituted under paragraph (e) of this subsection, and the Minister shall cause to be prepared an appraisal, and the assessment book, of the village;

(c) the Minister shall, not later than ten days after the publication in the *Gazette* of the notice declaring the village district, determine the number of members of which the village council shall consist, and the Minister shall publish a notice of its determination in the *Gazette*;

(d) the Minister shall fix a day, hour and place for which the overseer shall summon a meeting of the councillors of the village district for the purpose of electing a chairman and a deputy chairman of the village council and a day and place upon which an election by the registered voters shall be made, if there is no election by the councillors on account of an equality of votes;

(e) when the first chairman of the village council has been elected, the village council shall be constituted;

(f) subject to the foregoing provisions of this subsection, the provisions of this part of this Act shall apply to the first election of councillors of a village district and the first election of a chairman and of a deputy chairman of a village district.

(7) Except as is otherwise provided in this Act the term of office of councillors shall be three years commencing on the first day of January after the declaration under section 101 of the Local Authorities (Elections) Act of the election results for the village.

(8) A person filling a vacancy in the office of councillor in accordance with section 103 of the Local Authorities (Elections) Act shall hold office for the unexpired term of office of his predecessor.

23. If a member of a village council is either directly or indirectly pecuniarily interested in any contract with the council he shall, at any meeting of the council at which the contract is the subject of consideration, disclose the fact and shall not take part in the consideration or discussion of or vote on any question with respect to the contract:

Provided that a person shall not be deemed to be so interested in any contract within the meaning of this section by reason only of his having any share or interest in—

- (a) any agreement for the loan of money only; or
- (b) any newspaper in which any advertisement relating to the affairs of the council is inserted; or
- (c) any incorporated company or society in which he does not hold more than one-fifth of the shares; or

Disqualifications for election as a councillor.

c.28:03

(d) any lease, sale or purchase of land, or any agreement for the same.

24. If an elected member of a village council—

(a) fails throughout a period of three consecutive months to attend any meeting of the council, unless the failure was due to some reason approved by the council; or

(b) by letter under his hand addressed to the chairman of the council resigns his seat; or

(c) is not qualified to be elected; or

(d) is disqualified for being or is disqualified from continuing to be a councillor,

he shall cease to be a member of the council.

25. Whenever a vacancy occurs in the office of a councillor of a village council the overseer shall report the same at the next meeting of the council and the council shall publish notice thereof, and the provisions of section 103 of the Local Authorities (Elections) Act shall apply to the filling of that vacancy.

26. (1) Every person who, having been returned as an elected member of a village council not being at his election qualified or being then disqualified to be elected a member of the council, shall sit or vote in the council, shall for every day he sits or votes, and every person who shall sit or vote in a village council after his office has been declared to be vacant, shall for every day on which he sits or votes after his office has become vacant, be liable to a penalty of ten dollars for every day on which he sits or votes.

Penalty for unqualified persons sitting and voting. [23 of 1969]

(2) The penalty may be recovered by action in the magistrate's court of the magisterial district in which the village is situate by any registered voter of the village; but no process shall issue out of the court unless the person suing out the process first deposits with the clerk of the court the sum of twenty dollars as security for any costs which may become payable by him.

(3) No action under this section shall be brought after three months from the date of publication under section 35 of notice of the vacancy.

Mode of publication of notices, etc. [23 of 1969]

27. Where it is provided in this Part that any notice, list or register shall be published, such publication shall be made by posting the notice, list or register, signed by the person whose duty it is to publish it, on the village office and in such other conspicuous places in the village as he may deem necessary.

## ELECTION OF CHAIRMAN OF A VILLAGE COUNCIL.

28. (1) The councillors of every village council shall, as herein-after provided in this section, elect out of their number a chairman and a deputy chairman, of the council.
- (2) The overseer shall not later than the 16th December of each year summon a meeting of the councillors for the ensuing year for the purpose of electing a chairman and a deputy chairman for the ensuing year and not less than three days' notice of the meeting shall be given.
- (3) The overseer shall preside at the meeting but shall not be entitled to vote.
- (4) On the day of the election the overseer shall attend at the hour of eight in the forenoon and for thirty minutes thereafter at the place specified in the notice, and shall receive the nominations of candidates for the offices of chairman and deputy chairman. No nomination shall be valid unless it is seconded.
- (5) If only one candidate is nominated for the office of chairman or for the office of deputy chairman that candidate shall forthwith be declared to have been elected chairman or deputy chairman as the case may be.
- (6) If more councillors than one are nominated for the office of chairman the overseer shall forthwith proceed to take the votes of the councillors present and the councillor securing the greatest number of votes shall forthwith be declared to be elected as chairman, but if there is no election on account of an equality of votes the overseer shall immediately fix a day within the last ten days of the year for the election, by the registered voters, of a chairman from the councillors receiving the greatest number of equal votes, and the election shall be held and conducted and a return or election made in all respects in the same manner as provided for the election of village councillors.
- (7) Where by reason of an equality of votes cast at the election by the voters no person is elected chairman, the Minister shall select one of the councillors receiving the greatest number of equal votes to be chairman.
- (8) The provisions of subsections (6) and (7) with respect to the election of a chairman shall, *mutatis mutandis*, apply to the election of a deputy chairman.

Election of chairman and deputy chairman. [23 of 1969]

29. (1) Where a vacancy occurs in the office of the chairman of a village council prior to the determination of the office at the end of a year the overseer shall within ten days of the occurrence of the vacancy summon a meeting of the councillors for the purpose of electing a chairman and not less than three days' notice of the meeting shall be given.
- (2) The overseer shall preside at the meeting but shall not be entitled to vote.
- (3) On the day of election the overseer shall attend at the hour of eight in the forenoon and for thirty minutes thereafter at the place specified in the notice, and shall receive the nominations of candidates for the office of chairman. No nomination shall be valid unless it is seconded.
- (4) If only one councillor is nominated that councillor shall forthwith be declared to be elected as chairman.
- (5) If more councillors than one are nominated the overseer shall proceed to take the votes of the councillors present and the councillor securing the greatest number of votes shall forthwith be declared to be elected as chairman.
- (6) If there is no election under subsection (5) on account of an equality of votes, the overseer shall through the commissioner report to the Minister the names of the councillors who have received the greatest number of equal votes, and the Minister shall as early as possible select one of those councillors to be chairman and shall forthwith inform the overseer through the commissioner.
- (7) A vacancy in the office of the chairman of a village council shall be deemed to have occurred under this section where—
- the chairman ceases to be a member of the council or dies or his office as councillor is declared to be vacant;
  - the chairman notifies the council either in person or in writing of the resignation of his office as chairman and has in writing informed the Minister through the commissioner of his resignation;
  - the chairman is granted leave of absence by the council;
  - the chairman departs from Guyana without leave from the council.
- (8) A councillor elected as chairman to fill a vacancy occurring under this section shall hold office for the unexpired portion of the year.
- Provided that in the case of a vacancy occurring under subsection (7)(c) such councillor shall hold office only until such time as the

Election of chairman of council where vacancy occurs in the office of chairman. [23 of 1969 4 of 1972]



chairman who has been granted leave of absence by the council has returned from such leave and has notified the Minister in writing through the commissioner that he has resumed the office of chairman.

(9) The preceding subsections of this section shall, *mutatis mutandis*, apply to the deputy chairman of a village council.

#### DISSOLUTION OF VILLAGE COUNCIL.

Dissolution of village council. [4 of 1972]

30. (1) Where twelve registered voters of a village district represent to the Minister that the further continuance in office of the village council is prejudicial to the welfare of the inhabitants of the village district, the Minister may direct an inquiry to be made by a person appointed by him, at which inquiry opportunity shall be given to the councillors and to the inhabitants to be heard in the matter of the representation, and the Minister may after such inquiry, by order, declare the village council to be dissolved.

(2) In the event of such dissolution, the Minister may appoint such officers, whether salaried or otherwise, as he thinks necessary for carrying out the provisions of this Act and of any other enactment in relation to the village as and in lieu of the council, and from time to time may revoke and determine those appointments or any of them.

(3) The Minister may define and direct the execution of the duties of the officers respectively and fix the salaries, if any, payable to them respectively; and the salaries shall be chargeable on and payable out of the village funds.

(4) The officers aforesaid shall continue so long as the Minister may direct and the Minister shall by order appoint—

- (a) a day for the election of the councillors and prescribe their terms of office;
- (b) a day for the election of the chairman and vice chairman and prescribe their terms of office.

and notwithstanding any other provisions of this Act relating to the dates for holding such elections, a day appointed by the Minister under this subsection may be any day the Minister thinks fit.

#### COUNTRY AUTHORITIES

Constitution of country authority. [25 of 1969 4 of 1972 25 of 1973]

31. (1) In every country district there shall be constituted a country authority, which shall be entrusted with the management of the administrative and financial business of the district, and its government generally.

(2) The country authority of a district shall consist of not less than four members of whom one at least shall be a person who resides within the boundaries of the district.

(3) The members shall be appointed by the Minister and the Minister shall appoint a chairman and deputy chairman of the country authority from among them.

(4) Members appointed shall take office on the 1st January after appointment or on such other date as the Minister may direct; they shall vacate office on 31st December in the year next ensuing the year in which they were appointed, and they shall be eligible for re-appointment.

(5) A person appointed in the place of a member who has ceased for any cause to be a member shall hold office for the unexpired portion of the term of his predecessor.

(6) Subject to subsection (2), the Minister may add to or reduce the number of members of the local authority of any country district and any person becoming a member of a country authority by virtue of an increase in the membership thereof under this subsection shall vacate office at the same time as those members of the country authority who assumed office in accordance with subsection (4).

#### GENERAL.

32. The local authority of a village or country district shall be a body corporate by the name of "The Village Council of .....", (naming the village district) or "The Country Authority of .....", (naming the country district) as the case may be.

Village councils and country authorities to be bodies corporate. [4 of 1972]

Change of name of local authority.

33. (1) The local authority of a village or country district may, with the approval of the Minister, change its name.

(2) Notice of every change of name shall be published in the *Gazette* and in a daily newspaper.

(3) No change of name shall affect any rights or obligations of the local authority, or render defective any legal proceedings instituted by or against it; and any legal proceedings may be continued or commenced against the local authority by its new name which might have been continued or commenced against it by its former name.

34. The local authority of every village and country district may, if it thinks fit, have and use a common seal. Use of common seal.

35. Where the Minister appoints the holder of any office in the public service to be a member of the local authority of a village or country district, the person for the time being performing the duties of that office shall, unless the Minister otherwise directs, be a member of the local authority. a local authority.

36. The quorum of members of a village council or country authority for the despatch of business shall be fixed by the Minister.

Quorum of village council or country authority.

37. (1) The local authority of any village or country district may appoint one or more committees of its own body for the transaction of special or, of general business. The Chairman and the deputy chairman of a village council and the chairman of a country authority shall be *ex officio* members of every such committee.

Power to appoint committees. [4 of 1972]

(2) Every committee shall report its proceedings to the local authority, and any order or decision of a committee, of which the local authority disapproves, shall be null and void.

38. (1) The chairman of the local authority of a village or country district may, between any two meetings of the authority, exercise all the executive powers of the local authority.

Power of chairman of local authority between meetings thereof [25 of 1973]

(2) All acts done by the chairman under subsection (1) shall be reported to the local authority at the meeting next ensuing, and any act of the chairman of which the local authority disapproves shall be null and void.

(3) The deputy chairman of a village council shall have and may exercise the powers, duties and functions of the chairman—

- (a) during the period of a vacancy which is deemed, under section 29(7), to have occurred in the office of chairman; or
- (b) during any period while the chairman is temporarily absent from the village district.

38A. A local authority may, in each year, with the approval of the Minister, appropriate out of the funds of the local authority a sum to be utilised for the remuneration of councillors (other than travelling and subsistence expenses incurred in the course of duty) and may, with that approval, determine the amount which shall be payable to each councillor and the additional remuneration, if any, payable to the chairman and deputy chairman in respect of their offices as such.

Remuneration of councillors of a local authority. [25 of 1973]

39. The district commissioner shall be entitled to attend any meeting of a village council or country authority and to take part in the proceedings at the meeting but not to vote thereat.

Attendance of district commissioners at meetings of village council and country authorities.

40. (1) The chairman of a village council shall preside at all meetings of the village council or any committee thereof which he attends. In the absence of the chairman from any such meeting the deputy chairman shall preside and in the absence of the chairman and the deputy chairman from any such meeting the members present may elect one of their number to preside.

Procedure at meetings of local authority or committee thereof.

(2) The chairman of a country authority shall preside at all meetings of the country authority or any committee thereof which he attends. In the absence of the chairman from any such meeting the members present may elect one of their number to preside.

41. (1) The chairman or deputy chairman of a village council or the chairman of a country authority shall not be personally liable in respect of any act, matter or thing done or committed by him within his jurisdiction as chairman or deputy chairman as the case may be.
- (2) A member of a village council or country authority shall not be personally liable in respect of any act, matter or thing done or committed by him within his jurisdiction as member.

Protection of chairman and members of local authority.

#### PART IV

##### OFFICERS AND SERVANTS OF VILLAGE COUNCILS AND COUNTRY AUTHORITIES

42. (1) The local authority of a village or country district may, subject to the approval of the Minister, appoint fit and proper persons to be overseer, assistant overseer, clerk, or other officer of the local authority, and the local authority may employ such servants as may be necessary for the efficient execution of the powers, duties and functions of the local authority under this Act.
- (2) Every overseer, assistant overseer, clerk or other officer, and every servant, shall receive the salary, remuneration, or wages assigned to him by the local authority with the sanction of the Minister.
- (3) The same person may, with the approval of the Minister, be appointed overseer, assistant overseer, clerk or other officer of two or more local authorities, and in such case the Minister shall by direction in writing prescribe the terms of the appointment and the proportions in which the expenses of the appointment and the salary and charges of the overseer, assistant overseer, clerk or other officer shall be borne by those authorities.
- (4) Every overseer, assistant overseer, clerk or other officer shall, when required so to do, give security for the faithful performance of his duties in the sum and in the manner directed by the Minister.
- (5) The local authority of a village or country district may make by-laws with reference to the duties and the conduct of the overseer, assistant overseer, clerk or other officers and the servants appointed or employed by the authority.
- (6) Every overseer, assistant overseer, clerk or other officer and every servant shall perform the duties prescribed by the by-laws of the local authority and, where the by-laws do not apply or where there are no by-laws, the duties specified from time to time by the local authority.

Appointment and duties of overseers and other officers and employment of servants by village councils and country authorities. [24 of 1956, 19 of 1959, 4 of 1972]

(7) No overseer, assistant overseer, clerk or other officer, and no servant appointed or employed by the local authority of a village or country district shall in any manner be concerned or interested in any bargain or contract made with that authority for any of the purposes of this Act; and if such overseer, assistant overseer, clerk or other officer, or servant is so concerned or interested, or under colour of his office or employment exacts or accepts any fee or reward whatsoever other than his proper salary, remuneration, wages or allowances, the Minister may declare him to be, and upon such declaration he shall be, incapable of holding or continuing in any office or employment under this Act.

(8) The local authority of a village or country district may, in accordance with by-laws made by the Minister for such purpose award pensions and gratuities to any of its officers or servants and a gratuity to the legal personal representative of any of its officers or servants who dies in service after qualifying for a pension or gratuity and such pensions and gratuities shall be paid out of the general revenue of the local authority.

Overseer,  
assistant  
overseer and  
clerk.

43. (1) Every overseer or assistant overseer, shall, unless the Minister otherwise directs, be the collector or assistant collector, as the case may be, of rates of the village or country district, and when required by the local authority, shall be the clerk of the local authority and as such he shall take the minutes of proceedings and keep the record thereof.

(2) The remuneration of an overseer or assistant overseer may consist, either in whole or in part, of a percentage of the moneys collected by the overseer or assistant overseer, as the case may be.

(3) The district commissioner or any person authorised by him in writing shall have power, at any time whatsoever, to require any collector or assistant collector of rates to deliver to him all moneys in the hands of the collector or assistant collector which are the property of the local authority.

(4) No overseer, assistant overseer, collector of rates, assistant collector of rates, or clerk to a local authority shall be dismissed by the local authority except with the prior approval of the Minister.

#### PART V

##### VESTING OF PROPERTY IN VILLAGE COUNCILS AND COUNTRY AUTHORITIES, AND MANAGEMENT OF UNDIVIDED LANDS

44. There shall be vested in the local authority of a village or country district all property, whether movable or immovable, owned by the village or country district, and, subject to the Drainage and

Vesting of  
property in  
local  
authority.  
c.64:03

Irrigation Act, all machinery and every article used or intended for the drainage or irrigation of the village or country district and every building and erection used in connection therewith.

45. All rates, land rents, empolder rents or instalments of purchase money, house rents or purchase money of lots, fees for pasturage or for wood-cutting, waterside fees, grazing fees, loan moneys, and all other moneys whatsoever receivable or payable for the general revenue of any village or country district shall be deemed the property of the local authority thereof.

Property in  
rates and other  
moneys of  
village and  
country  
districts.

46. Wherever a village or country district has been or is permitted to occupy any ungranted State land or any empolder, all that land or empolder shall be vested for the purposes of this Act in the local authority thereof.

Vesting of  
ungranted  
State land  
or empolder.

47. All undivided lands or portions of land, undivided empolders, pasture lands, woods, dams, kokers, sluices, watercourses, navigation and draining trenches, roads, streets and bridges (not being public roads, streets and bridges under the Roads Act) of every village or country district shall be under the control and management of the local authority.

Management  
of undivided  
property,  
pasture  
lands, dams,  
trenches,  
roads,  
streets and  
bridges.  
c.51:01

48. (1) The local authority of a village or country district may let to any person by monthly or yearly tenancy or for a term of years, and at such rent as may be fixed by the local authority with the approval of the Minister, any undivided lands, undivided empolders, pasture lands, woods, or any portion thereof, for the time being under the control and management of the local authority.

Letting of  
undivided  
lands, pasture  
lands and  
woods.

(2) Where the letting is for a term of years it shall not be enforceable against the local authority unless the agreement to let is in writing, and unless it is signed by the chairman of the authority with the approval of the Minister.

(3) All persons occupying any undivided lands, empolders, pasture lands, woods, or any portion thereof for the time being under the control and management of the local authority of a village or country district shall pay to the local authority the rent thereof fixed by the local authority with the approval of the Minister.

(4) Where any local authority refuses or neglects to fix the amount of the rent, the Minister may fix the amount of the rent to be paid to the local authority under subsection (3).

(5) All arrears of rent may be recovered—  
(a) by an action against the person liable for the payment thereof; or

(b) by warrant of distress in the same manner as is herein after provided in respect of arrears of rates:

Provided that under any such warrant of distress any movable property, wherever found, of the person liable for the payment of the rent may be levied upon and sold.

(6) The overseer, under the direction of the local authority but subject to an appeal to the Minister, may enter upon and take possession of all the lands in respect of which two months rent or more is due and payable, and of all crops, provisions and other things then growing or being on the lands and of the possession thereof dispossess the tenant or occupier in arrear, and may dispose of them to the best advantage; and any surplus shall be handed over to the dispossessed tenant or occupier.

46. (1) Every notice under Title 5 in Part III of the Summary Jurisdiction (Offences) Act by the local authority of a village or country district forbidding and warning trespassers shall conclude with the words "By order of the Village Council of....." (naming the village district) or "By order of the Country Authority of....." (naming the country district), as the case may be.

(2) Any tenant or occupier who, after service upon him either personally or at his last or most usual place of abode, of notice that possession of any land has been taken under section 48(6), enters upon the said land shall be deemed to be a wilful trespasser within the meaning and for the purposes of Title 5 in Part III of the Summary Jurisdiction (Offences) Act and the said Title shall have effect and be construed accordingly.

50. (1) The local authority of any village or country district may, with the approval of the Minister, fix fees to be paid by the owners of any animals grazing or kept on the common lands of any village or country district or on State or Government lands held by such local authority.

(2) Where such lands are held jointly by two or more local authorities, such local authorities may, in like manner, fix fees to be paid by the owners of any animals grazing or kept on such lands.

(3) Such local authorities may, with the approval of the Minister, make by-laws providing for the appointment of a committee or joint committees of management and for any matters necessary for the management and supervision of such lands.

(4) Any fees fixed by this subsection shall be paid to the overseer or, if there is no overseer, to the chairman of the local authority, for and on account of the general revenue of the village or country district.

(5) Any animals in respect whereof any such fees are due and payable may, in default of payment thereof, be sold by order of the local authority on the expiration of seven days after notice of the intended sale has been posted up on the office of the local authority; and any surplus shall be paid over to the owner of the animal.

(6) In this section, the expression "animal" means any horse, mare, gelding, colt, filly, mule, ass, bull, cow, ox, steer, heifer, calf, sheep, goat or swine.

51. (1) The local authority of any village or country district may, subject to the approval of the Minister, make by-laws with respect to the cutting of wood on the common lands of the village or country district and the fees to be paid therefor.

(2) All moneys received under and by virtue of such by-laws shall be paid by the persons liable to pay them to the overseer or, if there be no overseer, to the chairman of the local authority for and on account of the general revenue of the village or district.

52. The local authority of any village or country district may charge tolls, according to a tariff to be posted up at the village office or some other conspicuous place within the district, for bateaux, punts, or other craft, passing through any of the trenches, aqueducts, or kokers, under the control of the authority, and for animals using the roads and dams within the boundaries of the district, but no toll shall be charged until the tariff has been approved by the Minister.

53. The local authority of every village or country district may, with the approval of the Minister, make by-laws for the prevention of fishing and of the mooring of bateaux, punts or other craft in any of the trenches or aqueducts under the control of the authority.

#### PART VI ESTIMATES AND RATES *Levy of Rates*

54. (1) On or before the 31st December in every year, or, with the consent of the Minister, before the 15th February in any year, the chairman of the local authority of every village or country district shall submit to the authority an estimate of the expenditure for the ensuing year or for the current year, as the case may be, the rate on the total appraised value of the lots and buildings, or of the lots, or of the buildings, in the district proposed by him to be levied to meet the expenditure, and the amount of the total appraised value as aforesaid.

(2) If, after discussing and, if necessary, altering and amending the estimate and the rate proposed, the local authority by a majority of votes agrees upon an estimate and a rate, such estimate and rate

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Grazing of  
animals on  
common lands  
of village or  
country  
district.  
[19 of 1959]

shall be transmitted to the Minister for approval, and the Minister may approve of them either in their entirety or subject to such changes as he may think fit.

(3) If the local authority does not by a majority of votes agree upon an estimate and a rate, the estimate and rate proposed by the chairman shall be transmitted to the Minister with a statement of the objections of the local authority if they have been recorded, and thereupon the Minister may prepare an estimate and fix a rate.

(4) Where an estimate and proposed rate are not transmitted to the Minister, before the 15th February in any year, for its approval, the Minister may prepare an estimate and fix a rate.

(5) The estimate and rate under this section are hereinafter in this Act respectively referred to as the annual estimate and rate.

(6) A rate under this Act may be levied by way of a monthly proportionate contribution from the lots and buildings, or the lots, or the buildings, in the district, determined in such manner as may be approved by the Minister.

(7) It shall be lawful for the Minister or a local authority in the exercise of their powers under this section to fix a different rate in respect of different parts of the district if in the opinion of the Minister or the local authority, as the case may be, it is expedient to do so.

(8) The exercise by a local authority of the power conferred upon it by subsection (7) is subject to the approval of the Minister.

55. The local authority of a village or country district may make contributions, donations or grants

(a) to any voluntary association or institution for the promotion of public health or welfare;

(b) to any scholarship fund established by any local authority or association of local authorities;

(c) to any association of local authorities or to the body known as the Guyana Village Chairman's Conference;

(d) towards the establishment or maintenance of any public library or museum or to any association existing for the promotion of arts and crafts or recreation and sport;

(e) for the improvement of handicrafts, agriculture or livestock in the village or country district;

(f) for the establishment and equipment or maintenance of social centres in the village or country district;

(g) generally for the welfare and good government of the village or country district.

Provided that the amount of any contribution, donation or grant to be made under the provisions of this section shall be subject to the prior approval of the Minister.

Power of local authority to make contributions, donations or grants in certain cases [37 of 1955]

56. The chairman of the local authority of a village or country district may, if he thinks it necessary, submit to the authority at any time a supplementary estimate and the supplementary rate proposed to meet it, and the provisions of this Act relating to an annual estimate and rate shall, *mutatis mutandis*, apply to that estimate and rate.

Supplementary estimate and rate.

57. (1) If any rate levied under this Act is found insufficient, the local authority of any village or country district is hereby authorised and required to levy, in the same manner as is herein provided with respect to an annual rate, any further and additional rate or rates necessary to meet the required expenditure according to the estimate approved as aforesaid.

Levying additional rate.

(2) When it appears to the Minister that any rate levied under this Act is insufficient, and that the local authority has made default in levying an additional rate, the Minister may levy any additional rate or rates necessary to meet the required expenditure according to the estimate approved as aforesaid, and every additional rate shall have the same preference and shall be recovered in the same manner as is herein provided with respect to an annual rate.

