LOCAL GOVERNMENT ACT

An Act to Repeal the Local Government Law Constituting Title 20 of the Liberian Code of Laws Revised and to Establish in its Stead a New Title 20 to be Known as the Local Government Law of Liberia 2015, and to Amend Chapter 25, Ministry of Internal Affairs, of the Executive Law, and Chapter 4, Administration in the County Area, of the Aborigines Law of 1956, to Sustain the National Policy on Decentralization and Local Governance of Liberia

May 2015
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Preamble

WHEREAS, Article 5 of the Liberian Constitution mandates the Legislature to enact laws promoting national unification and the encouragement of all citizens to participate in governance and benefit from the social, economic, and political developments of the country;

WHEREAS, since its founding as a unitary sovereign state, divided into counties for administrative purposes, the Republic has practiced a centralized system of governance that has inhibited full participation of the citizenry in governance at the county and sub-county levels;

WHEREAS, the low participation of the citizenry in governance has hindered Liberia’s democratization processes, slowed down socio-economic development, and occasioned the lack of meaningful participation in, and ownership of development activities by the people;

WHEREAS, citizens desire greater participation in governance to empower them take greater responsibility for their lives and development of their communities; enhance their ownership of development activities; and promote transparency, accountability, and equity in the utilization of state resources;

WHEREAS, the Government of Liberia, responding to this legitimate aspiration of the citizenry for participatory governance, has recognized that it is necessary to reform the centralized system of governance and devolve certain administrative, fiscal, and political powers and functions from the central government to county and sub-county authorities and, as such, has instituted a National Policy on Decentralization and Local Governance;

NOW, THEREFORE, it is enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled:
Chapter 1
General Provisions

1.1 Title

The Title of this Act is An Act to Repeal the Local Government Law Constituting Title 20 of the Liberian Code of Laws Revised and to Establish in its stead a New Title 20 to be known as the Local Government Law of Liberia 2015, and to Amend Chapter 25, Ministry of Internal Affairs, of the Executive Law, and Chapter 4, Administration in the County Area, of the Aborigines Law of 1956, to Sustain the National Policy on Decentralization and Local Governance of Liberia.

1.2 Short Title

This Act may be referred to as the Local Government Act of 2015.

1.3 Objective of the Act

This Act affirms the commitment of the Government of Liberia to further the unity of the Republic by providing equal opportunity for all of its citizens to engage in the governance of the state through the devolution of certain administrative, fiscal and political powers and institutions from the national government to local governments.

Accordingly, the objectives of this Act are as follows:

a. To give effect to the country’s National Policy on Decentralization and Local Governance;
b. To ensure democratic participation in, and control of, decision-making by the citizenry;
c. To create and establish democratic and political administrative structures in local governance;
d. To ensure sources of revenues in support of local government administration and operations; and
e. To provide for the democratic elections of local government officials.

1.4 Application of the Act

The Local Government Act of 2015 shall apply to all local government structures as provided for herein, except that this Act shall not be applicable to those functions that are exclusively reserved for the national government, also as provided for herein.

1.5 Conflict of Laws

This Act shall take precedence over any and all other laws now existing or that shall be enacted which are not related to, or enacted as local government laws, and are in conflict or are inconsistent with this Act.
1.6 Definitions

In furtherance of § 1.5, the following words, when used in this Act, shall have the meaning(s) herein ascribed to them:

**Administrative District**: a political sub-division of a county comprising of chiefdoms.

**Administrative District Commissioner**: the elected head of an administrative district in accordance with the standards and procedures established by this Act and the constitution of Liberia.

**Advisory Board**: a panel of local opinion leaders appointed at district, chiefdom, clan and general town levels to assist the Commissioner or Chief in promoting reconciliation, administration and participatory governance.

**Affirmative Action**: Positive actions taken to increase the representation of women, youth, persons with disabilities and other marginalized groups in areas such as education, employment, business, and governance.

**Borough**: A demarcated sub-section of the city of Monrovia called New Kru Town with separate administrative structure and leadership. The Borough of New Kru Town is maintained as the only borough in the Republic of Liberia in recognition of its historical establishment and significance.

**Central Government**: the Government of Liberia, excluding local governments.

**Chief**: an elected administrative head of a chiefdom, clan and general town.

**Chiefdom**: a demarcated and delineated sub-division of an administrative district.

**City**: (a) the national capital of Liberia; (b) capital of each county; or (c) a delineated urban locality within a county with a minimum population of twenty-five thousand (25,000) residents that is a center of economic activities granted a charter by the Legislature.

**City Council**: an elected body of a city having regulatory, representative and confirmatory functions.

**City Mayor**: an elected official with responsibilities to administer the affairs of a city under the supervision of a City Council.

**Civil Service**: the merit-based personnel management system of the government of Liberia below the levels of political appointees.

**Civil Service Agency**: the central government entity that manages the civil service of Liberia.

**Clan**: a demarcated and delineated sub-area of a chiefdom.

**Clan Chief**: the elected administrative head of a clan.
Community Service: Mandatory work done in a Township, City, General Town, Clan, or Chiefdom as part of every citizen’s civic responsibility to contribute to the safety, wellbeing and development of the given Township, City, General Town, Clan, or Chiefdom.

Corruption: Any act(s) or decision(s) or use of public resource(s) by a public or private official in the discharge of official duties and/or responsibilities which, in order to satisfy the selfish desire or interest of the said official or other person(s), natural or legal, ignore the established laws, regulations, and thereby denies, deprives and prevents the State or person(s) from receiving entitlement, consideration and/or treatment.

County: the first level political subdivision of Liberia.

County Administration: the executive authority of a county.

County Council: an elected body of a county having regulatory, representative and confirmatory functions and powers.

County Government: the body of elected and appointed officials of a county.

Decentralization: transfer of specific political, administrative and financial powers and responsibilities from central government to local governments.

Delegated Functions: functions of central government or a central government agency that, by law or by a contractual agreement between the central government or one of its agencies and local governments, are assigned to the local governments for performance.

Devolution: the transfer of powers, responsibilities and resources from central to local authorities.

Devolved Functions: functions of central government or a central government agency transferred by law to local governments.

District Commissioner: the elected head of an administrative district of a county.

Domicile: the permanent primary residence of a person in a county where he/she resides at least one year immediately prior to contesting for a public office.

Fiscal Decentralization: the transfer of certain revenue and expenditure management functions and authority from central to local governments.

Gender Equality: refers to the equal rights, responsibilities and opportunities of women and men and girls and boys.

General Town: a demarcated and delineated sub-area of a clan.

General Town Chief: the elected administrative head of a general town.

