



REPUBLIC OF ZAMBIA

STANDING ORDERS FOR COUNCILS IN ZAMBIA



PERSUANT TO SECTION 20 OF
THE LOCAL GOVERNMENT
ACT No. 2 OF 2019

2021





REPUBLIC OF ZAMBIA

STANDING ORDERS FOR COUNCILS IN ZAMBIA

PERSUANT TO SECTION 20 OF THE LOCAL GOVERNMENT
ACT No. 2 OF 2019

2021

COUNCIL STANDING ORDERS PERSUANT TO THE LOCAL GOVERNMENT ACT NO. 2 OF 2019

PART I

PRELIMINARY

Number

1. Title	6
2. Definitions.....	7

PART II

ELECTIONS	9
-----------------	---

3. Election of Deputy Mayor/Deputy Council Chairperson	9
4. Election of Chairperson of Committees and Tenure of office	10

PART III

MEETINGS AND PROCEEDINGS OF COUNCIL AND COMMITTEES	9
--	---

5. Meetings of the Council.....	9
6. Notice of Meeting.....	9
7. Quorum of Council meetings.....	9
8. Order of Business.....	9
9. Adjournment of Meeting.....	10
10. Adjournment in the event of no quorum.....	10
11. Count Out.....	10
12. Attendance Register	10
13. Powers to Resolve into Committee.....	10
14. Powers to exclude the public	10
15. Minutes of Council Meetings.....	10
16. Establishment of Committees.....	11
Composition of Committees.....	12
18. Proceedings in Committees	12
19. Special Meetings of Committees	12
20. Sub-Committees.....	12
21. Quorum of Committees	12
22. Decisions in Committees.....	13
23. Minutes of Committees	13
24. Standing Orders to apply to Committees	13
25. Voting.....	13

PART IV

MOTIONS AND QUESTIONS	14
-----------------------------	----

26. Notices of Motion.....	14
27. Alteration of Motion	14
28. Motion to rescind preceding resolution.....	14

29. Motions which may be moved without Notice	15
30. Motions affecting persons employed under councils and other matters relating to appointment of staff	
31. Proposer of Motion may attend	
32. Right of proposer of Motion to reply	
33. Questions.....	

PART V

RULES OF DEBATE AND CONDUCT OF COUNCILLORS.....

34. Rules of debate	
35. Disorderly conduct	
36. Ejection from Meeting.....	
37. Suspension of Sittings.....	
38. Code of Ethics	
39. Disability to participate in the business/deliberation on account of interest	
40. Responsibilities of Councillor.....	

PART VI

SEALING AND INSPECTION OF DOCUMENTS AND PROPERTY

41. Sealing of Documents.....	
42. Inspection of documents.....	
43. Inspection of lands, premises, etc	

PART VII

ADMINISTRATION OF LOCAL AUTHORITIES

44. Day to day administration of the Local Authority	
--	--

PART VIII

CONTRACTS

45. Contracts	
---------------------	--

PART IX

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

46. Variation and revocation of Standing Orders	
47. Suspension of Standing Orders	
48. Standing Orders to be given to Members	

APPENDIX I: CODE OF ETHICS.....	
--	--

APPENDIX II: GENERAL INSTRUCTIONS TO ALL COMMITTEES	
--	--

APPENDIX III: POWERS AND DUTIES OF COMMITTEES	
--	--

APPENDIX IV: FORMS.....	
--------------------------------	--

PART I

PRELIMINARY

Standing Orders to provide for regulating the proceedings and business, for preserving order at meetings of the council, committee or sub-committee and to provide for matters connected with or incidental to the foregoing.

Title

1. These rules of proceedings are made under the provisions of Section 20 of the Local Government Act No 2 of 2019 and may be cited as ".....
Council Standing Orders."

Definitions

2. In these Standing Orders, unless the context otherwise requires-

"Act" means the Local Government Act No. 2 of 2019;

"ADHOC Committee" means a Committee appointed by Council for a specific purpose as and when need arises;

"Chairperson" shall include Mayor/Council Chairperson and Chairperson of a Committee or such other person appointed to preside over a meeting;

"Civic Calendar" means the period from September in the year to August of the following year;

"Committee" means a committee of a Council;

"Council" has the meaning assigned to the word in the Constitution;

"Council Chairperson" means a person elected chairperson of a town council under Article 154 of the Constitution;

"Councillor" has the meaning assigned to the word in the Constitution;

"Mayor" means a person elected mayor of a city or municipal council in accordance with Article 154 of the Constitution;

"Meeting" means a meeting of the Council, a Committee, Sub-Committee or ADHOC Committee of the Council;

"Motion" means a proposal made, in a prescribed manner, by a member for discussion at a meeting of a council;

"Ordinary Meeting" means a meeting of the Council authorized to be held under the provisions of section 15 of the Local Government Act No. 2 of 2019;

"Principal Officer" means a Chief Executive Officer of a Council and includes any person for the time being discharging the functions of the Chief Executive Officer;

"Special Meeting" means a meeting of the Council or a Committee authorized to be held under the provisions of Section 15 of the Local Government Act No. 2 of 2019; and

Election of Deputy Mayor/Deputy Council Chairperson

“**Sub-Committee**” means a Committee appointed by a Standing Committee.

PART II ELECTIONS

3. The election of the Deputy Mayor/Deputy Council Chairperson shall be conducted in accordance with the following procedure:-

(1) Returning Officer

The Returning Officer shall be the Principal Officer or an officer acting on his/her behalf.

(2) Notice and Agenda

The Notice and Agenda of the Ordinary Meeting of the Council at which the elections of the Deputy Mayor/Deputy Council Chairperson are to be conducted, shall comply with Standing Order No. 6 provided that no other business shall be transacted before the election of the Deputy Mayor/Deputy Council Chairperson.

(3) Nominations

A candidate vying for the position of Deputy Mayor/Deputy Council Chairperson shall be proposed by one Councillor and seconded by another Councillor.

(4) Nomination Forms

Nomination Forms for the election of Deputy Mayor/Deputy Council chairperson, as per attached Appendix IV to these Standing Orders, shall be collected from the office of the Returning officer within 48 hours of the meeting.

(5) Nomination Period

Nominations in respect of the election of Deputy Mayor/Deputy Council Chairperson shall close one hour prior to the time set out in the notice of the meeting of the Council.

(6) Presiding at the Council Meeting

The Mayor/Council Chairperson shall preside over the Meeting. In the absence of the Mayor/Council Chairperson, Councillors present shall elect a Councillor, from among themselves, who is not contesting the election to preside over the proceedings of the meeting.

(7) Voting

(a) Voting shall be by secret ballot.

- (b) Ballot papers as per Appendix IV bearing the names of candidates shall be prepared and issued to Councillors and the Returning Officer shall maintain a Ballot Paper Account as per Appendix IV which shall be verified at the end of each election in the presence of all Councillors.
- (c) A Councillor shall not exercise his/her right to vote if he/she is not present at the meeting.
- (d) A candidate, provided, he/she is qualified to stand, may be elected even when he/she is not present at the Council Meeting.

(8) Procedure for Casting the Vote and the Count

- (a) The ballot paper shall be issued to a Councillor who is present at an Ordinary Meeting of the Council at which the election takes place.
- (b) The Principal Officer shall issue one ballot paper to a Councillor.
- (c) A Councillor shall, upon receipt of the ballot paper signify the candidate of his/her choice by secretly marking on such ballot paper with a cross next to the name of such candidate and shall then fold the paper in such a way that the mark signifying his/her vote is not visible.
- (d) A Councillor shall then place the folded ballot paper in the ballot box so provided.
- (e) The Principal Officer shall count the votes cast and declare the candidate with the highest number of votes during the election as the elected candidate.
- (f) A candidate may, if present at the count, require the Principal Officer to recount the votes. The Principal Officer may also, on his/her own initiative, have the votes recounted.
- (g) If during the election there is an equality of votes between any candidates and the additional one vote would entitle any one of the candidates to be declared as elected, the person presiding at the meeting shall have a casting vote, in addition to that person's deliberative vote.

Election of Chairperson of Committee and Tenure of office

- 4. (1) Every Committee shall at its first meeting, before proceeding to any other business, elect a Chairperson who shall preside at meetings of the committee.
- (2) The Committee Chairperson shall be elected annually, according to the Civic Calendar.
- (3) The Principal Officer shall preside over the election of the Committee Chairperson.
- (4) In an event of equality of votes, the Principal Officer shall cast lots to break the tie.

