TOPIC THREE

THE ADMINISTRATIVE MACHINERY OF LOCAL GOVERNMENT AUTHORITIES

Introduction

- The structure of LGAs is made up various administrative machineries which are vested powers to perform various functions
- These machineries include;
  - Councils
  - Joint authorities
  - Committees
  - Commissions for Local Administration

Councils

- There are councils established by District and Urban Authorities Acts
- Such Councils include;
  - City Councils
  - Municipal Councils
  - Town Councils
  - District Councils
  - Township Authorities
  - Village Councils

City Council

- City council falls under urban authorities.
- By virtue of s.5 of Cap 288, an urban authority is established by the Minister responsible for LGA.
- The procedures for establishing a City Council are laid down under s.8 of Cap 288

Continue

- As per s.24(3) the City Council consists of;
  - One member elected from each ward within the City
  - Member(s) of parliament in constituencies within the area of the City council
  - Women proposed by political parties and whom the Electoral Authority must approve
  - Not more than 3members appointed by the Minister

Continue

- S.24(4) sets out the members of the City Council.
- Such members include;
  - The mayor
  - The deputy mayor
  - All members of parliament whose constituencies are within the City
  - At least two women members of parliament elected from and residents in the City
  - 3councilors from each urban authority
  - Mayor from each urban authority within the City Council

Municipal Council

- A Municipal Council is also established under s.5 of Cap 288
- A Municipal Council Consists of;
  - One member elected from each ward
  - The MP representing the constituency
  - Women members not less than one third
  - Not more than three other members appointed by the Minister from among the residents of the municipality-s.24(2) of Cap 288

Town Council

- Established under s.5 of Cap 288 as an urban authority
- It consists of;
  - one member from each of the wards
  - The MP representing the constituency;
  - Women not less than one third of all the members;
  - Not more than three other members appointed by the Minister from among the residents of the town.

Villages in Urban Authorities

- When an urban authority is established, the minister may, by the Order published in the Government Gazette, disestablish or cancel registration of any village or ujamaa village established or deemed to have been established within the area of an urban authority-s.12(1) of Cap 288
- The Minister may do so in accordance with the provisions of s.12(2) of Cap 288

Continue

- An area of the Urban Authority may be divided into a number of wards by the Minister after consultation with the President-s.16(1) of Cap 288
- The area of the ward shall be divided into Mitaa or village consisting of a number of households which the urban authority may determine-s.16(3) of Cap 288

Continue

- S.19(1) of Cap 288 provides for establishment of village council for every village in the urban area
- The composition of members of the village council is provided under s.19(2) of Cap 288
- The tenure of a village council is 5years

District Councils

- Established under s.5 of Cap 287
- Established by the Minister by the Order published in the Government Gazette.
- The composition is provided under s.35(1) of Cap 287
- A district council shall be presided over by the Chairman elected amongst members of the Council

Continue

- The area of a District Council shall be divided into wards consisting of a number of villages
- Each village shall be divided into not more than five Vitongoji-each headed by a Chairman-s.30 of Cap 287

Township Authorities

- The Minister may by order published in the Gazette, establish a township authority or such number of township authorities in such places or areas as he may see fit or desirable for the purposes of establishing, promoting, developing and maintaining an effective and efficient system of local government-s.13(1) of Cap 287

Continue

- An area of a Township Authority shall be divided into such number of Vitongoji as may be determined by the Township Authority-s.13(3) of Cap 287
- A composition of a Township authority is provided under s.45(1) of Cap 287
- A Township Authority shall be headed by the Chairman elected in accordance with s.46 of Cap 287

Village Councils

- S.22 provides for registration of a village by the Registrar of villages
- S. 24 provides for the Village Assembly
- The Composition of a Village Assembly and Village council is provided under s.55 and 56 respectively.

Joint Authorities

- There are organs which are jointly formed to perform certain specific task within LGAs
- Some of these are;
  - Those formed in accordance with s.81 of Cap 287 in respect of District Authorities
  - Those formed in accordance with s.53 of Cap 288

Committees

- There are two types of committees in LGAs
  - Standing committees-established under ss.47 of Cap 288 and ss.75, 98 of Cap 287
  - These standing committees are;
    - Finance, Administration and [Urban] Planning;
    - Education, Health, and Water
    - Economic affairs, works and environment.
  - Ad hoc committees/sub-committees-established under s.52 of Cap 288 and s.80 of Cap 287

Meetings

- There are two major types of meetings conducted in LGAs;
  - Ordinary meetings
  - Special/extra-ordinary meetings
- Important to note is that the law sets;
  - Persons required to attend
  - Quorum of members
  - The legal consequences of decisions passed
  - Consequences of non-attendance in meetings, etc

Continue

- See the following provisions;
  - Ss.63-74 of Cap 287 for District Councils
  - Ss.89-97 of Cap 287 for Township Authorities
  - Ss.105-112 of Cap 287 for Village organs
  - Ss.34-46 of Cap 288 for Urban Authorities

THE RCC

- One of the important organs of Regional administration is the Regional Consultative Committee-RCC
- It is established under s.8(1) of the Regional Administration Act, Cap 97 R.E 2002
- It consists of members listed under s.8(2) of Cap 97
- Among such members, are officials from LGAs

Continue

- Such officials include;
  - The Chairmen of all district councils and all urban authorities in the region;
  - The Chief Executive Officers of all urban authorities, district authorities and township authorities in the region;
- One of the functions of this organ is to consider and provide advice to local government authorities regarding their development plans.