Honorarium: fees paid to county, city, township council members and to Local Government Fiscal Board Members in recognition of services rendered.
**Internal Audit Secretariat:** The Internal Audit Secretariat as established under the Public Financial Management Act of 2009.

**Legislature:** the lawmaking body of the Republic of Liberia.

**Local Government:** a sub-national authority organized to share authority with central government.

**Local Government Fiscal Board:** a body whose membership is appointed by the President that determines and recommends the amount of grant allocations to sub-national governments based on a process that takes into account objective, equitable and measurable factors.

**Mayor:** the elected administrative head of a city.

**National agency responsible for Land:** The central government institution, *now or in the future*, created and established to implement land right laws, particularly to govern and manage land matters, with powers to formulate and implement policies, as well as issue regulations, relating to land governance and administration.

**Own-Source Revenues:** revenues defined in law for local governments to be derived from local tax bases, activities, fees, charges, fines, and local government assets.

**Paramount Chief:** the elected administrative head of a chiefdom.

**Persons with disability:** a person who is physically or mentally challenged.

**Registered Voter:** an individual eligible to cast a vote and is inscribed in the electoral list.

**Superintendent:** the elected administrative head and chief executive officer of a county.

**Town:** a sub-area of a general town with a minimum population of one thousand two-hundred (1,200) inhabitants.

**Township:** an urban locality smaller than a city, with a minimum population of ten thousand (10,000) inhabitants and granted a charter by the Legislature.

**Town Chief:** The administrative head of a town.

**Township Commissioner:** the elected administrative head of a township.

**Traditional Elder:** an individual other than an elected chief who is acknowledged to be a repository of knowledge of communal values and customs of a given ethnic group.

**Ward:** a subdivision of a city or township that is represented on the city or township council by one or more elected persons.

**Youth:** Any person between the ages of 18 and 35 years.
Chapter 2
Affirmation of Constitutional Principles

2.1 Liberia as a Unitary State

Liberia shall, consistent with its historical evolution and Constitution, continue as a unitary sovereign state. The de-concentration, delegation, and devolution of powers and authority as provided herein shall not alter or be construed to alter the unitary government of the State.

2.2 Form of Government

The Government shall remain a Republic comprising a central government and a local government.

2.3 Central Government Structure

The Central Government shall continue to consist of three separate coordinate branches: the Legislature, Executive and Judiciary.

2.4 Counties

For the purpose of administration, Liberia shall remain divided into political sub-divisions called counties.

2.5 Exclusive Powers of the Central Government

The following functions and/or areas are exclusively reserved for the Central Government to ensure the existence of the unitary form of governance and to protect the sovereignty of the State:

a. Judicial power and administration
b. Administration of criminal justice
c. Auditing
d. Elections
e. Foreign Affairs
f. Regulation of International Trade
g. Regulation of Industrial and Intellectual Property
h. Insurance, Money, and Banking
i. National Defense and Security
j. Police and Law Enforcement
k. Immigration and Naturalization
m. Post and Telecommunications
n. Regulation of the Media
o. Public Procurement and Concessions Granting
p. Land Governance and Administration
q. Environment, and Natural Resource Management Policies and standards
2.6 **Prohibition to Use Central Government Authority**

No authority or power expressly reserved herein to be exclusively exercised by the central government shall be exercised by or vested in any local government. All authorities and powers not expressly given to local governments are considered retained by the central government.
Chapter 3

Local Government Structures

3.1 Local Governments Established

(a) Currently there are fifteen (15) counties established by the Legislature. These counties shall continue to constitute the political subdivisions of the country until at such time that the Legislature abolishes, amalgamates, or creates new ones.

(b) The Legislature shall determine the criteria for the establishment of counties.

(c) Local Governments are hereby established at the level of counties.

3.2 Powers and Authority of Local Governments

Local Governments shall be responsible for the overall management and development of their respective jurisdictions. They shall exercise administrative fiscal, and political authority, give direction to, and supervise administrative, fiscal, political and development activities. Specifically, they shall:

a. Protect the Constitution and laws of Liberia;
b. Undertake functions devolved or delegated to counties by central government;
c. Promote reconciliation, peace and socio-economic development;
d. Ensure access to the courts to promote justice for citizens and residents;
e. Cooperate with security agencies in the maintenance of law, order and security;
f. Promote good governance in local government administration;
g. Ensure implementation of and compliance with Government policies;
h. Make and enforce local policies and laws;
i. Formulate and implement county development plans;
j. Raise local revenues through approval and execution of budgets;
k. Monitor the performance of institutions contracted by the central government to provide services in the county;
l. Monitor the provision of central government services or the implementation of central government projects in the county;
m. Monitor the provision of services by non-governmental organizations in the county;
n. Partner with private sector institutions in the provision of public goods and services to residents in the county;
o. Represent the county in dealings with the central government;
p. Devolve to sub-county governments some of the functions, powers and services specified herein; and
q. Carry out other functions which may be imposed by law or are incidental to the above.

3.3 Devolved and Delegated Functions to Local Governments
a) Functions devolved to local governments by the central government through the Legislature are affixed in Appendix 1 of this Act and are an integral part of this Law. The Legislature shall from time to time review and amend these devolved functions as it finds necessary.

b) For each sector in which functions are devolved from central government ministries and agencies, the relevant sector Minister in collaboration with the Ministers responsible for Local Government and Finance shall develop a clear definition of the specific functions and activities which have been devolved, and the general standards, procedures and requirements for their performance.

c) The central government through the annual budgetary processes shall ensure the appropriation of resources for the implementation of devolved functions.

d) Central government institutions, when allowed by law, may delegate to a county, city or township to undertake any of its functions through contractual arrangements. The delegating institution shall describe the objectives for which the functions are to be carried out, the procedures for carrying them out, and the manner the central government institution intends to supervise its provision.

e) The delegating institution shall guarantee the transfer of the necessary financial resources from their budgets required to exercise delegated functions and powers.

3.4 Prohibition to Use Local Government Authority

(a) No authority or power herein devolved to local governments shall be exercised by the central government, except in cases where it becomes necessary for the central government to intervene temporarily.

(b) Notwithstanding the above exception, any exercise of devolved local government function, authority and power by the central government shall not be effected unless (a) both local and central governments agree on the matter or (b) it is authorized by the Legislature.

(c) Delegated functions to local governments may be withdrawn by the central government or the concerned central government ministries or agencies that delegated the functions.