58. (1) When it appears to the local authority of a village or country district that it is desirable to perform any work in the district and that that work will benefit only a limited portion thereof, the chairman of the local authority may submit to the authority a report setting forth the work to be performed, and the portion of the district for the benefit of which it is to be performed, and also an estimate of the expenditure required for its performance, and also an estimate of the expenditure, and affecting only the property comprised in the limited portion of the district, and the estimate and rate when settled and approved shall be legal, valid and binding on all persons concerned.

Estimate and rate for work benefiting limited portion of a district.

(2) All the provisions of this Act relating to annual estimates and rates and the collection and enforcement of payment of rates, shall with the necessary modifications, apply to any estimate and rate made and levied under this section.

59. A special estimate may be made and a special rate levied by the local authority of a village or country district for any portion of a financial year remaining unexpired after the constitution of that authority, and the provisions of this Act relating to an annual estimate and rate shall, *mutatis mutandis*, apply to that estimate and rate.

Special estimate and rate.

60. Any local authority, or the Minister, may—

(a) perform any work which by this Act, the proprietor or occupier of property is or may be required to perform; or

Private improvement expenses [4 of 1972]

(b) perform any work which the proprietor requests should be performed and which is necessary to place the property in a proper sanitary condition, and declare the expenses expended or incurred by it in so doing to be private improvement expenses.

61. (1) The Minister may, by order, direct a local authority to perform any work which a local authority is authorised to perform, and to declare the expenses to be expended or incurred by it in so doing to be private improvement expenses, and to levy such private improvement rate as may be necessary or as the Minister may direct.

(2) If a local authority, when so directed, neglects to comply with any of those directions, it shall be deemed to have made default in enforcing a provision of this Act and the Minister shall enforce the direction and shall have the same power to execute the work as the local authority; and the Minister shall have power to levy and recover the private improvement rate directed to be levied, and shall have the same powers, rights, and preferences as the local authority for enforcing and securing payment thereof.

62. Where a local authority or the Minister has incurred or becomes liable for any expenses which by this Act or any other Act for the time being in force, are declared to be private improvement expenses, that authority may, if it thinks fit, make and levy a rate in addition to all other rates on the property in respect of which the expenses have been incurred, to be called a "private improvement rate" of an amount sufficient to discharge those expenses with interest thereon at a rate not exceeding six per cent *per annum*, payable at the times and in the period, not exceeding ten years, which the authority in each case determines.

63. (1) Where a local authority or the Minister has incurred or becomes liable for any expenses which, by this Act or any other Act for the time being in force, may be declared to be private improvement expenses, that authority shall have a preferent lien on the property in respect of which the expenses have been incurred for all sums advanced, with interest thereon at a rate not exceeding six per cent *per annum*, over and above all other liens or claims whatsoever, save and except claims due to the State and save and except claims due in respect of taxes or rates levied by the authority to defray its general expenditure.

(2) That lien shall continue in full force until the whole sum advanced has been repaid in full, with all interest thereon, and continue to be attached to the property notwithstanding any change of

Power of Minister to direct execution of works, and costs to be defrayed by private improvement rate.  
4 of 1972]

Levy of private improvement rate.

Preferent lien for private improvement expenses and rate.

ownership thereof, whether by devolution or private or execution or other public sale.

(3) Where the authority levies a private improvement rate, it shall have the same preferent lien for the payment of that rate as for the payment of private improvement expenses.

(4) Where any property subject to the payment of a private improvement rate is sold at execution sale, the authority levying the rate may, if it thinks fit, require the amount realised by the sale, after payment of all claims preferent thereto, to be applied in payment of the whole amount, with interest, levied by the rate then remaining unpaid, so far as the proceeds may suffice for the purpose.

64. Private improvement expenses, and every private improvement rate, may be recovered by parate or summary execution against the proprietor of the property in respect of which those private improvement expenses are payable or in respect of which the private improvement rate is levied, without naming him.

Recovery of private improvement expenses and rate.

65. At any time before the expiration of the period for which a private improvement rate is made, the owner of the property liable thereto may redeem the rate by paying to the local authority the expenses in respect of which the rate was made, or such part thereof as has not been defrayed by sums already levied in respect of the same:

Redemption of private improvement rate.

Provided that money paid in redemption of any private improvement rate shall not be applied by the authority otherwise than in defraying expenses incurred by it in works of private improvement or in discharging the principal of any moneys borrowed by it to meet those expenses, whether by means of a sinking fund or otherwise.

66. (1) No estimate or rate shall be valid unless—

When estimate and rate valid.

(a) it has been approved, or prepared or fixed, by the Board; and  
(b) notice of its approval, preparation or fixing has been published in the *Gazette*.

(2) Upon the publication of such notice, the estimate or rate shall be binding on all persons concerned, and the rate referred to in the notice shall be levied by the local authority of the village or country district accordingly.

67. (1) In every village or country district in which the estimate of expenditure is, with the approval of the Minister, to be met by a monthly contribution from lots and buildings, or lots, or buildings, in the district, the contribution shall, on publication in the *Gazette*

Date on which rate becomes due and payable.  
[42 of 1957]

of the notice under section 66(1)(b), be due and payable as from the first day of each and every month included in the period during which the contribution is required to be made:

Provided that where the notice is published after the commencement of the said period the contributions for the month or months which but for this proviso would have been payable prior to the date of such publication shall be deemed to have become due and payable on the date of such publication.

(2) In every village or country district in which the estimate of expenditure is, with the approval of the Minister, to be met by the levy of a rate on lots and buildings, lots, or buildings, in the district the amount of the rate shall be due from the date of publication in the *Gazette* of the notice under section 66(1)(b).

(3) The amount of the rate under subsection (2) may be paid either in full or in four equal instalments payable respectively on publication as aforesaid and on the 1st April, 1st July and 1st October:

Provided that where the notice is published on or after the 1st April the instalments which but for this proviso would have been payable prior to the date of such publication shall be deemed to have become due and payable on the date of such publication.

(4) On failure to pay any instalment of rate under this section within thirty days of the date on which it becomes due and payable under subsection (1) or (3)—

- (a) the person liable for payment of the rate shall be deemed to be in arrears for the purposes of this Act; and
- (b) the rate for the whole year together with interest at the rate of five per cent *per annum* shall thereupon become due and payable and the rate or any portion of it together with interest aforesaid may be recovered as hereinafter provided.

68. (1) The following shall not be liable or subject to any rate under this Act:

- (a) subject to subsection (2), all public lands;
- (b) every building the property of the State;
- (c) every church, chapel or school-house devoted to the purposes of religion or education, and the land whereon every such church, chapel, or school-house is situate;
- (d) every burial ground established with the approval of the Central Board of Health under section 64 of the Public Health Ordinance;

Exemption of certain property from payment of rates. [25 of 1961]

(c) any land which a local authority is satisfied is kept and used mainly as a playing field in connection with the activities of any school or other educational institution.

(2) Where public lands within a village or country district are held under a lease or are occupied or used under any licence or permission, the lands may be appraised and they shall be liable to rates under this Act, but in proceedings for the recovery of any such rate, only the right, title and interest of the lessee, licensee or permittee, as the case may be, in the lands shall be taken in execution or sold at execution.

69. The local authority of a village or country district may, with the approval of the Minister, exempt, on the ground of the poverty of the proprietor, any lot or building from the payment of any rates under this Act.

Power to exempt property from payment of rates on the ground of poverty of proprietor.

#### COLLECTION OF RATES

70. Whenever it appears to the Minister that the collection of rates or rents in any village or country district is unduly delayed, he may by a direction in writing require the collector of rates forthwith to proceed in the manner prescribed by this Act for the recovery of the rates or rents overdue, as the case may be, and may, on failure of the collector of rates forthwith to comply with such order, deal with him as provided by section 14(2)(b).

Delay in collecting rates or rents. [25 of 1973]

71. (1) Where a rate under this Act is levied in respect of the lots only, in a village or country district, there shall be liable and executable for the amount of the rate payable under this Act in respect of the lot—

Liability for and mode of recovery of rate. [25 of 1961]

- (a) the lot with the buildings (if any) thereon belonging to the proprietor of the lot, and
- (b) all movable property of the aforesaid proprietor on the lot or in any building thereon.

(2) Where a rate under this Act is levied in respect of the lots and the buildings in a village or country district, the following provisions shall apply—

- (a) all buildings shall be rated separately from the lots on which they are situate;
- (b) where a building is owned by the proprietor of the lot on which it is situate, the lot and the building and all movable property of the proprietor on the lot or in the building shall be liable and executable for the total amount of the rate payable under this Act in respect of the lot and the building;



(c) where a building is not owned by the proprietor of the lot on which it is situate, the building and all movable property belonging to the proprietor of the building, whether in the building or on the lot, shall be liable and executable for the amount of the rate payable under this Act in respect of the building;

(d) where a lot is not owned by the proprietor of the building situate on the lot, the lot and all movable property belonging to the proprietor of the lot, whether in the building or on the lot, shall be liable and executable for the amount of the rate payable under this Act in respect of the lot.

(3) Where a rate under this Act is levied in respect of the buildings only in a village or country district, there shall be liable and executable for the amount of the rate payable under this Act in respect of any building, the building and all movable property of the proprietor of the building, whether in the building or on the lot.

(4) The amount of every rate under this Act shall be and is hereby declared to be preferent over and above all claims of whatever nature they may be, not being claims due to the State.

(5) The amount of every rate levied under this Act in a village or country district shall be recoverable—

(a) by an action against the person liable for the payment thereof; or

(b) subject to section 75, by parate or summary execution against the lot and building, the lot, or the building, as the case may be.

and the process shall be at the instance and in the name of the local authority of the village or country district, as the case may be:

Provided that where an order has been made under section 70 the process shall be at the instance and in the name of the collector of rates to whom the order has been issued.

(6) The payment of any rate levied under this Act may be enforced notwithstanding that the period or purpose in respect of which it has been levied has expired or terminated.

72. (1) No lot in a village or country district may be divided into portions of less size than quarter lots, without the consent of the Minister first had and obtained.

(2) No lot in a village or country district shall be subdivided into portions of less than one-fiftieth of an acre.

(3) Any subdivision which is made contrary to this section shall be null and void.

Restriction on subdivision of lots.

73. If any lot is subdivided, the local authority of the village or country district, or if the authority fails so to do on application made for the purpose, the Minister may apportion the payment of the rate payable in respect of the lot among the several portions thereof.

74. Where any lot or building in a village or country district is owned by two or more persons, and one of the co-proprietors has paid more than his proper proportionate share of a rate levied under this Act, he may recover, by action, from those of his co-proprietors who have paid or contributed less than their proper share as aforesaid the amount of the said excess, but, in relation to the local authority, each of the co-proprietors shall be liable for the payment of the whole rate payable under this Act in respect of the lot or building.

75. (1) Wherever there is any movable property which is liable or executable under section 71 for the amount of any rate under this Act in respect of any lot or building in a village or country district it shall be the duty of the overseer, or, if there be no overseer, then of the chairman of the local authority of the district, before application is made for the process of parate or summary summation, to cause a notice, according to Form I in the First Schedule, of the amount of the rate due and payable in respect of the lot and building, the lot, or the building to be served on the proprietor thereof by posting it up in some conspicuous position on the lot or building thereon, or on the lot, or on the building thereon, as the case may be.

(2) The production of the duplicate or copy of the notice signed by the collector of rates shall be sufficient evidence that the amount stated therein to be due in respect of the lot and building, or of the lot, or of the building, as the case may be, is in fact due and payable.

(3) If payment is not made within two weeks after the notice is served on the proprietor as aforesaid, the overseer or chairman, as the case may be, may make application to the magistrate of the magisterial district in which the village or country district is situate for a warrant of distress, and the magistrate, upon the production of the duplicate or copy of the notice with the return of service thereon duly sworn before him, shall grant a warrant of distress for the recovery of the rate, under and by virtue of which the movable property as aforesaid may be levied on and sold for the amount of the rate with costs.

(4) The movable property shall be sold in some public place by any person authorised by the magistrate.

(5) Notice of the time and place of the sale shall be given not less than three days before the sale, and in the manner directed by the magistrate.

Demand for payment of rate and levy on movable property.

First Schedule, Form I.

(6) The proceeds of the sale, after payment of the expenses thereof, shall be applied in satisfaction of the claim of the local authority and the surplus, if any, shall be paid to the owner of the movable property which was sold.

76. Where, notwithstanding the provisions of this Act, as a result of the execution of a warrant of distress for the recovery of a rate, the movable property of a person other than the proprietor liable for the payment of the rate is levied on, the owner of the movable property shall be entitled to recover by action the property, or if it has been sold, the full value thereof, from the local authority, together with costs.

77. Every warrant of distress issued under this Act may be drawn up according to Form 2 in the First Schedule.

78. All warrants of distress issued under this Act shall be executed in the same manner as warrants of distress issued by a magistrate in the exercise of his summary jurisdiction.

79. The fees specified in the Second Schedule shall be the fees legally payable for any process of distress issued under this Act, and shall be paid in the first instance by the party applying for the process, but they shall be costs in the matter of the distress.

80. No writ or order of execution in any proceeding by parate or summary execution against any lot for the payment of a rate shall be granted, unless there is produced with the summation a certificate signed by the chairman or the collector of rates of the local authority of the village or country district or a public officer designated by the Minister to the effect that there was no movable property whereon to levy or that it had proved insufficient.

81. Where two or more lots are owned by one and the same person, the service of a summation or other legal process for the recovery of a village or country district rate in respect of such lots—

(a) upon the principal or township lot, where one of the lots proceeded against is a principal or township lot; and

Power to recover property or value thereof where movable property of person other than person liable for payment of rate is levied on for recovery thereof. [25 of 1961]

Form of warrant of distress. First Schedule Form 2.

Execution of distress warrant.

Fees on distress. Second Schedule.

Condition of granting writ of execution. [4 of 1972]

Service of summation where more than one lot proceeded against.

(b) upon any one of the lots proceeded against, where no one of such lots is a township lot, shall be, and is hereby declared to be legal, valid and sufficient.

82. On the sale of any property by parate or summary execution under this Act the marshal, after deducting the amount sued for and all legal and just costs and charges, shall pay over to a public officer designated by the Minister or the district commissioner the amount of rates certified to be due in respect of any property sold by parate or summary execution including any rates which have accrued due and in respect of which and of the amount of which the public officer aforesaid or the district commissioner has given to the Registrar notice in writing not later than the day before the sale.

83. Within one month after the sale of property at execution sale for the recovery of rates under this Act, the marshal shall without any charge furnish a public officer designated by the Minister or the district commissioner, with a return showing the date of sale, the amount realised, the name of the purchaser, the amount of costs and charges, and the amount of the surplus, if any, after payment of the amount sued for and of the costs and charges.

84. (1) The fees for the process of parate or summary execution shall be as specified in the Third Schedule.

(2) No charge shall be made for travelling expenses, distance money, conditions of sale, copies of documents, printing, or any other matter not specified in the said Schedule.

85. No proceeding in any parate or summary execution under this Act shall be void for want of form.

86. (1) No misnomer, mistake, or informality, committed in any proceeding for the recovery of a village or country district rate shall prejudice the recovery thereof; nor shall the proceeding lapse, cease, or abate, by reason of the death, resignation, or removal, of the officer instituting it, or of any change in any person holding office in connection with the village or country district; but the officer for the time being may prosecute and continue the proceeding commenced and carried on in the name of any previous officer in all respects as if the proceeding had been taken by himself.

(2) No person may sue and no court of justice may entertain any action or proceeding against an officer or other person employed in executing any warrant of distress in reference to a village or country district rate, by reason of any misnomer, mistake or informality if the movable property seized or sold under that warrant and belonging

Distribution of proceeds of sale. [4 of 1972]

Return of results of sale. [4 of 1972]

Fees on parate or summary execution. Third Schedule.

Validity of proceedings.

Informality in proceedings for recovery of rates. [25 of 1961]

to the proprietor liable for the payment of the rate was in fact found upon or in any lot or building liable under section 71 for the payment of the rate.

87. (1) Except as otherwise provided in subsection (2), no officer of a local authority shall purchase, either directly or indirectly or by the intervention of a trustee, any property sold at execution at the instance of the local authority for the recovery of rates, and every such purchase shall be null and void.

(2) It shall be lawful for any such officer to purchase at an execution sale any property which it may be necessary for him to purchase in order to protect the interests of himself, his wife or his child.

88. (1) The local authority of a village or country district may purchase for the benefit of the village or country district any lot with or without the buildings (if any) thereon, or any building, sold for the recovery of rates.

(2) The local authority shall have power to receive title therefor, and may subject to this Act, lease, sell or otherwise deal with the same.

89. (1) The Registrar of the Supreme Court shall, upon the delivery to him of a certificate of the marshal (which certificate shall be given free of charge) to the effect that the person described in the certificate has, at execution sale for the recovery of rates under this Act, purchased a lot and paid the full purchase price therefor, transport or cause to be transported to the purchaser the lot so purchased.

(2) The Registrar of Deeds shall charge and receive for the said transport the sum of one dollar.

(3) Nothing in this section shall be construed as affecting the operation of the Deeds Registry Act, or any rules, regulations or tariff of fees for the time being in force thereunder.

90. Sections 70 to 89 (both inclusive) of this Part shall apply to the recovery of any interest that becomes payable under section 67(4) as they apply to the recovery of rates.

#### PART VII

##### GENERAL PROVISIONS AS TO LOCAL ADMINISTRATION

91. Every local authority shall—

(a) cause to be made, and shall at all times maintain in good order, the dams and trenches and main drains, having the outfall

and with the kokers or sluices, necessary for effectually draining the authority's district for sanitary purposes;

(b) when required by the Minister, cause its district, or the part thereof specified by the Minister, to be drained by machinery;

(c) cause all trenches and main drains used for draining any portion of the district so to be kept as not to be a nuisance or injurious or likely to be injurious to health and to be properly cleansed and emptied.

92. Every local authority may, subject to the approval of the Minister, make by-laws regulating the issue of water from any tank or reservoir under its charge.

93. (1) Where the proprietor of any watercourse, main drain or drain near or forming the boundary of the district of a local authority wilfully or negligently keeps the said watercourse, main drain or drain foul and offensive and thereby injuriously affects the district or where the proprietor of any estate adjoining such district wilfully or negligently fails to repair or maintain any dam, sluice, koker, canal, or trench on his estate and such failure endangers the safety, or materially impairs the efficiency of any work under the control or management of the local authority, the local authority may, by notice in writing, require the said proprietor forthwith to clean such watercourse, main drain, or drain or effect such repairs to his dam, sluice, koker, canal or trench (as the case may be) as may be specified in the said notice.

(2) Where any proprietor—

(a) fails within seven days of the service of any notice under the preceding subsection to commence the work required to be done specified in the notice; or

(b) having commenced the work specified in such notice unreasonably delays complicating such work,

the local authority may itself perform the work or complete the work, as the case may be, and any expenditure incurred by the local authority under this subsection shall be recoverable from such proprietor.

94. (1) The proprietor or occupier of land in a district shall maintain all works upon the land to the satisfaction of the local authority in order to prevent flooding of any lands within the district and also to prevent the wastage of water and for these purposes the local authority may, by order, require the proprietor or occupier of land in the district to repair or maintain the dams, trenches or sluices thereon, or any portion thereof, in the manner and within the time directed by the local authority.

Power of local authority to require proprietor or occupier of land to maintain dams, trenches and sluices thereof.

Officer of local authority not to purchase property sold at execution at the instance of the local authority for the recovery of rates.

Power of local authority to purchase lot or building sold for recovery of rates.

Transport of lot sold at execution sale for recovery of rates.

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Recovery of interest. [29 of 1961]

Drainage by local authority.

(2) The order shall be in writing and shall be served upon the proprietor or the occupier, as the case may be.

(3) If the proprietor or occupier fails to comply with the order, the local authority, or any person authorised in writing by the authority, may enter upon the land whereon the dam, trench or sluice is situate and cause the dam, trench or sluice, or portion thereof, as the case may be, to be repaired or maintained in accordance with the terms of the order, and the cost of so doing shall be recoverable by the local authority from the proprietor.

95. (1) Every local authority may, subject to the approval of the Minister, make by-laws regulating the mode and place in which any trade or manufacture may be carried on within its district and prescribing the conditions under which machinery may, with the consent of the authority, be erected in the district.

Regulation  
of trades and  
erection of  
machinery.

(2) The by-laws may authorise any officer of the local authority or any police constable to enter and inspect at all reasonable times any premises or place where the trade or manufacture is carried on.

96. (1) Subject to the Public Health Ordinance, any local authority may, with the consent of the Minister, do the following things or any of them within its district:

Markets  
[47 of 1955  
4 of 1972]  
Cap. 145  
1953 Ed.

(a) provide a market-place and construct a market house and other conveniences for the purpose of holding a market;

(b) make convenient approaches to the market;

(c) provide all matters and things necessary for the convenient use of the market;

(d) purchase, or take on lease, land and public or private rights in markets and tolls for any of the foregoing purposes; and

(e) take stallages, rents and tolls in respect of the use of the market by any person.

(2) Subject to the Public Health Ordinance, any local authority may, with the consent of the Minister do the following things or any of them within its district:

(a) give permission to any person to provide a market place and construct a market house and other conveniences for the purpose of holding a market;

(b) fix the stallages, rents and tolls which may be taken in respect of the use of the market by any person.

(3) The local authority may, subject to the approval of the Minister, make by-laws for the purposes mentioned in subsections (1) and (2) and for the regulation of any market aforesaid.

(4) No person shall in any district provide a market place or construct a market house or other conveniences for the purpose of holding a market without first having obtained the permission of the local authority thereof so to do.

(5) No person shall in respect of the use of a market in any district demand or take or cause or permit to be taken any stallage, rent or toll greater than that fixed by the local authority thereof.

(6) Any person who contravenes any of the provisions of subsection (4) or of subsection (5) shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for six months.

97. (1) Where the construction of a market place or other conveniences for the purpose of holding a market is an offence in respect whereof the offender is liable under this Act to a penalty, the existence of the construction in any form or state contravening the same shall be deemed to be a continuing offence.

Continuing  
offence in  
respect of  
construction  
of a market  
place or  
other con-  
veniences for  
the purpose of  
holding a  
market  
without  
permission.  
[47 of 1955]

(2) Where a construction of a market place or other conveniences for the purpose of holding a market is commenced or maintained in contravention of this Act, the magistrate may order the person who causes the construction to be commenced or maintained to take it down and to pay all expenses incurred thereby.

(3) Where the order is not complied with the Minister may, at the expiration of the time specified in the order, cause the construction to be taken down and recover from the owner the expenses incurred by so doing.

Slaughter-  
houses.

98. Any local authority may, if it thinks fit, provide slaughter-houses, and may, subject to the approval of the Minister, make by-laws with respect to the management and charges for the use of any slaughter-houses so provided, and, where slaughter-houses are provided, for prohibiting the slaughter of any animal except in a slaughter-house, and for the examination of all animals before they are slaughtered.

Baths and  
wash-houses.

99. The local authority of every village and country district may, and when required by the Minister shall, erect and maintain baths and wash-houses, and may, subject to the approval of the Minister, make by-laws for the due regulation thereof.

Burial Fees.  
[29 of 1956]

100. Where there is a cemetery or other place used as a burial ground in a village, country or rural district and the cemetery or burial ground is under the control of the local authority or of the Minister, the local authority may with the prior approval of the Minister determine the fees to be paid for graves and in respect of burials

in the cemetery or burial ground, and for any copy of an entry in a register of burials.

Overhanging trees.

101. Any local authority may require the owner of any tree overhanging any public street, road, or thoroughfare or any drainage trench in its district in such a manner as may likely injure the street, road or thoroughfare or drainage trench, or the drainage thereof, or endanger the safety of the inhabitants, or overhanging the boundary between two lots, to cause the tree to be cut down or pruned, or anything dangerous to be removed therefrom in the manner and within the time directed by it by an order in writing to be served upon the owner, and if the owner fails to comply with the order, the authority, or any person duly authorised in writing by it, may enter upon any land in the district wherein the tree is growing and cause it to be cut down or pruned, or anything dangerous to be removed therefrom, in accordance with the order, and the cost of so doing shall be recoverable from the owner.

Straying of animals.

102. (1) If any animal grazes, or strays, on or in any main drain, or on a public road, street, dam, bridge, or other public place, within the boundaries of the district of a local authority, the person having the possession or control of the animal shall be liable on summary conviction to a fine of ten dollars, unless he proves that the animal was so grazing or straying through no act or default on the part of himself or his servants or agents.

(2) Any animal grazing or straying on any place mentioned in subsection (1), may be seized and impounded by any member of the police force or of the rural constabulary, or by any officer of the local authority, or by any person authorised in writing by the local authority.

(3) Swine straying on any place mentioned in subsection (1) may be destroyed by any of the persons mentioned in subsection (2), and the carcasses so destroyed shall be the property of the local authority.

(4) Any animal impounded under this section shall be impounded in the nearest pound and the Pounds Act shall apply to the impounding.

c:71-04

(5) In this section the expression "animal" means any horse, mare, gelding, colt, filly, mule, ass, bull, cow, ox, steer, heifer, calf, sheep, goat or swine.

Power to purchase, etc., lands.

