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Supplement "C" to The Gambia Gazette No. of 2015
Local Government (Amendment) Act, 2015



THE GAMBIA
NO. 15 OF 2015

Assented to by The President,
this 30th day of December, 2015

A handwritten signature in green ink, appearing to read 'Yahya A. J. J. Jammeh', written over a horizontal line.

YAHYA A. J. J. JAMMEH.
President

LS

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

ENACTED by the President and National Assembly.

1. Short title

This Act may be cited as Local Government (Amendment) Act, 2015.

2. Amendment of Local Government Act of 2002

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

3. Amendment of Section 46

"Section 46 of the Principal Act is amended in sub-section (2) by –

- (a) inserting a new paragraph "e" immediately after paragraph "d" as follows - "**Municipal and Area Council Police**".
- (b) deleting the word "and" at the end of paragraph "c" and inserting it at the end of paragraph "d"; and
- (c) by inserting a new sub-section "(6)" as follows –

"The Commissioner, who is the head of the Department of Municipal or Area Council Police, shall be responsible for the day-to-day implementation of the functions of security matters of his or her jurisdiction and shall report to the Mayor or Chairperson of the Council".

4. Section 118 (1) is to be amended by inserting-

the word "**unified**" between the words "**a**" and "**Local**", and replace the words "**each council**" with the words "**The Gambia**".

5. Insertion of section 126A, section 126B, section 126C and section 126D

There is inserted immediately after section 126 of the Principal Act, the following new sections –

“S.126A – ESTABLISHMENT OF NATIONAL CONFERENCE OF GOVERNORS AND MAYORS

(1) There is established by this Act, the National Conference of Governors and Mayors which shall consists of –

- (a) Governors and Deputy Governors;
- (b) Mayors and Deputy Mayors; and
- (c) the Paramount Seyfo who shall be an honorary member.

(2) The President of The Gambia shall select a Chairperson from amongst its members who shall serve as Chairperson for a term of three years which shall be subject to renewal for one further term.

(3) If the Chairperson does not complete his or her tenure, his or her successor Governor or Mayor shall complete the remaining period of his or her term of office.”

“S. 126B – FUNCTIONS OF THE NATIONAL CONFERENCE OF GOVERNORS AND MAYORS

The National Conference of Governors and Mayors shall –

- (a) enhance the effective coordination and administration between central Government services and regional authorities;
- (b) promote and strengthen Government policies and programs at regional level;
- (c) ensure successful implementation of development programmes and activities;
- (d) foster peace building and conflict resolution at regional level;
- (e) in collaboration with security personnel, promote and ensure the coordination of activities to the maintenance of security and stability; and for
- (f) carry out any other function assigned to them by the Minister”.

“S.126C – MEETINGS OF THE NATIONAL CONFERENCE OF GOVERNORS AND MAYORS

(1) The National Conference of Governors and Mayors shall-

- (a) nominate a secretary from among its members;
- (b) meet at least twice every year at a venue to be determined by the Chairperson; and
- (c) host one conference at least one month prior to the end of tenure of office of the Chairperson in which the general public shall be invited at a venue to be determined by the Chairperson in consultation with the Governors and Mayors.

(2) The quorum for the National Conference of Governors and Mayors meeting is two-thirds of the members.”

“S.126D – FUNDS OF THE CONFERENCE OF GOVERNORS AND MAYORS

(1) A budget shall be created and funded by the Government for activities and functions of the National Conference of Governors and Mayors.

(2) The National Conference of Governors and Mayors shall submit an annual activity plan, audited financial statements and report to the Office of the President through the Ministry.”

(3) The audited financial statements of the conference shall form part of the Auditor General’s overall report to the National Assembly.

6. Insertion of Section 131C

There is inserted immediately after section 131B of the Principal Act, the following new section –

“S.131C – ANNUAL ACTIVITY PLAN AND REPORT

The office of the Chairperson shall present an annual activity plan and report to the Office of the President through the Ministry and the National Conference of Governors and Mayors”.

7. Insertion of Section 147A, Section 147B, Section 147C, Section 147D, Section 147E, Section 147F, Section 147G and Section 147H

There is inserted immediately after section 147 of the Principal Act, the following new sections –

"S.147A – ESTABLISHMENT OF NATIONAL COUNCIL OF ALKALOLU

There is established by this Act, the National Council of Alkalolu which shall consist of-

- (a) a Senior Alkalo appointed by the Minister who shall be the Chairperson; and
- (b) all Alkalolu in The Gambia."