PART III

MEETINGS AND PROCEEDINGS OF COUNCIL AND COMMITTEES

Meeting of the Council

5. (1) The Council shall hold an Ordinary Council meeting for the transaction of business at least once in three months at a place, on a day and time that the Council may appoint.

(2) A Mayor or Council Chairperson may, with the approval of the Provincial Local Government Officer, convene a special meeting of the Council at any time, and shall convene a special meeting within twenty one days, or a lesser period that may be prescribed by the standing orders of the council, after the mayor receives a written request for a meeting signed by not less than one third of the councillors and stating the reasons for the special meeting.

Notice of Meeting

6. (1) The principal officer of a council shall, at least twenty four hours before the time appointed for the holding of a meeting of a council, notify every Councillor, in writing or by electronic means, of the place, day and time of the meeting and of the business proposed to be transacted at the meeting.

(2) Want of a Notice of Meeting on any Councillor shall not affect the validity of the meeting, except that any Councillor who claims not to have received Notice of a Meeting and who should have received notice may raise any matter in accordance with Standing Order No. 29.

Quorum of Council meetings

7. (1) In case of an ordinary meeting, one half of the total number of which the Council consists shall form a quorum.

(2) In case of a Special Meeting, two-thirds of the total number of which Council consists shall form a quorum.

Order of Business

8. (1) Except where the Council on the grounds of urgency vary the order of business of this Standing Order, the Order of business at every Meeting of the Council shall be:

- (a) To elect a Councillor to preside if the Mayor/ the Council Chairperson or Deputy Mayor/Deputy Council Chairperson are absent;
- (b) To make a Declaration of Interest;
- (c) To receive such communications as the Mayor/the Council Chairperson may have received and which he/she may desire to lay before the Council;
- (e) To read and, if appropriate, to approve as a correct record the Minutes of the previous Meeting of the Council and of any Special Meeting of the Council held subsequent thereto;
- (e) To dispose of business, if any, remaining from the previous meeting.
- (f) To receive and consider reports or minutes of Committees which have been circulated to each Councillor not later than the date of issue of the Notice to attend the Meeting, and, if thought fit, to adopt or otherwise dispose of any recommendations contained therein and in conjunction therewith, to answer questions asked pursuant to Standing Order 33 (1).
- (g) To consider questions asked pursuant to Standing Order 33 (2).
- (h) To receive and consider urgent written reports or reports at the direction of any Committee from officers of the Council circulated to each Councillor not later than 24 hours before the time and date of the meeting and to take such action thereon as may be determined.

- (i) To consider notices of motion in the order in which they have been received in accordance with Standing Order No. 26.
- (2) The Council may at a Meeting vary the order of business so as to give precedence to any business which, in the opinion of the Mayor/the Council Chairperson is of a special urgency, but such a variation shall not displace business falling under items (a) of this Standing Order.
- Adjournment of Meeting**
9. (1) The Council may on reasonable grounds adjourn a meeting to any date or hour, but no other business shall be transacted at an adjourned meeting except such as was set out in the Notice of the Meeting of which it is an adjournment and such other business of which at least 24 hours' notice has been given to the Council prior to the adjourned meeting.
- (2) Adjournment of a meeting shall not attract another sitting allowance.
- (3) When a Meeting is adjourned, Notice of the adjourned Meeting shall, if there is sufficient time to do so, be sent out in terms of Standing Order 6.
- Adjournment in the event of no quorum**
10. If, at the expiration of twenty (20) minutes after the time at which any meeting is appointed to be held a quorum shall not have assembled, the Councillors present, or if there are no councillors present, the Principal Officer or an officer acting on his/her behalf shall adjourn the meeting, in which event the provisions of Standing Order 9 shall apply **Mutatis Mutandis**; provided that with the unanimous consent of the Councillors present, further time not exceeding additional ten (10) minutes may be allowed to enable a quorum to assemble, or after which no meeting shall take place.
- Count Out**
11. If during any Meeting the attention of the Chairperson be called to the number of Councillors present, he shall count them and if it be found that there is no quorum, the meeting shall stand adjourned and after twenty minutes from which time the Councillors present may by a majority decide to hold a meeting at a more convenient time in which event the provisions of Standing Order No. 9 (2) shall, **Mutatis Mutandis** apply.
- Attendance Register**
12. Every Councillor attending a Meeting shall sign in and register (either physically or virtually) his/her name in the Attendance register kept for that purpose.
- Powers to Resolve into Committee**
13. The Council may resolve itself into the Committee of the whole Council.
- Powers to exclude the public**
14. The Council or Committee may by resolution exclude the public from a meeting in terms of Section 15 of the Local Government Act No. 2 of 2019. The reasons for the exclusion of the public are due to the confidential nature of matters under discussion which shall be transacted towards the end of the meeting.
- Minutes of Council Meetings**
15. As soon as the Minutes have been read, or if they are under Standing Order 6 taken as read, a Councillor shall move a motion "**That the Minutes of the Meeting of the Council held on theday of.....be signed as a true record,**" no motion or discussion shall take place upon the Minutes, except upon their accuracy and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Mayor/the Council Chairperson shall sign the Minutes.

Establishment of Committees

16. (1) The Council shall at the first Meeting of the Council held after an Ordinary Election of the Council, or if no Ordinary Election of the Council is held in any year, then at the first Meeting of the Council held in that year appoint a Finance Committee pursuant to Section 15, Third Schedule, paragraph 10 of the Local Government Act No. 2 of 2019; and such other Standing Committees consisting of such number of members as the Council may determine to carry out the work of the Council, provided that Council may at any time dissolve or alter the membership of a Committee.

(2) In addition to 16 (1), a Council shall establish the Audit Committee which shall include not more than two (2) co-opted members with knowledge in accounting or auditing who are not public officers.

(3) The Human Resource Management Committees shall be responsible for all Human Resource matters.

Public Finance Management Act No. 1 of 2018

(3) The Council may delegate either absolutely or conditionally, to a committee or to any officer of the Council the power to discharge any function of the Council on behalf of the Council. Any function discharged by a Committee in the exercise of powers delegated to that Committee or person under this Standing Order shall be deemed to have been discharged by the Council.

Service Commissions Act No. 10 of 2016

(4) A Council shall not delegate the power to discharge functions to a Committee which includes persons who are not Councillors.

(5) A Council shall not delegate the power to:

- (a) levy a rate;
- (b) adopt estimates of the revenues and expenditure of the council;
- (c) borrow money;
- (d) impose fees and charges;
- (e) make by laws; or
- (f) make appointments to the dignity of alderman or to admit or annul the admission of a person to the status of honorary freeman of the city, municipality or town.

(6) (a) The Council may at any time appoint Ad-hoc Committees consisting of such number of members as the Council may determine for the purpose of examining and reporting on any matter and of discharging any functions of the Council delegated to them by the Council.

(b) Where the Council appoints an Ad hoc Committee, the terms of reference shall be generated by the Principal officer in consultation with the Provincial Local Government Officer. The terms of reference shall contain among others, the reporting time which shall not exceed ninety (90) days.

Composition of Committees

17. (1) Except where otherwise provided by statute or a scheme made under statutory authority, the Mayor/Chairperson and the Deputy Mayor/Deputy Council Chairperson shall be ex-Officio members of every Standing Committee appointed by the Council.

(2) The total membership of any Committee, including the ex-officio members shall not exceed one -half of the total membership of the Council;

(3) The Principal Officer shall in consultation with the Mayor/Chairperson prepare the draft membership of the Committees for approval by the Council.

(4) Each Councillor shall be a member of at least one Committee and, where the number of councillors is not adequate, up to two Committees;

(5) Councillors who are not members of a particular Committee are free to attend or participate in any meeting of that Committee, but shall neither be allowed to vote nor receive any allowance.

(6) The members of a committee shall be appointed by the council from among persons who are councillors or are qualified for election as councillors.

(7) Pursuant to Article 153 (4) of the Constitution, a person qualifies to be elected as a Councillor if that person:

- (a) is not a Member of Parliament;
- (b) is not less than nineteen years of age;
- (c) has obtained, as a minimum academic qualification, a grade twelve certificate or its equivalent;
- (d) is a citizen or a holder of a resident permit, resident in the district; and
- (e) has a certificate of clearance showing the payment of council taxes, where applicable.