103. A local authority may, with the consent of the Minister, for the purpose and subject to this Act, purchase, accept as a gift, take on lease, sell, exchange, or mortgage any lands, whether situate within

or without its district; and a local authority may also purchase any dam or watercourse which interferes with the proper drainage of, or the supply of water to, its district.

104. Lands acquired by a local authority in pursuance of any powers in this Act contained and not required for the purpose for which they were acquired shall (unless the Minister otherwise directs) be sold at the best price that can be obtained for them; and the proceeds of sale shall be applied as the local authority, with the consent of the Minister, directs.

Sale of surplus lands.

105. With respect to the purchase of lands by a local authority for the purposes of this Act, the following provisions shall be observed: [4 of 1972]

(a) the provisions of the Companies' Clauses and Powers 1 of 1846 Consolidation Ordinance, 1846,\* with respect to

(i) the taking of lands otherwise than by agreement; (ii) the application of the purchase money or compensation coming to parties having limited interests;

(iii) small portions of intersected lands;

(iv) lands subject to mortgage; and

(v) lands subject to leases,

shall be incorporated with this Act; and in construing those provisions for the purposes of this Act, this Act shall be deemed the special Ordinance, and the local authority shall be deemed to be the promoters of the undertaking;

(b) all arbitrations required under the incorporated Ordinance shall be conducted in the manner provided in this Act, and all things authorised or required to be done by two justices of the peace may be done by a magistrate;

(c) the local authority, before putting in force any of the powers of the incorporated Ordinance with respect to the purchase and taking of lands, otherwise than by agreement, shall—

(i) publish, once at least in each of three consecutive weeks, in the *Gazette* and in a local newspaper in Guyana, an advertisement describing shortly the nature of the undertaking in respect of which the lands are proposed to be taken, naming a place where a plan of the proposed undertaking may be seen at all reasonable hours and stating the extent of land the authority requires; and

(ii) serve a notice on every owner or reputed owner, lessee or reputed lessee, and occupier of those lands, defining in

\* The present Companies Act is No. 17 of 1913 (Cap. 89:01).

each case the particular lands intended to be taken, and requiring an answer stating whether the person so served assents, or dissents, or is neutral, in respect of the taking of the lands;

(d) on compliance with the provisions of this section with respect to advertisements and notices, the local authority may, if it thinks fit, present a petition to the Minister, wherein shall be stated the lands intended to be taken, the purposes for which they are required and the names of the owners, lessees, and occupiers thereof who have assented, dissented, or are neutral in respect of the taking of them, or who have returned no answer to the notice; and the petition shall pray that the local authority may with reference to those lands, be allowed to put in force the powers of the incorporated Ordinance with respect to the purchase and taking of lands otherwise than by agreement; and the prayer shall be supported by the evidence which the Minister requires;

(e) on receipt of the petition, the Minister, on due proof of the proper advertisements having been published and notices served, shall take the petition into consideration and direct a local inquiry as to the propriety of assenting to the prayer; and

(f) after the completion of the inquiry the Minister may, if he sees fit so to do, empower the local authority to put in force, with reference to the lands mentioned in the order, the powers of the incorporated Ordinance with respect to the purchase and taking of lands otherwise than by agreement, or any of them, and either absolutely or with any conditions and modifications he directs; and it shall be the duty of the local authority to serve a copy of the order so made in the manner and on the person or persons in which and on whom notices in respect of the lands are required to be served:

Provided that any notices or orders by this section required to be served on a number of persons (being more than three) having any right in, over, or on lands in undivided shares may be served on any three of those persons on behalf of all of them.

**106.** A local authority may, with the consent of the Minister, let for any term any lands it possesses, as and when it can conveniently spare them.

**107.** In case of dispute as to the amount of any compensation to be made under this Act (except where the mode of determining the amount is specially provided for), and in the case of any matter which by this Act is authorised or directed to be settled by arbitration, then, unless both parties concur in the appointment of a single arbitrator,

Power to let lands.

Mode of reference to arbitration.

each party shall appoint an arbitrator to whom the matter shall be referred.

**108.** With respect to arbitrations under this Act the following provisions shall be observed:

(a) every appointment of an arbitrator under this Act shall be in writing, shall be delivered to the arbitrators, and shall be deemed a submission to arbitration by the parties making it;

(b) after the making of an appointment, it shall not be revoked without the consent of both parties, nor shall the death of either party operate as a revocation;

(c) if, for the space of fourteen days after any matter by this Act authorised or directed to be settled by arbitration has arisen, and notice in writing by one party who has duly appointed an arbitrator has been given to the other party, stating the matter to be referred and accompanied by a copy of the appointment, the party to whom notice is given fails to appoint an arbitrator, the arbitrator appointed by the party giving the notice shall be deemed to be appointed by, and shall act on behalf of, both parties;

(d) if, before the determination of any matter so referred, an arbitrator dies, or refuses or becomes incapable to act, the party by whom that arbitrator was appointed may appoint in writing another person in his stead; and if that party fails to do so for the space of seven days after notice in writing from the other party in that behalf, the remaining arbitrator may proceed *ex parte*; and every arbitrator so appointed shall have the same powers and authorities as were vested in the arbitrator in whose stead the appointment is made;

(e) if a single arbitrator dies, or becomes incapable to act, before he makes his award, or fails to make his award within twenty-one days after his appointment, or within any extended time he has duly appointed for that purpose, the matters referred to him shall be again referred to arbitration under this Act, as if no former reference has been made;

(f) where there are more arbitrators than one, the arbitrators, before they enter on the reference shall, by writing under their hands, appoint an umpire; and if the person appointed to be umpire dies, or becomes incapable to act, the arbitrators shall forthwith appoint another person in his stead; and if the arbitrators refuse or neglect to appoint an umpire for seven days after being requested to do so by any party to the arbitration, the Minister, on the application of that party, shall appoint an umpire;

(g) if the arbitrators fail to make their award within twenty-one days after the day on which the last of them was appointed, or within any extended time they have duly appointed for that purpose, the matters referred shall be determined by the umpire;

(h) the time for making an award by arbitrators under this Act shall not in any case be extended beyond the period of two months from the date of the submission; and the time for making an award by an umpire under this Act shall not in any case be extended beyond the period of two months from the date of the reference of the matters to him;

(i) before any arbitrator or umpire enters on a reference under this Act he shall make and subscribe the following declaration before a magistrate:

"I, A.B., solemnly and sincerely declare that I will faithfully and honestly, and to the best of my skill and ability, hear and determine the matters referred to me under the Local Government Act.—A.B."

and the declaration shall be annexed to the award when made; and any arbitrator or umpire who wilfully acts contrary to the declaration shall be guilty of a misdemeanour;

(j) any arbitrator, arbitrators, or umpire, appointed by virtue of this Act may require the production of any documents in the possession or power of either party they or he may think necessary for determining the matters referred, and may examine the parties or their witnesses upon oath;

(k) the costs of and consequent upon the reference shall be in the discretion of the arbitrator or arbitrators, or, in case the matters referred are determined by an umpire, of the umpire;

(l) any submission to arbitration under this Act may be made a rule of the High Court in its civil jurisdiction on the application of any party thereto; and

(m) the award of an arbitrator or arbitrators, or of an umpire, under this Act shall be final and binding on all parties to the reference.

109. All questions referable to arbitration under this Act, when the amount in dispute is less than five hundred dollars, may be determined, at the option of either party, before a magistrate; but the magistrate, if he thinks fit, may require that any work in respect of which the claim of the local authority is made, and the particulars of the claim, shall be reported on to him by any qualified person not being a member or officer of the local authority; and the magistrate may

Reference to  
magistrate of  
claim under  
§500.  
[4 of 1972]

determine the amount of costs incurred in that behalf and by whom they or any part of them shall be paid.

110. All expenses incurred or payable by a local authority in the execution of this Act and not otherwise provided for shall be defrayed out of the general rates levied by the authority.

Defraying  
expenses  
incurred by  
local  
authority.

111. (1) Where the proprietor of property in any district makes default in paying to the local authority thereof or the Minister any rate, or amount levied, or due, in respect of the property, as and when it becomes payable, the occupier of, or any person having any interest in, that property or any portion thereof, may pay the rate, or amount and recover it from the owner of the property, together with interest at the rate of six per cent *per annum* until repaid, with all costs of suit.

Payment of  
rate by  
occupier and  
recovery of  
amount  
thereof from  
proprietor.

(2) Where there are several proprietors, the occupier or person may so recover from any of them, and the part proprietor so paying shall be entitled to recover from the other part proprietors of the property the amount of their proper contribution.

112. Wherever a plantation forms part of a district, any rate levied under this Act shall be levied on the plantation as a whole.

Recovery of  
expenses  
where a  
plantation  
is included  
in a district.

113. Every local authority may, with the sanction of the Minister, for the purpose of defraying any costs, charges, and expenses incurred or to be incurred by it in the execution of this Act, borrow any sum of money on the security of the rates, and may mortgage the rates for the repayment thereof.

Local  
authority may  
borrow on  
credit of rates.

## PART VIII

### DRAINAGE OF VILLAGE AND COUNTRY DISTRICTS THROUGH ADJOINING LANDS

114. The local authority of any village or country district may, subject to the approval of the Minister, enter into any agreement on behalf of the village or country district with the proprietor of any neighbouring plantation or land for the purpose of affording to the village or country district effectual drainage for a term of years, in consideration of the payment of such sums of money or as may be otherwise agreed upon.

Making  
agreement  
with  
neighbours.

115. (1) Where the lands of a village or country district previously formed part of an adjoining plantation the drainage of which was connected with the drainage system of the adjoining plantation, and where the village council or country authority (hereinafter referred to

Application  
for leave to  
make drain  
in land of  
another.

as "the applicants") consider it necessary to drain the lands of the village or country district, or any part or portion of them, through lands belonging to the proprietor of the adjoining plantation (hereinafter referred to as "the adjoining proprietor") and deem it necessary that new drains should be made through lands belonging to the adjoining proprietor or that existing drains through lands belonging to the adjoining proprietor should be cleaned, widened, or otherwise improved, the applicants may, with the approval of the Minister, apply to the adjoining proprietor for leave to make the drains or improvement in drains through or on his land.

(2) The application shall be by notice in writing under the hand of the chairman of the local authority and shall be served on the adjoining proprietor, and also on the occupier if the proprietor is not the occupier; and the notice shall state the nature of the drains or improvements in drains, and shall be accompanied by a diagram on which the length, width and depth of the proposed drains or improvements in drains shall be delineated, and shall further state the compensation, if any, which the applicants propose to pay.

(3) The adjoining proprietor may, by an instrument signed by him in the presence of two witnesses, assent to the application on the terms and payment of the compensation which he requires, and any assent so given shall be binding on all parties having any estate or interest in the land, subject to the following provisions:

(a) no arrangement entered into by the guardian of an adjoining proprietor under any disability or incapacity shall be valid unless it be approved by order of a Judge of the High Court;

(b) unless otherwise ordered by a Judge of the High Court, any compensation to be paid by the applicants, to the adjoining proprietor in any case where he is under any disability or incapacity shall be applied in the manner in which the compensation coming to parties having limited interests, or prevented from treating and not making title, is applicable, under the Companies' Clauses and Powers Consolidation Ordinance, 1846,\* and

(c) any occupier, other than the proprietor, interested in the lands, shall be entitled to compensation for any injury which he sustains by the making of the proposed drains or improvements in drains; the claim for such compensation shall be made within twelve months after the completion of the drains or of the improvements in drains; and the amount of the compensation shall be determined, in case of dispute, by arbitration.

\* The present Companies Act is No. 17 of 1913 (Cap. 89:01).

116. (1) The adjoining proprietor shall be deemed to have dissented from the application made to him if he fails to express his assent thereto within one month after the service of the notice of application on him, and, in the event of his dissent, the following questions shall be decided by the magistrate of the magisterial district in which the village or country district is situate, unless the adjoining proprietor requires them within the aforesaid period of one month to be decided by arbitration—

(a) whether the proposed drains or improvements in drains will cause any injury to the adjoining proprietor, or to the occupier or other person interested in the lands; and

(b) whether that injury is or is not capable of being fully compensated by money.

(2) The following provisions shall apply to a decision under subsection (1):

(a) if the decision is that no injury will be caused to the adjoining proprietor, or to the occupier, or to other parties interested in the lands, the applicant may proceed forthwith to make the proposed drains or improvements in drains;

(b) if the decision is that injury will be caused to the adjoining proprietor, or to the occupier or to other parties interested in the lands, but that it is capable of being fully compensated by money, the magistrate, or the arbitrators, as the case may be, shall proceed to assess the compensation and to apportion it amongst the parties in his or their judgment entitled thereto; and, on payment of the sum so assessed, the applicants may proceed to make the proposed drains or improvements in drains; and

(c) if the decision is that injury will be caused to the adjoining proprietor, or to the occupier, or to other parties interested in the lands, and that it is not capable of being fully compensated by money, the applicants shall not be entitled to make the proposed drains or improvements in drains.

(3) All the provisions of sections 149 to 157 (inclusive) of the Companies' Clauses and Powers Consolidation Ordinance, 1846,\* 1 of 1846 relating to proceedings for assessing compensation shall be deemed to be incorporated with this Act, subject nevertheless to the special provisions thereof; and all things in those sections authorised or required to be done by two justices of the peace may be done by the magistrate of the district; and all things in those sections authorised or required to be done by the promoters of an undertaking may be done by the

\* The present Companies Act is No. 17 of 1913 (Cap. 89:01).



chairman of the local authority and, in case of the refusal or neglect of arbitrators so to do, the Minister may appoint an umpire in the manner provided by section 152 of the said Ordinance and for all the purposes thereof.

(4) When the compensation assessed by the magistrate or the arbitrators, as the case may be, is payable to any proprietor or person who is under any disability or incapacity, or is not entitled to receive it for his own benefit, it shall, unless otherwise ordered by a Judge of the High Court, be applied in the manner in which the compensation coming to parties having limited interests, or prevented from treating and not making title, is applicable under the said Act.

Diagram of  
scheme of  
drainage.

**117.** The magistrate, or the arbitrators, as the case may be, in the event of his or their approving of a scheme of drainage as proposed by the applicants or as modified by him or them, shall cause a diagram thereof to be prepared, and shall certify under his or their hand or hands the correctness of the diagram.

Entry upon  
land to  
clear drains.

**118.** After any drains or improvements in drains aforesaid have been made, the officers and servants of the local authority may, whenever necessary, enter upon the lands through or in which the drains or improvements in drains have been made for the purpose of clearing out, scouring, and otherwise maintaining them in a due state of efficiency; and if they are not kept so cleared, scoured, and maintained in a due state of efficiency, the proprietor or occupier for the time being of the lands through or in which they have been made may clear out, scour, and otherwise maintain them in a due state of efficiency and recover the expenses incurred in so doing from the local authority.

Alteration  
of drains.  
[4 of 1972]

**119.** The proprietor for the time being of the lands through or in which drains or improvements in drains are made under this Act may, with the sanction of the Minister, fill up, divert, or otherwise deal with them, on condition of first making and laying down in lieu thereof drains equally efficient for the purposes of the village or country district; and any dispute arising as to the efficiency of the drains so made shall be decided by the Minister.

Resisting or  
obstructing  
making of  
drains.  
[4 of 1972]

**120.** Every person who—

- (a) willfully resists or obstructs any person making any drain or improvement in drains under this Act, or
  - (b) willfully dams up, obstructs, or in any way injures any drain or improvement in drains so made,
- shall be liable to a fine of one hundred dollars.

**121.** All costs, charges, and expenses reasonably incurred by the adjoining proprietor in respect of any application made in pursuance of this Part shall be paid out of the funds of the village or country district; and any dispute arising as to the amount thereof shall be decided by the Minister.

Payment of  
costs of  
application.  
[4 of 1972]

## PART IX

### WORKS OF SPECIAL MAGNITUDE IN VILLAGE AND COUNTRY DISTRICTS

**122.** Where in the opinion of the Minister any works of empoldering or drainage or irrigation in a village or country district are of such magnitude as to necessitate special provisions the Minister may declare those works to be special works.

Declaration  
by Minister of  
special works.  
[4 of 1972]

**123.** Where the Minister, acting under the powers conferred on him by section 122, declares any works to be special works the following procedure shall be observed—

Procedure.  
[4 of 1972]

(a) the local authority of the district shall prepare specifications, and if necessary plans, of the proposed works, together with an estimate of the cost thereof, and also particulars of the lands of which it proposes to take possession for the purposes of the works;

(b) the local authority shall also prepare a statement showing the property which it is proposed shall be made liable to contribute to the cost of, or to provide labour for, the execution of any of the works and the proportions and manner in which it is proposed to assess the amounts to be paid for the work to be done by each separate proprietor;

(c) a copy of the documents, and plans if any, heretofore required to be prepared, shall be kept at the office of the local authority of the district, or, if there be no office at some convenient place within the district to be approved by the Minister;

(d) a notice intimating that the documents and plans (if any) have been so lodged and that they are open to inspection shall be posted up in some conspicuous place within the district;

(e) the documents and plans (if any) shall remain open for the inspection of every person interested on every day, not being a public holiday, during reasonable hours for one month after the date of posting the notice;

(f) any person who objects to the execution of any of the works, or to the taking of any of the lands proposed to be

taken therefor, or to the proportion or manner in which it is proposed to assess any property in which he is interested, shall, within the period of one month, lodge with the local authority his objections in writing and the grounds on which he bases his objections; and

(g) after the expiration of that period the local authority shall transmit the documents and the objections (if any) with a full report thereon, to the Minister.

**124.** The Minister, after considering the expediency of executing the proposed works and all the objections thereto, may make such order as he thinks fit.

Order of local authority executed. [4 of 1972]

**125.** When it is proposed to prepare any specifications or plans for special works in any village or country district the chairman of the local authority may, by an order under his hand, authorise any person accompanied by such assistants as may be necessary, to enter at all reasonable times upon any lands for the purpose of making the necessary surveys for the preparation of the specifications or plans of the works and an estimate of the cost thereof; and the cost of the survey may, at the discretion of the local authority, be included in any rate levied under this Act.

Power to enter on lands to survey. [4 of 1972]

**126.** The local authority in carrying out any order made by the Minister under section 124 shall have the following powers, that is to say, it may—

General power of local authority. [4 of 1972]

(a) hold the necessary lands for the construction and maintenance of the works and for any other works connected therewith approved or directed by the Minister;

(b) enter into all contracts and do all acts necessary or expedient for the proper carrying out of the works;

(c) dig earth, cut wood, and take materials of every kind, from or on any of the lands benefited which may be necessary for the works.

**127.** All the provisions as to the levy, collection and recovery of rates enacted in Part VI shall *mutatis mutandis* apply to rates levied under this Part for the construction of special works, and in addition the following provisions shall have effect—

Rates under Part VI. [4 of 1972]

(a) the local authority may exempt from payment thereof, wholly or partially, any portion of the district or any property which, in its opinion, does not derive benefit or does not derive benefit equally with other portions of the district or other properties, from the work; and

(b) where, in the opinion of the local authority, any portion of the district or any property derives greater benefit from the work than other portions of the district or other properties, the local authority may levy on such portion of the district or such property a rate which is higher than the rate levied on the other portions of the district or the other properties, as the case may be.

## PART X

### LOANS AND GRANTS

**128.** The local authority of a village or country district may, with the sanction of the Minister, borrow any sum of money required for the purposes of the district, and may pledge the security of the rates of the village or country district for the repayment of the loan together with interest.

Power to borrow on behalf of village or country district. [4 of 1972]

**129.** In every case of borrowing, it shall be the duty of the Minister, and he is hereby empowered, to cause adequate provision to be made in the annual rate of the village or country district, as the case may be, for repayment of the loan together with interest; and if he thinks it necessary so to do, to levy a further rate or rates for the purpose; and such rate shall have the same preference and be recoverable in the same manner as the annual rate of the village or country district.

Repayment of loan. [4 of 1972]

**130.** (1) There may be paid to local authorities out of moneys provided by Parliament, grants in respect of any expenditure incurred or to be incurred by them in discharging any of their functions, of such sums as the Minister may direct and subject to such terms and conditions as he may determine; and different sums may be paid, subject to different terms and conditions to different local authorities.

Grants. [4 of 1972]

(2) Every application for a grant made to the Minister by a village council or a country authority shall be submitted in the form prescribed by the Minister.

## PART XI

### ACCOUNTS AND EXPENDITURE OF VILLAGE AND COUNTRY DISTRICTS

**131.** The financial year of village and country districts shall be the twelve months ending the 31st December, and the accounts of the receipts and expenditure of every village council and country authority shall be made up to the end of each financial year.

Financial year of village or country districts.

**132.** The accounts of the receipts and expenditure of every village or country district shall be in the form for the time being prescribed by the Minister.

Form of accounts. [4 of 1972]

**133.** All the books and accounts of every village or country district employing an overseer or clerk shall be kept at the office of the overseer or clerk as the case may be, who shall be responsible for their correctness, or if there be no overseer or clerk then in the manner approved by the Minister:

Keeping books and accounts. [4 of 1972]

Provided that the Minister may, by order published in the *Gazette*, direct the books and accounts of any village or country district to be kept at the office of the district commissioner.

**134.** (1) The Director of Audit or district commissioner or any person authorised in writing by either of them, or the chairman of the local authority, may at any time call for, examine, and make extracts from, the books, documents, plans, charts, vouchers and accounts of a village or country district, and may require the overseer, assistant overseer, collector or assistant collector of rates, clerk or other officer of the district to produce for his inspection any moneys in the hands of such overseer, assistant overseer, collector or assistant collector of rates, clerk or other officer.

Inspection of books and accounts.

(2) Any person who, having the custody of any of the books, documents, plans, charts, vouchers, accounts or moneys as aforesaid, refuses or neglects, on demand made by any person mentioned in subsection (1), to produce them for inspection, or to allow extracts to be made therefrom if desired, shall be liable to a fine of two hundred dollars.

**135.** All payments to be made in a village or country district on account of any undivided lands, or any empolder, or any loan, or for pasture or woodcutting, or for rates or rents, and all other moneys payable on the general account of the village or country district, shall be payable to the collector of rates, or assistant collector of rates and his receipt for the payment, on a form approved by the Minister, duly signed by him, shall be a good and valid discharge for any moneys so paid.

Receipt of moneys. [4 of 1972]

**136.** (1) Every officer of a village or country district shall, in the manner and at the times prescribed by the Minister, transmit to the district commissioner all moneys whatsoever received by him on account of the village or country district and all documents and accounts; and the district commissioner shall forthwith deposit all those moneys in a bank approved by the Minister or in the post office savings bank, to the credit of the village or country district.

Final receipt and custody of moneys. [4 of 1972]

(2) No officer shall at any time keep in his hands more than the amount for which he has given security.

**137.** All amounts recovered under and by virtue of a distress warrant issued under this Act shall be paid to the collector of rates of the district and all amounts recovered under and by virtue of parate or summary execution shall be paid to a public officer designated by the Minister or the district commissioner.

Payment of amounts recovered under distress warrants or writs of execution. [25 of 1973]

**138.** All work done or accounts contracted for or on behalf of a village, or country district shall be paid for by the district commissioner or the overseer, or, if there be no overseer, then by the chairman of the local authority of the district.

Payment for work done.

**139.** (1) The overseer, or, if there be no overseer, any person appointed for that purpose by the local authority of any village or country district, shall, under the direction of the chairman of the authority, cause all the work to be done in the village or country district for which provision has been made on the annual or any other estimate of such village or country district; and, during the performance of any work, the overseer or other person aforesaid shall in every week make out a pay-list showing the amount due to each person at work, and also the wages of the watchman and of every other person employed at weekly wages, and after the pay-list is certified by any two members of the authority it shall be transmitted to the district commissioner.

Making out weekly pay-lists.

(2) In like manner, the pay-lists for the salaries of the overseer and all other officers employed in a village or country district shall, on being certified by any two of the members of the authority, be transmitted to the district commissioner for payment.

(3) Where it appears to the district commissioner that a refusal to certify any pay-list is unreasonable he may, notwithstanding that the pay-list is not certified, cause the same to be paid; but in such case it shall be the duty of the district commissioner to report the matter to the Minister.

**140.** The local authority of any village or country district may enter into contracts for executing any work and for the supply of any materials or articles for which provision has been made on the annual or any other estimate, but no contract involving an expenditure exceeding one thousand dollars shall be valid or binding unless it has been approved by the Minister.

Local authority may make contracts. [19 of 1959 and 4 of 1972]

**141.** (1) At any time when any unforeseen accident or occurrence happens in a village or country district of such a nature as to render

Work of emergency. [4 of 1972]

necessary the immediate performance of any work not provided for in any estimate, the local authority of such village or country district shall immediately commence and perform the work; and shall as soon as practicable prepare an estimate of its cost and agree upon an additional rate to defray the cost in like manner as is hereinbefore provided with respect to other estimates and rates; and shall forthwith transmit copies of the estimate and rate to the Minister for his approval.

(2) If the local authority refuses or neglects to execute the work, or to prepare an estimate or agree upon an additional rate in respect thereof, the Minister shall designate a public officer to take any proceedings thereon he thinks fit for the execution of the work or for the levy of a rate to defray the cost thereof.