3.5 Local Government Structure

Local government shall comprise of two separate but coordinates entities. These shall be as follows:

a. The County Council
b. The County Administration

3.6 Sub-County Local Governments

In order to provide effective, efficient and sustainable delivery of, and access to public goods and services, sub-county local governments shall be established as indicated below:
a. Administrative Districts  
b. Chiefdoms  
c. Clans  
d. General Towns  
e. Cities and Townships

3.7 Sub-County Local Government Structures

3.7.1 District Level

At the district level, local governments shall comprise the following:

a. District Advisory Board  
b. District Administration

3.7.2 Chiefdom Level

At the chiefdom level, local governments shall comprise the following:

a. Chiefdom Advisory Board  
b. Chiefdom Administration

3.7.3 Clan Level

At the clan level, local governments shall comprise the following:

a. Clan Advisory Board  
b. Clan Administration

3.7.4 General Town Level

At the general town level, local governments shall comprise the following:

a. General Town Advisory Board  
b. General Town Administration

3.7.5 Cities and Townships

As regard urban areas, local governments shall comprise the following:

a. City Administration and City Council  
b. Township Administration and Township Council
3.8 Nullification of Existing Statutory Districts, Cities, Townships, and Borough

As of the entering into force of this Act, all statutes creating statutory districts, cities, townships and boroughs, except for the Statue creating the Borough of New Kru Town, are hereby nullified but each shall have the right to petition the Legislature for classification and chartering in accordance with criteria and requirements defined by law.

3.9 Demarcation and Harmonization of Boundaries of Local Government Subdivisions

The Minister responsible for Local Government shall, with advice and technical assistance from the agency responsible for land, and in consultation with other relevant institutions and local authorities, ensure harmonization and demarcation of the boundaries of counties, administrative districts, chiefdoms, clans, and general towns, as well as cities and townships.
Chapter 4
The County Council

4.1 Establishment and Description of the Council

A County Council is hereby established within each county. Its powers and authority shall be as stated herein but shall be subject to alteration by a two-third majority of each House of the Legislature.

4.2 Powers and Authority of the County Council

The County Council shall exercise the following powers which may be amended from time to time by the Legislature:

a. Promulgate county ordinances, rules and regulations for the promotion of peace, unity, reconciliation, maintenance of public order and sanitation, and the delivery of basic public goods and services, consistent with relevant laws;

b. Levy local taxes, rates, duties, fees and fines as prescribed by the Legislature;

c. Establish rules to govern the activities of the Council and the administration of the Council Support Office;

d. Authorize the issuance of certain licenses and operating permits designated by the Legislature;

e. Approve the annual county budget;

f. Approve the county development plan and its implementation;

g. Confirm nominations made by the Superintendent;

h. Preside over removal proceedings of chiefs and all elected officials, except Superintendents;

i. Recommend for the approval of the Legislature, the establishment of administrative agencies which do not fall within the national structure but are deemed necessary for the good governance of the County;

j. Invite residents or public servants to provide it with information to facilitate its deliberations;

and,

k. Promulgate such other regulations or ordinances and rules that shall be necessary and proper, consistent with this Act.

4.3 Composition of the Council

a) The County Council shall comprise of:

  i. two elected members per administrative district;

  ii. two women members elected by women’s groups in the county recognized by the Ministry of Gender, Children and Social Protection;

  iii. two youth members elected by youth groups in the county recognized by the Ministry of Youth and Sports;

  iv. two members representing cities;

  v. two members representing townships where townships exist;

  vi. two elders nominated by the County Council of Traditional Chiefs and Elders, provided that the two are not elected administrative chiefs;
b) The two county-wide reserved seats for women and youth, however, shall not bar women and youth from contesting for other seats on the council, provided, however, the two women and two youths do not come from the same district.

c) Members representing cities and townships on the County Council shall be nominated by their respective city or township Councils, provide that they are not members of their respective city or township councils.

4.4 Membership Requirements

(a) No member of the County Administration shall become a member of the County Council.

(b) A candidate for County Council membership must satisfy, in addition to other requirements established by the National Elections Commission, the following:

i. Must be a natural-born Liberian Citizen
ii. Must have attained twenty five (25) years of age;
iii. Must have domiciled in the District whose Council seat he/she is contesting for at least two years immediately prior to the election; or must have domiciled in the county for at least one year immediately prior to the election in the case of women, youth and elder representatives
iv. Must not have been convicted of a criminal offense; and
v. Must have a minimum of basic education qualification.
v. Must not have any outstanding past due tax obligations.

4.5 Elections

(a) All county council elections shall be by secret ballot and non-partisan.

(b) A candidate shall not present himself/herself as a political party candidate.

(c) A political party shall not endorse or sponsor a candidate, or campaign for or against a candidate.

(d) The National Elections Commission shall promulgate regulations, including the determination of appropriate sanctions for electoral wrongdoing, to give effect to these provisions, particularly relative to ensuring that county council elections are non-partisan.

4.6 Election of Council Members

(a) Each County Council member representing an administrative district shall be elected by the voters registered in the Administrative District in which they seek to represent and in accordance with standards and procedures established by the National Elections Commission.
(b) The two women representatives shall be elected by all registered women’s groups in the county recognized by the Ministry of Gender, Children and Social Protection through procedures established by the National Elections Commission.

(c) The two youth representatives shall be elected by all registered youth groups in the county recognized by the Ministry of Youth and Sports through procedures established by the National Elections Commission.

4.7 Tenure

All County Council Members shall serve for a period of four (4) years and shall be eligible for re-election for an additional term and no more.

4.8 Vacancies

a) A vacancy on the County Council shall arise when a member: resigns or dies; become incapable of performing his or her duties because of poor health; is removed on account of abuse of office and/or corruption; or such other reasons as shall be determined by the Legislature or his colleagues.

b) When a vacancy occurs within a County Council a by-election shall be held in accordance with the national elections law.

4.9 Council Leadership

The County Council shall be headed by a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer, and such other officers as may be desired by the Council, all of whom shall be elected by the members of the Council at its first sitting, and said election shall be based on simple majority of members present.

4.10 Council Meetings

The Council shall meet at least once every quarter, but shall meet in emergency or special sessions as may be required from time to time. Decisions of the County Council shall be widely disseminated to residents using the best medium of public information, education and communication available to the county.

4.11 Public Hearings

The Council shall ensure broad-based citizens’ participation in its decision-making on significant issues of the county such as the annual county budget and county development plan. Popular participation shall be accessed through such mediums as town hall meetings and public hearings with citizens. The Minister responsible for Local Government shall develop guidelines on how public hearings are structured and conducted.
4.12 **Remuneration**

County Council Members shall be paid an honorarium from the county budget as contained in the national budget law enacted by the Legislature at the beginning of every fiscal year. The Legislature shall set the ceiling for such honorarium.