(2) The Chairperson shall submit an annual activity plan, audited financial statements and report of the National Council of Alkalolu, to the Minister through the National Council of Seyfolu."

"S. 147B – FUNCTIONS OF THE NATIONAL COUNCIL OF ALKALOLU

The National Council of Alkalolu shall –

- (a) promote peace, security, stability and settle disputes;
- (b) safeguard the traditions, customs and cultural norms and values as well as protect the environment; and
- (c) carry out any other function assigned to them by the Minister"

"S.147C – FUNDS OF THE NATIONAL COUNCIL OF ALKALOLU

(1) A budget shall be created and funded by the Government, which shall be used for the operations of the National Council of Alkalolu.

(2) The Chairperson shall submit an annual activity plan, audited financial statement and report of the National Council Alkalolu to the Minister through the National Council of Seyfolu.

(3) The audited financial statements of the council shall form part of the Auditor General's overall report to the National Assembly.

"S.147D – ESTABLISHMENT OF REGIONAL AND NATIONAL EXECUTIVE COMMITTEES

The National Council of Alkalolu shall establish –

- (a) a Regional Executive Committee; and
- (b) a National Executive Committee,

for the efficient conduct of its business.”

“S. 147E – COMPOSITION AND MEETINGS OF THE REGIONAL EXECUTIVE COMMITTEE

(1) Each Regional Executive Committee shall consist of --

- (a) a Chairperson who shall be selected by a Regional Executive Committee from among its members;
- (b) three Alkalolu from each District to be selected by the Alkalolu of the respective Districts; and
- (c) in the case of Kanifing Municipality, one Alkalo from each Constituency and two others to be selected from among the Alkalolu.

(2) The Regional Executive Committee shall meet at least twice every year at a venue to be determined by the Chairperson.

(3) The Chairperson of the Regional Executive Committee shall serve for a term of three years which is subject to renewal for one further term.

(4) The Regional Executive Committee shall report to the National Executive Committee of Alkalolu.

(5) Each Regional Executive Committee shall serve for a term of three years which is subject to renewal for one further term.”

“S.147F – COMPOSITION AND MEETINGS OF THE NATIONAL EXECUTIVE COMMITTEE

(1) The National Executive Committee shall consist of --

- (a) a Senior Alkalo who shall be appointed by the Minister from among the Alkalolu;
- (b) each Regional Executive Chairperson; and
- (c) two other representatives from each Regional Executive Committee who shall be selected by members of the Regional Executive Committee.

(2) The Senior Alkalo shall be appointed for a term of three years, and shall be eligible for re-appointment for one further

term.

(4) An Alkalo serving on the National Executive Committee or Regional Executive Committee shall cease to be a member when he or she vacates the position of Alkalo.

(4) The National Executive Committee shall meet at least twice every year at such a time and place as may be determined by the Senior Alkalo.

(5) The National Executive Committee shall organise a national congress at least one month prior to the end of the tenure of office of the Senior Alkalo.

(6) The quorum for National Executive Committee meeting shall be two-thirds of the members.

(7) The National Executive Committee shall serve for a term of three years, which is subject to renewal for one further term."

"S. 147G – ESTABLISHMENT AND COMPOSITION OF THE NATIONAL COUNCIL OF ELDERS

(1) There is established by this Act, the National Council of Elders.

(2) A Seyfo from each district shall select a male and a female, to represent the district at the National Council of Elders.

(3) A person selected under sub-section (2) shall be endorsed by the Governor of the region."

(4) The Mayors of Banjul and Kanifing Municipality shall nominate a male and a female from each constituency within the Region to represent the two regions at the National Council of Elders.

"S. 147H – FUNCTIONS OF THE NATIONAL COUNCIL OF ELDERS

The National Council of Elders shall-

(a) be advisers to Governors, Mayors, Seyfolu and Alkalolu at regional and district levels;

(b) promote cultural norms and values;

(c) engage in dispute resolution at local level;

- (d) encourage set-socket participation at local level; and
- (e) carry out any other function assigned to them by the Minister".

8. Amendment of Section 158

Section 158 of the Principal Act, is amended by inserting immediately before the word "without", the words "with or"

"S 158A

A Municipal or Area Council Police Officer may, with a warrant, arrest any person whom he or she reasonably believes to have committed an offence."

PASSED in the National Assembly this 28th day of December, in the year of Our Lord Two Thousand and Fifteen.

For: D.C.M. Kebbeh

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

For: D.C.M. Kebbeh

D. C. M. Kebbeh

Clerk of the National Assembly.