## PART XII

### OFFENCES

**142.** Every person who, on any examination upon oath under any of the provisions of this Act, wilfully and corruptly gives false evidence shall be guilty of a misdemeanour, and on conviction on indictment shall be liable to imprisonment for seven years.

**143.** Where a person occupies, without permission any land or building owned by or under the control of a local authority or the Minister, he shall quit the land or building on being required so to do by the local authority or the Minister, as the case may be, and if he fails so to do, he shall be liable to a fine of twenty dollars or to imprisonment for one month.

**144.** (1) Where the occupier of any land or building refuses to permit the proprietor thereof to execute any work on or in relation to the land or building which the proprietor desires to execute in order that he might be able to obey or to carry into effect any of the provisions of this Act or of any order made thereunder or of the by-laws, the proprietor may make a complaint against the occupier, and on the hearing of the complaint against the defendant the court may make an order, in Form 3 in the First Schedule, directing the defendant as occupier to permit the complainant as proprietor to execute the work as aforesaid.

(2) Where an occupier fails to comply with an order made under subsection (1), he shall be liable to a fine of fifty dollars for every day while the non-compliance continues, but he shall not be liable to any penalty for any day before the expiration of three days after the date of the order.

Giving false evidence.

Failure to quit land or building of a local authority or the Minister. (4 of 1972)

Failure of occupier to assist in carrying this Act into effect.

First Schedule. Form No. 3.

(3) Where the occupier of any land or building in a district, when requested by or on behalf of the local authority to state the name of the proprietor of the land or building, refuses or wilfully omits to disclose, or wilfully misstates, the name of the proprietor, he shall be liable to a fine of fifty dollars.

**145.** Every person who wilfully damages, destroys, defaces, or otherwise injures, in any manner, any list, notice, appraisalment, estimate or other document posted up, under this Act or under the by-laws, in any district, shall be liable to a fine of fifty dollars. Damaging document.

**146.** Every person who wilfully damages any works or property owned by or under the control of any local authority shall, where no other penalty is provided by this Act, be liable to a fine of fifty dollars. Wilfully damaging works of local authority.

**147.** Every person who—

(a) obstructs or prevents the execution of any of the provisions of this Act; or Miscellaneous offences. (4 of 1972)

(b) assaults, resists, or obstructs any public officer designated by the Minister to perform any function under this Act, any district commissioner, or any village councillor or member of a country authority or any officer or servant of a village council or country authority, in the performance of his duty; or

(c) obstructs, or places any obstruction on, any dam, road, street, or bridge, or in any navigation or draining trench, or in any freshwater canal, in a village or country district; or

(d) makes any opening or cut in any dam or stop-off in a village or country district; or

(e) opens or shuts any sluice or koker in a village or country district without the sanction of the local authority; or

(f) makes a fire on any dam, road, street, or bridge, in a village or country district; or

(g) digs or removes earth, burnt brick or road metal from any dam, road slope, street, drain, main drain, fresh water canal, or public place, in any village or country district, without the sanction of the local authority; or

(h) places any plank or bridge across a trench without the sanction of the local authority; or

(i) removes or destroys any barrier placed on a road, dam, or bridge in any district by the local authority thereof or by any person authorised by the local authority; or

- (j) unlawfully destroys or damages any dam, fence, gate, koker, sluice, pail-off, bridge, building, or stelling, constructed or maintained by a local authority; or
- (k) unlawfully leaves open or unlocks a gate the property of or under the control of any local authority where damage is thereby caused to the authority.
- shall be liable to a fine of one hundred dollars.

## PART XIII

## MISCELLANEOUS MATTERS

**148.** All lands of which partition or re-allotment has been already made under any Act for the time being in force relating to partition or re-allotment, and which have not yet been transported, and all lands of which partition or re-allotment is hereafter made under any Act at the time of the partition or re-allotment in force relating thereto, and all lands requiring to be transported under any of those Acts, may be transported by a public officer designated by the Minister to the persons entitled to transport thereof in accordance with the terms of each partition or re-allotment, or of any agreement relating to any of the lands so requiring to be transported, anything in those Acts or any of them to the contrary notwithstanding.

**149.** Whenever it becomes necessary for a local authority or any of its officers to enter, examine, or lay open, any lands for the purpose of making plans, surveying, measuring, taking levels, making, or keeping in repair, or examining works, ascertaining the course of drains, or ascertaining or fixing boundaries, and the proprietor or occupier of those lands refuses to permit them to be entered upon, examined, or laid open for the purposes aforesaid or any of them, the local authority may, after written notice to the proprietor or occupier, apply to a magistrate for an order in Form 4 in the First Schedule authorising the local authority to enter, examine, and lay open the lands and premises for the purposes aforesaid or any of them, and the magistrate may, if he thinks fit, make such order.

**150.** Where any person sustains damage by reason of the exercise of any of the powers conferred by this Act, in relation to any matter as to which he is not himself in default, full compensation shall be made to him by the local authority exercising those powers; and any dispute as to the fact of damage or amount of compensation shall be settled by arbitration in manner provided by this Act; or, if the compensation claimed does not exceed the sum of five hundred dollars, it may, at the option of either party, be ascertained by and recovered before a magistrate.

Conveyance of partitioned land.  
[4 of 1972]

Entry of local authority in certain cases.

First Schedule: Form No. 4.

Compensation by local authority for damage.  
[4 of 1972]

**151.** In any proceeding for the recovery of any rate, rent, fee or toll, of a village or country district, or of the purchase money or any instalment of the purchase money of any lot, with the buildings (if any) thereon, or of any building in the village or district, a statement purporting to be signed by the public officer designated for the purpose by the Minister by notice published in the *Gazette* or by the chairman of the local authority of the village or country district shall, without proof of the signature or of the official position of the person signing it, be *prima facie* evidence, in all courts of justice and for all other purposes, of the amount and validity of the claim.

**152.** An extract minute of the proceedings of a local authority of any village or country district, purporting to be certified as a true extract by the chairman of the local authority, shall be received, without further proof, in all courts of justice and for all other purposes as *prima facie* evidence of such extract minute and of every matter or thing contained therein.

**153.** (1) Except as otherwise provided in this Act, any document requiring to be signed by a local authority may be executed by two members thereof one of whom shall be the chairman.

(2) Where the document is a notice, order or other like document, it may be signed on behalf of the local authority by any member or officer thereof.

(3) In any legal proceedings it shall not be necessary to prove any signature purporting to be the signature of a member or officer of a local authority or that the person so signing was a member thereof, but the burden of proof shall be on the person disputing the fact.

**154.** Any notice by this Act required to be given to the proprietor or occupier of any premises may be addressed by the description "proprietor" or "occupier" of the land or building (describing it) in respect of which the notice is given, without further name or description.

**155.** (1) Any notice, order, or other document required or authorised to be served under this Act, may be served by delivering it to or at the residence of the person to whom it is addressed; or, where it is addressed to the proprietor or occupier of land or building, by delivering it, or a true copy thereof, to some person on the land or building; or, if there be no person on the land or building who can be so served, by fixing it on some conspicuous part of the land or building.

(2) A notice, order, or other document aforesaid may also be served by post.

Proof of minutes of a local authority.  
[4 of 1972]

Execution of document by local authority.

Notice to proprietor or occupier.

Service of notices, orders and other documents.

Service of process.

**156.** In all legal proceedings against a local authority of a village or country district service or process on the chairman of the authority shall be sufficient service.

Notice of action against local authority or a member or officer thereof.

**157.** (1) No process shall be issued against or served on any local authority, or any member thereof, or any officer of a local authority or person acting in his aid, for anything done, or intended to be done, or omitted to be done, under this Act until the expiration of one month after notice in writing has been served on the local authority, member, officer, or person, clearly stating the cause of action, and the name and place of abode of the intended plaintiff and of his attorney or agent (if any) in the cause.

(2) On the trial of the action, the plaintiff shall not be permitted to go into evidence of any cause of action which is not stated in the notice so served; and unless the notice is proved, the defendant shall have judgement in his favour.

(3) The action shall be commenced within six months next after the cause of action accrues, and not afterwards.

Tender of amends.

**158.** (1) Any person to whom a notice of action is given as aforesaid may tender amends to the plaintiff, or his attorney or agent, at any time within one month after service of the notice and, in case the tender is not accepted, may plead it in bar.

(2) If amends have not been tendered as aforesaid, or if the amends tendered are insufficient, the defendant may, by leave of the court, at any time before trial pay into court under plea such sum of money as he thinks proper.

(3) If upon issue joined, or upon any plea pleaded for the whole action, the plaintiff is non-suited or judgement is given for the defendant, then the defendant shall be entitled to the full costs of suit and have judgement accordingly.

Protection of local authority and its officers from personal liability.

**159.** No matter or thing done, and no contract entered into by a local authority, and no matter or thing done by any member of a local authority, or by any officer, or other person whomsoever acting under the direction of a local authority, shall, if the matter or thing was done or the contract entered into in good faith for the purpose of executing this Act, subject it or them or any of them personally to any action, liability, claim, or demand whatsoever; and any expense incurred by the authority, member, officer, or other person acting as last aforesaid shall be borne and repaid out of the fund or rate applicable by the authority to the general purposes of this Act.

**160.** In any proceeding instituted by or against a local authority under this Act, it shall not be necessary for the plaintiff to prove the corporate name of the local authority or the constitution or boundaries of its district.

Proof of name of local authority.

**161.** A local authority may appear before a magistrate by the chairman of the local authority in person, or by any person authorised by the chairman in writing either generally or in respect of any special proceedings so to appear.

Appearance of local authority.

**162.** Proceedings for the recovery of a penalty under this Act shall not (except as in this Act is provided) be had or taken by any person, other than by a party aggrieved, or by the local authority of the district in which the offence is committed, without the consent in writing of the Director of Public Prosecutions.

Restriction on recovery of penalties.

**163.** Any proceedings by a local authority for the recovery of a penalty under this Act may be taken by any officer of the authority, if duly authorised in writing by the chairman thereof, either generally, or in respect of any particular offence; and an authorisation may be cancelled at any time by writing under the hand of the chairman.

Recovery of penalties by authorised officer of local authority.

**164.** The amount of all penalties for offences under this Act shall be paid over to the local authority by which or at the instance of which the proceedings for their recovery were taken.

Penalties to be paid to local authority.

**165.** All offences under this Act or the by-laws may be prosecuted, and all penalties directed to be recovered before a magistrate or the recovery of which is not otherwise provided for may be recovered under the Summary Jurisdiction Acts.

Procedure.

**166.** All by-laws made by a local authority under and for the purposes of this Act shall, if the authority possesses a seal, be under its seal, and if not shall be under the hand of two of its members, [4 of 1972] one of whom shall be the chairman.

Authentication of by-laws.

**167.** No by-laws made by a local authority under this Act shall take effect unless and until they have been submitted to and approved by the Minister who may amend or supplement them as he may think fit. [25 of 1973]

By-laws to be approved by Minister.

**168.** (1) All by-laws made by a local authority under this Act shall be printed and exhibited in the office of that authority.

Notification of by-laws of local authority.

(2) A copy of any by-laws made by a local authority shall be open to the inspection of any ratepayer at all reasonable hours.

Supply of copies.

**169.** A local authority shall, on the application of any ratepayer, furnish him with a copy of any by-laws made or proposed by it, or of any part thereof, on payment of such sum, not exceeding twelve cents for each copy, as the local authority determines.

Penalties for breach of by-laws.

**170.** Any local authority may, by by-laws made by it under this Act, impose on offenders against them any reasonable penalties it thinks fit, not exceeding the sum of one hundred dollars for each offence, and in the case of a continuing offence a further penalty, not exceeding twenty dollars, for each day after written notice of the offence from the local authority.

#### PART XIV

##### CONSTRUCTION, REPEAL AND SAVINGS

Public property not to be disturbed.

**171.** Subject to sections 46 and 68, nothing in this Act shall be construed to authorise a local authority to disturb or interfere with any lands or other property vested in the State.

Powers of Act to be cumulative.

**172.** All powers given by this Act shall be deemed to be in addition to and not in derogation of any other powers conferred by Act, law or custom; and those other powers may be exercised in the same manner as if this Act had not been enacted; and nothing in this Act shall exempt any person from any penalty to which he would have been subject if this Act had not been enacted.

Repeal and savings [4 of 1972]

**173.** (1) Notwithstanding the repeal of the Local Government Ordinance 1907 (1929 Edition, Chapter 84), and by-laws made thereunder and in force immediately before such repeal shall, in so far as the by-laws could have been made under the corresponding provisions of this Act, shall continue in force and shall have effect as if they were by-laws made under the authority of this Act.

(2) All property real or personal and all rights, interests, obligations and liabilities vested in, or subsisting for or against, and all legal proceedings pending by or against, the Local Government Board immediately before the commencement of the Law Revision Act 1972 shall vest in, or subsist for or against, the State for the purposes of this Act.

**174.** So long as sections 96 to 103\* (inclusive) of the Act continue in force by virtue of section 44 of the Valuation for Rating Purposes Act.

Application and modification. [25 of 1973]

(a) the Second Schedule to the Valuation for Rating Purposes Act applies for the purposes of any appraisal made after the 31st December 1973 in pursuance of those sections and, for that purpose, every reference therein—

(i) to the Chief Valuation Officer shall be construed as a reference to the appraisers appointed pursuant to section 96;

(ii) to the draft list and the valuation list shall be construed as a reference to the assessment book;

(b) Every reference in sections 96, 97 and 98 to the requirement of posting up any notice or other information in a conspicuous place in a village or country district shall be construed and have effect as including the requirement to publish the notice or other information on at least three occasions in a newspaper circulating in the district.

(c) section 100(3) shall be construed and have effect as if the words "and in at least one newspaper circulating in the village or country district" had been included in that subsection after the word "Gazette".

Validation. [25 of 1973]

**175.** (1) Where prior to the 31st December, 1973 a local authority or the Local Government Board, or the Minister, as the case may be, fixed a different rate in respect of different parts of a district under the Local Government Act, the fixing and levying of such a rate shall for all purposes be deemed to have been lawfully and validly done.

(2) Nothing in subsection (1) shall affect any proceedings in relation to the liability for the payment of rates or the recovery thereof, determined before the 31st December, 1973.

\* former sections 96 to 103 (inclusive) of this Act.

FIRST SCHEDULE

s. 75

FORMS

FORM I

ACCOUNT AND NOTICE OF SUM DUE FOR RATES

Village\* district of.....in the county of.....  
Country

The proprietor of lot No.....in section.....of the said district  
(or, of a building, situated on lot No.....in section.....of the  
said district) to the local authority of the said district. Dr.....  
money due for labour hired.....and the.....

To amount of cost of materials and superintendence  
Rates due

on account of the above lot, with the buildings thereon (or, on the  
above building) at the appraised value of.....from the.....  
day of.....19...., to the.....day of.....19....

Take notice that unless the above sum of.....is paid  
within two weeks from the date of the service of this notice, applica-  
tion will be made to the magistrate of the district for a warrant for the  
recovery of the same by distress and sale of movable property in  
accordance with section 71 of the Local Government Act. c.28:02

Dated this.....day of.....19....

(Signed).....  
Collector of rates of the village district of.....  
country

I hereby declare that an account and notice, of which the within  
document is a true copy, was duly served by me by posting up the  
same†.....

in the.....village district of.....  
country  
on the.....day of.....19....

(Signed).....  
Collector of rates of the village district of.....  
country

\* Strike out "village" or "country."  
† State the place where the document was posted.



Sworn before me this.....day of.....19...

(Signed).....

I hereby certify that there.....  
on the premises within described whereon to levy.

Dated this.....day of.....19...

(Signed).....

FORM 2

WARRANT OF DISTRESS

DISTRICT

To.....and to all other rural constables.  
Whereas application has been duly made to me by.....

in and for the local authority of.....

village\* district of.....for a warrant of  
country

distress against the movable property upon or in the said district, for  
the purpose of levying the rate of.....due in respect of such  
.....with costs, and whereas the dupli-  
cate or copy of the notice, with return of service thereof duly sworn,  
to before me, has been produced in due form of law—This is, there-  
fore, to require and command you to levy the said sum of.....  
with costs, upon the said movable property, according to law.

Dated this.....day of.....19...

(Signed).....

Magistrate.....District

FORM 3

ORDER TO PERMIT EXECUTION OF WORKS  
BY OWNER

DISTRICT

Whereas complaint has been made to me, the undersigned magis-  
trate for the.....district by A.B., proprietor, within  
the meaning of the Local Government Act, of a lot or building  
(describe the situation of the lot or building); that C.D., the occupier

\* Strike out "village" or "country."

of the said lot or building, prevents the said A.B. from obeying and  
carrying into effect the provisions of the said Act in this, to wit, that  
he, the said C.D., prevents the said A.B. from (here describe the  
works generally according to circumstances).

And whereas the said C.D., having been duly summoned to answer  
the complaint and not having shown sufficient cause against the same,  
and it appearing to me that the said works are necessary for the pur-  
pose of enabling the said A.B. to obey and carry into effect the pro-  
visions of the said Act, I do hereby order that the said C.D. do permit  
the said A.B. to execute the same in the manner required by the said  
Act.

Dated this.....day of.....19...

(Signed).....

Magistrate

FORM 4

ORDER OF MAGISTRATE FOR ADMISSION OF  
OFFICER OF LOCAL AUTHORITY

DISTRICT

Whereas (describe the local authority) has by its officer (naming  
him) made application to me, the undersigned magistrate for the  
.....district, and the said officer has made oath to me that  
demand has been made pursuant to the provisions of the Local  
Government Act for admission to (describe the situation of the pro-  
mises so as to identify them) for the purpose of (describing the pur-  
pose, as the case may be), and that such demand has been refused.

Now, therefore, I do hereby require you (name the person having  
custody of the premises) to admit the said (name the local authority,  
or the officer of the local authority) to the said premises for the pur-  
pose aforesaid.

Dated this.....day of.....19...

(Signed).....

Magistrate

SECOND SCHEDULE

FEE PAYABLE FOR PROCESS OF DISTRESS

Cents.

1. Entering and recording application for warrant of distress, including swearing to return of service of notice ... 16
2. Issuing warrant of distress, including levy and sale of property thereunder and the return ... 32

SUBSIDIARY LEGISLATION

DISTRICTS BY-LAWS

made under section 15

By-laws  
2/10/1911  
4 of 1972

1. These By-laws may be cited for all purposes as the Districts By-laws\*.

Citation.

THIRD SCHEDULE

FEE FOR EXECUTION AND SALE

	\$ c.
For summation ... ..	0 50
For service of summation ... ..	0 50
For writ of execution, to be endorsed on summation ...	0 25
For act of levy, inventory, and advertisement of sale ...	1 00
For selling, a commission of two and one-half per cent on the amount of purchase money	
For taxation of expenses incurred in the proceedings ...	0 25

Interpretation.  
{4 of 1972}

2. In these By-laws—  
“lot” includes any portion of a lot;

“township lot” means a lot in any portion of a district, the boundaries of which have been defined as such by the Minister.

3. Except for the purpose of drainage, sanitation or dry cultivation no person shall dig earth within any township lot in such a manner as to lower any part of the surface thereof, without first obtaining permission in writing from the local authority.

Lowering surface of lot.

4. (1) All water closets, earth closets and privies shall be constructed and maintained by the owner to the satisfaction of the local authority, and shall be placed as the local authority may direct.

Erection of closets.

(2) The contents of every cesspit shall be emptied and removed whenever the local authority so directs. Lime or other substance approved by the Committee shall be applied to the contents before removal.

5. Any person failing to comply with, or committing a breach of, or an offence against these by-laws shall be liable on summary conviction to a fine of one hundred dollars, and in case of a continuing offence to a further fine of twenty dollars for each day during which failure to comply with a written notice by the local authority continues.

Penalties.

\* Some of the original by-laws of 1911, with additions made in 1917, will be found under the Public Health Ordinance (Chapter 145:1953 Edition supra).

## Districts By-laws

## DISTRICTS BY-LAWS

## ARRANGEMENT OF BY-LAWS

## BY-LAW

1. Citation.
2. Interpretation.

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8. Motions which may be moved without notice.
9. Questions.
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11. Rules of debate.
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14. Right of reply.
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16. Rescission of preceding resolution.
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*General.—Appointment of Committees, etc.*

20. Inspection of books and documents.
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22. Appointment of committees.
23. Proceedings in committee to be confidential.
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27. Ordinary meetings of country authorities.
28. Special meetings.
29. Meeting to be open.

## [Subsidiary]

## Districts By-laws

## BY-LAW

30. Leave of absence.
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*Rules of Order and Debate at meetings of Country Authorities*

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39. Case of motion lost.
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41. Suspension of rules.
42. Judge of order.

*The Quorum of Committees of a Country Authority*

43. Committees of authority.

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45. Direction of officers.
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47. Payment of travelling expenses and subsistence allowances to members and officers of local authorities.
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54. Permission to cut and remove wood.

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58. Regulating slaughter-houses.

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60. Penalties for breach of by-laws.

By-laws  
4:10:1939  
2/1959  
1/1964  
1/1967  
5:1967  
1:1972  
2:1971  
4 of 1972

Citation.

1. These By-laws may be cited for all purposes as the Districts By-laws.

Interpretation.

[By-laws  
5/1967  
4 of 1972]

c. 65:01

2. In these By-laws—

“lot” includes any portion of a lot;

“member” means any councillor or member of a local authority;

“mining area” means an area within a district wherein works of a mining nature are carried out under the Mining Act;

“officer” includes any person employed temporarily or otherwise by a local authority to perform any duty;

“overseer” means the overseer of a village, country or any rural district or any part of a rural district;

Districts By-laws

[Subsidiary]

“residential area” means the area of a district for the time being in use for residential, industrial (not being mining) or other purposes and any additional area which the Central Housing Planning Authority by resolution published in the *Gazette* and approves as an area to be reserved for like purposes, but does not include any part of a mining area.

## PART II

## UNDER SECTION 15

*Powers and duties of Local Authorities and their Officers*

3. An ordinary meeting of a village council shall be held once at least in each month for the despatch of business. The time and place of meeting shall be fixed by the local authority.

4. (1) The chairman of a local authority may call a special meeting of the local authority at any time except on public holidays.

(2) If the chairman refuses to call a special meeting of the local authority after a requisition for that purpose, signed by three members of the local authority, has been presented to him, or if, without so refusing, the chairman does not call a meeting within seven days after such requisition has been presented to him, any three members of the local authority on that refusal or on the expiration of seven days, as the case may be, may forthwith call a meeting of the local authority.

(3) Three clear days at least before an ordinary meeting of the local authority—

(a) notice of the time and place of the intended meeting shall be published at the office of the local authority, and where the meeting is called by members of the local authority the notice shall be signed by those members and shall specify the business to be transacted thereat; and

(b) a summons to attend the meeting, specifying the business proposed to be transacted thereat, and signed by the clerk of the local authority, shall be left at or sent by post to the usual place of residence of every member of the local authority:

Provided that want of service of the summons on any member of the local authority shall not affect the validity of a meeting.

5. Any power or duty assigned to the chairman in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

Chairman of local authority or of meeting.

*Rules of Order and Debate at meetings of Local Authorities*

6. (1) Except where the local authority on the ground of urgency vary the order of business in accordance with clause (2) of this by-law, the order of business at every meeting of the local authority shall be—

- (a) to choose a member to preside if the chairman be absent;
- (b) to read and approve as a correct record the minutes of the last meeting of the local authority as recorded in the book kept for that purpose;

Provided that, if the minutes have been circulated to each member of the local authority not later than the date of issue of the summons to attend the meeting, they may be taken as read;

- (c) to receive and consider all correspondence addressed to the chairman in relation to the business of the local authority;
- (d) to answer questions asked pursuant to by-law 9;
- (e) to dispose of business (if any) remaining from the last meeting;
- (f) to receive and consider reports of committees;
- (g) to receive and consider reports from officers of the local authority;
- (h) to consider notices of motions in the order in which they have been received; and
- (i) other business, if any.

(2) A motion to vary the order of business on the ground of urgency—

- (a) may, at any time when an item of business on the agenda has been disposed of, be proposed either by the chairman or any member;
- (b) if proposed by the chairman, may be put to the vote without being seconded, notwithstanding by-law 10; and
- (c) shall be put to the vote without discussion.

Notices of motion.

7. (1) Except as provided by by-law 8, every notice of motion shall be in writing, signed by the member or members giving the notice, and delivered at least four clear days before the next meeting of the local authority at the office of the clerk of the local authority by whom it shall be dated, numbered in the order in which it is received and entered in a book which shall be open to the inspection of every member of the local authority.

(2) The clerk of the local authority shall insert in the summons for every meeting of the local authority all notices of motion duly

given in the order in which they have been received, unless a member giving such a notice has, when giving it, intimated in writing that he proposes to move it at some later meeting or has withdrawn it in writing.

(3) If a motion, notice of which is thus specified in the summons be not moved, it shall, unless postponed by consent of the local authority, be treated as abandoned, and shall not be moved without fresh notice.