4.13 **County Council Support Office**

(a) Each County Council shall maintain a Support Office, to assist the Council to carry out its functions. The Support Office shall consist of two support staff: a legal officer, and an administrative officer.

(b) The staff of the County Support Office shall be civil servants recruited according to the Civil Service policies, rules and regulations. The County Support Office shall be located in the county administrative building.

4.14 **Removal of Council Members**

(a) Removal of a Council Member shall be for cause or by a petition for removal signed by not less than thirty percent (30%) of registered voters from the district, city or township from which the member hails. Removal of chief/elder, women and youth representatives shall be for cause or based on the submission of a petition for removal signed by not less than 30% of registered voters in their respective organizations in the county.

(b) The petition shall be considered only if the Council determines by a two-thirds vote of Council Members that the cause for petitioning for such removal is justifiable.

(c) The vote for removal shall also be taken by a two-thirds vote of Council Members.

(d) Except for Superintendent, the Council shall try all removal proceedings including that of its own members, provided two-third of the members are present at all proceedings held in accordance with due process of law.

(e) Also, without a petition from his or her constituency, and following due process and with a vote of two-thirds of its members, a member can be expelled from the Council for abuse of office or gross misbehavior that brings the Council and its members into public disrepute.

4.15 **Effect of Judgments in Removal Cases**

Judgments in removal cases shall be limited to removal from office, but the person so removed may be tried at law for the same offense.

4.16 **Immunity from Arrest or Prosecution**

All County Council members shall enjoy immunity from arrests during regular quarterly, emergency or special sessions, except for treason, felony, or breach of the peace.
4.17 Official Language

The business of the County Council shall be conducted in the English Language, including sign language when necessary, or, when determined by the Council, in any of the local language(s) of the County, except that in any case, all records and written instruments of the Council shall be in the English language.

4.18 Remedial Authority of the President

(a) The President may, with the approval of two-thirds of members of the Legislature, assume the powers of a County Council for cause such as where a state of emergency has been declared in the county, or where it has become impossible for the council to function, or where the council has persistently acted beyond its powers and authority.

(b) The exercise by the President of the above-mentioned powers may be either through a person or body as the President may see fit. However, unless approved by the Legislature for a longer term, the exercise by the President of the power conferred by this section shall be for a period of not more than ninety (90) days. After the expiration of the ninety (90) days, the President shall turn over the administration of the Council back to the Council. However, should the President determine that the situation that warranted his/her intervention has not been remedied, the President may request the Legislature for an extension of the period that he/she shall continue to perform the roles and responsibilities of the council provided that such extension does not exceed sixty (60) days.
Chapter 5
County Administration

5.1 County Government Officials

A county administration is hereby established in each county which shall be comprised of the following:

a. The County Chief Executive Officer whose title shall be Superintendent;
b. County Administrative Officer;
c. County Finance Officer;
d. County Development Officer; and
e. Heads of County Administrative Departments as provided for in this Act.

5.2 Duties, Powers and Authority of County Officials

5.2.1 County Superintendent

The County Superintendent shall perform the following duties and exercise the following powers and authority:

a. Manage the overall administration of the county, consistent with the Liberian Constitution and laws and the various ordinances and regulations of the county;
b. Supervise the preparation of the county annual and other periodic budgets;
c. Supervise the preparation and implementation of the county development plan, consistent with the central government’s national development plan and the goals of promoting women’s empowerment and gender equality, as well as youth empowerment and inclusion;
d. Supervise the preparation of the county annual performance report for submission to the County Council and maintain an administrative reporting relationship to the President through the Minister responsible for Local Government on matters of the county, including the general and specific circumstances and status of the county, its administration and fiscal status. The report shall also include the extent of the county’s conformity with national regulations and standards of good governance;
e. Supervise national programs and projects in the county; and,
f. Coordinate the work of the representatives of the ministries and agencies of the central government located in the counties,
g. Perform other duties as may be determined by the County Council

5.2.2 County Administrative Officer

The County Administrative Officer shall be the principal officer responsible for administrative matters. He/she shall be the principal deputy to the Superintendent and shall perform the following duties:

a. Serve as the principal deputy to the Superintendent in the management of the county;
b. Supervise the county’s administration including human resources, logistics, transportation, communications, procurement, maintenance, and utilities (power, water, telecommunications).

c. Maintain reporting and oversight relationships with heads of administrative agencies, district commissioners, and paramount, clan and general town chiefs.

5.2.3 County Finance Officer

The County Finance Officer shall be the principal officer responsible for fiscal matters and shall perform the following duties:

a. Prepare, through participatory processes with sub-county government structures, the annual and other periodic county budgets for review and approval prior to submission by the Superintendent to the County Council;
b. Prepare the annual and other periodic budget performance, accounts and financial reports in a timely manner to facilitate informed decision-making by the Superintendent and County Council;
c. Develop and communicate budget preparation guidelines to District Finance Officers;
d. Develop county revenue collection plan and supervise implementation;
e. Implement all fiscal responsibilities delegated by the Minister responsible for Finance;
f. Represent the County during audits of its finances;
g. Design short, medium, and long-term strategies for funding the county development agenda, including bridging financing gaps for the needs of the county;
h. Perform other duties as may be referred by the Superintendent;
i. Report to the Superintendent.

5.2.4 County Development Officer

The County Development Officer shall be the principal officer responsible for all County development projects and programs and shall perform the following duties:

a. Prepare, through participatory processes, county development plans and programs for submission by the Superintendent to the County Council;
b. Supervise the implementation of county development plans, as approved by the County Council;
c. Prepare implementation status reports on development projects in the County;
d. Monitor and evaluate development programs implemented by the county and other agencies.
e. Report to the Superintendent.

5.2.5 Heads of County Administrative Departments

Heads of County Administrative Departments shall be responsible for their respective departments. They shall perform the following duties:

a. Supervise the affairs of their respective departments within the county;
b. Collect, organize and provide district or county-wide data and information in their respective sectors to inform planning and administrative decision-making;
c. Provide information or reports to the County Council on the achievements of the plan and activities of their respective sectors, at the request of the Superintendent or the Council itself;
d. Undertake other assignments given by the Superintendent that are related to their work; and
e. Report to the Superintendent.

5.3 Establishment of County Administrative Departments

(a) Upon coming into force of this Act, each county shall establish the following departments to implement devolved and delegated functions:

a. Department of Revenue, Expenditure and Budget
b. Department of Administration and Personnel
c. Department of Public Works and Utilities
d. Department of Health and Social Welfare
e. Department of Agriculture and Commerce
f. Department of Education and Sports
g. Department of Information, Culture and Tourism
h. Community Enterprise Development Agency
i. Department of Land, Environment and Natural Resource Management

(b) The central government shall, through its relevant ministries and agencies, undertake institutional development measures leading to the establishment and functionality of County Administrative Departments as provided for in this Act.

