
**MANUAL OF LOCAL GOVERNMENT
PROCEDURES**

Commonwealth of The Bahamas

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FOREWORD

*Right Honourable Hubert A. Ingraham
Prime Minister and Minister Responsible for Local Government*

With the introduction of local government in The Bahamas, it is necessary to provide guidelines that would assist persons in carrying out and conducting the affairs for which they are responsible in an effective and proper manner. This Manual of Local Government Procedure has been prepared by the Government of The Bahamas for this purpose.

It is published for the use and guidance of local government officials, members of the public service and government agencies. The contents of this booklet is not the law. The law governing local government is set out in the Local Government Act, 1996; however, this Manual sets out administrative details, procedures and practices to assist persons in carrying out their functions, within the law, for the good governance of their communities.

The policies and procedures contained herein are those evolved in the process of the development of central government in The Bahamas, and adapted to the needs and conditions of local government. As local government is a new and developing area of government in The Bahamas, this Manual will undergo regular revision to ensure its practicality. In the meantime, it gives Councillors, Committee Members, Board Members, Local and Central Government Officers and others, a better understanding of, and insight into, local government and the established administrative procedures put in place for its orderly development throughout The Bahamas.

This Manual is a guide as well as a source of reference and information on local government. It is a valuable tool and is recommended for constant use by all persons involved and interested in local government.


HUBERT A. INGRAHAM
Prime Minister

PART I

STRUCTURE OF LOCAL GOVERNMENT

1.0 LOCAL GOVERNMENT DISTRICTS

1.1 For the purposes of Local Government, The Bahamas has been divided into the twenty-three Local Government Districts namely:

North Abaco, Central Abaco and South Abaco

Acklins, Crooked Island and Long Cay

North Andros, Central Andros and South Andros

Berry Islands

Bimini and Cat Cay

Cat Island

Exuma and Exuma Cays

North Eleuthera, Central Eleuthera and South Eleuthera

East Grand Bahama, West Grand Bahama and

City of Freeport

Inagua

Long Island

Mayaguana

Ragged Island

Rum Cay; and

San Salvador

(ii)

INTRODUCTION TO LOCAL GOVERNMENT

WHAT IS LOCAL GOVERNMENT?

Local Government in The Bahamas means authority devolved from the Central Government to elected bodies (referred to as District Councils and Town Committees) to determine and execute specified functions within defined areas referred to as Local Government Districts. Some Local Government Districts are divided into Town Areas.

Local Government involves the administration of functions and services on a local basis by locally elected authorities acting on their own initiative. Local government is an actual transfer of authority and not just a delegation of functions and powers. The authority is limited by legislation and is subordinate to the Central Government. Local Government derives its powers from the Central Government and its authority directly from the electors; therefore, it is responsible to both for its actions. Its elected District Councils and Town Committees are the means by which Local Government will provide services to every island and to the citizens of each community and will permit needed action to be taken promptly and efficiently.

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WHY LOCAL GOVERNMENT?

The government of The Bahamas, since its inception, has been based on a centralized Westminster model. The seat of government is its capital, Nassau, New Providence on which are located the Houses of Parliament – an elected House of Assembly and an appointed Senate – the Cabinet Office and the various ministries and departments. The effectiveness of government services has, therefore, depended upon policies, procedures and practices developed and decided at Nassau and to the extent and manner in which they have been applied in other parts of the country.

The introduction of Local Government is intended to bring government closer to the people it is intended to serve. Locally elected officials should better understand and respond to local needs, thereby, improving the efficiency and effectiveness of the delivery of service to localities. This deepening of democracy in The Bahamas is expected to bode well for future social and economic development.

ADVANTAGES OF LOCAL GOVERNMENT

The implementation of Local Government will bring benefits to townships, islands and the central government. These will include, but will not be limited to:

- (a) decision making by citizens at the local level and the*

consequent relief to central agencies of those responsibilities;

(b) efficient and effective utilization of resources, including manpower;

(c) development of a strong cadre of administrative, operational and political leadership at the local level;

(d) accountability for preparation of budgets and management of public finances.