(4) Motions for which notice has been duly given, the subject matter of which comes within the province of any committee, shall upon being moved and seconded stand referred without discussion to such committee, or to such other committee as the local authority may determine, for consideration and report:

Provided that the chairman may, if he considers it convenient and conducive to the despatch of business, allow such motion to be dealt with at the meeting at which it is brought forward.

(5) Every notice of motion shall be relevant to some question over which the local authority has power, or which affects the village or country district.

8. The following motions may be moved without notice:

- (a) appointment of a chairman of the meeting at which the motion is made;
- (b) motions relating to the accuracy of the minutes, closure, adjournment, order of business, or next business;
- (c) reference to a committee;
- (d) appointment of committee or member thereof, so far as arising from an item mentioned in the summons to the meeting;
- (e) adoption of reports and recommendations of committees or officers;
- (f) that leave be given to withdraw a motion;
- (g) amendments to motions;
- (h) that an item of business specified in the summons has precedence;
- (i) suspending by-laws;
- (j) excluding the press;
- (k) excluding the public; and
- (l) that a member named under by-law 12 be not further heard or do leave the meeting.

Motions which may be moved without notice.

Questions.

9. (1) A member of the local authority may—
- (a) if two clear days' notice in writing has been given to the clerk of the local authority, ask the chairman any question relating to the business of the local authority; and
  - (b) with the permission of the chairman put to him questions relating to urgent business, of which such notice has not been given; but a copy of any such question shall, if possible, be sent to the clerk of the local authority before the meeting.
- (2) Every question shall be put and answered without discussion.
- (3) Where the reply to any question cannot conveniently be given orally, it shall be deemed a sufficient reply if the answer is circulated to members of the local authority.

Minutes.

10. As soon as the minutes have been read, or if they are under by-law 6 taken as read, the chairman shall put the question that the minutes of the meeting of the local authority held on the..... day of..... be signed as a true record.
- No motion or discussion shall take place upon the minutes except upon their accuracy, and any question of their accuracy shall be raised by a motion. If no such question is raised, or if it is raised, then as soon as it has been disposed of, the chairman shall sign the minutes.

Rules of debates.

11. (1) A motion of amendment shall not be discussed unless it has been proposed and seconded, and unless notice has already been given in accordance with by-law 7, it shall, if required by the chairman, be reduced to writing, and handed to the chairman before it is further discussed or put to the meeting.
- (2) A member when seconding a motion or amendment may, if he then discloses his intention to do so, reserve his speech until a later period of the debate.
- (3) A member shall stand when speaking and shall address the chairman. If two or more members rise the chairman shall call on one to speak.
- (4) A member shall direct his speech to the question under discussion or to an explanation or to a question of order.
- (5) An amendment shall be either—
- (a) to leave out words;
  - (b) to leave out words and insert or add words; and
  - (c) to insert or add words;

but such omission or insertion of words shall not have the effect of introducing a new proposal into or of negating the motion before the local authority.

- (6) If an amendment be rejected, other amendments may be moved on the original motion. If an amendment be carried the motion as amended shall take the place of the original motion, and shall become the motion upon which any further amendment may be moved.
- (7) A further amendment shall not be moved until the local authority shall have disposed of every amendment previously moved.
- (8) A member shall not speak more than once on any motion except to move a further amendment or on any amendment, except in the exercise of the right of reply given by by-law 14, or on a point of order, or by way of personal explanation, or to move in so many words "That the question be now put."
- (9) A member may at the conclusion of a speech of another member move without comment, "That the question be now put"; "That the debate be now adjourned"; or "That the Local Authority do now adjourn"; on the seconding of which the chairman, if in his opinion the question before the meeting has been sufficiently discussed, shall, subject to the right of reply, given by by-law 14, put that motion to the vote, and if it is carried, the question before the meeting shall be put to the vote or the subject of debate shall be deemed to be disposed of for that day, or the meeting shall stand adjourned as the case may be.
- (10) A member may rise to a point of order or in personal explanation, but a personal explanation shall be confined to some material part of a former speech by him at the same meeting which may have been misunderstood. A member so rising shall be entitled to be heard forthwith.
- (11) The ruling of the chairman on a point of order or on the admissibility of a personal explanation shall not be open to discussion.
- (12) Whenever the chairman addresses the local authority during a debate, a member then speaking or standing, shall resume his seat and the council shall be silent.
- (13) A motion or amendment may be withdrawn by the proposer with the concurrence of the seconder and the consent of the local authority which shall be signified without discussion, and it shall not be competent for any member to speak upon it after the proposer has asked permission for its withdrawal, unless such permission shall have been refused.

(14) When a motion is under debate no other motion shall be moved except the following:

- (a) to amend the motion;
- (b) to postpone consideration of the motion;
- (c) to adjourn the meeting;
- (d) to adjourn the debate;
- (e) to proceed to next business;
- (f) that the question be now put;
- (g) that a member be not further heard;
- (h) that a member do leave the meeting; and
- (i) that the subject of debate be referred back to a committee.

Disorderly conduct.

12. If at a meeting any member of the local authority in the opinion of the chairman notified to the local authority, misconduct himself by persistently disregarding the ruling of the chair, or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the local authority, it shall be competent for a member to move "That the member named be not further heard," or "That the member do leave the meeting," and the motion, if seconded, shall be put and determined without discussion.

Suspension of sitting.

13. If, after a motion under the foregoing by-law has been carried and the misconduct or obstruction is continued, and in the opinion of the chairman, renders the due and orderly despatch of business impossible, the chairman in addition to any other powers vested in him, may without question put, adjourn or suspend the sitting of the local authority for such period as he in his discretion shall consider expedient.

Right of reply.

14. The proposer of a motion shall have a right to reply at the close of the debate upon such motion, immediately before it is put to the vote, or before the motion, "That the debate be now adjourned," "That the Local Authority proceed to the next business," or "That the Local Authority do now adjourn" is put. If an amendment is proposed he shall be entitled to reply at the close of the debate upon the amendment. A member exercising the right of reply shall not introduce new matter. After every reply to which this by-law refers, a decision shall be taken without further discussion.

Alteration of motion.

15. A member may with the consent of his seconder and of the local authority signified without discussion, alter a motion which he

has proposed or of which notice has been given if the alteration is one which could have been moved as an amendment thereto.

16. No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been negatived within the preceding six months, shall be proposed unless the notice thereof given in pursuance of by-law 7 bears the names of two-thirds of the whole number of members of the local authority. When any such motion has been disposed of by the local authority, it shall not be open to any member to propose a similar motion within a further period of six months.

Rescission of preceding resolution.

17. Every question shall be determined by show of hands and on the requisition of any member the voting on any question shall be recorded so as to show how each member present and voting gave his vote.

Voting.

18. Where there are more than two persons nominated for any position to be filled by the local authority, and of the votes given there is not a majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.

Voicing on appointments.

19. The public shall be admitted to all meetings of the Local Authority so far as there is accommodation, but—

Admission of public to meetings.

- (a) at any meeting the local authority may temporarily exclude the public from such meeting, if, owing to the special nature of the business being dealt with or about to be dealt with, they deem such exclusion advisable in the public interest;
- (b) if a member of the public interrupts the proceedings at any meeting the chairman may, after warning, order his removal.

*General.—Appointment of Committees, etc.*

20. A member of the local authority may inspect the accounts of the local authority and any document which has been considered by a committee or by the local authority and may make a copy thereof or any extract therefrom.

Inspection of books and documents.

21. A member of the local authority, unless authorised to do so by the local authority or a committee, shall not inspect any lands or premises which the local authority has the right or duty to inspect,

Inspection of lands, premises, etc.

or enter upon, or issue any order respecting any works which are being carried out by or on behalf of the local authority.

**22.** Subject to any statutory provision, the local authority may at the first meeting in each year, appoint such standing committees and may at any time appoint such other committees as are necessary to carry out the work of the local authority and may at any time dissolve or alter the membership of a committee.

**23.** A member of a committee shall not disclose a matter dealt with by or brought before the committee without its permission until the committee shall have reported to the local authority or shall otherwise have concluded action on that matter.

**24.** Business shall not be transacted at a meeting of any committee unless at least two members of the committee are present.

**25.** All questions in committee shall be determined by show of hands by a majority of members of the committee present and voting.

**26.** Any of the preceding by-laws may be suspended so far as regards any business at the meeting where its suspension is moved, but except upon notice of motion duly given in pursuance of by-law 7 shall not be suspended unless there are present at least two-thirds of the whole number of members of the local authority.

## PART III

## UNDER SECTION 15

*Powers and duties of Country Authorities and their Officers*

**27. (1)** An ordinary meeting of a country authority may be held once at least in each month for the despatch of business.

(2) The time and place of meeting shall be fixed by the country authority.

**28. (1)** A special meeting of the country authority may be called at any time in writing by the order of the chairman except on public holidays.

(2) A special meeting of the country authority shall be called on the requisition in writing of any three of its members, addressed to the chairman. If the chairman refuses or neglects to hold such

meeting within seven days after the requisition has been presented to him, the members may forthwith convene a meeting.

**29.** Every meeting of the country authority shall be open to the public, unless the country authority otherwise directs.

**30.** The country authority may with the sanction of the Minister grant leave of absence for any time, not exceeding three months, to a member.

**31.** Whenever it is reported to the Minister that any member has been absent without leave from three consecutive ordinary meetings of the country authority, or is in arrears for rates for three months after they have become due, the Minister may thereupon declare his seat vacant.

**32.** Except in case of urgency to be determined by the chairman of the country authority, notice of each meeting, other than a meeting fixed by adjournment, specifying the time and place of the intended meeting and the business to be transacted, shall be given in writing by the chairman or overseer or clerk to the country authority to each member at least three days before the day of meeting.

*Rules of Order and Debate at meetings of Country Authorities*

**33. (1)** Minutes of the proceedings of the country authority shall be kept in a book provided for that purpose.

(2) The names of the members present at any meeting, as well as those voting on each motion on which a division is taken, shall be recorded in the minutes, so as to show whether each vote given was for or against the motion.

**34. (a)** The minutes of each meeting of the country authority shall be read at the commencement of the business at the next succeeding meeting, and the question of their confirmation shall then be put.

(b) No debate shall be allowed on such question except as to the accuracy of the minutes as a record of the business transacted at the previous meeting.

(c) The minutes, when confirmed, shall be signed by the chairman presiding.

**35. (1)** Unless the country authority otherwise orders, all the business on the agenda at any meeting may be transacted without any formal motion made for that purpose.



[Subsidiary]

*Districts By-laws*

(2) If the country authority orders that any matter shall be considered on a formal motion made for that purpose, or if any member desires to submit a motion on any matter, the following rules shall apply, that is to say—

- (a) the motion shall be reduced to writing and handed to the overseer or clerk or chairman of the country authority;
- (b) the country authority may require that a motion shall not be considered unless notice of it has been given at a previous meeting;
- (c) a motion when made shall not be further discussed unless it is seconded by some member other than the mover;
- (d) any amendment may be proposed to a motion or to an amendment to a motion, but shall not be further discussed unless it is seconded by some member other than the mover of the amendment;
- (e) a member shall not be entitled to speak, except by way of explanation, more than once on any motion:

Provided that—

- (i) the mover of an original motion shall have the right of reply at the conclusion of the debate; and
- (ii) every amendment shall be regarded as a fresh motion; and
- (f) on the conclusion of the debate, the question shall be put on the amendments, if any, in the inverse order to that in which they were moved, and, if all the amendments are lost, the original motion shall then be put.

36. Every member shall, unless the country authority otherwise orders or allows, speak standing, and shall address the chairman.

37. (1) No member shall interrupt another when speaking, except by rising to order.

(2) A member rising to order shall direct attention to the point which he desires to bring to notice and submit it to the decision of the chairman.

38. If two members rise to speak at the same time, the chairman shall call upon one of them to address the meeting.

39. Any motion which has been discussed and lost shall not be again brought up for consideration until the expiration of six months thereafter.

[Subsidiary]

*Districts By-laws*

40. Any member being in a minority on a division may require that a protest in writing, handed by him to the clerk or overseer or chairman at the same or the next succeeding meeting, be recorded on the minutes.

41. In any case of urgency, to be determined by the chairman, any of the preceding rules of order and debate may, on motion duly made, without notice, be suspended for the purpose of accelerating business.

42. The chairman shall be the sole judge of order at any meeting of a country authority.

*The Quorum of Committees of a Country Authority*

43. Two members of any committees appointed by a country authority shall form a quorum at any meeting.

PART IV

UNDER SECTION 15

*The Management and Administration of Districts*

44. (1) The chairman shall be responsible for the conduct of all correspondence between the local authority and the district commissioner or any other person; and all correspondence shall be laid by him before the local authority at its next meeting.

(2) The chairman shall forward to the district commissioner any documents which a member may desire to be so forwarded.

(3) All correspondence requiring to be laid before the Minister from any proprietor or resident relating to district matters shall be sent through the chairman to the district commissioner, to be laid by him before the Minister.

45. (1) No member, other than the chairman, shall give orders to any person employed by the local authority for any work in or in connection with the district. Subject to the control of the local authority every officer shall be directly under the order and direction of the chairman.

(2) In the case of the temporary absence from the district of the chairman, the local authority shall appoint one of their members to act for him, unless otherwise ordered by the Minister.

Made of address.

Question of order.

Case of two members rising.

Case of motion lost.

[Subsidiary]

Districts By-laws

Leave of absence.

46. The local authority may with the sanction of the Minister grant leave of absence for any time, not exceeding three months, to a member.

Payment of travelling expenses and subsistence allowances to members and officers of local authorities. [By-Law 2/1974]

47. (1) A local authority may pay to a member of the local authority his actual travelling expenses, or travelling allowance and subsistence allowance at such rate and subject to such conditions as may be determined by the local authority, with the approval of the Minister, in respect of expenses incurred by him in the performance of his duties in connection with the business of the local authority.

(2) A local authority may pay to an officer of the local authority in respect of expenses incurred by him in the performance of his duties in connection with the business of the local authority his actual travelling expenses, or travelling allowance at such rate and subject to such conditions as may be determined by the local authority with the approval of the Minister.

(3) A local authority may pay to an officer of the local authority in respect of the period of his absence outside the district administered by the local authority in connection with the business of the local authority subsistence allowance at such rate as may be determined by the local authority with the approval of the Minister and subject to the following conditions which shall apply in determining the entitlement of the officer to claim subsistence allowance—

- (a) an absence of six hours or more but not exceeding twelve hours shall count as one-half of a day;
- (b) an absence of more than twelve hours up to twenty-four hours shall count as a day;
- (c) any period of absence of more than twelve hours but less than twenty-four hours during which an officer is required to sleep away from his home on account of the business of the local authority shall count as a day;
- (d) each completed hour after the first period of absence of twenty-four hours shall be counted as one-twenty-fourth of a day.

Giving of receipts.

48. No receipt for rates or other district moneys collected shall be given otherwise than on the form approved by the Minister and taken from the book provided for that purpose.

Districts By-laws

[Subsidiary]

49. Every description of materials, books, stationery or other supplies required for the service of any local authority shall be requisitioned for by the chairman.

Mode of ordering supplies, stationery, etc. [By-laws 2/1959]

Books to be kept.

50. In every district the local authority shall keep such books as the Minister may direct, and the same shall be in the custody of the overseer, or such other person appointed by the local authority with the approval of the Minister. Such custodian shall be responsible for their accuracy and safe keeping.

51. Every proprietor shall when required by the local authority keep the number of his lot distinctly marked on some conspicuous place on the lot, to the satisfaction of the local authority.

Numbering of lots.

52. No member of a country authority shall be allowed to enter into a contract for any work to be performed in the district for which he is a member, without the consent in writing of the district commissioner; but it shall be lawful for any member of a country authority to work as a journeyman, artisan or labourer on any district work.

Contract and work by member.

## Districts By-laws

[Subsidiary]

53. (1) No person shall leave, place, or store any car, cart, dray, barrel, tub, box, dust-bin, tree trunk, branch, limb or other thing upon any street, parapet, pavement or foot-path situate in any district or in any other way encumber any such street, parapet, pavement or foot-path with any car, cart, dray, barrel, tub, box, dust-bin, tree trunk, branch, limb or other thing.

Encumbering  
of streets,  
etc.  
[By-laws  
1/1964  
4 of 1972]

(2) The overseer of any district shall have the power to remove any car, cart, dray, barrel, tub, box, dust-bin, tree trunk, branch, limb, or other thing whatsoever left, placed, or stored by any person upon any street, parapet, pavement or foot-path situate in the district of which he is overseer.

(3) Any person committing a breach of this by-law shall be liable on summary conviction to a fine of one hundred dollars or to imprisonment for two months and in case of a continuing offence to a further fine of twenty dollars for every day during which the default continues.

(4) For the purposes of this by-law—

“parapet” means that portion of a public way lying between—

- (a) the metalled street or roadway and a street, drain, trench or canal; or
- (b) a pavement adjoining a street or roadway and a trench or canal; or
- (c) a street drain and any lot of land except where such portion of a public way is a pavement.

## PART V

## UNDER SECTION 51

*Cutting wood on Common Lands*

54. (1) No person shall cut or remove wood from the common lands of any residential area without the permission in writing of the local authority.

Permission to  
cut and re-  
move wood.  
[By-laws  
5/1967]

(2) Any such permission shall contain the conditions under which it is granted and may be withdrawn at any time by the local authority.

## UNDER SECTION 53

*Fishing or Mooring of Bateaux*

55. (1) Fishing of any kind is prohibited in the fresh water trenches of any residential area.

Fishing in  
fresh water  
trenches.

(2) It shall not be lawful for any person to fish except with rod

[Subsidiary]

*Districts By-laws**District (Pensions and Gratuities) By-laws*

[Subsidiary]

and line in any other trench situate within the township of any residential area.

(3) No boat, punt, bateau or other craft shall be moored in any trench in any residential area except in places set apart for that purpose.

(4) The local authority may close any trench against traffic after notice posted in some conspicuous place in the residential area thirty-six hours prior to the closing of any such trench.

#### UNDER SECTION 92

56. (1) No person shall draw water from a fresh water trench, or reservoir in any residential area for the purposes of trade or agriculture, except with the permission of and under conditions laid down by the local authority in writing.

(2) The local authority may at any time cancel any permissions granted under this by-law.

#### UNDER SECTION 95

##### *Regulation of Trades*

57. No machinery shall be erected in any residential area without the consent of the local authority.

#### UNDER SECTION 98

##### *Regulation of Slaughter-Houses.*

58. (1) In every residential area where the local authority establishes a slaughter-house, no person shall kill or slaughter within such district, any bull, ox, cow, steer, heifer, calf, sheep, lamb, goat, kid or swine, intended for human consumption, except at and within the slaughter-house established for that purpose.

(2) It shall not be lawful for any person to take any animal into the slaughter-house for the purpose of being slaughtered until such animal has been examined and approved of by an officer of the local authority.

(3) Every person having animals in the slaughter-house shall be bound to feed the same.

(4) Upon and for every animal for which application for admission into the slaughter-house premises shall be made, there shall be levied and paid to the local authority before admission, such charges as may be fixed by such authority with the approval of the Minister and the authority shall keep a register of all animals admitted

into the slaughter-house premises specifying their kind, sex, colour, mark, brand and the names and places of abode of the persons—

- (a) bringing the same;
- (b) from whom purchased;
- (c) to whom they belong.

#### PART VI

##### UNDER SECTION 15

59. Parts I, IV and V shall apply to all local authorities. Part II shall apply to all village councils and such country authorities as, by resolution, may adopt it with the approval of the Minister. By-law 31 of Part III shall also apply to such country authorities as, by resolution, may adopt it. Part III shall apply to country authorities which have not adopted Part II.

##### UNDER SECTION 170

60. Any person failing to comply with or committing a breach of any of the by-laws in Part V shall be liable on summary conviction to a fine of one hundred dollars and in case of a continuing offence to a further fine of twenty dollars for each day during which failure to comply with a written notice by the local authority continues.

Penalties for breach of by-laws.

### DISTRICT (PENSIONS AND GRATUITIES)

#### BY-LAWS

made under section 15

By-laws 1/1957  
1/1970  
4 of 1972

#### PART I

##### PRELIMINARY

1. These By-laws, may be cited as the District (Pensions and Gratuities) By-Laws. Citation.

2. In these By-laws—  
“approved appointment” means an appointment declared as such by the Minister and published in the *Gazette*;

“local authority” means a Village Council or Country Authority constituted under the Act;

“pensionable emoluments” includes salary;

“salary” means the salary attached to an office.

Interpretation.  
[4 of 1972]

3. No pension or gratuity shall be granted to any employee in respect of any service while under the age of twenty years.

Service not qualifying for pension or gratuity.

4. No pension or gratuity shall be granted to any employee except on his retirement from the service of a local authority in one of the following cases:

Circumstances in which pension may be granted.  
[4 of 1972]

[Subsidiary]

*District (Pensions and Gratuities) By-laws*

- (a) on or after attaining the age of fifty-five years or, in special cases with the approval of the Minister, fifty years; or
- (b) on the abolition of his office; or
- (c) on compulsory retirement for the purpose of facilitating improvement in the organisation of the local authority by which greater efficiency or economy can be effected; or
- (d) on medical evidence to the satisfaction of the Minister that he is incapable by reason of some infirmity of mind or body of discharging the duties of his office and that such infirmity is likely to be permanent; or
- (e) on removal from office on the ground of inefficiency as hereinafter provided.

Retirement for  
inefficiency.  
[4 of 1972]

5. Where an employee is removed from his office on the ground of his inability to discharge efficiently the duties thereof and a pension or gratuity cannot otherwise be granted to him under the provisions of these By-laws a local authority with the prior approval of the Minister may, if it considers it justifiable having regard to all the circumstances of the case, grant such a pension or gratuity as it thinks just and proper but in no case exceeding in amount that for which the employee would be eligible if he were to retire under by-law 4(a), (b), (c) or (d).

## PART II

### PENSIONS

6. Every employee holding an approved appointment who has been in the service of a local authority for twenty years or more shall be granted a pension at the rate of one nine hundredth of his pensionable emoluments in respect of each complete month of such service:

Provided that a pension granted to an employee shall not exceed two-thirds of the highest pensionable emoluments drawn by him at any time in the course of his service.

Period of  
service  
qualifying for  
a pension.  
[By-laws  
1/1970]

7. (1) Subject to by-law 3, service qualifying for pension shall be the inclusive period between the date on which an employee begins to draw salary from the funds of the local authority and the date of his leaving the service of the local authority.

(2) A local authority shall retire an employee from the service of the authority on his attaining the age of fifty-five years:

Provided that—

- (a) the employee while under the age of sixty years may subsequent to his retirement be re-employed by the authority; and
- (b) any period of service by the employee subsequent to his retirement shall not qualify as pensionable service.

*District (Pensions and Gratuities) By-laws*

[Subsidiary]

8. Service in respect of which a pension may be granted must be unbroken, except in cases where the service has been interrupted by abolition of office or other temporary suspension of employment not arising from misconduct or voluntary resignation.

Service to  
be unbroken.

9. Where the service in an approved appointment has been immediately preceded by an unbroken period of service in an appointment other than an approved appointment, or of service paid for out of an open vote, or of both such services, such period, or any part of such period, shall be taken into account in computing pensions:

Service pre-  
ceding service  
in an approved  
appointment.

Provided that of the period of service paid for out of an open vote, only two-thirds shall be counted.

10. For the purpose of computing the amount of an employee's pension, the following periods shall be taken into account as pensionable service—

Computation  
of pensions.

(a) any period during which he has been on duty;

(b) any period during which he has been absent from duty on leave with full salary or on commuted leave or on leave on half salary;

Leave of  
absence.

Provided that any period during which an employee has been absent on leave on half salary save as provided in the next paragraph of this by-law shall be counted at the rate of one month for every two months of such period;

(c) any period during which he has been absent from duty on leave either on half salary or without salary granted on grounds of policy with the approval of the Minister and during which he has not qualified for pension in respect of other service;

and any periods during which he has been absent on leave, other than those specified above, shall be deducted from the employee's total service in order to arrive at his period of pensionable service.

11. For the purpose of computing the amount of an employee's pension—

Computation  
of pensions  
on what  
emoluments  
to be based.

(a) in the case of an employee who has held one office for a period of three years immediately preceding the date of his retirement, the full pensionable emoluments payable to him at that date in respect of that office shall be taken;

(b) in the case of an employee who at any time during such period of three years has been transferred from one office to another, but whose pensionable emoluments have not been

changed by reason of such transfer or transfers, the full pensionable emoluments payable to him at the date of his retirement in respect of the office then held by him shall be taken;

(c) in other cases the average of the full pensionable emoluments payable in respect of each of the offices substantively held by the employee during his tenure thereof within such period of three years shall be taken:

Provided that if such average is less than the full pensionable emoluments which were payable to him at the date of the first transfer within such period of three years, the local authority may, with the approval of the Minister, grant him a pension calculated upon the full pensionable emoluments payable to him at that date.

### PART III

#### GRATUITIES

**12.** Every employee holding an approved appointment who has been in the service of a local authority for seven continuous years or more, but not exceeding twenty years, shall be granted a gratuity calculated at the rate of one-eighteenth of a month's pay for each complete month of service with a maximum of one year's pay:

Gratuities where length of service does not qualify for a pension.