(c) Depending on the future needs, capabilities and resources of counties, they may reorganize or establish new departments.

(d) The functions of county administrative departments are contained in Appendix 2

5.4 Operations of County Administrative Departments

County Administrative Departments shall plan and implement county-wide programs in their respective sectors. They shall work in collaboration with relevant ministries, agencies and commissions of the central government in the implementation of programs undertaken by these institutions in the county.

5.5 Personnel of Administrative Departments

(a) Each county administrative department shall be headed by a Director, appointed by the County Superintendent, according to civil service regulations.

(b) All personnel of county administrative agencies shall be civil servants selected and appointed according to civil service regulations.
Chapter 6

District Administration

6.1 Administrative District Officials

The head of the Administrative District shall be the District Commissioner who shall be assisted by:

a. District Administrative Officer
b. District Finance Officer
c. District Development Officer

6.2 District Advisory Board

(a) The District Commissioner of each District shall establish a District Advisory Board that shall advise on governance and administrative matters in the district.

(b) The District Advisory Board shall be limited to seven (7) members appointed by the District Commissioner, comprised of key stakeholders of the district (i.e., elders, chiefs, youth representative, women’s representative and other prominent citizens). The Board shall meet at least quarterly. Sitting fees shall be provided in the District budget, as per County guidelines.

(c) The Board shall advise the District Commissioner in the administration of the district, particularly on issues relating to reconciliation, budgets, development plans, and the implementation of development projects.

(d) The District Commissioner in collaboration with the District Advisory Board shall organize town hall meetings at least twice a year to report on district development accomplishments and seek citizens’ inputs into future plans.

6.3 Headquarters of District

The Minister responsible for Local Government, in collaboration with the County Superintendent, shall facilitate appropriate consultative processes, for the citizens of an Administrative District to decide the location of the headquarters of the Administrative District. The Administrative District Commissioner shall reside in the place where the headquarters of the Administrative District is located.

6.4 Duties, Powers and Authority

6.4.1 District Commissioner

The District Commissioner shall be the chief executive officer of the district. He/she shall exercise such authority as shall be delegated by the Superintendent and perform the following duties:

a. Administer the affairs of the district
b. Oversee and coordinate the activities of chiefs;
c. Promote harmonious relations amongst chiefs and residents in the district;
d. Maintain a regular working relationship with heads of county administrative departments;
e. Submit annual performance reports to the Superintendent;
f. Initiate and coordinate district development programs and plans;
g. Supervise district needs assessments, development planning, and the formulation of district budget;
h. Coordinate national and county development programs executed within the district;
i. Coordinate the activities of representatives of line ministries and agencies operating in the district;
j. Coordinate and/or monitor programs and activities of international and local non-governmental agencies within the district.
k. Perform other duties as may be determined by the Superintendent

6.4.2 District Administrative Officer

The District Administrative Officer shall be the principal assistant to the District Commissioner in charge of handling administrative matters. Specifically, his/her duties shall include the following:

a. Assist the District Commissioner to administer the affairs of the district;
b. Coordinate activities of chiefs, including assisting to maintain harmonious relationships among them;
c. Manage administrative issues such as personnel, procurement, supplies management, maintenance, office management, transportation, communication, logistics, and records management;
d. Prepare required administrative reports such as annual performance or other periodic reports on behalf of the District Commissioner; and,
e. Assist the District Commissioner maintain cordial relationships with heads of county administrative departments.

6.4.3 District Finance Officer

The District Finance Officer shall be in charge of handling financial matters of the district in close coordination with the County Finance Officer. Specifically, his/her functions shall include the following:

a. Receive, deposit, and secure all funds given the district for administration and development purposes;
b. Coordinate the development of district budgets in accordance with county budget guidelines and manage the execution of approved budgets of the district;
c. Keep financial records in accordance with standards and procedures approved by the Minister responsible for Finance;
d. Prepare periodic financial reports for district, county or central government financial authorities as may be determined by this law or regulations; and
e. Cooperate with district, county and central government officials who are authorized to audit the finances of the district.
6.4.4 District Development Officer

The District Development Officer shall be the principal assistant to the District Commissioner in the implementation of development programs. Specifically, his/her functions shall include the following:

a. Supervise district needs assessment, development planning, and projects preparation;

b. Coordinate development aid within the district;

c. Supervise district development programs and projects implementation, including monitoring and evaluation and ensure adherence to the goal of promoting women's rights and gender equality;

d. Assist in maintaining cordial professional relationships with heads of county administrative departments;

e. Coordinate activities of line ministries and agencies implementing activities in the district;

f. Coordinate and/or monitor programs and activities of international and local non-governmental agencies working in the district; and

g. Under the direction of the District Commissioner, obtain inputs from the citizens for the preparation of the plans and budget of the district.
Chapter 7
Chiefdom Administration

7.1 Chiefdom Administrative Structure

The head of the Chiefdom shall be the Paramount Chief, who shall be assisted by:

a. Chiefdom Clerk
b. Chiefdom Finance Officer
c. Chiefdom Office Assistant

7.2 Chiefdom Advisory Board

(a) The Paramount Chief shall establish a Chiefdom Advisory Board that shall advise on governance and administrative matters in the chiefdom.

(b) The Chiefdom Advisory Board shall be limited to five (5) members appointed by the Paramount Chief, comprised of key stakeholders of the Chiefdom (i.e., elders, chiefs, youth representative, women’s representative and other prominent citizens). The Board shall meet at least quarterly. Sitting fees shall be provided in the Chiefdom budget, as per County guidelines.

(c) The Board shall advise the Paramount Chief in the administration of the chiefdom, particularly on matters relating to good governance, development, peace and reconciliation.

(d) The Paramount Chief, in collaboration with the Chiefdom Advisory Board, shall organize town hall meetings at least twice a year to report on chiefdom development accomplishments and seek citizens’ inputs into future plans.

7.3 Headquarters of Chiefdom

The Minister responsible for Local Government, in collaboration with the District Commissioner, shall facilitate appropriate consultative processes for the citizens of the Chiefdom to decide the location of the headquarters of the Chiefdom. The Paramount Chief shall reside in the place where the headquarters of the Chiefdom is located.