(8) The Standing Committee(s) shall be reconstituted annually, at the first meeting of the Council according to the Civic Calendar.

Proceedings in Committees

18. (1) A member of a Committee (including the Council in Committee) shall not disclose a matter dealt with or brought before the Committee without its permission until the Committee shall have reported to the Council or shall otherwise have concluded action on the matter.

(2) In the absence of the Chairperson the members present shall appoint from amongst themselves a Chairperson for that meeting.

Special Meetings of Committees

19. The Principal Officer in consultation with the Mayor/Council chairperson and committee chairperson may convene a Special Meeting of the Committee at any time subject to approval by the Provincial Local Government Officer. The notice of meeting shall set out the business to be considered at the Special meeting, and no other business not set out shall be considered at that meeting.

Sub-Committees

20. Every Committee appointed by the Council may appoint Sub-Committees for purposes to be specified by the Committee. No act of a Sub-Committee shall have effect until approved by the Committee. The chairperson of the Committee shall be ex-officio member of every Sub-Committee appointed by that Committee, unless he/she signifies in writing to the Principal Officer that he/she does not wish to serve.

Quorum of Committees

21. Except where authorized by statute, business shall not be transacted at a Meeting of any Committee, and except as aforesaid or otherwise ordered by the Committee, which has appointed a Sub-Committee, unless at least half of the whole number of the Committee or Sub-Committee is present provided that in no case shall the quorum of a Committee be less than three (3) of the membership.

Decisions in Committees

22. (1) Decisions in Committee shall be determined by consensus upon proposal and secondment. In an event of a counter proposal duly seconded, it shall be by show of hands by a simple majority of the members of the Committee present and voting, excluding ex-officio members.

(2) At all meetings of the Committee, each member present shall have one vote on a question proposed for decision by the Committee and in the event of an equality of votes, a person presiding at the meeting shall have, in addition to a deliberative vote, a casting vote.

Minutes of Committees

23. For the purpose of bringing the Minutes of a Committee before the Council for consideration, the chairperson of the Committee, or in his/her absence any member of the Committee who was present at the Committee shall move **"That the Minutes of the Committee Meeting held on thebe received"** and, upon this being seconded, the Council shall proceed to consider such Minutes and may pass such resolutions with regard thereto as are consistent with these Standing Orders.

Upon the conclusion of such consideration, the original mover and seconder of the motion that the Minutes of the Committee be received shall move and second respectively a further motion; **"That the Minutes of the Committee Meeting held on thebe adopted"** or if an amendment or amendments have been made to such Minutes, **"That the Minutes of the.....Committee meeting held on thebe adopted (as amended)"**. Provided that, in the event of the mover or seconder of a motion that the Minutes of a Committee be received, not agreeing with any part of such Minutes, he/she shall indicate this in moving or seconding the motion and the Mayor/the Council Chairperson shall then call upon some other member of the Committee who was present at the Committee meeting to move or second, as the case may be, that part of the Minutes which is not agreed. Provided that any recommendation of a Committee may be withdrawn by the mover of the Committee's Minutes at a Council Meeting with the consent of the Council.

Standing Orders to apply to Committees

24. Standing Order 34 (except those parts which relate to standing and to speaking more than once) shall apply mutatis mutandis to Committee and Sub-Committee Meetings.

Voting

25. (1) Every question shall be determined by show of hands on simple majority.

(2) At the request of a Councillor any dissenting vote of that Councillor shall be recorded.

PART IV

MOTIONS AND QUESTIONS

Notices of Motion

26. (1) Except as provided by Standing Order 29, every notice of motion shall be in writing, signed by the Councillor or Councillors giving the notice as per Appendix IV, and delivered at least five (5) days before the next meeting at the office of the Principal Officer by whom it shall be endorsed with date and time of receipt numbered in the order in which it is received, and entered in a book which shall be open for inspection of every member of the Council.

(2) The Principal Officer shall insert in the Notice of every meeting all notices of motions duly given in the order in which they have been received, unless the Councillor or Councillors giving such a notice has or have when giving it intimated in writing that the Councillor who proposes to move it will do so at some later Meeting or has or have withdrawn it in writing.

(3) If a motion, notice of which is specified in the Notice of Meeting, be not moved it shall, unless postponed by consent of the Council, be treated as abandoned and shall not be moved without fresh notice.

(4) Motions for which notice has been duly given, the subject matter of which comes within the terms of reference of any Committee or Committees, shall upon being moved and seconded stand referred without discussion to such Committee or Committees or to such other Committees as the Council may determine, for consideration and reporting.

(5) Every notice of motion shall be relevant to some question over which the Council have mandate or which affects the Council.

Alteration of Motion

27. A Councillor may, with the consent of his seconder and of the Council signified without discussion, alter a motion which he has proposed or of which notice has been given if the alteration is one which could have been moved as an amendment thereto.

Motion to rescind preceding resolution

28. No motion shall be moved to rescind or amend any resolution passed within the preceding six (6) months, unless:

- (1) the notice thereof given in pursuance of Standing Order 26 bears the names of at least one third of the Councillors of the Council;
- (2) recommended by the Principal Officer;
- (3) as advised by the Minister in writing;
- (4) necessary to carry out any statutory duty of the Council.

Section 77 of the Local Government Act No. 2 of 2019

Motions which may be moved without Notice

29. The following motions may be moved without notice:-

- (1) election of a Chairperson of the Meeting at which motion is made;
- (2) motions relating to the accuracy of the minutes, adjournment, order of business or next business;
- (3) deferred or referred back to a Committee;
- (4) that the Council do resolve itself into the Committee of the Council;
- (5) appointment of a Committee or members thereof, so far as arising from an item mentioned in the notice of the meeting;
- (6) adoption of Minutes or reports and recommendations of Committees or officers and any consequent resolutions;
- (7) that leave be given to withdraw a motion;

- (8) authorizing the sealing of documents;
- (9) extending the time limit for speeches;
- (10) that a Councillor named under Standing Order 35 be not further heard or do leave the meeting;
- (11) Giving consent of the Council where the consent of the Council is required by these Standing Orders.
- (12) Claim of not having received notice of meeting
- Motions affecting persons employed under councils and other matters relating to appointment of staff.**
30. A member of the Council shall not solicit for any person for any appointment under the Council or recommend any person for such appointment or for promotion or termination of appointment; but this paragraph shall not preclude a member from giving a written reference of a candidate's ability, experience or character, for submission to the Council with an application for appointment.
- Proposer of Motion may attend**
31. A Councillor who has proposed a motion which has been referred to any Committee **shall be served** with a notice of the meeting of the Committee at which it is proposed to consider the motion, and if he/she attends may have an opportunity of explaining it.
- Right of proposer of Motion to reply**
32. The proposer of a motion shall have a right to reply at the close of the debate upon such motion, immediately before it is put to the vote or before the motion "That the debate be now adjourned," "**That the Council proceed to the next business**" or "**That the Council do now adjourn,**" is put. If an amendment is proposed he/she shall be entitled to reply at the debate upon the amendment. A Councillor exercising a right of reply shall not introduce a new matter. After every reply to which this Standing Order refers, a decision shall be taken without further discussion.
- Questions**
33. (1) A Councillor may ask the Mayor/the Council Chairperson of the Council or Committee any question to solicit information solely on the subject matters referred to in the Minutes of the previous meeting or of any Special Meeting of the Council held subsequent thereto.
- (2) A Councillor may:
- (a) If seven (7) working days' notice in writing has been given to the Principal Officer ask the Mayor/the Chairperson of the Council or Chairperson of the Committee any questions relating to business of the Council, and
- (b) With the permission of the Mayor/the Council Chairperson ask any questions relating to urgent business, of which such notice has not been given, but a copy of any such notice, question shall, if possible, be sent to the Principal Officer not later than two (2) hours before the time of the meeting.
- (c) Every question shall be put and answered without discussion, but the person to whom a question has been put may answer at an appropriate time.
- (d) Where a written question is addressed to the Mayor/the Council Chairperson and the desired information is contained in any of the Council's publications, it shall be deemed a sufficient reply if the publication containing the information is indicated.
- (e) Where a reply to any question cannot conveniently be given orally, it shall be deemed a sufficient reply if the answer is circulated to Councillors with the minutes of the meeting at which the question has been asked.