Provided that any employee who has served for twenty years or more and has qualified for a pension under these By-laws may, at his option, exercise prior to the date on which he retires, be paid in lieu of such pension, a gratuity equal to one year's pay at the date of retirement.

**13.** Every employee not holding an approved appointment who has been in the service of a local authority for at least seven continuous years may, at the discretion of the local authority with the prior approval of the Minister, be paid a gratuity calculated at the rate of one twenty-sixth of a year's pay for each year of service with a maximum of one year's pay.

Gratuities to holders of posts not approved for the payment of gratuities. [4 of 1972]

**14.** (1) Where an employee is paid at daily, weekly or fortnightly rates, the number of working days in any calendar year to constitute one year's service shall be taken as 225 days, including public holidays and days on paid leave or sick leave, but not Sundays:

Computation of service of employees paid at daily, weekly or fortnightly rates. [4 of 1972]

Provided that where an employee's service is less than 225 days in each of any two consecutive calendar years, such service shall constitute one year's service if aggregating 225 days or more.

(2) When there is no official record of any part of an employee's service, the Minister may, on being satisfied beyond all reasonable doubt that such service was given, approve of such service being admitted for the purposes of calculating the gratuity.

### PART IV

#### SERVICE WITH TWO OR MORE LOCAL AUTHORITIES

**15.** Where an employee has served with two or more local authorities and his aggregate service would have qualified him for a pension or gratuity had it been wholly with one local authority, he shall be eligible for pension or gratuity in accordance with these By-laws:

Service with two or more local authorities to count for pension or gratuity.

Provided that the proportion of the pension or gratuity to be paid by each local authority shall bear the same proportion to the pension or gratuity payable as the aggregate amount of his pensionable emoluments during his service with one local authority bears to the aggregate amount of the pensionable emoluments during his service with all the local authorities.

### PART V

#### SETTLEMENT OF QUESTIONS ARISING UNDER THE BY-LAWS

**16.** The Minister shall have full power and authority to decide all questions that may arise in respect of or in connection with the administration of these by-laws.

Settlement of questions arising under the By-laws. [4 of 1972]

### DISTRICTS MARKET BY-LAWS

made under sections 15 and 96(3)

By-laws 2/1957 4 of 1972

Citation.

**1.** These By-laws may be cited as the Districts Market By-laws.

Interpretation. [4 of 1972]

**2.** In these By-laws—  
 "article" means any foodstuffs, commodities or fuel;  
 "fees" includes tolls, rates, dues, rents and other imposts in relation to any market;

"market" means any market-place provided in any district with the consent of the Minister for the sale of any article and includes any premises or buildings used in connection therewith;  
 "stall" includes a counter, bench, stand or other erection and any space set apart for the reception of any articles for sale;

[Subsidiary]

Districts Market By-laws

"supervisor" means the person appointed with the approval of the Minister to collect fees and to exercise all the powers under these by-laws for the control of the market.

- Supervisor.
3. Each market shall be under the control and supervision of a supervisor.
4. (1) The supervisor shall cause to be kept a correct account of all fees and revenues accruing to the market. He shall also cause to be kept a register of all persons renting stalls.
- (2) The district commissioner or any person authorised by him in writing may at any time call for, examine, and make extracts from the books, documents and registers kept by the supervisor.
5. Each market shall be opened and closed at such hours as may be approved by the Minister.
6. (1) The tenancy of every stall shall be by the day, week or month. The rent of every stall shall be payable in advance. In default of payment the tenant if in possession may be forthwith ejected by the supervisor.
- (2) No tenant shall be permitted to sublet any stall occupied by him or any part thereof.
- (3) No person shall offer or expose for sale any article in the market except at some stall rented by him. Every person committing a breach of this paragraph may be summarily ejected by, or on the direction of, the supervisor.
- (4) A tenant, on giving up possession or on being ejected, shall forthwith remove all property belonging to him. In default, the supervisor may cause such property aforesaid to be removed.

Fees. [4 of 1972]

7. The fees collectible under these By-laws shall be subject to the prior approval of the Minister.

Penalties.

8. Every person who contravenes, obstructs or prevents the execution of any of the provisions of these By-laws shall be liable to a fine of forty dollars and in the case of a continuing offence to a further fine of fifteen dollars for each day that the offence continues.

By-laws to be exhibited.

9. A printed copy of these By-laws shall be exhibited in a conspicuous place in the market.

District By-laws

[Subsidiary]

10. The owner of a market shall not be responsible for loss by damage, theft or otherwise, of any article left unattended within the market.

Non-liability of owner of market.

### DISTRICT BY-LAWS

made under section 15

1. These By-laws may be cited as the District By-laws.

By-laws 5/1967 4 of 1972

Citation.

2. (1) Where by any law the approval or sanction of the local authority is required for the doing of any act by any person in a mining area and which act is requisite to mining operations carried out under the provisions of the Mining Act such approval or sanction shall be deemed to have been given.

Sanctions requisite to mining operations. c.65:01

(2) In this By-law, "mining area" has the same meaning as in the Districts By-laws 1939.

**APPENDIX 3**



1994 ELECTIONS O SEATS

LA UNITS 21

LA UNITS HOLD

LA UNITS HOLD

LA UNITS HOLD

LA UNITS HOLD

LA UNITS HOLD

LA UNITS HOLD

LA UNITS HOLD

LA UNITS HOLD

Region	Number	Local Authority Area	No. of Voters	Total No. of Votes Cast	Percent Voting	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	No. of Councilors	Electorate Quota
1	1	Marbaruma/Kumaka/Hosororo	1,563	732	46.83%	MIRHDC	PPF/Civic	PPF/Civic	PPF/Civic	PPF/Civic	PPF/Civic	18	40
2	2	Port Kaituma/Matthew's Ridge/Arakaka	1,997	832	41.65%	MPDL	PPD/Civic	PPD/Civic	PPD/Civic	PPD/Civic	PPD/Civic	18	46
Total Region One			3,560	1,564	43.93%								
3	3	Charity/Urasara	2,439	856	35.10%	CCG	PPP/Civic	PPP/Civic	PPP/Civic	PPP/Civic	PPP/Civic	18	47
4	4	Evergreen/Paradise	1,921	1,231	64.09%	GRDA	PPP/Civic	PPP/Civic	PPP/Civic	PPP/Civic	PPP/Civic	18	68
5	5	Aberdeen/Zorg-en-Vlygt	2,043	1,369	67.01%	AZCDG	PPP/Civic	PPP/Civic	PPP/Civic	PPP/Civic	PPP/Civic	18	76
6	6	Annandale/Riverstown	4,285	2,159	50.39%	ARCCG	PPP/Civic	PPP/Civic	PPP/Civic	PPP/Civic	PPP/Civic	18	119
7	7	Good Hope/Pomona	2,358	1,301	55.17%	PGHPAC	PPP/Civic	PPP/Civic	PPP/Civic	PPP/Civic	PPP/Civic	18	72
8	8	Municipality of Anna Regina	7,429	4,452	59.93%	PNC	PPP/Civic	PPP/Civic	PPP/Civic	PPP/Civic	PPP/Civic	15	296
Total Region Two			20,475	11,368	55.52%								
9	9	Wakenaam	3,578	2,167	60.56%	PPP/Civic	WCDG	WCDG	WCDG	WCDG	WCDG	18	120
10	10	Leguan	3,069	1,792	58.39%	LDDC	PPP/Civic	PPP/Civic	PPP/Civic	PPP/Civic	PPP/Civic	18	99
11	11	Morai/Parika	2,059	867	42.11%	MPUG	PPP/Civic	PPP/Civic	PPP/Civic	PPP/Civic	PPP/Civic	15	57

S SEATS: 1190  
IN SYSTEM: 769  
TOTAL: 1959  
P.M.C. 35%

NON. EMPLOYE ARMS (8) NRIC/BOURHEADS (PP/Civic) WALK OVER.  
 a- REGION #3 - 1- LA. TALOUSIE/NOUVELE FIANCERS Page 1  
 b- REGION #4 - 1- MON. REPOS/ LA RECONNAISSANCE  
 2- EN MORE/HOPE  
 3- CANE GROVE LAND. DV. SCHEFF  
 c- REGION #5 - BATA/WOODLEY PARK  
 d- REGION #6 - 1- CARDANICE BATA/ANDS/NO 38  
 2- CHAVE FIELY/ENTERPRISE  
 3- KUNTURE/NO 37 DR. BORNAM.  
 8/11/94 9:35 AM

1994 ELECTIONS

Region	Number	Local Authority Area	No of Voters	Total No. of Votes Cast	Percent Voting	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	No. of Councillors	Electoral Quota
	12	Hydrone/Good Hope	930	474	50.97%	HGHRPA 155 (8)	PPP/Civic 319					12	39
	13	Greenwich Park/Vergenoegen	1,535	930	60.59%	GPVPO 343 (2)	PPP/Civic 587					15	62
	14	Tuschen/Uitendigt	8,000	3,892	48.65%	PPP/Civic 3,172 (3)	TUTJG 719					18	216
	15	Stewartville/Cornelia Ida	6,467	2,770	42.83%	PPP/Civic 2,387 (2)	SCICDG 383					18	153
	16	Hague/Blankenburg	2,072	1,395	67.33%	HBDA 853 (6)	PPP/Civic 532					15	93
	17	The East/Klein/Pouderoyen	5,971	2,742	46.70%	KPBRC 899 (1)	KPIC 193	PPP/Civic 1,620	TUF			18	152
	18	Malgre Tout/Meer-Zorgen	1,969	1,096	55.66%	MTMSHD 329 (1)	PPP/Civic 767					15	73
	19	La Grange/Nismes	2,911	1,671	57.40%	LGNAG 731 (8)	PPP/Civic 940					18	92
	20	Canals Polder	4,344	2,807	64.62%	CPPC 52	CRPA 259	PPP/Civic 2,477	TUF			18	155
	21	Toevlug/Patentia	5,033	3,046	60.52%	PPP/Civic 1,347 (8)	SGICC 66	TPAG 1,624	UWP			18	169
	Total Region Three			47,838	25,649	53.62%							
	Region Four												
4	22	Soedyke/Huist Coverden	1,995	753	37.74%	PPP/Civic 360 (9)	SCCDG 393					18	41
	23	Caledonia/Good Success	3,756	1,854	49.36%	PAG 1,106 (1)	PPP/Civic 748					18	103
	24	Diamond Place/Golden Grove	4,606	1,910	41.47%	DGIC 627 (6)	GRPTA 23	PPP/Civic 1,260				18	106

1994 ELECTIONS

Region	Number	Local Authority Area	No of Voters	Total No. of Votes Cast	Percent Voting	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	No. of Councillors	Electoral Quota
	25	Little Diamond/Herstalling	4,315	1,922	44.54%	LDHACC 250	PPP/Civic 1,632					18	106
	26	Mocha/Arcadia	1,300	658	50.62%	10D 295	PPP/Civic 363					18	36
	27	Raasdorp/Eccles	4,283	1,757	40.97%	ERCG 652	PPP/Civic 1,105					18	97
	28	Municipality of Georgetown	82,054	27,383	33.37%	GGG 10,784	NRP 50	PNC 8,601	PPP/Civic 7,597	TUF 293	UGI 58	30	912
	29	Indochine/Plaisance	6,312	2,818	44.65%	PIDA 1,558	PPP/Civic 1,260					18	156
	30	Beaufort/Le Bon/Intention	8,242	3,585	40.55%	BHLBIDC 410	PPP/Civic 3,175					18	199
	31	Balwin/Verreuging/Triumph	4,499	2,074	46.10%	BTDA 1,413	PPP/Civic 661					18	115
	32	Buxton/Foullis	9,037	4,756	52.63%	MDCG 2,702	PPP/Civic 1,988	UWP 66				18	264
	33	Hastings/Jon/Grove	8,958	5,313	59.31%	HGCCDG 3,966	PPP/Civic 1,347					18	295
	34	Unity/Vereeniging	5,165	2,917	56.48%	UVCCC 845	PPP/Civic 2,072					18	162
	Total Region Four			57,700	39.76%								
	Region Five												
5	35	Woodlands/Farm	3,218	1,597	49.63%	PPP/Civic 894	WFDG 703					18	88
	36	Hamlet/Chance	627	440	70.18%	HCD 387	PPP/Civic 53					12	36
	37	Mahaiconj/Abary/Front Lands	3,428	1,869	54.52%	MADG 551	PPP/Civic 1,318					18	103

1994 ELECTIONS

Region	Number	Local Authority Area	No of Voters	Total No. of Votes Cast	Percent Voting	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	No of Councilors	Electoral Quota
	38	Profit/Rising Sun	1,923	1,269	65.99%	PPP/Civic 245 PRSDG 1,024	PPP/Civic 245 PRSDG 1,024					15	84	
	38	Sea Field/Tampe	2,168	1,271	58.53%	PPP/Civic 248 STD 994	PPP/Civic 248 STD 994	TUF	TUF	TUF		15	84	
	40	Rosignol/Zeevlust	5,398	2,722	50.43%	PPP/Civic 2015 RZCDG 552	PPP/Civic 2015 RZCDG 552					18	151	
	41	Union/Naarstigheid	4,832	3,171	65.63%	NUDG 1,760 PPP/Civic 1,367	NUDG 1,760 PPP/Civic 1,367	TUF	TUF			18	176	
	42	Woodlands/Sel Air	892	602	67.49%	PPP/Civic 319 WBAIG 253	PPP/Civic 319 WBAIG 253					16	33	
	43	Gelderland/Blairmont	2,786	1,845	66.22%	GBCC 403 PPP/Civic 1,442	GBCC 403 PPP/Civic 1,442					18	102	
		Total Region Five	25,272	14,786	58.51%									
		Region Six												
6	44	Enfield/New Doe Park	1,547	868	56.11%	EPCG 283 NACCG 277	EPCG 283 NACCG 277	TUF	TUF	PPP/Civic 520	PPP/Civic 520	18	48	
	45	Municipality of New Amsterdam	9,739	5,341	54.84%	GFDG 864 KHDC 77	GFDG 864 KHDC 77	TUF	TUF	PPP/Civic 3,714	PPP/Civic 3,714	15	356	
	46	Gibraltar/Fyrish	2,785	1,686	60.52%	PPP/Civic 864 KHDC 77	PPP/Civic 864 KHDC 77	TUF	TUF	PPP/Civic 803	PPP/Civic 803	18	93	
	47	Kilcoy/Hampshire	6,052	3,170	52.38%	PNC 554 PPP/Civic 2,931	PNC 554 PPP/Civic 2,931	TUF	TUF	PPP/Civic 3,082	PPP/Civic 3,082	18	176	
	48	Municipality of Rose Hall	3,916	2,033	51.92%	PPP/Civic 554 TPC 69	PPP/Civic 554 TPC 69			PPP/Civic 1,479	PPP/Civic 1,479	12	169	
	49	Port Mourant/John	5,453	3,000	55.02%	PPP/Civic 2,931 PHP 462	PPP/Civic 2,931 PHP 462					18	166	
	50	Bloomfield/Whim	2,483	1,571	63.27%	PPP/Civic 462	PPP/Civic 462			PPP/Civic 1,109	PPP/Civic 1,109	18	87	

1994 ELECTIONS

Region	Number	Local Authority Area	No of Voters	Total No. of Votes Cast	Percent Voting	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	No of Councillors	Electoral Quota
	51	Lencoesier/Hogbye	2,722	1,621	59.55%	HLC DG (13) 1,126	PP/CiVIC (5) 495				18	90
	52	Adventure/No. 28 or Bush Lot	2,074	1,430	68.95%	BLAC DG (8) 615	PP/CiVIC (19) 815				18	79
	53	Maidat/Taricote	929	598	64.37%	MTFAG (8) 158	PP/CiVIC (12) 440				18	33
	54	Messedonia/Joppa	1,645	1,162	70.50%	MJFAC (6) 492	PP/CiVIC (7) 670				15	77
	55	Bush Polior	4,307	2,558	59.39%	BBPDC (1) 106	PP/CiVIC (17) 2,452				18	142
	56	No. 52/No. 74	2,821	4,730	52.26%	FFG (1) 280	PP/CiVIC (17) 4,450				18	282
	57	Good Hope/No. 51	1,937	1,334	68.87%	GHPDA (5) 362	PP/CiVIC (13) 952				18	74
	58	Municipality of Cornverton	7,685	4,163	54.17%	PNC (3) 823	PP/CiVIC (12) 3,322	TUF			15	277
	59	Crabwood Creek/Moleson	3,278	1,560	47.59%	CCMPFG (2) 143	PP/CiVIC (12) 1,417				18	86
Total Region Six		Region Seven	65,435	36,825	56.28%							
7	60	Baritca	3,425	2,125	62.04%	BBG (12) 1,429	PP/CiVIC (6) 663	TUF			18	118
Total Region Seven		Region Nine	3,425	2,125	62.04%							
9	61	Ireng/Sawarivau	761	418	54.93%	ISDG (7) 234	PP/CiVIC (3) 114	TUF (2) 70			12	34
Total Region Nine			761	418	54.93%							

1994 ELECTIONS

Region	Number	Local Authority Area	No. of Voters	Total No. of Votes Cast	Percent Voting	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	Party or Contesting Group	No. of Councillors	Electoral Quota
		Region Ten											
10	22	Municipality of Linden	14,973	6,334	42.3%	LDA 174 KDA 476	NDF 13 PPP/Civic 91	PNC 5,423	PPP/Civic 914	TUF 13		20	306
	33	Kwakwani	1,198	569	47.5%	476	91					18	31
		Total Region Ten	16,171	7,108	43.7%								
		GRAND TOTAL	328,064		%							1,094	
		1994 MUNICIPAL ELECTIONS											
2	8	Anna Regina	7,429	4,452	59.93%	PNC 869	PPP/Civic 3,583					15	296
4	23	Georgetown	82,054	27,383	33.37%	GCG 10,784 NACCG 277	NRP 50 PNC 3,714	PNC 8,601 PPP/Civic 1,326	PPP/Civic 7,597 TUF 24	TUF 293	UGI 58	30	912
6	45	New Amsterdam	9,739	5,341	54.84%	PNC 554	PPP/Civic 1,479					15	356
6	48	Rose Hall	3,916	2,033	51.92%	PNC 823	PPP/Civic 3,322					12	169
6	53	Corriverton	7,685	4,163	54.17%	LDA 174	NDF 13	PNC 5423	PPP/Civic 914	TUF 13		15	277
10	62	Linden	14,973	6,431	42.67%							20	306
		TOTAL Municipalities	125,796	49,911	39.67%							107	

## **People's Progressive Party Uncontested Neighborhood Democratic Council Races**

### **Region 3**

La Jealousie/Nouvelle Flanders NDC, 18 councilors

### **Region 4**

Mon Repos/La Reconnaissance NDC, 18 councilors

Enmore Hope NDC, 18 councilors

Cane Grove NDC, 18 councilors

### **Region 5**

Bath/Woodley Park NDC, 18 councilors

### **Region 6**

Canefield/Enterprise NDC, 18 councilors

Ordnance Fort Lands/#38 NDC, 18 councilors

Kintyre/#37 NDC, 18 councilors

**APPENDIX 4**



**TRAINING SCHEDULE  
AND LOGISTIC ARRANGEMENTS**

<i>Region</i>	<i>Venue</i>	<i>Neighbourhood</i>	<i>No. of Participants</i>	<i>Date</i>
1		<i>Kumaka/Hosororo</i>	18	<i>Nov. 25</i>
		<i>Kaituma/Mathews Ridge/Arakata</i>	12	<i>Nov. 26</i>
2	<i>Anna Regina</i>	<i>Charity/Urasara Evergreen/Paradise Aberdeen/Zorg-En-Vlygt Annandale/Riverston Good Hope/Pomon</i>	40	<i>Oct 1</i>
3	<i>Parika</i>	<i>Wakenaam Island Leguan Island Parika Hydronie/Good Hope Greenwich Park/Vergenoegen Tushen/Utrvlugt</i>	40	<i>Oct 8</i>
	<i>Vreed-en-Hoop</i>	<i>Stewartville/Cornelia Ida Hugh/Blankenburg La Galousie/Norville Flanders The Best/Klein Pouderoyen MalgreTouw/Meer-Zorgen La Grange/Nismes Canals/Polder Toevlugt/Potentia</i>	40	<i>Oct.9</i>
4	<i>Grove</i>	<i>Soesdyke/Huist Coverden Caledonia/Good Success Diamond Place/Golden Grove Little Diamond/Herstelling Mocha/Arcadia Ramsburg/Eccles</i>	30	<i>Oct.29</i>

<i>Region</i>	<i>Venue</i>	<i>Neighbourhood</i>	<i>No. of Participants</i>	<i>Date</i>
	<i>Paradise</i>	<i>Industry/Plaisance Beterverwagting/Triumph Better Hope/LaBonne Intention Mon Repos/La Reconnaissance Buxton/Foulis Enmore/Hope haslington/Grove Unity/Vereeninging Cane Grove Land Development Scheme</i>	<i>45</i>	<i>Oct 15</i>
<i>5</i>	<i>Belladrum</i>	<i>Woodlands/Farm Hamlet/Chance Mahalcony/Abary front Lands Profit/Rising Sun Seafield/Tempe</i>	<i>60</i>	<i>Oct.16</i>
	<i>Fort Wellington</i>	<i>Rosignol/Zeelust Union/Naurstigheid Bath/Woodley Park woodlands/Bel Air Gelderland/Blairmonth</i>		
<i>6</i>	<i>New Amsterdam</i>	<i>Enfield/New Doe Park Ordinance Fortlands/No.38 Canefield/Enterprise Kintyre/No 37 or Borlan Gibraltar/Fyrish</i>	<i>45</i>	<i>Oct 22</i>
	<i>Rose Hall</i>	<i>Kilcoy/Hampshire Port Mourani/John</i>		
<i>6</i>	<i>Corriverton</i>	<i>Malda/Tariogle Macedonia/Joppa Black Bush Polder No.52/ No. 74</i>	<i>40</i>	<i>Oct 23</i>

<i>Region</i>	<i>Venue</i>	<i>Neighbourhood</i>	<i>No. Of Participants</i>	<i>Date</i>
6	<i>Corriverton</i>	<i>Good Hope/No. 51 Crabwood Creek/Moleson</i>	30	<i>Oct. 23</i>
7	<i>Bartica</i>	<i>Bartica</i>	30	<i>Nov. 5</i>
10	<i>Linden</i>	<i>Kwakwani Linden Town Council</i>	38	<i>Nov. 12</i>
9	<i>Lethem</i>	<i>Irens/Sawariwau</i>	12	<i>Nov 18-19</i>

*The team will depart Georgetown 7.30 am on Friday 25th November and conduct Seminar at Mabaruma on arrival.*

*On the 26th team will travel by boat to Port Kaituma and conduct Seminar on arrival, then travel back to Mabaruma in the evening on Saturday.*

*The team will depart Mabaruma for Georgetown on Monday November 28th*

*The team will depart Georgetown for Lethem on Friday 18th November, 1994 at 6.30a.m and conduct Seminar on arrival.*

*the team will depart Lethem on Saturday Nov. 19, 1994.*

*For other locations e.g*

*Anna Regina, New Amsterdam and Kwakwani the team will depart Georgetown on Friday afternoon (except for special request)*

*With the exception for the above mentioned the team will depart and return to Georgetown on the day of the Seminar.*

**POST ELECTION SEMINAR  
FOR  
NEWLY ELECTED  
NEIGHBOURHOOD DEMOCRATIC COUNCILS  
PROGRAMME**

<i>Opening Programme</i>		<i>8.00 - 8.30</i>
<i>1. Structural &amp; Functional Relationship between Central, Regional &amp; Local Government</i>	<i>- Dr James Rose</i>	<i>8.30 - 10.00</i>
	<i>SNACK BREAK</i>	<i>10.00 - 10.30</i>
<i>2. Generation and Management of Financial Resources</i>	<i>- Steve Algoo &amp; Team</i>	<i>10.30 - Noon</i>
	<i>LUNCH</i>	<i>NOON - 1PM</i>
<i>3. Internal Structure &amp; Function of Neighbourhood Democratic Council</i>	<i>- Vincent Alexander</i>	<i>1pm - 2pm</i>
<i>4. Management System in Neighbourhood Democratic Council</i>	<i>- Dr Khemraj Rai</i>	<i>2:15 - 1.30</i>
	<i>SNACK BREAK</i>	<i>3.15 - 3.30</i>
<i>5. Leadership &amp; Community Development</i>	<i>- Clairmont Lye/ Patrice La Fleur</i>	<i>3.30 - 4:30</i>
<i>6. Communication between the Neighbourhood Democratic Council &amp; Public/Communities</i>	<i>NDI</i>	<i>4:30 - 5:30</i>