1.2 For the purposes of the Local Government Act, the following fifteen (15) Districts (hereinafter called "Second Schedule Districts") have been divided into Town Areas:

**North Abaco, Central Abaco and South Abaco
Acklins, Crooked Island and Long Cay
North Andros, Central Andros and South Andros
Cat Island
Exuma and Exuma Cays
North Eleuthera, Central Eleuthera and South Eleuthera
East Grand Bahama and West Grand Bahama
Long Island**

1.3 Each Town Area has a Town Committee comprising of a Chairman, a Deputy Chairman and such number of committee members as the Minister may by Order specify.

1.4 For the purposes of the Local Government Act, the following eight (8) Districts (hereinafter called "Third Schedule Districts") have not been divided into Town Areas:

**Berry Islands
Bimini and Cat Cay
The City of Freeport
Inagua
Mayaguana
Ragged Island
Rum Cay
San Salvador**

PART II

TOWN AREAS AND TOWN COMMITTEES

1.0 TOWN COMMITTEES

1.1 *The members of a Town Committee are elected by the registered voters of a polling division or of more than one polling division of the Town Area.*

1.2 *At the first sitting of each Town Committee, following upon an election of Members, the oath of office must be taken and immediately thereafter, Committee Members must elect a Chairman, a Deputy Chairman and Councillors (if any) from among themselves.*

2.0 RESPONSIBILITY OF TOWN COMMITTEES TO TOWN AREAS

2.1 *Each Town Committee member is responsible for representing the particular settlement or settlements within the Town Area. Hence, a Town Committee member is expected to bring the concerns of the settlement to the Town Committee meetings but is obliged to consider these needs in the overall interest of the Town Area.*

2.2 *Town Committees are responsible for preparing annual Budget estimates of Income and Expenditure and submit the same to the Council of the District during the month of February of each financial*

year. Upon the receipt of monies allocated, the Committee should at its meetings agree by resolution for the expenditure of all funds necessary for salary, contracts and other expenditure.

3.0 FUNCTIONS OF TOWN COMMITTEES

3.1 In carrying out its function, a Town Committee must act in accordance with the law. Where the law provides that a function is carried out in conformity with national standards or in conjunction with any other competent authority, a Town Committee must consult the appropriate Ministry or Agency as may be necessary.

3.2 The following guidelines are provided for Town Committees in carrying out their functions:

- (a) As the Committee is responsible for the maintenance of public facilities including wells and water tanks, road signs and markings, pedestrian and parking areas, protection of school children in the vicinity of schools, naming of streets and the physical appearance of streets and the upkeep of roads, the Central Government Agencies which have responsibility for these areas i.e. the Ministry of Public Works, the Ministry of Transport and the Ministry of Education and Training, must be consulted. Town Committees should obtain the advice of the Director of Public Works in the provision and upkeep of public facilities to ensure that they conform to national standards*

and to take advantage of the expertise available from the Central Government;

- (b) When carrying out functions related to the transmittal of postal packets the Committee should consult the Postmaster General to ensure that Post Office regulations are complied with in this regard.*
- (c) In providing for general health and sanitation and garbage collection, standards must conform to the national standards or acceptable standards approved in consultation with the Minister of Health and Environment or the Director of Environmental Health;*
- (d) In providing for the upkeep, maintenance and establishment of sporting facilities, a Town Committee is required to consult with the Ministry responsible for sports. The Ministry will be primarily responsible for major construction of such facilities and the Committee will maintain and upkeep them. However, joint ventures may occur with the Ministry and other authorities agreed by the Ministry;*

4.0 ROLE OF THE CHAIRMAN

4.1 *The Chairman of the Town Committee is the principal officer of the Town Committee for all purposes under the Act. He presides*

over the Town Committee meetings and co-ordinate the functions of the Town Committee.

4.2 Chairmen of Town Committees must co-operate between themselves for the better welfare of the Town Areas which they represent. As the chairman of each Town Committee is automatically a Councillor on the District Council such co-operation is expected to occur on the Council as well. Chairmen should consult with each other on joint projects and where matters concern more than one Town Committee.

4.3 Chairmen of Town Committees within a District have a dual role as representatives of the Town Committees and as Councillors of the District Council. Chairmen must manage this dual role in such a manner as to benefit both the Council and Town Committee.