PART V

RULES OF DEBATE AND CONDUCT OF COUNCILLORS

Rules of debate

34. (1) A motion or amendment shall not be discussed unless it has been proposed and seconded, and unless notice has already been given in accordance with Standing Order 27 it shall, if required by the Mayor/the Council Chairperson be reduced to writing and handed to the Mayor/the Council Chairperson before it is further discussed or put to the meeting.

(2) A Councillor when seconding a motion or amending the same may if he/she then declares his/her intention to do so, reserve his/her speech until a later period of the debate.

(3) A Councillor shall stand when speaking, except with the permission of the Mayor/Council Chairperson.

(4) A Councillor when speaking, shall address the Mayor/the Council Chairperson. If two or more Councillors rise the Mayor/the Council Chairperson shall call on one of them to speak.

(5) A Councillor shall direct his/her speech to the question under discussion or to an explanation or to a question or order.

(6) No speech except by consent of the Council, shall exceed **five (5)** minutes in the case of a mover of a motion, or **three (3)** minutes in all other cases.

(7) An amendment shall be relevant to the original motion and shall be either:

(a) To leave out words, or

(b) To leave out words and insert or add others

(c) To insert or add words from or to a motion before the Council but such omission or insertion of words shall not have the effect of introducing a new proposal into or of negating the motion.

(8) If an amendment be rejected, other amendments may be moved on the original motion. If an amendment be carried the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

(9) A further amendment shall not be moved until the Council shall have disposed of every amendment previously moved.

(10) A Councillor shall not speak more than **once** on any motion except to move a further amendment or on any amendment, except in the exercise of the right of reply given by Standing Order 32 or on a point of order, or by way of personal explanation, or to move in so many words "**That the question be now put**" provided that no Councillor shall be at liberty to move more than one amendment upon any motion.

Provided that no Councillor shall speak on a motion or matter from a Committee of which he/she is a member except to propose or second its adoption, or its withdrawal.

(11) A Councillor may at the conclusion of a speech of another Councillor move without comment **“That consideration of the question be postponed fordays (or sine die)”, “That the question be now put, “That the debate be now adjourned, “That the Council proceed to the next business” or. “That the Council do now adjourn”,** on the seconding of which the Mayor/the Council Chairperson if in his/her opinion the question before the Meeting has been sufficiently discussed shall, subject to the right of reply given by Standing Order 32 put that motion to the vote and if it is carried the question before the meeting shall be put to the vote or the subject of debate shall be deemed to be disposed of for that day or the Meeting shall stand adjourned as the case may be.

(12) A Councillor may rise on a point of order and shall be entitled to be heard forthwith. The ruling of the Mayor/the Council Chairperson on a point of order shall not be open to discussion.

(13) A Councillor shall seek permission on a point of clarification/explanation which shall be confined to some material part of a former speech by him/her at the same Meeting which may have been misunderstood.

(14) Whenever the Mayor/ the Council Chairperson rises during a debate a Councillor then speaking or standing shall resume his/her seat and the Council shall be silent.

(15) A motion or amendment may be withdrawn by the proposer with the concurrence of the seconder and the consent of the Council, which shall be signified without discussion, and it shall not be competent for any Councillor to speak upon it after the proposer has asked permission for its withdrawal, unless such permission shall have been refused.

(16) When a motion is under debate no other motion shall be moved except the following:

- (a) . To amend the motion;
- (b) . To postpone consideration of the motion;
- (c) . To adjourn the meeting;
- (d) . To adjourn the debate;
- (e) . To proceed to the next business;
- (f).. That the question be now put;
- (g) . That a member be not further heard ;
- (h) . That a member do leave the meeting; and
- (i) That the subject of debate be referred back to a Committee

Disorderly conduct

35. (1) A Councillor shall not conduct himself/herself in a manner contrary to the code of ethics. A Councillor who breaches the code of conduct during the meeting shall be liable to penalties as prescribed in the Act.

(2) If at a Council or Committee Meeting, a Councillor, in the opinion of the members present, misconducts himself/herself by persistently disregarding the ruling of the Chairperson, or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Council, it shall be competent for any Councillor to move **“That the Councillor named be not further heard”, or “The Councillor named do leave the meeting”,** and the motion if seconded shall be put and determined without discussion. This standing order also applies to the person presiding over the meeting.

Ejection from Meeting

36. If it is resolved that the member named do leave the meeting and such member does not forthwith leave the place in which the meeting is being held or returns before the end of the meeting without the consent of the Council it shall be competent for the Mayor/the Council Chairperson or his/her deputy or any other person chairing the meeting to cause such member to be removed and prevented from returning to or interrupting the meeting.

Suspension of Sittings

37. If in the opinion of the Mayor/Council Chairperson or Chairperson of a Committee, the misconduct or obstruction renders the due and orderly dispatch of the business impossible, the Mayor/Council Chairperson or the Chairperson of the Committee, in addition to any other power vested in him/her, may without question put, adjourn or suspend the sitting of the Council for such period as he/she in his/her discretion shall consider expedient.

Code of Ethics

38. (1) Every Councillor is, quite apart from his/her responsibilities to Council, responsible to the public and Government, therefore, must not allow himself/herself to be influenced by motives of personal advantage.

(2) No Councillor shall grant special consideration, treatment or advantage to any person which would not be made available to any other member of the public in similar circumstances.

(3) Councillors shall conduct themselves so as to promote the confidence of the public in the integrity of the Local Government System; they shall do nothing which would create in the mind of the ordinary citizen a lack of confidence in the honest and impartial administration of the Council and shall not give any grounds for the impression that they can be improperly influenced in the performance of their duties.

(4) No Councillor shall make use of advice or confidential information obtained as a result of his position for his/her personal gain or for the personal gain of others, nor shall he/she disclose any such confidential information concerning the property, governance or affairs of the Council. Extreme care shall be exercised in the making of any public statements in regard to the affairs of the Council particularly negotiations which may operate to the detriment of the Council.

(5) A Councillor shall perform civic duties and responsibilities with dignity and integrity in accordance with the code of ethics set out in appendix I to these Standing Orders.

Disability to participate in the business/deliberation on account of interest

39. (1) A Councilor shall not participate in the deliberations of any matter in which he/she has direct/indirect pecuniary interest. The Councilor shall declare interest and leave the meeting during deliberations of that particular matter.

(2) The Principal Officer of a Council shall keep record of declaration of interest disclosed at any meeting.

(3) Contravening of this Standing Order shall attract penalties prescribed by Act.

This Standing Order shall be read together with section 15 (Third Schedule paragraph 6) and section 53 (Fifth Schedule paragraph 10) of the Local Government Act No. 2 of 2019.

Responsibilities of Councillor

40. (1) Although a Councillor is elected by his/her Ward, he/she should not lose sight of his/her primary responsibility to the Local Authority as a whole and this responsibility should in no way be subordinated to his/her Ward or sectional interests. A Councillor shall serve as a member in the consideration of policy matters.

(2) A Councillor may, through the Mayor/Council Chairperson, request the Principal Officer to report on any matter related/relevant to the discharge of Council functions.

(3) The relationship between the individual Councillor and the officer shall be one of partnership. Councillors shall endeavour to build a relationship of mutual confidence between the Council and its officers and shall do nothing which might embarrass or humiliate them, nor endeavour to shelter behind them where the decision resulted from the adoption of a recommendation of the officer in question. Once the officer has given his/her advice or recommendation, the Council or Committee is free to adopt, modify or reject it.

(4) Individual Councillors shall refrain from exerting undue pressure on officers who are required to give advice or make recommendations. This applies equally to chairpersons of Committees who despite having a certain amount of discretion should take a close interest in the Principal officer reporting to their committees through appropriate departments. They shall not usurp the authority or functions of the Head of the Department.

(5) No Councillor shall directly or indirectly personally involve himself/herself in negotiations with officers in regard to any matters affecting his/her personal professional or business interest, except in the way in which any member of the public would normally do.

PART VI

SEALING AND INSPECTION OF DOCUMENTS AND PROPERTY

Sealing of Documents

41. The Common Seal of the Council shall not be affixed to any documents unless the sealing has been authorized by a resolution of the Council.