**APPENDIX 5**

**NEIGHBOURHOOD DEMOCRATIC COUNCIL**  
**ESTIMATES OF INCOME AND EXPENDITURE - 1995**  
**EXPENDITURE**

SUB-HEAD NO.	ITEM	ESTIMATES 1995	REVISED ESTIMATES 1994	APPROVED ESTIMATES 1994	INCREASE (+) OR DECREASE (-) ON 1994 PROVISION	EXPLANATORY NOTES
<b>PERSONAL EXPENDITURES</b>						
1.	Clerk (4,500.00 x 12)	54,000.00	46,523.00	54,000.00	-	
2.	Typist (\$3,500.00 x 12)	42,000.00	30,125.00	42,000.00	-	
3.	Pension and Gratuity	23,000.00	21,000.00	23,000.00		To pay pension to ret officer.
4.	Chairman's Allowance	24,000.00	24,000.00	24,000.00		
5.	Provision for Incentive/Increment	22,000.00	-	12,000.00	+ 40,000.00	To cater for increase
	<b>Total Head I</b>	<b>195,000.00</b>	<b>121,648.00</b>	<b>155,000.00</b>	<b>+ 40,000.00</b>	
<b>DRAINAGE AND IRRIGATION</b>						
1.	Drainage rates	50,000.00	25,000.00	50,000.00		
2.	Ratepayers Drainage Rates	100,000.00	20,000.00	95,000.00	+ 5,000.00	
3.	Maintenance of Trenches	300,000.00	60,000.00	100,000.00	+200,000.00	Mc Cleary Branches etc Ponds.
	<b>Total Head II</b>	<b>450,000.00</b>	<b>125,000.00</b>	<b>245,000.00</b>	<b>+205,000.00</b>	
<b>ROADS, DAMS AND BRIDGES</b>						
1.	Maintenance of roads	375,000.00	180,000.00	250,000.00	+125,000.00	Lighting of roads at 2nd Street and 3rd St
2.	Maintenance of Bridges	30,000.00	45,000.00	225,000.00	+ 75,000.00	
	<b>Total Head III</b>	<b>675,000.00</b>	<b>225,000.00</b>	<b>475,000.00</b>	<b>+200,000.00</b>	

SUB-HEAD NO.	ITEM	ESTIMATES 1995	REVISED ESTIMATES 1994	APPROVED ESTIMATES 1994	INCREASE(+) OR DECREASE(-) ON 1994 PROVISION	EXPLANATORY NOTES
	<u>GENERAL ADMIN. AND OFFICE EXPENSES</u>					
1.	Purchase of Stationery	250,455.00	200,000.00	250,000.00	+ 455.00	1. To purchase assessment r and collectors cash book
2.	Insurance Premiums	35,000.00	35,000.00	35,000.00	-	
3.	Audit Fees	25,000.00	-	25,000.00	-	2. Insurance for Community and Village Office
	Total Head IV	310,455.00	235,000.00	310,000.00	+ 455.00	
	<u>SOCIAL SERVICE AND EDUCATION</u>					
1.	Promotion of sports and culture	35,000.00	35,000.00	35,000.00	-	
2.	Maintenance of playfields	175,000.00	35,000.00	175,000.00	-	Maintenance of playfield & Hoops.
3.	Training (staff and councillors)	40,000.00	-	20,000.00	+ 20,000.00	
	Total Head V	250,000.00	70,000.00	230,000.00	+ 20,000.00	
	<u>HEALTH AND SANITARY SERVICES</u>					
1.	Purchase of insecticides etc.	125,000.00	65,000.00	75,000.00	+ 50,000.00	To spray and malaria, etc.
2.	Cleaning of drains	190,000.00	70,000.00	90,000.00	+ 90,000.00	Cleaning of drains etc.
	Total Head VI	315,000.00	135,000.00	165,000.00	+ 140,000.00	

SUB-HEAD NO.	ITEM	ESTIMATES 1995	REVISED ESTIMATES 1994	AFFROVED ESTIMATES 1994	INCREASE (+) OR DECREASE (-) ON 1994 PROVISION	EXPLANATORY NOTES
<u>SUNDRY EXPENDITURES</u>						
1.	Law cost	10,000.00	-	10,000.00	-	
2.	Legal fees	15,000.00	-	15,000.00	-	
3.	Remittance to external agencies	75,000.00	55,000.00	60,000.00	+ 15,000.00	
4.	N.I.S. Contribution	65,000.00	64,000.00	65,000.00	-	
5.	Refund of revenue over collected	1.00	-	1.00	-	
	Total Head VII	165,001.00	119,000.00	150,001.00	+ 15,000.00	
<u>REPAIRS</u>						
1.	Repairs to building etc.	135,000.00	40,000.00	90,000.00	+ 45,000.00	Repairs to roof of Ab
<u>RESERVE FUND</u>						
1.	Deposit to reserve fund	15,000.00	-	5,000.00	+ 10,000.00	
<u>ELECTRIC LIGHTING</u>						
1.	Street lights	250,000.00	25,000.00	175,000.00	+ 75,000.00	
2.	Building lights	30,000.00	35,000.00	50,000.00	+ 20,000.00	
	Total Head VI	280,000.00	60,000.00	235,000.00	+ 95,000.00	
<u>MACHINERY AND EQUIPMENT</u>						
1.	Maintenance of tractor and trailer	160,000.00	65,000.00	150,000.00	+ 10,000.00	To purchase tyres and
<u>LOAN REPAYMENT</u>						
		35,000.00	-	35,000.00	-	
<u>REVENUE CONTRIBUTION TO CAPITAL EXPENDITURE</u>		250,000.00	86,000.00	306,237.00	- 56,237.00	
Total Recurrent Expenditure		3,275,456.00	1,291,648.00	2,551,238.00	724,218.00	





LOCAL AUTHORITIES ACCOUNTS  
SIMPLE 'DO' AND DON'T' BASED ON THE  
PRESENT ACCOUNTING SYSTEM

Revenue

Receipt Books

1. Overseers must not place orders with Printers for receipt books, All orders must be placed by the District Development Officer 11, who shall keep a register to record all books received and issued by him.
2. Receipt books issued to Overseers must be carefully checked, and any errors in the numbering or quantity of forms must be reported immediately to the District Development Officer 11, If errors are subsequently discovered, the Overseer will be held responsible.
3. The Overseer shall keep a register to record particulars of all receipt books received by him.

Collection of Revenue

4. Overseers should secure the punctual collection of all sums due to the Council.
5. A receipt on the approved official form shall be issued in acknowledgement of every sum of money collected on behalf of the Council.
6. A double-faced carbon sheet should be placed between the original and duplicate receipts.
7. Receipt forms must be made out and signed in ink or indelible pencil.
8. No alteration should be made on a receipt. If an error is made in writing a receipt, the original and duplicate forms shall be cancelled and retained in the book. Another receipt shall then be issued.
9. The collector of rates shall not receive a cheque or money order except for payment of a debt due to the Council, nor shall he accept a post-dated cheque.
10. Care should be taken to see that revenue is promptly brought received to account under the correct heads and sub-heads.
11. Passbooks in respect of Revenue Funds should be sent to the General Post Office Savings Bank each year, for interest to be credited.

Custody of Revenue, etc.

12. The Overseer should ensure that provisions is made for the safe custody of cash, securities, receipt books, cash books, assessment registers, and other accounting records, Where no such provision has been made the Overseer should draw the attention of his local authority to the need for such items as cupboards, safes, etc.
13. Personal cash of the Overseer should not be kept with that of the Local Authority.

14. Revenue received should be converted into Money Orders or banked at the earliest opportunity. This is especially desirable where there is no safe in the Village Office.

15. Remittances should be made to the District Development Officer 11 once weekly *on the day determined by the D.D.O.T.*

16. All revenue on hand at 31st December, should be remitted to the District Development Officer 11.

17. Receipts received from the District Development Officer 11 to support amounts remitted to him, should be retained for audit.

#### Refunds of Revenue

18. All refunds of revenue made in respect of collections during the same financial year should be debited to the Head which received the credit.

19. Where the refund relates to revenue collected during a previous financial year, a charge should be made against an expenditure head - Miscellaneous - Refunds of Revenue.

#### Other Revenue

##### Market, Abattoir, Pasture, Burial Ground

20. Rents and fees should be collected in advance and paid in daily to the collector of rates. There should be no sub-letting of stalls by market stall-holders, neither should the Overseer, Assistant Overseer or Market Supervisor authorise such sub-letting.

21. All market stalls should be numbered.

22. All registers should be written up-to-date.

##### Rents from Lands, Buildings, Crops, etc.

23. All rent registers should be written up-to-date, and cast and balance at the end of the year.

24. The total amounts collected as recorded in all the above registers, should agree with the total amount brought to account in the cash book.

##### Hire-out of Machinery, Equipment, etc.

25. The Overseer should keep proper records to show date of hire, No. of hours worked, rate, name of person and any other relevant information.

##### Collection of Tolls, Stalling Fees, etc.

26. All collections should be paid in daily to the collector of rates.

27. The collector of rates shall ensure that amounts paid in to him by revenue collectors agree with the total of the receipts issued by collectors.

##### Interest on Arrears Rates

28. Interest on arrears rates should always be collected in accordance with Section 67(4) of the Local Government Ordinance, Chapter 28:02

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### Write-off of Revenue

29. No revenue should be written-off until approval has been obtained from the Minister of Regional Development.

30. All applications for write-off of revenue which have become irrevocable should be submitted to the Minister of Regional Development for approval.

### Assessment Register

31. Every lot, every sub-division of a lot and every building shall be separately appraised and recorded in the assessment register.

32. Appraisement schedules, duly signed by the appraisers, should be filled in the same order as the lots or buildings appear in the assessment register.

33. Applications for erection, alterations or repairs to buildings should be filed.

34. Any change in the name of a proprietor shall be approved by the Local Authority; the approval should be recorded in the minutes of the relevant meeting.

35. The appraised values of lands and buildings at the beginning of each year shall be recorded in the assessment register. The total value should agree with the value shown in the approved Estimates.

36. Care should be taken to ensure that the following other particulars are correctly recorded in the assessment register:-

- (a) Arrears rates collectible at 1st January
- (b) Rates collectible for current year
- (c) Arrears rates collected during the year
- (d) Rates collected during the year
- (e) Interest collected during the year
- (f) Receipt numbers and dates of collections
- (g) Arrears rates at 31st December

37. The register shall be cast, preferably at the end of each quarter. It shall be balanced at the end of the year, using the following formula:-

$$\text{Arrears rates at 31st December} - (\text{Arrears rates at 1st January} + \text{rates collectible during Year}) - (\text{Arrears rates} + \text{current rates paid during the year}).$$

38. The total collections recorded in the assessment register should agree with the total amount brought to account in the cash book.

39. Since it is always necessary to ascertain from the assessment register, the amounts owing in respect of rates and interest, it may save time and avoid omission in posting, if amounts received are posted to the assessment register immediately after the receipts are written.

### Assessment Register (con'd)

40. Some distinguishing mark or note should be made on the duplicate receipt to show that it has been posted to the assessment register.

41. Do not credit payments to current rates if there are arrears outstanding.

42. Amounts collected should be appropriated in the following order:-

- (a) Law Costs
- (b) Interest
- (c) Arrears Rates
- (d) Rates

43. All entries in the assessment register should be in ink. *A Debit*  
*Control Account Register must be kept and maintained.*  
Payments

44. No expenditure shall be incurred in excess of the approved estimates without the prior approval of the Ministry of Regional Development Officers prematurely exhausting votes without authority are liable to disciplinary action.

45. Expenditure properly chargeable to the account of a given year, must not be deferred for the purpose of avoiding an excess on the amount provided in the estimates.

46. Any request for payment of a previous year's account from the current years votes, should show the unexpanded balance on the head in the previous year.

47. Under no circumstances may expenditure be charged to another head or sub-head because of lack of provision under the head and sub-head to which the expenditure is properly chargeable. *Approval should be obtained for the necessary transfer of funds.*

48. Recovery of expenditure incurred in previous years must be credited to a Revenue Head - Miscellaneous Receipts - Overpayment in previous years.

49. Recovery of expenditure in respect of the same year should be credited to the relevant expenditure head.

50. All contracts for materials and services in excess of \$1,000 should receive the prior approval of the Minister of Regional Development. No contract shall be sub-divided for the specific purpose of bringing the amount below the limit of \$1,000.

51. All other contracts awarded by the Village Council should be recorded in the minutes of the relevant meetings.

52. All contract documents and tenders should be properly filed and retained for audit.

53. Separate records shall be kept to show (a) all contracts entered into and (b) all payments made under a contract as well as moneys retained.

54. Upon completion of a contract or at the end of the maintenance period, the Overseer shall certify that the works have been completed in accordance with the terms of the contract, and that all payments have been made.

Payments (cont'd)

55. Purchases of over \$10.00 should be made on an Invoice Order.

56. Paysheets should be certified by two councillors and passed for payment by the District Development Officer 11, except as otherwise stated in sub-section (3) of Section 139, of the Local Government Ordinance, Chapter 28:02.
57. Alterations to payment vouchers shall be initialled by the officer certifying the voucher, or by the payee if the alteration is to the form of receipt thereon.
58. All vouchers and sub-vouchers when paid, shall be stamped with the word 'PAID'.
59. The paying officer shall ensure that the correct amount of stamp duty is affixed to paysheets and payment vouchers.
60. Payments on paysheets should be witnessed by two persons, other than the paying officer.
61. Acknowledgements should be obtained to support all payments made.
62. Payments to persons other than the payees should not be made without proper authorisations.
63. Unpaid amounts on paysheets should not be kept by the Overseer for more than one week, but should be paid back to the District Development Officer.
64. Amounts withdrawn from the Reserve Fund to make payments, must receive the prior approval of the Minister of Regional Development.
65. Overseers should ensure that the available cash balance is not overdrawn at any time.
66. Councillors should not directly or indirectly be pecuniarily interested in any contract with the Council, except as otherwise stated at sub-sections (a) - (d) of Section 23 of the Local Government Ordinance, Chapter 28:02.
67. No Overseer, assistant Overseer, officer or servant of the Local Authority shall in any manner be concerned or interested in any bargain or contract made with that Local Authority.

#### Reconciliation

68. The overseer shall reconcile, his revenue and expenditure abstracts with those of the District Development Officer 11.
69. All entries in the Revenue and Expenditure Abstracts shall be in ink.

#### Property Register

70. A register should be kept to record all properties owned by the Local Authority. This should show details of purchase, sale and other relevant particulars.

#### Stores

71. Stores of every description shall be ordered by means of machine numbered carbon triplicating Invoice Order Forms.

72. If it is found necessary to cancel an Invoice Order, all three copies shall be so noted and retained in the book.

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73. Stores shall be examined on receipt and quantities, receipts, etc. actually received verified with the particulars on the 'C' form of Invoice Order and any amendments made on the 'C' form, if necessary.

74. A stores ledger should be kept to show the following information

- (1) No. and date of Invoice Order
- (2) Name of supplier
- (3) Items purchased
- (4) Date and quantity issued
- (5) Acknowledgment of person receiving stores
- (6) Purpose of issue
- (7) Balance on hand

#### Summations Register

75. Registers should be kept to show details in respect of action taken to collect arrears rates, either by way of Parate Execution or Distress Warrant.

76. Registers should show law costs incurred and dates and receipt numbers in respect of law costs recovered.

77. Legal action should not be withdrawn unless Law Costs, Interest and Arrears rates have fully recovered.

78. Except as otherwise stated in sub-section (2) of section 87 of the Local Government Ordinance, Chapter 28:02, no officer of a Local Authority shall purchase either directly or indirectly, any property sold at execution at the instance of the Local Authority for the recovery of rates.

#### Insurance of Buildings, Vehicles, etc.

79. The Overseer shall ensure that all Insurance Premiums are paid by the due date.

#### Log Books

80. Log books should be kept for all vehicles, equipment or machinery owned by the Local Authority.

#### Inventory

81. An inventory should be kept of all machinery, vehicles, equipment and other non-consumable items owned by the Local Authority.

82. The inventory should be kept up-to-date, and should be checked periodically by a person other than the overseer.

83. Reference should be made to Invoice Order number and date of purchase.

84. *Conduct of Correspondence - The overseer shall be responsible for the conduct of all correspondence between the local authority and the G.O. or any other official person and all correspondence shall be laid by him before the local council at its next meeting.*

COLLECTION OF REVENUE

REQUIREMENT:

- (1) ASSESSMENT REGISTER.
- (2) RECEIPT BOOK.
- (3) COLLECTOR'S CASH BOOK.
- (4) INTEREST TABLE (IF AVAILABLE)
- (5) DOUBLE FACED CARBON.
- (6) INDELLIBLE PENCIL OR BALL POINT PEN.
- (7) SCRATCH PAD.

STEPS:

ASSESSMENT REGISTER:-

- (1) CHECK FOR PROPRIETOR'S NAME AND DESCRIPTION OF PROPERTY AND VERIFY THAT DESCRIPTION CORRESPONDS WITH INFORMATION GIVEN BEFORE PROCEEDING FURTHER.
- (2) INFORM PROPRIETOR OF AMOUNT DUE GIVING FULL DETAILS OF CURRENT/ARREARS RATES/INTEREST RENT PROVIDED THAT WAS NOT PREVIOUSLY DONE BY WAY OF SERVICE OF AN "ACCOUNT AND NOTICE OF SUM DUE FOR RATES" TO THE PROPRIETOR.  
(RATE DEMAND NOTICE)
- (3) INVITE PROPRIETOR TO PAY AND ALLOW HIM/HER THE OPTION OF HOW PAYMENT SHOULD BE CREDITED. IT IS ADVISABLE TO EXPLAIN THAT ARREARS SHOULD BE PAID BEFORE CURRENT.
- (4) PRIOR TO WRITING ANY RECEIPT MAKE ALL CALCULATIONS ON SCRATCH PAD AND BE ASSURED OF THE AMOUNT PROPRIETORS WISHES TO PAY.
- (5) IMMEDIATELY AFTER RECEIPT IS WRITTEN POST RECEIPT TO THE ASSESSMENT REGISTER GIVING ALL DETAILS REQUIRED.
- (6) INSCRIBE ON ENCIRCLE FOLIO NUMBER OF ASSESSMENT REGISTER ON TOP LEFT HAND CORNER OR ORIGINAL RECEIPT TO FACILITATE EASY RECHECKING.
- (7) A NOTE TO SHOW HOW PAYMENT SHOULD BE CREDITED I.E, CURRENT/ARREARS RATES/INTEREST/LOW COST MUST BE INSCRIBED ON THE RECEIPT.
- (8) IF THE PERSON WHO IS MAKING PAYMENT IS OTHER THAN THE PROPRIETOR, THEN IT MUST BE STATED ON THE RECEIPT, I.E PAID BY JOHN SMITH FOR STANLEY SINGH.



SOME LIKELY AUDIT QUERIES - LOCAL AUTHORITIES

1. CASH CANNISTER WITH LOCKS.
2. SAFE MUST BE PROVIDED FOR SAFE KEEPING OF CASH, CHEQUE BOOKS, RECEIPT BOOKS ETC.
3. SAFE MUST BE EMBEDDED IN CONCRETE WITH CROSS BAR AND PADLOCKS.
4. KEYS TO SAFE MUST BE KEPT BY TWO OFFICERS - (a) INTERNAL LOCK (b) KEY FOR PADLOCK.
5. REGISTERS MUST BE KEPT AND PROPERLY MAINTAINED - LOW COSTS, LOANS, TRACTOR LOG BOOK, VEHICLE LOG BOOK, REGISTER FOR HIRING OF VEHICLE AND EQUIPMENT.
6. CASH BALANCES - CASH BOOK MUST BE WRITTEN UP ON A DAILY BASIS - DON'T RELY SOLELY ON THE D.D.O 11 FOR CASH BALANCES.
7. VOUCHERS NOT PRESENTED FOR AUDIT INSPECTION - UNPRESENTED PAYMENT VOUCHERS.
8. ALLOCATION OF FUNDS UNDER THE VARIOUS HEADS AND SUBHEADS MUST NOT BE EXCEEDED.
9. ADVANCES ISSUED MUST BE CLEARED PROMPTLY.
0. DEBITORS CONTROL ACCOUNT REGISTER MUST BE KEPT.
1. REPAYMENT OF OUTSTANDING LOANS - CAPITAL, INSTALMENT AND INTEREST AND OVERDUE INTEREST.
2. SURVEYORS PLANS FOR THE VARIOUS AREAS.
3. QUARTERLY RECONCILIATION OF CASH BOOK AND ASSESSMENT REGISTER - DIFFERENCES MUST BE CLEARED.
4. RESERVE FUND PASS BOOK MUST BE SUBMITTED TO THE POST MASTER GENERAL FOR INTEREST TO BE INCLUDED.
5. ASSESSMENT BOOK MUST BE WRITTEN UP IMMEDIATELY ON ISSUING OF RECEIPTS.
6. REGISTER MUST BE KEPT FOR DEFENCE PREMIUM BOND - REGULAR CHECK TO BE MADE FOR PRIZES.
7. PROPERTY REGISTER, INVENTORY AND STORES LEDGER MUST BE KEPT.
8. FINANCIAL STATEMENTS - RECEIPTS AND PAYMENT MUST BE PREPARED AND SUBMITTED TO THE AUDITOR GENERAL AS REQUIRED LAW.
9. VOUCHERS MUST BE SUBMITTED FOR ALL CHEQUE ORDERS ISSUED.
0. PAYMENT MUST BE ONLY BE MADE TO PERSONS OTHER THAN THE PAYEES UPON THE PRESENTATION OF AUTHORISATION DULY WITNESSED BY TWO PERSONS.
1. APPROVAL MUST BE OBTAINED FOR ALL PURCHASES, THE COST OF WHICH EXCEED \$1,000,00
2. APPROVAL MUST BE OBTAINED FOR TRANSFER OF FUNDS FROM ONE HEAD TO ANOTHER. D.D.O 11 CAN APPROVE TRANSFER OF FUNDS WITHIN SUBHEADS OF THE SAME HEAD.
3. APPROVAL MUST BE OBTAINED FOR THE EMPLOYMENT AND DISMISSAL OF OFFICERS.
4. PRINTING OF MORE THAN ONE RECEIPT BOOK WITH THE SAME SERIAL NUMBER.
5. REGISTER MUST BE KEPT FOR HOLDERS OF KEYS TO SAFE.
6. N.I.S REGISTER MUST BE KEPT AND MAINTAINED.
7. THE NECESSARY REVENUE STAMPS ARE NOT AFFIXED TO CASH BILLS/RECEIPTS ATTACHED TO PAYMENT VOUCHERS.
3. REVENUE AND EXPENDITURE ABSTRACTS MUST BE PROPERLY WRITTEN UP.

**APPENDIX 6**

## NDI Representatives

**Bowers, Richard -** Currently, Richard Bowers is the director of Government Relations for the PGA Tour Gold Course Properties in Ponte Vedra Beach, Florida. In addition to serving as the senior executive officer for Mayor Hazouri of Jacksonville, Florida, Bowers also served nine years as the director of the Jacksonville Department of Housing and Urban Development.

As the director of a non-profit citizen's planning and research agency in the late 1970s, Bowers was responsible for research studies and recommendations on local government finance issues, housing, recreation planning, youth employment and public education. Bowers has extensive experience in city planning, economic development and community development.

**Hesse, Cara -** As an elected advisory neighborhood commissioner in 1992, Hesse represented over 2,000 residents on issues such as zoning, economic development and historic preservation. Hesse went on to become the executive director of Common Cause/DC, a non-profit citizens' lobby organization that works to improve the way government operates. In this position, Hesse monitored legislation, lobbied elected officials, recruited volunteers and worked with the media to ensure that the DC government was open, honest and accountable to all DC residents.

Prior to Common Cause/DC, Hesse worked on Latin America and Middle East issues with the international affairs department of the Department of Justice. Hesse also spent eight months in South America, serving as an international consultant for the American Youth Hostel Association.

**Slater, Donald -** Currently, Donald Slater is the director of member services for the United States Conference of Mayors in Washington, D.C. In addition, Slater has served as the executive director of the League of Minnesota Cities, where he was responsible for initiating new insurance programs for city employees, providing assistance to city attorneys and managing a staff of more than 60 employees.

In 1975, Slater was appointed as the director of federal relations for the National League of Cities. In this position, he worked extensively with public interest groups to support and advocate city legislation. Slater has far-reaching experience in developing model city plans and working on municipal health, education and welfare issues.

**APPENDIX 7**

## Workshop on Citizen Communication & Participation in Local Government

### -- Concepts and Techniques --

#### WHY? (*Why Inform and Involve the Public?*)

- **FIRST**, the NDC is a legitimate representative of its citizens to the extent that it is democratically elected, is open in its operations, involves citizens in government processes and systems, and can be held accountable by the public for its decisions and actions.

Democracy must be based first on the electoral process, and then on the effective participation of citizens in local decisions and programs. This means that the citizens are well informed about local government plans and activities so that they can participate. In this way, the NDC can then act as the true representative and voice of the citizens before the municipal/regional/national government.

- **SECOND**, local government must, as part of any de-centralization process, identify and find ways to mobilize a variety of resources. Because the resources of the area are often insufficient to meet the ever increasing scale of responsibilities given them by central government, it becomes necessary to coordinate with the private sector and other organizations to identify resources and provide services. In some instances, the private sector and community groups may be able to provide services more efficiently or effectively than government.