7.4 Duties, Powers and Authority

7.4.1 Paramount Chief

The Paramount chief shall perform the following general duties and responsibilities to assist the District Commissioner in administering the affairs of the chiefdom:

a. Implement development activities within the chiefdom;
b. Coordinate the activities of county administrative departments, line ministries and agencies, and non-governmental organizations operating in the chiefdom; and,
c. Prepare annual performance and other reports to the District Commissioner on the administration, development and other activities within the chiefdom.

7.4.2 Chiefdom Clerk

The Chiefdom Clerk shall be the principal assistant to the Paramount Chief in the administration of the chiefdom. Specifically, he/she shall undertake the following duties to assist the Paramount Chief in administering the affairs of the chiefdom:

a. Coordinate development activities in the chiefdom;
b. Keep records of key administrative and development activities in the chiefdom;
c. Refer cases not settled through traditional mediation to the appropriate jurisdiction in the District; and
d. Prepare required reports for the chiefdom and/or the Paramount Chief.

7.4.3 Chiefdom Finance Officer

The Chiefdom Finance Officer shall be the principal assistant to the Paramount Chief in charge of handling financial matters of the chiefdom. Specifically, his/her functions shall include the following:

a. Receive, deposit and secure all funds given the chiefdom for administration and development purposes;
b. Coordinate the development of chiefdom budgets in accordance with county budget guidelines and manage the execution of approved budgets of the chiefdom;
c. Keep financial records in accordance with standards and procedures approved by the Minister responsible for Finance;
d. Prepare periodic financial reports to district, county or central government financial authorities as may be determined by law or regulations; and
e. Cooperate with district, county and central government officials who are authorized to audit the finances of the chiefdom.

7.4.4 Chiefdom Office Assistant

The Paramount Chief’s Office Assistant shall be the general purpose assistant in the office of the Paramount Chief. Specifically, his/her functions shall include to assist in the following:

a. Receipt, sorting out and delivery of letters, documents, and reports;
b. Reproduction, compilation and filing of documents;
c. Office maintenance and general errands of the Paramount Chief Office;
d. Receipt and processing of visitors and guests; and
e. Other work as may be assigned to him/her.
Chapter 8

Clan Administration

8.1 Clan Administrative Structure

The head of the Clan shall be the Clan Chief, who shall be assisted by:

a. Clan Clerk
b. Clan Office Assistant

8.2 Clan Advisory Board

(a) The Clan Chief of each Clan shall establish a Clan Advisory Board that shall advise on governance and administrative matters in the clan.

(b) The Clan Advisory Board shall be limited to five (5) members appointed by the Clan Chief, comprised of key stakeholders of the clan (i.e., elders, chief, youth representative, women’s representative and other prominent citizens). The Board shall meet at least quarterly. Sitting fees shall be provided in the Chiefdom budget, as per County guidelines.

(c) The Board shall advise the Clan Chief in the administration of the Clan, particularly on matters relating to good governance, development, peace and reconciliation.

(d) The Clan Chief in collaboration with the Clan Advisory Board shall organize town hall meetings at least twice a year to report on clan development accomplishments and seek citizens’ inputs into future plans.

8.3 Headquarters of Clan

The Minister responsible for Local Government, in collaboration with the Superintendent, District Commissioner, Paramount Chief and Clan Chief, shall facilitate appropriate consultative processes for the citizens of the Clan to decide the location of the headquarters of the Clan. The Clan Chief shall reside in the place where the headquarters of the Clan is located.

8.4 Duties, Powers, and Authority

8.4.1 Clan Chief

The Clan Chief shall be the principal representative of the Paramount Chief in the clan in the administration of local governance. He/she shall perform the following general duties and responsibilities:

a. Administer the affairs of the clan;
b. Implement development activities within the clan;
c. Coordinate the activities of county administrative departments, line ministries and agencies, and non-governmental organizations operating in the clan; and
d. Prepare annual performance reports and required reports to the Paramount Chief on the administration, development and other activities within the clan.

8.4.2 Clan Clerk

The Clan Clerk shall be the principal assistant to the Clan Chief in the administration of the clan. Specifically, he/she shall undertake the following duties:

b. administer the affairs of the clan;

c. coordinate development activities in the clan;

d. keep records of key administrative and development activities in the clan;

e. refer cases not settled through traditional mediation to the appropriate jurisdiction in the chiefdom or district; and

f. Prepare required and other reports.

8.4.3 Clan Office Assistant

The Clan Messenger shall be the general purpose assistant in the office of the Clan Chief. Specifically, his/her functions shall include:

a. the receipt, sorting out and delivery of letters, documents, and reports;

b. the reproduction, compilation and filing of documents;

c. office maintenance and general errands of the Clan Chief Office;

d. the receipt and processing of visitors and guests; and

e. Other work as may be assigned to him/her.
Chapter 9

General Town Administration

9.1 General Town Administrative Structure

The head of the General Town shall be the General Town Chief, who shall be assisted by:

a. General Town Clerk
b. General Town Office Assistant

9.2 General Town Advisory Board

(a) The General Town Chief of each General Town shall establish a General Town Advisory Board that shall advise on governance and administrative matters in the General Town.

(b) The General Town Advisory Board shall be limited to five (5) members appointed by the General Town Chief, comprised of key stakeholders of the General Town (i.e., elders, youth representative, and women’s representative). The Board shall meet at least quarterly. Sitting fees shall be provided in the Chiefdom budget, as per County guidelines.

(c) The Board shall advise the General Town Chief in the administration of the General Town, particularly on matters relating to peace and reconciliation.

(d) The General Town Chief, in collaboration with the General Town Advisory Board, shall organize town hall meetings at least twice a year to report on General Town development accomplishments and seek citizens’ inputs into future plans.

9.3 Headquarters of General Town

The Minister responsible for Local Government, in collaboration with the Superintendent, District Commissioner, Paramount Chief, and Clan Chief, shall facilitate appropriate consultative processes for the citizens of the General Town to decide the location of the headquarters of the General Town. The General Town Chief shall reside in the place where the headquarters of the General Town is located.

9.4 Duties, Powers and Authority

9.4.1 General Town Chief

The General Town Chief shall perform the following general duties and responsibilities to assist the Clan Chief in:

a. the administration of the General Town;
b. ensuring the full and equal participation of women and youth as well as marginalized and vulnerable groups in implementing development activities within the General Town;
c. coordinating the activities of county administrative agencies, line ministries and agencies, and non-governmental organizations operating in the General Town;
e. preparing required reports on the administration, development and other activities within the General Town; and
f. Promote harmonious relations among chiefs and residents in towns.