5.0 RELATIONS BETWEEN TOWN COMMITTEES WITH DISTRICT COUNCILS

5.1 A Town Committee is responsible for carrying out specific functions in relation to a Town Area in a District.

A Council is the executive body for all of the Town Committees in its District and is responsible for ensuring that all of the Town Committees are allocated sufficient funds, staff and other resources to carry out their functions.

5.2 As the Chairman of each Town Committee is automatically a member of the District Council, each Town Committee will be represented on the Council. The Chairmen and other Committee Members elected to the Council must represent the particular interest of their Town Areas and ensure that such interests are addressed by the District Council. However, Members of District Councils are expected to consider all matters in the overall interest and welfare of the entire District.

5.3 The Town Committee Members and Councillors must coordinate their activities and functions in order to ensure the smooth and effective running of the District. It is important that all of the works and functions carried out in the District or Town area are discharged efficiently and to the maximum benefit of all residents. The effectiveness of the Councils and Town Committees will be determined by the level of support and co-operation between those bodies.

PART III

DISTRICT COUNCILS

1.0 FUNCTIONS OF DISTRICT COUNCILS

1.1 *For the purpose of carrying out their functions, Councils hold wide powers and duties. In both their financial administration and their conduct of affairs in general, Councils must carry out their functions in accordance with the Laws of The Bahamas.*

2.0 FUNCTIONS OF SECOND SCHEDULE COUNCIL DISTRICTS

2.1 *Each Second Schedule District Council is required to appoint Boards for the following:*

ROAD TRAFFIC AUTHORITY -

(a) *this Board is empowered to grant to Bahamians, (subject to quotas established by the Minister Responsible for Road Traffic), renew, transfer and revoke franchises;*

PORT AUTHORITY -

(b) *this Board is responsible for security of harbours, the registration of boats under the Act and the administration of all matters connected with pilotage;*

TOWN PLANNING COMMITTEE -

- (c) *this Committee is authorised to approve the erection of buildings and to consider plans submitted in that regard subject to such direction as may from time to time be issued by the Directors of Physical Planning and Public Works;*

HOTEL LICENSING BOARD -

- (d) *this Board with the grant, renewal and cancellations of hotel licenses;*

LICENSING AUTHORITY -

- (e) *this Board has the powers of the Licensing Authority to grant and cancel liquor licenses - approval of the National Economic Council is required if the person applying for a license is a non-Bahamian; and*
- (f) *the powers of the Licensing Authority to grant and revoke shop licenses - approval by the National Economic Council is required if the person applying for a license is a non-Bahamian.*

3.2 Each Council shall exercise, in relation to that District, the powers of the Buildings Control Officer to grant building permits, subject to such directions as may from time to time be issued by the

Director of Public Works; the powers of the Controller of Road Traffic to issue, renew or revoke licenses (subject to any quota specified by the Minister responsible for Road Traffic); and the powers of the Minister of Finance to cause annual business licenses to be issued.

3.3 Councils are responsible for carrying out the following additional functions in their Districts in respect of:

- (a) the formulation of traffic schemes;*
- (b) town planning;*
- (c) public transportation;*
- (d) the maintenance and upkeep of public buildings;*
- (e) boat registration;*
- (f) street lights;*
- (g) public water facilities;*
- (h) telephones;*
- (i) the maintenance and upkeep of public school buildings, in the absence of a school committee or governing body;*
- (j) the making of recommendations for the use of crown lands;*
- (k) the making of recommendations for the development and promotion of tourism; and*
- (l) such other matters as the Minister may specify.*

- (h) the powers of the Minister of Finance to cause annual business licenses to be issued.*

3.2 Councils are also responsible for carrying out various functions in their District in respect of:

- (a) the formulation of traffic schemes;*
- (b) town planning generally;*
- (c) public transportation;*
- (d) the maintenance and upkeep of public buildings;*
- (e) boat registration;*
- (f) street lights;*
- (g) public water facilities;*
- (h) public telephone services;*
- (i) maintenance and upkeep of public school buildings, in the absence of a school committee or governing body;*
- (j) making of recommendations for the use of Crown lands;*
- (k) making of recommendations for the development and promotion of tourism;*
- (l) general health and sanitation and the collection and removal of all refuse from private or public places;*
- (m) upkeep, maintenance and establishment of public, sporting and recreational facilities;*
- (n) upkeep and maintenance of public wells and water tanks;*
- (o) maintenance and provision of proper road signs and markings, pedestrian and parking areas;*