Inspection of documents

42. A Councillor may for the purpose of his/her duty as a Councillor but not otherwise inspect any document which has been considered by a Committee or by the Council, and if a copy of that document had previously been supplied to every Councillor and a further copy is available shall on request to the Principal Officer be supplied for the like purposes with a copy of such document provided that a Councillor shall not knowingly inspect and shall not call for a copy of any document relating to a matter in which he/she is professionally interested or in which he/she has directly or indirectly any pecuniary interest. This Standing Order shall not preclude the Principal Officer or the Solicitor to the Council from declining to allow inspection of any document which is or in the event of legal proceedings would be protected by privilege arising from the relationship of solicitor and client.

Inspection of lands, premises, etc

43. A Councillor, unless authorized to do so by the Council or Committee shall not inspect any land or premises which the Council has the right or duty to inspect or enter upon or issue any order in respect of any works which are being carried out by or on behalf of the Council.

PART VII

ADMINISTRATION OF LOCAL AUTHORITIES

Day to day administration of the Local Authority

44. The day-to-day administration of the Local Authority is a function of management.

PART VIII

CONTRACTS

Contracts

45. All procurements and contracts shall be regulated by the Public Procurement Act and any other written laws.

PART IX

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

Variation and revocation of Standing Orders

46. Any motion to vary or revoke these Standing Orders shall when proposed and seconded stand adjourned without discussion to the next meeting provided that such variations shall not have effect unless and until approved by the Minister.

Suspension of Standing Orders

47. (1) Subject to paragraph (3) of this Standing Order any of the preceding Standing Orders may be suspended so far as regards any business at the meeting where its suspension is moved.

(2) Suspending a Standing Order, with reasons advanced and shall be limited in its operation to the particular purpose for which such suspension is sought, not negating any provisions of the law;

(3) A motion to suspend Standing Orders shall not be moved under Standing Order 29 that is without notice duly given in pursuance of Standing Order 27 unless there shall be present at least two thirds of the whole number of Councillors.

(4) If a motion to suspend Standing Orders is carried the mover may then move or speak on the subject matter of his/her proposal, but during any debate or discussion thereon all Standing Orders shall be observed, the suspension thereof having only the purpose of permitting the subject matter in question to be brought before the Council.

Standing Orders to be given to Members

48. A copy of these Standing Orders and of such parts of the Local Government Act (as amended) as govern the procedure at Meetings shall be given to each Councillor and member of a Committee of the Council upon his/her being appointed as such.

APPENDIX I CODE OF ETHICS

CODE OF ETHICS

Paragraph

1. Interpretation
2. Application
3. Compliance with written law
4. Fundamental rights and freedoms
5. Professionalism
6. Councillor civil duties and responsibilities
7. Council meetings
8. Confidentiality
9. Councillor not to acquire pecuniary advantage
10. Declaration of assets, liabilities and income
11. Registration of declarations of interest and of assets
12. Collective responsibility of councillors
13. Declaration deemed to be statutory declarations
14. Complaints against councillor
15. Appeal by councillor
16. Local Government Code of Ethics Tribunal
17. Payment of fees, remuneration or expenses

SCHEDULE—Offences and Penalties

- | | |
|---|---|
| <p>1. In this Code, unless the context otherwise requires—</p> <p>“ Code ” means the Code of Ethics;</p> <p>“ Principal Officer ” means the chief executive officer of a council including any person for the time being discharging the functions of a chief executive officer; and</p> <p>“ Tribunal ” means a Tribunal constituted under section 55 of the Act.</p> | Interpretati |
| <p>2. Subject to the Constitution, this Code applies to councillors.</p> | Application:
Cap. 1 |
| <p>3. A councillor shall comply with this Code, the Act and any other applicable law.</p> | Compliance
with written
law |
| <p>4. (1) A councillor shall, in carrying out duties, respect, protect and promote the fundamental rights and freedoms of persons without discrimination on the basis of race, tribe, political opinions, colour, creed, sex, disability, social status or culture.</p> <p>(2) A councillor shall not be a member of an organisation that promotes or practices discrimination on a basis set out in sub paragraph (1).</p> | Fundamen
rights and
freedoms |
| <p>5. (1) A councillor who is a member of a professional body shall, in addition to this Code, maintain the professional competence and ethics of that councillor’s responsible professional body.</p> <p>(2) A councillor shall not behave in a manner likely to suggest that the councillor can be improperly influenced.</p> | Professional |
| <p>6. A councillor shall, in the exercise of the councillor’s civic duties and responsibilities</p> <p>(a) act in good faith;</p> <p>(b) behave in an honest and transparent manner;</p> <p>(c) act in the best interest of a local authority and uphold the integrity and credibility of the local authority; and</p> <p>(d) ensure that official duties take precedence over other duties.</p> | Councillor
civil duties
and
responsibili |
| <p>7. A councillor shall attend council meetings and committee meetings where a councillor is a member.</p> | Council
meetings |
| <p>8. (1) A councillor shall maintain the confidentiality of information concerning council property, staff or legal matters.</p> | Confidentia |

	<p>(2) A councillor shall not disclose confidential information for that councillor's council, except as may be required by law.</p>
Councillor not to acquire pecuniary advantage	<p>9. A councillor shall not, in the exercise of that councillor's duties, acquire pecuniary advantage, or assist in the acquisition of pecuniary advantage by another person.</p>
Declaration of assets, liabilities and income	<p>10. (1) A councillor shall declare to a Chief Resident Magistrate in the area, on assuming office and on an annual basis that councillor's—</p> <ul style="list-style-type: none"> (a) shareholding in a company; (b) interest in any trust; (c) directorships held in a company; (d) existing partnerships; (e) beneficial ownership in a body corporate; (f) annual income from each source; and (g) value of assets and liability as at the declaration date. <p>(2) The declaration shall cover the period commencing twelve months prior to the current term of office.</p> <p>(3) A councillor shall notify the Principal Officer where the details under subparagraph (1) change.</p>
Act No. 3 of 2012	<p>(4) Subject to the Anti-Corruption Act, 2012, a councillor shall declare to the Chief Resident Magistrate, gifts received by a councillor in the performance of that councillor's duties.</p>
Registration of declarations of interest and of assets	<p>11. (1) The Chief Resident Magistrate shall on receiving a declaration of interest and assets under paragraph 11 cause the particulars of the declaration to be entered in a Register.</p> <p>(2) The Register shall be kept and maintained by the Chief Resident Magistrate in the prescribed manner and form and shall be available for inspection by members of the public at all reasonable times at a prescribed fee.</p>
Collective responsibility of Councillors	<p>12. A councillor shall not do anything that is inconsistent with the principle of the collective responsibility of councillors for the conduct of council affairs, and in particular shall not—</p> <ul style="list-style-type: none"> (a) publicly contradict or disassociate oneself from any resolution adopted by Council; (b) issue public statements criticising another councillor; or (c) make unauthorised disclosures of council discussions, resolutions or documents.

- 13.** A declaration made under paragraph 11 is a statutory declaration for the purposes of the Constitution and the Act. Declaration deemed to be statutory declarations Cap. 1
- 14.** (1) A person who has reasonable grounds to believe that a councillor has breached this Code may lodge a complaint with the Principal Officer. Complaint against councillor
- (2) The Principal Officer shall, on receipt of a complaint submitted under this paragraph refer the complaint to the council.
- (3) The council shall constitute an *ad hoc* committee to investigate the alleged breach of this Code by a councillor and present a report within ninety days of the date of constituting the ad hoc committee.
- (4) If the ad hoc committee finds that a councillor breached a provision of this Code, the committee may recommend the imposition of penalties as set out in the Schedule.
- (5) A recommendation to remove a councillor from office shall be referred to a Tribunal appointed by the Chief Justice.
- 15.** (1) A councillor who is aggrieved by the decision of the council, may within fourteen days of the decision appeal to the Minister. Appeal by councillor
- (2) The Minister shall determine the appeal within thirty days of receipt of the appeal.
- (3) Where a councillor is aggrieved by the decision of the Tribunal, the councillor may appeal to the Local Government Elections Tribunal.
- 16.** The Chief Justice shall make rules for the functions, composition, appointment of members, tenure of office of members, procedures and jurisdiction of the *ad hoc* Local Government Code of Ethics Tribunal. Local Government Code of Ethics Tribunal
- 17.** Any fees, remuneration or expenses payable in respect of the Tribunal under this Act shall be paid out of the funds appropriated by Parliament for the purposes of enforcement of this Code. Payment of fees, remuneration or expenses

