

STATUTORY INSTRUMENTS SUPPLEMENT

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STATUTORY INSTRUMENTS.

2001 No. 48.

The Local Governments (Amendment of Schedules) Instrument, 2001.

(Under section 176(2) of the Local Governments Act, 1997).

IN EXERCISE of the powers conferred upon the Minister by section 176(2) of the Local Governments Act, 1997 this Instrument is made this 29th day of June, 2001.

1. This Instrument may be cited as the Local Governments (Amendment of Schedules) Instrument, 2001.

2. The First Schedule to the Act is amended—

(a) in Regulation 1 by inserting after “Local Governments” the words “Speaker and Deputy Speaker”;

(b) in Regulation 2(3) by replacing “2(i)(a)” with “2(1)(a)”;

(c) in Regulation 3—

(i) by inserting immediately after “Speaker” whenever it occurs, the words “Deputy Speaker”;

(ii) in sub-regulation (3) by replacing “3(i)” with “3(1)”;

(d) by replacing Regulation 4 with the following regulation—

“4. The expenditure of a Local Government Council in a financial year on emoluments and allowances of Chairperson and Councillors shall not exceed twenty percent of the total local revenue collected by that Local Government Council in the previous financial year.”

(e) by inserting immediately after Regulation 4, the following new regulation—

“4A. A Chief Administrative Officer or Town Clerk who spends beyond twenty percent contrary to the provisions of regulation 4 without permission in writing from the Minister, shall be required to refund the excess expenditure”; and

(f) in Regulation 7 by replacing “(6)” with “6”.

3. The Second Schedule to the Act is amended—

(a) in Part 2 by adding after item 17 the following new item—

“18. Payment of salaries to all established staff and this function shall not be devolved to Subcounties”;

(b) in Part 3 by adding after item 31, the following new item—

“32. Payment of salaries for all established staff and this function shall not be devolved to a lower Local Government”.

4. The Third Schedule to the Act is amended by replacing Regulation 27 with the following new regulation—

“27. A District, Urban or Subcounty Council which may wish to be represented by legal counsel in any civil cause or matter in which the Local Council is a party shall do so in consultation with the Attorney General.”

5. The Fifth Schedule to the Act is amended by inserting after Regulation 15, the following new Regulation—

15A. “Distribution of revenue by Town Councils to Parish and village Councils

A Town Council shall distribute twenty five percent of its total revenue as follows—

(a) five percent to be distributed amongst parishes; and

(b) twenty percent to be distributed amongst the village councils.”

6. The Seventh Schedule to the Act is amended in Form EC11 by deleting “Secretary for Children Welfare” appearing in item 3 and inserting it in item 2 after “Vice-Chairperson.”

Minister of Local Government

JABERI BIDANDI SSALI,