



THE GAMBIA
NO. 13 OF 2007

Assented to by The President,
this 19th day of November, 2007

LS

YAHYA A. J. J. JAMMEH
President

AN ACT to amend the Local Government Act, 2002
and for matters connected therewith.

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ENACTED by the President and the National
Assembly.

1. This Act may be cited as the Local Government
(Amendment) Act, 2007.

2. The Local Government Act, as amended, (in this
Act referred to as "the principal Act") is further
amended as set out in this Act.

Short title
Amendment of
Act No. 5 of
2002

Amendment of
section 2

3. Section 2 of the principal Act is amended by substituting for

(a) the definition of "Chairperson", the following new definition -

"Chairperson" means a Chairperson of a Council and, except in the context of section 13 (2), (3), (4) and (5) of this Act, includes a Mayor and a Mayoress, as the case may be; and

(b) the words "Division" in the definition of "Local Government Area" and "Regions" in the definition of "Provinces", the words "Region" and "Regions", respectively.

Amendment of
section 3

4. The principal Act is amended by substituting for the word "Divisions" wherever it occurs in section 3 (1) and, thereafter, in any other provision of the principal Act, the word "Regions".

Insertion of
new heading
after section 8

5. There is hereby inserted immediately after section 8 of the principal Act, the following new heading-

**"PART IIA – LOCAL GOVERNMENT ELECTIONS
AND TERM OF LOCAL GOVERNMENT
COUNCILS"**

Insertion of
section 9A

6. There is hereby inserted after section 9 of the principal Act, the following new section-

9A. (1) A Local Government Council shall stand dissolved ninety days before a Local Government election.

(2) On the dissolution of a Council, The President shall appoint, for each Local Government Area, an Interim Management Team, consisting of such persons as he or she may determine, to perform the functions and exercise the powers of a Council until the day preceding the first meeting of a Council after a Local Government election."

7. For section 13 of the principal Act, there is hereby substituted, the following new section-

"Election 13. (1) A Mayor or Mayoress shall be elected by universal adult suffrage of all eligible voters in the Local Government Area.

(2) A Chairperson, other than a Mayor or Mayoress, shall be elected by the Councillors from among the Councillors.

(3) The Independent Electoral Commission shall preside over the election of a Chairperson under subsection (2) of this section.

(4) Notwithstanding section 16 (2) of this Act, the election of a Chairperson under subsection (2) of this section shall be the first business transacted at the first meeting of the Council, held after a Local Government election.

(5) A Councillor is not qualified for election as a Chairperson under subsection (2) of this section unless he or she holds the qualifications specified in section 14 of this Act.

Amendment of section 13

(6) Subject to subsection (7) of this section and the other provisions of this Act, the term of office of a Chairperson expires on the dissolution of the Council.

(7) Notwithstanding subsection (6) of this section, a Chairperson may be removed from office by the President.

(8) A Chairperson, unless he or she resigns, is removed from office or becomes disqualified, shall be eligible for re-election for two further terms of office."

Amendment of section 14

8. Section 14 of the principal Act is amended by deleting subsection (2).

Amendment of section 16

9. Section 16 of the principal Act is amended-

(a) in subsection (1), by deleting the word "elected" appearing immediately before the word "Councillors"; and

(b) by inserting immediately after subsection (3), the following new subsection-

"(3A) Notwithstanding subsection (3) of this section, a Deputy Chairperson may be removed from office by the President."

Amendment of section 17

10. Section 17 of the principal Act is amended by deleting subsection (8).

Amendment of section 20

11. Section 20 of the principal Act is amended by inserting immediately after subsection (13), the following new subsection-

"(14) Notwithstanding the other provisions of this section, a Chairperson, Deputy Chairperson or other member of a Council may also be removed from office by the President, on the recommendation of the Secretary of State, on any of the grounds set out in subsection (1) of this section."

12. Section 21 of the principal Act is amended in subsection (1), by substituting for the word "Tribunal, the word "President".

13. Section 28 of the principal Act is amended by substituting for subsection (1), the following new subsection-

"(1) The Governor and, in the case of Banjul City and Kanifing Municipality, the Chief Executive Officers, shall appoint a date for the first meeting of a Council after a Local Government election and, thereafter, every other meeting of the Council shall be convened at least once a month by the Chairperson."


14. Section 123 of the principal Act is amended in subsection (1), by inserting immediately after the words "Local Government Area", the words "except for the City of Banjul and Kanifing Municipality".

15. Schedule 1 to the principal Act is amended by substituting for Part I, the following new Part-

"Part I**(Sections 2, 3 (1) and 10 (1))****Local Government Areas and Councils****A****B**Local Government AreasCouncils

- | | |
|--------------------------|--|
| 1. Central River Region |) Kuntaur Area Council
) Janjanbureh Area Council |
| 2. Lower River Region | Mansakonko Area Council |
| 3. North Bank Region | Kerewan Area Council |
| 4. Upper River Region | Basse Area Council |
| 5. Western Region | Brikama Area Council |
| 6. City of Banjul | Banjul City Council |
| 7. Kanifing Municipality | Kanifing Municipal Council" |

PASSED in the National Assembly this Thirty-first day of October
in the year of Our Lord Two Thousand and Seven.


D. C. M. Kebbeh
Clerk of the National Assembly.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill
which has passed in the National Assembly, and found by me to be a true and correct
copy of the said Bill.


D. C. M. Kebbeh
Clerk of the National Assembly.