SCHEDULE OF OFFENCES AND PENALTIES
(Paragraph 14 (4))

No.	Offence	Penalty		
		1st	2nd	3rd
1.	Failure to attend meetings	Reprimand	Severe reprimand	Refer to Tribunal
2.	Failure to attend full session of meetings	Forfeit sitting and subsistence allowance	Forfeit sitting and subsistence allowance and reprimand	Suspension up to a maximum of six months
3.	Violent behavior in meetings	Suspension up to maximum of six months	Refer to Tribunal	
4.	Disregarding ruling of the Chairperson	Ejection from meeting and no sitting and subsistence allowance	Ejection from meeting with reprimand and no sitting and subsistence allowance	Suspension up to maximum of six months and non-payment of monthly allowance
5.	Abusive language in a meeting	Suspension up to maximum of six months	Refer to Tribunal	
6.	Failure to participate in National and council programs	Reprimand	Severe reprimand	Suspension up to maximum of six month
7.	Failure to disclose interest in a matter before a meeting	Refer to Tribunal - vacation of office		
8.	Failure to register financial interests	Refer to Tribunal - vacation of office		
9.	Abuse of position or privileges	Suspension	Refer to Tribunal - vacation of office	
10.	Disclosure of confidential information	Severe reprimand	Suspension up to maximum of six months	Refer to Tribunal - vacation of office
11.	Gaining pecuniary advantage	Severe reprimand	Suspension up to maximum of six months	Refer to Tribunal - vacation of office
12.	Accepting bribes, commissions, fees, advances, gifts, rewards	Refer to Tribunal - vacation of office		
13.	Misuse of council property	Reprimand	Suspension up to maximum of six months	
14.	Dishonest and unethical behaviour	Reprimand	Suspension up to maximum of six months	
15.	Lowering the integrity of a local authority	Reprimand	Suspension up to maximum of six months	
16.	Bias or impartial service	Reprimand	Suspension up to maximum of six months	
17.	Disrespect to councillors and staffs	Reprimand	Suspension up to maximum of six months	

APPENDIX II

GENERAL INSTRUCTIONS TO ALL COMMITTEES

1. Every Standing Committee shall prepare and submit to the Finance Committee as early as practicable in every financial year, but not later than the month of October, the Estimates of probable Income and Expenditure relating to the business of the Committee during the ensuing financial year provided that for convenience the Estimates of two or more Standing Committees may be submitted jointly.

2. Notwithstanding any delegation of powers which may be made to it by the Council every Committee shall prior to reporting to the Council or acting thereon, submit to the Finance Committee:

- (a) Any proposal where statutory consent to the borrowing of money for capital expenditure is required;
- (b) Any proposal to expend moneys from a capital fund;
- (c) Any proposal to incur expenditure not provided for in any estimate approved by the Council whether by way of expenditure out of capital or revenue;
- (d) Any proposal to incur expenditure exceeding any estimate approved by the Council or the amount of any item therein or any subsequent proposal to incur additional expenditure on the same subject matter;
- (e) Any proposal involving a deviation from the establishment, salaries, pensions, duties and conditions of Service of Council's Staff and Officials;
- (f) Any proposal in respect of which the Council may, in approving a Committee's Estimates, have expressly stipulated that such proposal shall not be preceded with or without Council's approval.

Provided that a Committee shall be deemed to have complied with this instruction of each proposal which is required to be submitted to the Finance Committee if marked with four asterisks in its Minutes and included as an item in the agenda of the Finance, Valuation and Commercial Undertakings Committee at which the proposal is to be considered.

Provided further that whenever the Director of Finance/the Town Council Treasurer so requires within seven (7) days of the taking by Committee of a plenary decision affecting the Council's income or expenditure, such decision shall not be acted upon until it shall have been approved by the Finance Committee at which the proposal is to be considered.

3. Every Committee, through the appropriate department, shall ensure that all money received in connection with the business of the Committee is regularly paid to the Local Authority.

4. Every Committee shall, prior to reporting to the Council or acting upon any matter, submit the same to appropriate Committee or Committees of the Council, where the whole or part of that matter or some aspect thereof is included in the powers and duties assigned to that Committee or those Committees.

5. Every Committee shall observe all Standing Orders of the Council in so far as they apply to the duties and procedure of Committees.

6. The acts and proceedings of all Committees established with the power given by section 15 of the Local Government Act No. 2 of 2019, if not delegated, shall be subject to the approval or disapproval of the Council, and if disapproved shall be of no force or virtue, provided that in any case of extreme urgency a Committee or the Chairperson of any Committee (or, in his/her absence, a Councillor elected to act as Chairperson), in either instance with the concurrence of the Mayor/the Council Chairperson (or, in his/her absence, the Deputy Mayor/the Deputy Council Chairperson) may authorize the Principal Officer either to take or to direct another Chief Officer to take such action, within the powers and duties of the Committee concerned, as may be appropriate in the circumstances.

7. With regard to powers provided by statute, by specific council resolution, and for the powers and duties of any Committee (Appendix III) marked with an asterisk (*), acts and proceedings related to these powers and duties of that Committee shall be deemed to be acts and proceedings of the Council.

8. Any action taken under the provisions 6 and 7 shall, at the earliest opportunity, be reported by the appropriate Committee to the Council for adoption as such.

APPENDIX III

POWERS AND DUTIES OF COMMITTEES

1. FINANCE COMMITTEE

To consider and recommend on all of the following matters (excluding staff matters), or in the case of delegated powers (as marked by an asterisk in terms of paragraph 7 of the general instructions to committees) to act and report to council on action taken thereon.

FINANCE

1. The general regulations and control of the finances and accounts of the Council including matters referred to it by other committees in particular-
 - a. The Annual estimates of income and expenditure as well as the Medium Term Expenditure Framework (MTEF) estimates based on the Integrated Development Plan (IDP) and/or institutional Strategic Plan for all standing committees and departments of the council;
 - b. *Levying, collection and recovery of all general and special rates, personal or other levies or taxes as the Council may from time to time be authorised to impose;
 - c. The remission or relief from any rates or taxes as referred to in sub- paragraph (b) above in so far as Council may possess authority remit or grant relief under the law;
 - d. The fixing and recovery, subject to any statutory control thereof, of rents, charges, fees dues, premiums, revenue, or other monies recoverable by Council.
2. Storage, control and disposal of surplus stores, and materials necessary to conduct Council's business and services, including disposal of surplus stores, plant and materials.
3. To raise and provide for repayment of all loans and other debt authorised by Council including recommendations to Council on the management of any stock, loan or other debt issues.
4. *The investment of all funds under the Council as and when necessary.
5. *Formulate and control implementation of the depreciation policy.
6. *Provide insurance necessary for protection of Council interest against losses, damages, risks and liabilities which the council may incur.
7. Matters relating to Social Security Schemes.
8. *To provide for and control of the banking arrangements of all Council's monies and securities.
9. The collections of all accounts of the Council and making of payments, including the authorities of orders in writing by the Director Finance/ Town Council Treasurer for payment for the conduct of Council business.
10. Preparation of financial statements in readiness for Auditing.
11. Administration of grants-in-aid from the general revenue or other funds of Council from which grants may be legally made.
12. The acquisition by Council of shares or shareholding in companies or business undertakings.
13. Business not specifically assigned to another committee.

VALUATION

1. Facilitate preparation of the main valuation roll.
2. Valuation for rating or any other purposes.
3. The making and fixing of all general and special rates or rentals as the Council may from time be authorised to make or impose.
4. The relief from any rates as referred to in paragraph (c) above, in so far as Council may possess authority to grant relief under the law.
5. Real estate management.

COMMERCIAL UNDERTAKINGS

1. The establishment and maintenance of business ventures.
2. Explore possible areas of Public Private Partnerships (PPP).

2. HUMAN RESOURCE AND ADMINISTRATION COMMITTEE

To consider and recommend on all of the following matters, or in the case of delegated powers (as marked by an asterisk in terms of paragraph 7 of the general instructions to committees) to act and report to council on action taken thereon.

