

Local Government (Amendment) Act, 2006



THE GAMBIA

NO. _____ OF 2006.

Assented to by The President,

this _____ day of _____, 2006

YAHYA A. J. J. JAMMEH
President

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

[_____]

ENACTED by the President and the National Assembly.

Short title

1. This Act may be cited as the Local Government (Amendment) Act, 2006.

Amendment of
2002 No. 5
2004 No. 8

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

Amendment of section 2

3. Section 2 of the principal Act is amended -

- (a) by deleting the definition of "Area Administrator"; and
- (b) inserting, in the proper alphabetical sequence, the following new definition-

' "Governor" means the person appointed as the Governor for a Local Government Area under section 123;'

Amendment of section 10

4. Section 10 of the principal Act is amended by inserting immediately after subsection (4), the following new subsections-

"(5) Each Council shall be vested with the legislative power of the Local Government Area and be answerable to the Governor.

(6) The legislative power of the Council shall be exercised by By-laws passed by the Council in accordance with this Act and signed by the Governor."

Amendment of section 15

5. Section 15 of the principal Act is amended in subsection (1), by substituting for paragraph (b), the following new paragraph-

"(b) be the head of the Council and supervise the general administration of the Area, including dealing with its rules, regulations and taxes;".

Amendment of section 54

6. Section 54 of the principal Act is amended by substituting for the word "Chairperson" wherever it occurs, the word "Governor".

Amendment of section 60

7. Section 60 of the principal Act is amended by inserting immediately after the words "local committees,", the words "National Council of Seyfolu" and a coma.

Amendment of section 123

8. For section 123 of the principal Act, there is hereby substituted the following new section-

"Governor 123. (1) There shall be, for each Local Government Area, a Governor who shall be a senior officer, not below the rank of a Director, in the civil service, appointed by the President.

(2) A Governor shall be answerable to the Secretary of State."

Amendment of section 124

9. Section 124 of the principal Act is amended -

(a) in subsection (1)(a) by-

(i) inserting immediately after the word "Area", the words "and accordingly, exercise executive powers in the Area", and

(ii) substituting for the words "Area Administrator", the word "Governor"; and

(b) by inserting, immediately after subsection (1)(e), the following new subsection -

"(1A) Subject to this Act and any other enactment, the executive powers conferred on the Governor under subsection (1) may be exercised by him or her directly or, by delegation, through the Deputy Governor, Chairperson, Deputy Chairperson or other officers of the Local Government."

(c) in subsection (2), by deleting the words "or Commissioner".

Insertion
section 131A

10. There is hereby inserted immediately under **PART VIII – TRADITIONAL AUTHORITIES** of the principal Act, the following new headings and sections -

"National Council of Seyfolu

National Council of Seyfolu 131A. (1) There is hereby established in The Gambia a National Council of Seyfolu.

(2) The Council shall consist of-

- (a) the Paramount Seyfo who shall be the chairperson; and
- (b) all the Seyfolu in The Gambia.

(3) The Council shall be responsible for-

- (a) settling disputes affecting the Seyfolu in The Gambia; and

(b) dealing with matters relating to administration of justice, and social, developmental, cultural and traditional issues.

(4) Notwithstanding anything to the contrary in any law, the Paramount Seyfo shall convene and host a meeting of the Council at least once in a year at such time and place as he or she may determine.

(5) The decisions of the Council shall be by simple majority of the Seyfolu present, and if there is equality of votes, the Paramount Seyfo shall have a casting vote.

(6) Two-thirds of all the Seyfolu in The Gambia shall constitute a quorum.

(7) The validity of the proceedings of the Council shall not be affected by a vacancy among its members or by a defect in the appointment or qualification of a Seyfo.

(8) A budget, to be created and funded from monies provided by the Government, shall be used for the operations of the Council and the Paramount Seyfo.

(9) In this section, "Council" means the National Council of Seyfolu.

Paramount Seyfo

Paramount Seyfo 131B. (1) There shall be a Paramount Seyfo in The Gambia who shall be appointed by the President from among the Seyfolu in The Gambia.

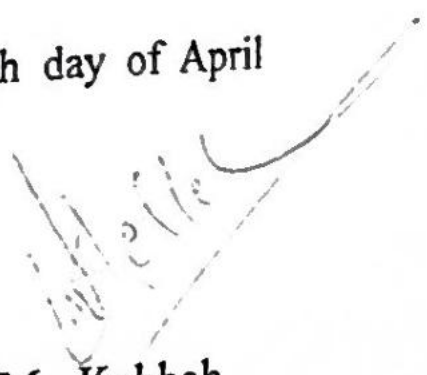
(2) The Paramount Seyfo shall be appointed for a period of two years on a rotational basis.

(3) The Paramount Seyfo shall preside at meetings of the National Council of Seyfolu."

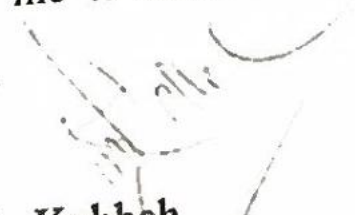
Other amendments

11. The principal Act is amended by substituting for the words "Area Administrator" and "Deputy Area Administrator", wherever they occur, the words "Governor" and "Deputy Governor", respectively.

PASSED in the National Assembly this Fifth day of April in the year of Our Lord Two Thousand and Six.


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.