#### By becoming a more open government and by involving citizens, NDCs can:

- increase citizen understanding of local government responsibilities and needs
- increase citizen support by taking citizen opinions into account
- enable citizens to influence government policy and take some responsibility for carrying out government programs
- become a more effective and efficient service provider
- improving the quality of citizens' lives
- become an example of responsible and open government
- leverage political and economic influence at the national level
- mobilize support across party lines to further the shared goals of the community

**WHO? (Who Should Participate?)**

Everyone should, sometimes on an individual basis and sometimes on a group basis. The types of groups that can be represented include:

- community groups
- civic organizations
- cooperatives
- unions
- educational institutions
- private businesses
- professional associations

**FOR WHAT? (In What Areas Would Citizen Participation be Appropriate?)**

Citizen participation is appropriate for virtually every aspect of local government policy making and program administration. These could include:

- budgeting and finance
- housing
- infrastructure
- communal services
- education
- health

**WHEN? (At what stage of the local government process is participation appropriate and feasible, aside from elections?)**

- information gathering
- decision making
- planning
- implementation
- evaluation

**HOW? (What procedures and methods exist for citizens to participate and for government to become more accountable?)**

- develop a village/town mission and goals (a shared goal helps motivate citizens)
- conduct public opinion surveys and evaluations (needs, wants, and satisfaction levels)
- hold additional meetings that are open to the public and invite citizen input
- appoint a citizen liaison -- someone who is good at dealing with citizen concerns and complaints
- make the town planning process open to participation
- institute a code of ethics for the elected body
- view and treat the citizen as a client and customer

## Essential Elements of Maintaining Public Trust:

1. communication with your community
  2. input from citizens
  3. openness in government
- 

### COMMUNICATION WITH YOUR COMMUNITY

**Why?** If citizens are to participate, they must be informed. Citizens may support you if they understand the issues.

- How?**
- Person to person
  - Additional public meetings (single or multi issue)
  - Written information
  - Through public address system

### INPUT FROM CITIZENS

**Why?** To gather information from a wide variety of citizens. Information and new ideas from experts, non-experts, and the general public can sometimes provide you with innovative answers to problems. Citizens want to be heard -- they want to know their opinions are important.

- How?**
- Schedule a date for the hearing
  - Allow sufficient notice (advertise the hearing 2 - 21 days in advance)
  - Invite many people to attend (include experts AND the general public)
  - Encourage people to speak out (many people are afraid to speak their minds)
  - Keep to a single issue

### OPENNESS IN GOVERNMENT

**Why?** People need to understand the issue. Many citizens want to know HOW a decision was made. Also, closed-door meetings breed suspicions that their interests are not being served.

- How?**
- Ensure that as many decisions as possible be made in public
  - Keep sufficient records of ALL meetings
  - Allow records to be open to the public

**APPENDIX 8**



POST ELECTION SEMINAR FOR  
NEWLY ELECTED  
NEIGHBOURHOOD DEMOCRATIC COUNCILS

TOPIC:

Leadership and Community Development

Handout 1(A)

What is a Community

A Community is a group of persons living in a defined geographical location and using certain facilities upon which all are generally dependent and who have shared interests.

Handout 1(B)

Who is a Leader?

A true leader in a neighbourhood or local level community development situation is one who:

1. assists others with their problems
  2. guides people intelligently
  3. points the way toward co-operative harmonious action within groups
  4. is willing to admit that he or she does not have all the answers
  5. has faith in humanity
  6. does not use his or her position to dominate others
  7. is more concerned with the benefits he/she can render to the neighbourhood or community than the advantages he or she can gain personally.
- \* In summary a community leader is a person who has the know-how required at a particular spot or point in the group's development and is put into a situation where he/she uses that know-how to help the group achieve its ends. (A good leader also has the "know-who", "the know-where", the "know-why" and the "know-when").

POST ELECTION SEMINAR  
FOR  
NEWLY ELECTED  
NEIGHBOURHOOD DEMOCRATIC COUNCILS

TOPIC: Leadership and Community Development

Handout 111

What is Community Development?

1. Community Development is a process of social action in which the people of a community
  - (a) Organise themselves for planning and action.
  - (b) Define their common and individual needs and problems.
  - (c) Make groups and individual plans to meet their needs and solve their problems.
  - (d) Execute these plans with maximum reliance upon community resources.
  - (e) Supplement these resources when necessary with services and material agencies outside the community.

Do we accept the idea:

2. That people do have the power within themselves to develop programmes of action for their own benefit?
  - that inability to read and write does not necessary denote inability to think and act?
  - that the ordinary people are the greatest underdeveloped natural resources of a country?

- That leadership means thinking and planning with people rather than thinking and planning for people
- that skill in working together for the community betterment is caught rather than taught

• Community development is not only a process, it also has a method.

The first step is systematic discussion of local needs by members of the community. It succeeds if people know that any organised self-help on their part will be encouraged and assisted by their government or by their neighbourhood council.

The second step is systematic planning to carry out the first self-help undertaking that has been accepted by the community.

(It succeeds if

- (a) a project is selected that is not beyond the neighbourhood's self-help capacity;
- (b) it mobilises the manpower and ingenuity of those living in the local community;
- (c) it is feasible from a practical point of view;
- (d) it enlists persons who will contribute their labour and talents, and often their material resources to carry out the plan).

The third step is the almost complete mobilisation and harnessing of the physical, economic, or social potentialities of local community groups. (It succeeds if such an obvious benefits to the whole community is realised).

The fourth step is the realisation of the aspiration and the determination to undertake additional community improvement projects.

(It succeeds if

- (a) it makes use of the newly developed competence of the group;

POST ELECTION SEMINAR FOR  
NEWLY ELECTED  
NEIGHBOURHOOD DEMOCRATIC COUNCIL

TOPIC:

Leadership and Community Development Handout 11

Some of the pertinent information a community leader should be acquainted with:

1. Boundaries of neighbourhood
2. Size of population
3. Number of families
4. Distribution of population as to:
  - (a) Age
  - (b) Sex
  - (c) Racial and cultural characteristics
  - (d) Religious affiliation
  - (e) Economic status
5. Living conditions
  - (a) Housing
  - (b) Home ownership
  - (c) Rent levels
  - (d) Toilet and sanitation
  - (e) Water supply
  - (f) Electricity
6. Characteristics of people
  - (a) Mobility
  - (b) Educational level
  - (c) Employment rates and types
  - (d) Citizenship status
  - (e) Voting registration
7. Social institutions and Services available
  - (a) Churches
  - (b) Schools (public, private, religious)

- (c) Playgrounds, parks, recreation centres
  - (d) Libraries, museums, art and music centres, dance halls, night spots
  - (e) Youth service agencies
  - (f) Children and family service agencies
  - (g) Services for elderly citizens
  - (h) Funeral parlours, Burial grounds, Cremation sites
  - (i) Probation and Neighbourhood crime prevention systems
  - (j) Health and medical services
  - (k) Voluntary association e.g cultural clubs, business organisations, trade unions, political clubs, service clubs, committee committees etc.
  - (l) Commercial recreation e.g Cinemas, night clubs, video clubs etc.
8. Social leadership (i.e the people who mould public opinion in the neighbourhood and what social forces they represent.
9. The future of the neighbourhood as affected by:
- (a) Central Government's Policies
  - (b) International forces and occurrence
  - (c) Attitude of Regional Democratic Council
  - (d) Commercial and Industrial Development
  - (e) Expansion or retrenchment in the public service
  - (f) Disaster preparedness
10. Indications of social maladjustment
- (a) Divorce rates
  - (b) Proportion of broken homes
  - (c) Incidents indicative of inter-group tensions
  - (d) Crime and anti-social behaviour
  - (e) Chronic disease and mortality rates.

AN EFFICIENT SYSTEM OF FINANCIAL MANAGEMENT AND METHODOICAL  
CLEARLY FOCUSED SYSTEMS OF WORK.

Of primary importance should be:-

- (i) Financial rectitude or correctness. See that funds are spent for the purposes for which they are allocated. See that you get value for money.
- (ii) Effective management of assets including infrastructures
- (iii) The identification of and elimination of waste
- (iv) Detached systems of accountability and due regularity
- (v) Respect for an adherence to systems, procedures and rules
- (vi) The careful monitoring of work programmes for compliance with with planned time frames.
- (vii) Soliciting citizens' views and advice on method and rules of implementation of work programmes. Remedial action, where mutually agreeable, should be acted on with despatch.
- (viii) Formulation of annual budgets within an active climate of community planning with citizens.
- (ix) Vigorous extension work by departments and councillors in the course of execution of departmental and committee functions
- (x) The provision of efficient and courteous service to citizens.

Improving the Financial viability of Councils

- (i) Review financing systems for funding annual programmes there is too much reliance on current rates to finance both current and capital programmes.
- (ii) Motivate citizens to pay their rates and taxes promptly
- (iii) Financial prudence. Ensure that funds are spent to obtain maximum benefits
- (iv) Improving revenue collection. One approach which recommends itself is motivating rate payers to honour their obligations to pay their rates promptly. Effective programmes must be put in place for bringing home to rate payers the vital relationship between Services and Rates which are levied annually for the efficient discharge of these services, and dependence on the former (services) on the later (rates) for satisfying the rate payers' expectations.

Winning the Confidence and Support of Citizens

- (i) Putting in place systems for maximising efficiency:-
  - (a) Identifying and removing unnecessary irritants. Do simple things which in their own little ways improve the quality of life of citizens.
  - (b) Demonstration of bold and new initiatives for sustaining and maintaining local development thrust as well as the morale and enthusiasm of citizens.
  - (c) Removal of bureaucratic hindrances to efficiency.

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  - (c) Removal of bureaucratic hindrances to efficiency.

(12) Improvement of standards in terms of:-

- (a) Behavioural aspects (dispensing routine courtesies department).
  - (b) Work aspects (ethics and attitudes)
  - (c) Environmental aspects (improvement and beautification of the environment).
- (iii) Recognition of the potential role of local socio, economic and cultural voluntary organisations of the people to participate more actively in local and national development efforts.
- (iv) Effective and rational deployment of resources.  
It is important for the image of the Neighbourhood Democratic Council for citizens to perceive that at all times sensible allocation and efficient use of resources prevail.
- (v) Encourage individual and local initiatives

#### Conclusion

The task ahead will require patience, tolerance, knowledge, sacrifice and genuine desire to promote development and evoke the support and responsiveness of local citizens in the process. The primary task is capturing the goodwill of citizens and capitalising on it by projecting an acceptable image based on common sense and achievement and by establishing a vibrant partnership between citizens and council on the one hand and between the council and the Central Government on the other.



**APPENDIX 9**

# Neighborhood Democratic Council Seminar Survey

Name of Council:

Your Position on Council:

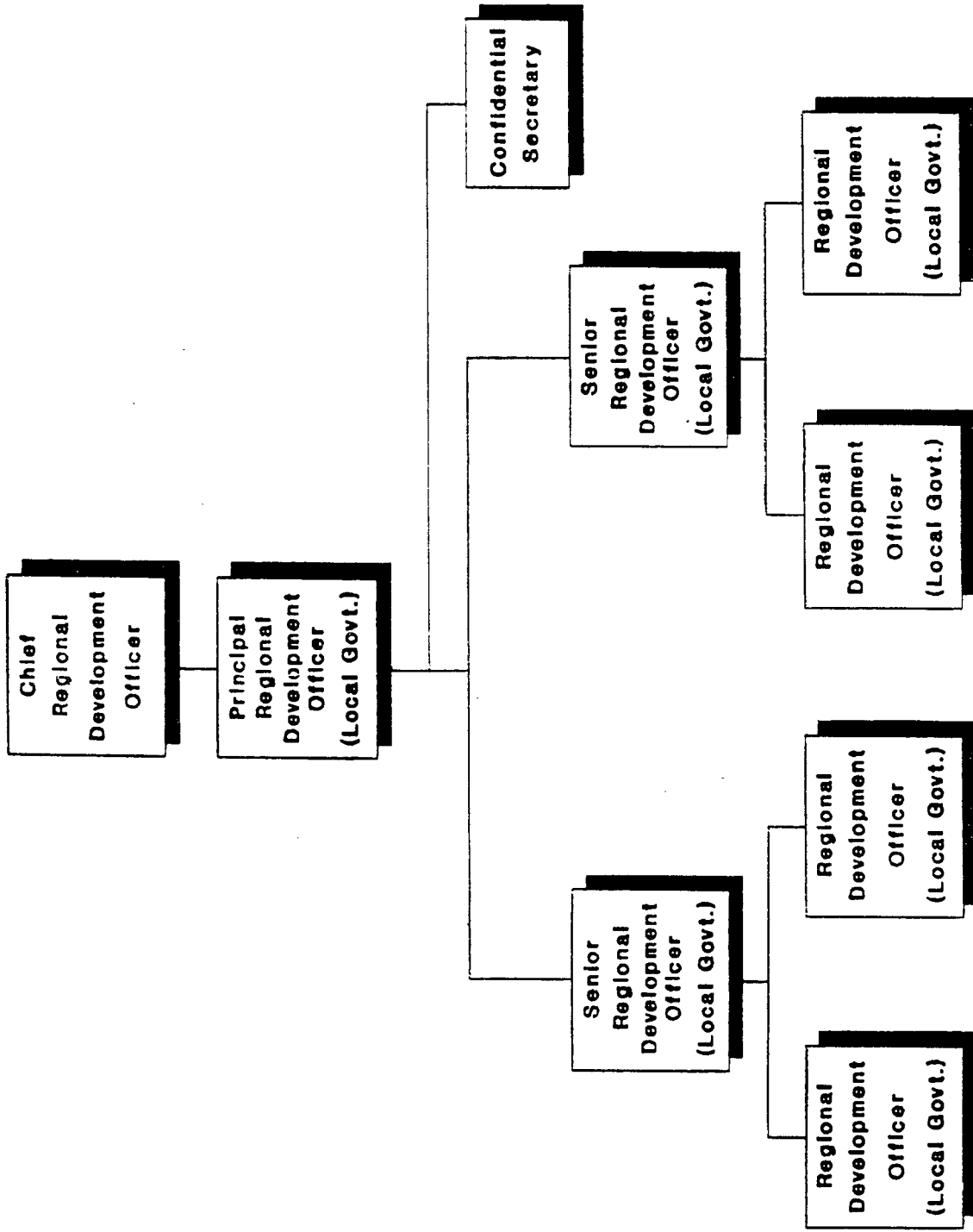
1. What were the three main points you learned from the seminar?
  
2. What was the best part of the seminar? Why?
  
3. What topics would you like to learn more about?
  
4. a) How many council meetings has your NDC held so far? b) Has the council held additional meetings, other than the required monthly meetings? c) Did anyone other than the council attend?
  
5. Has your council formed additional committees (other than the two that are required)? If so, what are they?
  
6. How do you and/or the council plan to inform the public about council activities?
  
7. What do you think will be the biggest challenge for you as an elected councilor?
  
8. What do you see as your three biggest responsibilities as an elected official?

YOUR NAME (optional):

Phone #(if applicable):

**APPENDIX 10**

# REGIONAL DEVELOPMENT: LOCAL GOVERNMENT DIVISION



**APPENDIX 11**

**GUYANA LOCAL GOVERNMENT DISTRIBUTION**

<b>REGION</b>	<b># of RDC Councilors/ 1992 Election Results</b>	<b># of NDCs/region Party Control</b>	<b>Total # of NDC Councilors per Region</b>	<b># of Municipal Councilors &amp; Majority Party</b>
<b>Region 1</b>	15 members: 8 PNC, 4 PPP, 3 Other	2 NDCs: 1 MPDL, 1 No Majority	36 members	-
<b>Region 2</b>	18 members: 11 PPP, 5 PNC, 2 Other	5 NDCs: 5 PPP	90	15 - Anna Regina PPP Majority
<b>Region 3</b>	27 members: 20 PPP, 7 PNC	14 NDCs: 12 PPP, 1 HBDA and 1 TPAG	234	-
<b>Region 4</b>	35 members: 19 PNC, 15 PPP, 1 Other	15 NDCs: 9 PPP, 5 Community groups, 1 No Maj	270	30 - Georgetown: 12 GGG, 10 PNC, 8 PPP
<b>Region 5</b>	18 members: 11 PPP, 7 PNC	10 NDCs: 6 PPP, 4 Community groups	168	-
<b>Region 6</b>	30 members: 23 PPP, 7 PNC	16 NDCs: 14 PPP, 1 Comm Grp, 1 No Majority	285	15 - N. Amster(PNC) 12 - Rose Hall (PPP) 15 - Coriverton (PPP)
<b>Region 7</b>	15 members: 10 PNC, 4 PPP, 1 Other	1 NDC: 1 Community Group	18	-
<b>Region 8</b>	12 members: 7 PNC, 4 PPP, 4 Other	No NDC	-	-
<b>Region 9</b>	15 members: 5 PNC, 5 PPP, 4 TUF, 1 Other	1 NDC: 1 Community Group	12	-
<b>Region 10</b>	18 members: 16 PNC, 1 PPP, 1 Other	1 NDC: 1 Community Group	18	20 - Linden PNC Majority

**Total RDC Councilors: 203    Total NDC Councilors: 1,131    Total MUNICIPAL Councilors: 107**

**APPENDIX 12**

## **COUNCILOR/NDI CONSULTATIONS**

### **REGIONAL DEMOCRATIC COUNCIL, Region One**

Hercules, Yvonne - Regional Chair

### **REGIONAL DEMOCRATIC COUNCIL, Region Two**

Ally Baksh - Regional Chair

### **REGIONAL DEMOCRATIC COUNCIL, Region Three**

Ramenaught, Mr. - Regional Vice Chairman

### **BARTICA NDC, Region Three**

David, Judith - Councilor

### **CANALS POLDER NDC, Region Three**

Canal No. 2 Polder, West Bank Demerara

Baksh, Farouk - Chairman

Persaud, Gobin - Councilor

Sookhoo, Anarud - Councilor

### **DIAMOND PLACE/GOLDEN GROVE NDC, Region Four**

N/W Grove, East Bank Demerara

Khan, Omar - Chairman

Ramkollawan, K.P. - Deputy Chairman

Kassim, M.S. - Overseer

Persaud, Nateram - Councilor

Ramkhellawan, Mollan - Councilor

Sobers, George - Councilor

### **GEORGETOWN TOWN COUNCIL, Region Four**

Green, Hamilton - Mayor

Rhin, Raj

Agard, Fitzgerald

Trotman, Raphel Gregory

Gomes, Euclin

Kissoon, Ramesh

Naraine, Rajkumar

### **INDUSTRY/PLAISANCE NDC, Region Four**

South Slip, Plaisance, East Coast Demerara

Denis, Murtlene - Vice Chairman

Sandiford, Thomas - Chairman

### **LITTLE DIAMOND/HERSTELLING NDC, Region Four**

Ramanah, Ulrich - Chairman

Desai, Deshwar

Kandhai, Sahadeo

Rafiek, Mohamed



Sookdeo, Bibi  
Kryshundyal, Anand

**REGIONAL DEMOCRATIC COUNCIL, Region Five**  
Green, Anthony - Regional Executive Officer

**REGIONAL DEMOCRATIC COUNCIL, Region Six**  
Mangel, Mr. - Regional Executive Officer

**CORIVERTON TOWN COUNCIL, Region Six**  
Baijnauth, Roy - Mayor, Coriverton  
Looknauth, M. - Deputy Mayor, Coriverton  
Baldo, S. - Town Councilor  
Gahgmandi, J.P. - Councilor

**CRABWOOD CREEK/MOLESON NDC, Region Six**  
Crabwood Creek NDC, Corentyne, Crabwood, Berbice  
Nohar, Mr. - Chairman  
Sawh, Mr. - Councilor  
Juman, Mr. - Councilor  
Persaud, M.K. - Councilor  
Kistin, T.D. - Councilor

**NEW AMSTERDAM TOWN COUNCIL, Region Six**  
Alphonso, Erol - Mayor  
Alfred, Laurel - Town Clerk

**ROSE HALL TOWN COUNCIL, Region Six**  
Merai, John - Mayor

**REGIONAL DEMOCRATIC COUNCIL, Region 10**  
Miller, Malik - Regional Executive Officer

**KWAKWANI NDC, Region 10**  
Johnson, Eustace - Councilor  
Grenville, Grace - Councilor

**NONGOVERNMENTAL AND INTERNATIONAL ORGANIZATION/NDI  
CONSULTATIONS**

**Balram, Pertab K.**

Programme Co-ordinator, Guyana/IDB Urban Rehabilitation Programme

**Bresnyan, Edward**

Office Director, Carter Center of Emory University

**Bynoe, Jennifer**

Assistant, Beacon Foundation

**Casady, Hilary**

Guywa Water Project, World Bank

**Chan, Philip**

Executive Director, Social Impact Amelioration Programme (SIMAP)

**Chin, Dr. Leslie**

Program Director, Canadian Executive Service Organization (CESO)

**Connerley, Edwin F.**

Thunder and Associates, Inc.

**Crockett, Shirley**

CESO volunteer with the New Amsterdam Town Council

**Gastil, Raymond**

Thunder and Associates, Inc.

**Homedes, Nuria**

Task Manager for Guyana, World Bank

**London, Howard**

Former Chairman, Guyana Association of Local Authorities (GALA)

**Lye, Clairmont**

Executive Director, Beacon Foundation and EAB

**Mohamed, Rayman**

Deputy Office Director, Carter Center of Emory University

**Rai, Kemraj**

Chair, SIMAP

**Sandiford, Thomas**

Institute for Adult and Continuing Education (IACE)

**Small, Samuel**  
Director, IACE

**Paul Spencer**  
Director, OAS

## POLITICAL PARTY/NDI CONSULTATIONS

**Abdul, Samuel**

The United Force (TUF) Georgetown Chairman

**Alexander, Vincent**

People's National Congress (PNC) Vice-Chairman; University of Guyana professor

**Clarke, Oscar**

PNC local government expert, former regional chairman

**Collins, Mr.**

TUF

**Defraites, Malcolm**

Newsletter editor, TUF

**Foo, Andrea**

Assistant, Good and Green for Georgetown (GGG)

**Green, Hamilton**

Leader, GGG

**Kissoon, Mr. Ram**

GGG, and Georgetownn Town Councilor

**Lall, Kellawan**

Political Adviser, Office of the President

**McDavid, Elvin**

GGG advisor

**Murray, Winston**

PNC Deputy Chairman

**Nadir, Manzoor**

TUF Chairman and member of Parliament

**Parris, Malcolm**

Chief Executive Officer of PNC

**Ramotar, Donald**

People's Progressive Party Leader

**Roopnarine, Rupert**

Leader, Working People's Alliance (WPA)

**Tokohro, Grace**

Amerindian Affairs, WPA

## CENTRAL GOVERNMENT/NDI CONSULTATIONS

**Algoo, Steve**

Senior Regional Development Officer, Local Government Division, Ministry of Public Works, Communication and Regional Development

**Bashir, Isahaak**

Director, National Congress of Local Democratic Organs (NCLDO)

**Benn, Balgo**

Senior Planner, Ministry of Finance

**Benn, Basil**

Local Government Division, Ministry of Public Works, Communication and Regional Development

**De Souza, Francis Vibert**

Minister of Amerindian Affairs

**Elvis, Joan**

Regional Development Officer, Local Communication Division, Ministry of Public Works, Communication and Regional Development

**Kendall, Edgar**

Deputy Permanent Secretary, Ministry of Public Works, Communication and Regional Development

**Nokta, Harripersaud**

Minister of Public Works, Communication and Regional Development

**Singh, Stanley**

Chief Elections Officer, Elections Commission

## NEIGHBORHOOD DEMOCRATIC COUNCIL SEMINARS

**NDI Representative - Donald Slater**  
**October 8 and 9, 1994**

### Participating NDCs

***October 8, 1994***

Wakenaan Island  
Leguan Island  
Parika  
Hydronie/Good Hope  
Greenwich Park/Vergenoegen  
Tushen/Ultulugt

***October 9, 1994***

Stewartville/Cornelia Ida  
Hugh/Blankenburg  
La Galousie/Norville Flanders  
The Best/Klein Pouderoyen  
Malgre Tout/Meer-Zorgen  
La Grange/Nismes  
Canals Polder  
Toevlugt/Potentia

**NDI Representative - Richard Bowers**  
**October 15 and 16, 1994**

***October 15, 1994***

Industry/Plaisance  
Beterverwagting/Triumph  
Better Hope/La Bonne Intention  
Mon Repos/la Reconnaissance  
Buxton/Foulis  
Enmore/Hope  
Haslington/Grove  
Unity/Vereeninging  
Cane Grove Land Development  
Scheme

***October 16, 1994***

Woodlands/Farm  
Hamlet/Chance  
Mahaicony/Abary Front Lands  
Profit/Rising Sun  
Seafield/Tempe  
Rosignol/Zeelust  
Union/Naarstigheid  
Bath/Woodley Park  
Woodlands/Bel Air  
Gelderland/Blairmonth

**NDI Representative - Cara A. Hesse**  
**November 5 to 26, 1994**

***November 5, 1994***

Bartica (new council)

***November 25***

Kumaka/Hosororo

***November 12, 1994***

Kwakwani (new council)

***November 26, 1994***

Arakata

Kaituma/Mathews Ridge

***November 18 - 19, 1994***

Lethem (new council)