1. Receive for information reports from the Principal Officer on staff matters generally.
2. Recommend appointment of employees other than those in management and divisions I, II and III.
3. Matters Concerning employees other than those in management and divisions I, II and III.
4. *Recommend on matters of Local Authority Staff establishment.
5. Develop staff development policy.
6. Develop institutional transport management policy.
7. Facilitate Public relations and Publicity.
8. Appointment and nomination of Councillors and officers on outside bodies.
9. Civic Insignia and accoutrements.
10. Establishing and maintaining offices and buildings for the purpose of transacting the business of the Council and for public meetings and assemblies.
11. Ensure maintenance of law and order to preserve peace and safety of the community.
12. *To consider matters arising from the following:
 - a) the enumeration and registration of persons or property for any purpose connected with the administration of the area of the council;
 - b) the registration of births, marriages and deaths; and
 - c) the registration of clubs;
13. Consider requests for the holding of any fair, circus, fete or other entertainment, recreation or assembly to which the public are entitled or permitted to have access, whether on payment or otherwise.
- 14.* Preservation of Archives and heritage
15. Establishing and maintaining town twinning and membership to associations.

3. PLANNING AND INFORMATION MANAGEMENT SYSTEMS COMMITTEE

To consider and recommend on all of the following matters (excluding staff matters), or in the case of delegated powers (as marked by an asterisk in terms of paragraph 7 of the general instructions to committees) to act and report to council on action taken thereon.

1. Recommend for adoption of the Integrated Development Plans, Local Area Plans and any other Plan prepared by the local planning authority in accordance with the Urban and Regional Planning Act;
2. *Monitor the implementation of the Integrated Development Plan, Local Area Plans and any other plan prepared by the local planning authority in accordance with the Urban and Regional Planning Act;
3. Recommend modifications or changes to the integrated development plan, local area plan and any other plan prepared by the local planning authority in accordance with the Urban and Regional Planning Act;
4. Consider and make planning decisions on applications for development in accordance with the Urban and Regional Planning Act;

5. Consider the reports and recommendations of the Planning Department of the local authority;
6. Regulate, control and plan for the development and use of land and buildings within the council area;
7. Receive and consider applications for planning permission for the development of land;
8. Promote and facilitate sustainable land use in accordance with the Urban and Regional Planning Act and any other written law;
9. Perform any other planning and development functions as are necessary for the implementation of the Urban and Regional Planning Act.
- 10.*Assign names to localities and overseeing the assignment of numbers to premises in the council area and to require the number assigned to any premises to be displayed thereon.
11. Establishment and maintenance of Information Management Systems and data bases.
12. Control and management of unplanned settlements and site and services schemes.
13. Declaration and planning of Improvement Areas.
- 14.Evaluating and approving the strategic plans, development plans and social economic plans for the district.
- 15.*To prohibit and control the erection and display of advertisements and advertising devises in, or in view of, streets and other public places.
- 16.Cross cutting issues.

4. ENGINEERING AND INFRASTRUCTURE DEVELOPMENT COMMITTEE

To consider and recommend on all of the following matters (excluding staff matters), or in the case of delegated powers (as marked by an asterisk in terms of paragraph 7 of the general instructions to committees) to act and report to council on action taken thereon.

1. *Public Streets, Private Streets, pavement and other thoroughfares, bridges and storm water drainage.
2. Street lighting.
3. Water supply and sanitation.
4. Building works and maintenance.
5. *Maintenance of vehicles, plant and equipment.
6. *Provision and maintenance of swimming pools and baths.
7. *Traffic control, road signs and road safety measures generally
8. *Provision of vehicle parking areas.
9. Controlling traffic and the parking of vehicles and, for that purpose, to establish and maintain parking meters.
- 10.*Parks and gardens, open spaces, recreation grounds and playing fields.
- 11.*Fire prevention, extinction and inspections.
- 12.*Magazines for the storage of explosive and other dangerous substances.
13. Deal with the following:
 - (a) to establish and maintain roads;
 - (b) to exercise general control, care and maintenance of all public roads, streets, avenues, lanes, sanitary lanes and foot-walks forming part thereof, bridges, squares, ferries and water courses and to remove all obstacles therefrom;
 - (c) *to close or divert any public road, street or throughfare;
 - (d) *to close or divert ferries and water courses;
 - (e) to declare a street or road to be a public street or road;
 - (f) *to compile and maintain a register of all public streets and roads;
 - (g) To make up to bituminous standard any private street and to charge the statutory leaseholders or occupiers of the land abutting on such streets in proportion to frontage and to recover the costs as a civil debt.

- 14.*To prohibit and control the erection and laying in, under or over, and the removal from, streets and other public places of-
- a. Posts, wires, pipes, conduits, cable and other apparatus;
 - b. Temporary platforms, seats and other structures;
 - c. Street decorations.
- 15.(1) *To require the statutory leaseholder or occupier of land to do any of the following acts-
- a) To remove, lower or trim to the satisfaction of the council any tree shrub or hedge overhanging or interfering with traffic in any street or with any wires, or with works of the council;
 - b) To remove any dilapidated fence or structure abutting on any public street or place;
 - c) to paint, distemper, whitewash or colour wash the outside walls or roof of any building forming part of the premises;
 - d) to tidy the premises; and
 - e) To remove from the premises any unsightly debris, including derelict vehicles.
- (2) To provide space on which debris and derelict vehicles may be deposited
- (3) To prohibit, control and require the fencing of land to control the use of barbed wire and other dangerous materials for fencing.
- (4) In the event of the statutory leaseholder or occupier failing to comply with a notice from the council requiring him/her to perform any of the acts specified in sub-paragraph (1), to undertake the work and charge the statutory leaseholder or occupier with the cost thereof.
- 16.To control the manufacture, storage, sale and use of petroleum, fireworks, gas and other combustible or dangerous substances and to establish and maintain magazines and other facilities for the storage thereof.
- 17.To establish and maintain storm water drains and works for the disposal of refuse.
- 18.To require and control the provision of drains and sewers and to compel the connection of any drains and sewers established by the council.
- 19.To erect and rehabilitate offices and buildings for the purpose of administering functions specifically assigned to the Local Authority.
- 20.To establish and maintain road tolling facilities.
- 21.Pontoons, ferries, jetties, piers and harbours, excluding the regulation of international and national shipping and matters related thereto
- 22.District airports, Aerodromes and Airstrips

6. COMMUNITY DEVELOPMENT AND SOCIAL SERVICES COMMITTEE

To consider and recommend on all of the following matters (excluding staff matters), or in the case of delegated powers (as marked by an asterisk in terms of paragraph 7 of the general instructions to committees) to act and report to council on action taken thereon.

- (1) * Control and Management (including lettings and tenancies) of:
- i) Library and Museums;
 - ii) Recreation Grounds including sports; grounds and show grounds playing fields and places of entertainment and children's play grounds;
 - iii) Swimming pools and baths;
 - iv) Camping and caravan sites; and
 - v) Community and Social Centres.

- (2) *Control and Management of the following welfare community development amenities:
 - i. Youth and sports;
 - ii. Cultural services.
- (3) To establish and maintain art galleries, libraries, museum and film services.
- (4) To establish and maintain social and recreational facilities and public entertainments.
- (5) *To prepare and administer schemes for the encouragement of and participation in, Community development.
- (6) Control and management of markets and bus stations.
- (7) Provision, control and management of council housing.
- (8) Local tourism.
- (9) Child-care facilities.

7. EDUCATION SERVICES COMMITTEE

To consider and recommend on all of the following matters (excluding staff matters), or in the case of delegated powers (as marked by an asterisk in terms of paragraph 7 of the general instructions to committees) to act and report to council on action taken thereon.

- (1) Pre- School vacation and literacy education including domestic science training and other educational or training establishments;
- (2) Monitoring the performance of Nursery Schools;
- (3) Establishment of Nursery Schools;
- (4) Promoting youth and adult literacy education;
- (5) Establish and maintain primary schools and day nurseries.

8. HEALTH SERVICES COMMITTEE

To consider and recommend on all of the following matters (excluding staff matters), or in the case of delegated powers (as marked by an asterisk in terms of paragraph 7 of the general instructions to committees) to act and report to council on action taken thereon.