9.4.2 General Town Clerk

The Town Clerk shall be the principal assistant to the General Town Chief in the administration of the General Town. Specifically, he/she shall undertake the following duties:

a. administer the affairs of the General Town;
b. coordinate development activities in the General Town;
c. keep records of key administrative and development activities in the General Town;
d. refer cases not settled through traditional mediation to the appropriate jurisdiction in the clan, chiefdom, or district; and
g. Prepare required reports.

9.4.3 General Town Office Assistant

The General Town Chief Office Assistant shall be the general purpose assistant in the office of the General Town Chief. Specifically, his/her functions shall include:

a. the receipt, sorting out and delivery of letters, documents, and reports;
b. the reproduction, compilation and filing of documents;
c. office maintenance and general errands of the General Town Chief Office;
d. the receipt and processing of visitors and guests; and
e. Other work around as may be assigned to him/her.
Chapter 10
Elections of Local Government Officials

10.1 County Officials to be elected

The following County Government officials shall be elected by the registered voters in the County according to procedures and standards established by the National Elections Commission:

a. Superintendent
b. District Commissioner
c. Paramount Chief
d. Clan Chief
e. General Town Chief

10.2 Elections

(a) Elections of county Government officials shall be by secret ballot and non-partisan.

(b) A candidate shall not present himself/herself as a political party candidate.

(c) A political party shall not endorse or sponsor a candidate, or campaign for or against a candidate.

(d) The National Elections Commission shall promulgate regulations, including the determination of appropriate sanctions for electoral wrongdoing, to give effect to these provisions particularly relative to ensuring that elections of county government officials are non-partisan.

10.3 Qualifications

10.3.1 Superintendent

An aspirant for the position of County Superintendent shall meet the following eligibility requirements:

a. Must be a Liberian citizen;
b. Must have attained the age of twenty-five (25) years;
c. Must be domiciled in the County for at least one year immediately prior to the date of election;
d. Must not have been convicted of a felony.
e. Must, at minimum, be a holder of a bachelor’s degree or its equivalent from an accredited college or university; and,
f. Must not have any outstanding past due tax obligations.

10.3.2 District Commissioner
An aspirant for the position of District Commissioner shall meet the following eligibility requirements:

a. Must be a Liberian citizen;
b. Must have attained the age of twenty five (25) years;
c. Must be domiciled in the District for at least one year immediately prior to the date of election;
d. Must be a holder of a bachelor degree or its equivalent from an accredited college or university;
e. Must not have been convicted of any criminal offense; and,
f. Must not have any outstanding past due tax obligations.

10.3.3 Paramount Chief

An aspirant for the position of Paramount Chief shall meet the following eligibility requirements:

a. Must be a Liberian citizen;
b. Must have attained the age of forty-five (45) years;
c. Must be domiciled in the chiefdom for at least one year immediately prior to the date of election;
d. Must have a minimum of basic education qualification;
e. Must have vested interest in the chiefdom where he or she intends to contest, in the form of crop or animal farm(s), real estate, or any other form of business interest;
f. Must not have been convicted of any criminal offense; and,
g. Must not have any outstanding past due tax obligations.

10.3.4 Clan Chief

An aspirant for the position of Clan Chief shall meet the following eligibility requirements:

a. Must be a Liberian citizen;
b. Must have attained the age of forty (40) years;
c. Must be domiciled in the clan for at least one year immediately prior to the date of election;
d. Must have a minimum of basic education qualification;
e. Must have vested interest in the clan where he or she intends to contest, in the form of crop or animal farm(s), real estate, or any other form of business interest;
f. Must not have been convicted of any criminal offense; and,
h. Must not have any outstanding past due tax obligations.

10.3.5 General Town Chief

An aspirant for the position of General Town Chief shall meet the following eligibility requirements:

a. Must be a Liberian citizen;
b. Must have attained the age of thirty-five (35) years;
c. Must be domiciled in the general town for at least one year immediately prior to the date of the election;
d. Must have a minimum of basic education qualification;
e. Must have vested interest in the general town where he or she intends to contest, in the form of crop or animal farm(s), real estate, or any other form of business interest;
f. Must not have been convicted of any criminal offense; and,
g. Must not have any outstanding past due tax obligations.

10.4 Tenure

All elected officials of the County Government shall serve for a period of four (4) years and are eligible for re-election for an additional term and no more.

10.5 Remuneration

Compensation for all elected officials shall be established by the Legislature based on a recommendation by the Civil Service Agency and included in the annual approved local budget.

10.6 Removals

All removals shall be for cause and shall be consistent with due process of law. The Legislature shall exercise impeachment power over the Superintendents while the County Council shall preside over impeachment proceedings of all other elected County Government officials.

10.6.1 Impeachment of Superintendent

Impeachment proceedings against a Superintendent shall be preceded by:

a. A petition for impeachment signed by not less than either one thousand five hundred (1,500) registered voters or by fifteen percent (15%) of registered voters, whichever is higher, from each county administrative district approved by the Council for onward submission to the National Legislature.

b. A petition submitted to the National Legislature to consider impeachment proceedings against said Superintendent.

10.6.2 Removal of all Other Elected Officials

The removal of any other elected county official shall be for cause and based on the submission of a petition for removal signed by not less than fifteen percent (15%) of registered voters, from the jurisdiction of the county government concerned.

10.6.3 Other Procedures for Removal

a) Where a Superintendent is indicted for a felony, said Superintendent shall be suspended by the President upon his/her indictment and shall be removed from office by the Legislature upon his/her conviction.
b) Where an elected official other than the Superintendent is indicted for a felony, said Official shall be suspended by the County Council upon her/his indictment and shall be removed from office by the County Council upon his/her conviction.

10.7 Vacancies

10.7.1 Vacancy in the Office of the Superintendent

Whenever the Office of the Superintendent becomes vacant for any reason, the County Administrative Officer shall act as Superintendent until elections are conducted by the National Elections Commission, as provided herein. All such elections shall be conducted not later than three (3) months after the vacancy is declared by the President of Liberia, which declaration shall be made not later than one month from the date the vacancy occurs.

10.7.2 Vacancy in Other Elected Offices

Whenever an office in the sub-county that should be filled by an election becomes vacant for any reason, the County Superintendent shall appoint a person to act until elections are conducted by the National Elections Commission, as provided for herein.
Chapter 11
Appointment of Non-Elected County Officials

11.1 Non-Elected County Officials

The following shall constitute non-elected official positions in county governments:

a. County Administrative Officer;
b. County Finance Officer; and
c. County Development Officer.

11.2 Appointments

All non-elected county officials shall be appointed by the Superintendent from a list of eligible candidates submitted by the Civil Service Agency, taking into consideration the goal of promoting equal representation of women and men to such positions.