- National Economic Council is required if the person applying for a license is a non-Bahamian; and*
- (d) the powers of the Licensing Authority to grant and revoke shop licenses to persons granted Licenses by the Grand Bahama Port Authority - approval by the National Economic Council is required if the person applying for a license is a non-Bahamian.*

4.2 *The Council of the District of the City of Freeport may also exercise, in relation to that District, the powers of the Controller of Road Traffic to, subject to any quota specified by the Minister responsible for Road Traffic, issue to Bahamians, renew or revoke franchises. The Freeport City Council shall also be responsible for carrying out various functions in the District in respect of:*

- (a) formulation of traffic schemes;*
- (b) public transportation;*
- (c) maintenance and upkeep of public buildings;*
- (d) boat registration;*
- (e) public water facilities;*
- (f) the provision of public telephones;*
- (g) the maintenance of public school buildings, in the absence of a school committee or governing body;*
- (h) the making of recommendations relating to the development and promotion of tourism in that District; and*
- (i) such other matters as the Minister may specify.*

- National Economic Council is required if the person applying for a license is a non-Bahamian; and*
- (d) the powers of the Licensing Authority to grant and revoke shop licenses to persons granted Licenses by the Grand Bahama Port Authority - approval by the National Economic Council is required if the person applying for a license is a non-Bahamian.*

4.2 *The Council of the District of the City of Freeport may also exercise, in relation to that District, the powers of the Controller of Road Traffic to, subject to any quota specified by the Minister responsible for Road Traffic, issue to Bahamians, renew or revoke franchises. The Freeport City Council shall also be responsible for carrying out various functions in the District in respect of:*

- (a) formulation of traffic schemes;*
- (b) public transportation;*
- (c) maintenance and upkeep of public buildings;*
- (d) boat registration;*
- (e) public water facilities;*
- (f) the provision of public telephones;*
- (g) the maintenance of public school buildings, in the absence of a school committee or governing body;*
- (h) the making of recommendations relating to the development and promotion of tourism in that District; and*
- (i) such other matters as the Minister may specify.*

4.3 *The Council of the District of the City of Freeport shall perform, in relation to that District, the following additional functions conferred upon Town Committees:*

- (a) the establishment, upkeep and maintenance of public, sporting and recreational facilities;*
- (b) the provision and maintenance of road signs and markings, pedestrian and parking areas and providing for the protection of school children in the vicinity of schools;*
- (c) causing the delivery of postal packets within the District.*

5.0 APPEALS AGAINST BOARDS AND DISTRICT COUNCIL'S DECISION

5.1 *Any person aggrieved by a decision of a Board, may appeal to the Council which appointed the board and, if aggrieved by that Council's decision, may then appeal to the Minister.*

6.0 DELEGATION OF FUNCTIONS TO TOWN COMMITTEES

6.1 *A Council has the responsibility of carrying out specific functions in respect of the entire Local Government District and the Town Committees in a District has the responsibility of carrying out specific functions in a Town Area.*

6.2 A Council is responsible for ensuring that all of the functions carried out by its Town Committees are coordinated for the purpose of meeting the needs and ensuring orderly development in the District. In the application of monies, Councils shall act fairly and equitably, having regard to the various needs of all communities in the Districts.

7.0 ROLE OF CHIEF COUNCILLOR

7.1 The Chief Councillor is the principal officer of the Council. He presides over all meetings of the Council. He is also responsible for the furtherance of the objects and provisions of the Local Government Act in the District. In addition, he is responsible for ensuring that there exist a smooth working relationship between Councillors and between and among the Council and the Town Committee Members, Administrator and staff, and the public.

7.2 The Chief Councillor is the spokesman for the Council and is responsible for keeping the public informed about the work of the Council. The Chief Councillor must therefore keep abreast of the work and activities in his District. The Chief Councillor is also the Council's representative in matters between the Council and the Central Government.