1. Prevention of malaria, insect borne and other contagious diseases by taking measures for the extermination of mosquitoes and other insects rats, mice and other vermin.
2. *Control and prevention measures in relation to infections or contagious diseases;
3. *Primary health services;
4. To establish and maintain environmental health services;
5. *To establish and maintain sanitary conveniences, ablution facilities and to require, whenever necessary, the establishment and maintenance of such facilities;
6. *To establish and maintain sanitary services for the removal and destruction of, or otherwise dealing with, all kinds of refuse and effluent, and compel the use of such services;
7. *To control persons and premises engaged in or used for the manufacture, preparation, storage, handling, sale or distribution of items of food or drink;
8. To establish and maintain cemeteries, crematoria and mortuaries;
9. *To provide for and control of the burial of the dead, and destitute persons who die in the area of the council;
10. *To take and require the taking of measures for the preservation and improvement of public health and the prevention and abatement of nuisances;
11. *Control of development including the altering, demolition and removal of buildings which are a danger to public health or public safety.
12. *To prohibit and control the carrying on of offensive, unhealthy or dangerous trade;
13. Refuse collection and disposal salvage;

14. Cleansing services;
15. Scavenging and street cleaning.
16. Control noise pollution.
17. Control of public nuisance.

9. AGRICULTURE, ENVIRONMENT AND NATURAL RESOURCES COMMITTEE

To consider and recommend on all of the following matters (excluding staff matters), or in the case of delegated powers (as marked by an asterisk in terms of paragraph 7 of the general instructions to committees) to act and report to council on action taken thereon.

1.*Veterinary services, excluding regulation of the veterinary profession.
2. ...*Control the keeping and movement of livestock including poultry.
3. ...*Establish and maintain ponds.
4. ...*Slaughter houses, pounds, abattoirs and meat inspections.
5. ...To establish and maintain farms and allotment gardens.
6. ...*To take and require the taking of measures for the-
 - a) ... storage, market and preservation of agricultural produce;
 - b) ... conservation of natural resources; and
 - c) ... Prevention of soil erosion, including the prohibition and control of cultivation.
7. ...*To take and require the taking of measures for control of grass weeds and wild vegetation and for the suppression and control of plant and insect pests and diseases.
8. ...*To maintain, protect and control local forests and woodlands.
9. ...*To establish and maintain grazing grounds.
10. .*To take measures for the destruction and control of bees and of dangerous animals and reptiles.
11. .*To control the movement of the carcasses of animals.
12. .To take and require the taking of measures for the conservation and the prevention of the pollution of supplies of water.
13. .*Canine control.
14. .Facilities for the accommodation, care and burial of animals

10. LEGAL SERVICES COMMITTEE

To consider and recommend on all of the following matters (excluding staff matters), or in the case of delegated powers (as marked by an asterisk in terms of paragraph 7 of the general instructions to committees) to act and report to council on action taken thereon.

1. *Preparation, promulgation and enforcement of By-Laws (including the institution of legal proceedings and service of notices) relating to enforcement of the powers and duties of Standing Committees.
2. *The registration of transactions in connection with land administration as may be prescribed in any written law.
3. *Provision, control and management of Title Deeds (issuance).
4. *Monitoring of litigation cases.
5. Consider reports on criminal and civil proceedings received from court.
- 6.*Administration and issuance of any licence, permit or approvals under the following Acts of Parliament in so far as Council may have or be granted powers:
 - a. Local Government Act (Business Levy Regulations of 2011);
 - b. Scrap metal dealers;
 - c. Theatres and Cinematographs;
 - d. Protected places and areas;

- e. Petroleum;
- f. Betting Control;
- g. Liquor licensing;
- h. All other licensing legislation and functions arising from it which are responsibility of the Council;
- i. Clubs and Societies.

11. AUDIT COMMITTEE

To consider and recommend on all of the following matters (excluding staff matters), or in the case of delegated powers (as marked by an asterisk in terms of paragraph 7 of the general instructions to committees) to act and report to council on action taken thereon.

1. Receive reports from internal auditors;
2. Review audit policy and audit plans;
3. Evaluate the management procedures regarding:-
 - (a) Internal controls;
 - (b) Financial reporting;
 - (c) External audit reports;
 - (d) Risk management;
 - (e) Ethics and governance; and
 - (f) Make recommendations.

APPENDIX IV
FORMS
NOMINATION FORM
(WRITE IN CAPITAL LETTERS)

1. DECLARATION BY PROPOSER AND SECONDER

To: The Principal OfficerCouncil

We, the undersigned being Councillors for theCouncil, do hereby nominate:

First Name:

Surname:

Residential Address:.....

to stand as a candidate for the election to the post of **Deputy Mayor/Deputy-Council Chairperson**

IDENTITY OF PROPOSER AND SECONDER

FULL NAME IN BLOCK LETTERS		SIGNATURE
Proposed by		
Seconded by		

NB: To be signed in the presence of the Principal Officer.

2. DECLARATION BY CANDIDATE

I, the said (Name of candidate in block letters):
 hereby declare that:-

(a) I accept the nomination.

(b) By virtue of having been elected as Councillor for Council, I am qualified for election in the said Council as **Deputy Mayor/ Deputy-Council Chairperson**.

Date:.....

Signature:

3. CERTIFICATION BY THE PRINCIPAL OFFICER

Signed by all parties in my presence and received by me at (time):
 on (date):.....

Date:

Signature:.....

**DEPUTY MAYOR / DEPUTY COUNCIL CHAIRPERSON ELECTIONS
BALLOT PAPER (SPECIMEN) – DEPUTY MAYOR/ DEPUTY COUNCIL CHAIRPERSON**

Serial No.....

INSTRUCTIONS TO VOTER: Mark “X” against the name of the candidate of your choice in the box provided:

NAME OF CANDIDATE	MARK

**DEPUTY MAYOR / DEPUTY COUNCIL CHAIRPERSON ELECTIONS
BALLOT PAPER (SPECIMEN) – DEPUTY MAYOR/ DEPUTY-COUNCIL CHAIRPERSON**

Serial No.....

INSTRUCTIONS TO VOTER: Mark “X” against the name of the candidate of your choice in the box provided:

NAME OF CANDIDATE	MARK

NB: The names of candidates shall be printed on the Ballot Paper in alphabetical order.



REPUBLIC OF ZAMBIA

**ELECTION OF DEPUTY MAYOR/ DEPUTY COUNCIL CHAIRPERSON
(PURSUANT TO SECTION 10 OF THE LOCAL GOVERNMENT ACT No. 2 of 2019)**

BALLOT PAPER ACCOUNT

Council Chamber / Committee Room.....

Council:

Date:

To be completed returning by officer on issue of ballot papers		To be completed by Returning (Principal Officer) at the close of the poll			
Ballot Paper No.	Total No. Supplied 1	No. Of Used Excluding Spoilt Ballot Papers 2	No. Of Spoilt Ballot Papers 3	No. Of Unused Ballot Papers 4	Total Columns 2-4 (Total Must Equal) 5
(a) to inc					
(b) to inc					
(c) to inc					
(d) to inc					
(e) to inc					
(f) to inc					
(g) to inc					
(h) to inc					
(i) to inc					
(j) to inc					
(k) to inc					
(l) to inc					
(m) to inc					
TOTAL					

I hereby certify that this is the correct statement of all ballot papers supplied to me.

Name:

RETURNING OFFICER

Standing Order No.3 (7) (b) (Where Ballot Paper Account is mentioned)



LUSAKA CITY COUNCIL

IN THE MATTER OF THE LOCAL GOVERNMENT ACT NO. 2 OF 2019

MOTION NO:

AND

IN THE MATTER OF STANDING ORDER 26

NOTICE OF MOTION PURSUANT TO STANDING ORDER 26

TAKE NOTICE THAT I/We, Councillor(s)..... of Ward No. of the Council hereby submit a MOTION pursuant to Standing Order 26 of the Council as hereunder stated:-

PROPOSAL OF MOTION:-

Dotted lines for text input

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

SIGNATURE(S):..... **DATE:**.....

ENDORSEMENT BY THE TOWN CLERK/COUNCIL SECRETARY

DATE OF RECEIPT:.....

TIME OF RECEIPT:.....

SIGNATURE:..... DATE:.....