11.3 Qualifications

All non-elected county officials shall be senior level civil servants with employment qualification requirements subject to the civil service standards, rules and regulations.

11.4 Tenure

All non-elected county officials shall have secured tenure of service, based on the provisions of the civil service policies, rules and regulations.

11.5 Remuneration

All non-elected county officials shall be compensated for their services according to the Civil Service Agency’s personnel classification and pay grade structures.

11.6 Removals

Removal of non-elected county officials shall be for cause and consistent with civil service rules and regulations.

11.7 Vacancies

Vacancies for all non-elective positions shall be filled by the Superintendent in accordance with civil service rules and regulations.
Chapter 12
Cities and Townships

12.1 National Capital

Monrovia, because of its population, political significance and economic importance to the country, shall remain the national capital. The national capital may be relocated as determined by an Act of the Legislature.

12.2 County Capital Cities

As of the entering into force of this Act, all existing county capitals and other county capitals that may be created in the future are designated as cities.

12.3 Creation of Cities and Townships

12.3.1 Creation of Cities

Cities shall be created by acts of the Legislature based on criteria established in this Act.

12.3.2 Creation of Townships

Townships shall be created by acts of the Legislature, based on criteria established in this Act.

12.4 Criteria for Chartering a City and Township

12.4.1 Criteria for Chartering a City

In chartering a City, the Legislature shall ensure that the following minimum criteria are met:

a. A population of 25,000 people;

b. Basic essential utilities for proper human settlement—electricity, pipe-borne safe drinking water, sewage service;

c. Waste collection and disposal;

d. Educational services, particularly primary to secondary schools;

e. Health services, including clinics, and health centers;

f. Sports and recreation facility;

g. Cemetery;

h. Streets and transportation infrastructure;

i. Transportation services and communication infrastructure; and,

j. Business services, including financial services, hotels, restaurants, shopping centers, among others.
12.4.2 Criteria for Chartering a Township

In chartering a Township, the Legislature shall ensure that the following minimum criteria are met:

a. A population of 10,000 people;
b. Basic essential utilities for proper human settlement—electricity, safe drinking water, sewage services;
c. Waste collection and disposal;
d. Educational services, particularly primary and junior-high school;
e. Health clinics;
f. Sports and recreation facility;
g. Cemetery;
h. Transportation infrastructure;
i. Transportation services and communication infrastructure; and,
j. Business services, including motels, restaurants, shops, etc.

12.5 Zoning

For the purposes of administration and representation on their respective councils, cities and townships shall each be subdivided into wards. The Minister responsible for Local Government shall ensure that cities and townships are demarcated into wards.

12.6 Membership of City and Township Councils

(a) The governance of cities shall be vested in a city council with membership comprising of not less than seven (7) persons;

(b) The governance of townships shall be vested in a township council with membership comprising of not less than five (5) persons; and

(c) Members of the city and township councils shall be elected by the residents such that every ward is represented on the council.

12.7 Powers and Functions of Councils

The powers and functions of Councils shall be, but not limited to, the following:

a. Promulgate city and township ordinances, rules and regulations for the promotion of peace, unity, reconciliation, maintenance of public order and sanitation, and the delivery of basic public goods and services, consistent with laws;
b. Establish rules to govern the activities of the Council and the administration of the Council Support Office;
c. Levy local taxes, rates, duties, fees and fines as prescribed by this Act and by the Legislature;
d. Authorize the issuance of certain licenses and operating permits as prescribed in this Act and by the Legislature;
e. Approve their annual budgets;
f. Approve the development plan and its annual implementation plan;
g. Confirm nominations made by the Mayor / Township Commissioner;
h. Invite residents or public servants to provide it with information to facilitate its deliberations;
   and
i. Promulgate such other regulations or ordinances and rules that shall be necessary and proper, consistent with this Act.

12.8 City Mayors and Township Commissioners

12.8.1 Structure and Functions

The Management of cities and townships shall be vested in city mayors and township commissioners, respectively, elected by registered resident voters.

The Mayor and Commissioner shall perform the following duties and exercise the following powers and authority:

a. Manage the overall administration of the locality, consistent with the Liberian Constitution and laws and the various local ordinances and regulations;
b. Supervise the preparation of the annual and other periodic budgets;
c. Supervise the preparation and implementation of the development plan, consistent with the central government’s national development plan and the goals of promoting women’s empowerment and gender equality, as well as youth empowerment and inclusion;
d. Supervise the preparation of the annual performance report for submission to the Council for endorsement and to the President of Liberia through the Minister responsible for Local Government for onward transmission to the Legislature;
e. Supervise national programs and projects in cities and townships and;
f. Coordinate the work of the representatives of the ministries and agencies of central government located in cities and townships.

12.8.2 Management Staff

Each mayor and commissioner shall hire personnel to support him/her to administer the affairs of the city or township. Persons so recruited shall be hired based on merit and in accordance with the Civil Service Act.

12.9 Elections of Mayors, Township Commissioners, City and Township Council Members

(a) City Mayors and Township Commissioners shall be elected by registered voters in their respective localities in elections conducted by the National Elections Commission.

(b) Council Members shall be elected by registered voters in the city or township wards in an election conducted by the National Elections Commission.
Qualifications for Officeholders

12.10.1 City Mayor or Township Commissioner

An aspirant for the position of City Mayor or Township Commissioner shall meet the following eligibility requirements:

a. Must be a Liberian citizen;
b. Must have attained the age of not less than twenty five (25) years;
c. Must be domiciled in the City or Township for at least one year immediately prior to the date of elections.
d. Must not have been convicted of a criminal offense;
e. Must have obtained a first degree from an accredited college or university, except for Township Commissioners, who must have obtained a high school certificate or associate degree;
f. Must not have any outstanding past due tax obligations.

12.10.2 City and Township Council Members

An aspirant for the position of city and township council member shall meet the following eligibility requirements:

a. Must be a Liberian citizen;
b. Have attained the age of twenty five (25) years;
c. Be domiciled in the city or township for at least one year immediately prior to the date of election
d. Must not have been convicted of a criminal offense;
e. Must have obtained the minimum of a high school diploma and certificate;
f. Must not have any outstanding past due tax obligations.

12.10 Council Meetings

A City or Township Council shall meet at least once every three months or in special and emergency sessions as situations may warrant from time to time.

12.11 Remuneration for Officeholders

(a) Compensation for City Mayors and Township Commissioners shall be established by the Legislature based on a recommendation by the Civil Service Agency and included in the annual approved local budget.

(b) Standards of honorarium applicable to members of City and Township Councils shall be set by the Legislature.
12.12 Tenure of Officeholders

City Mayors, Township Commissioners and members of the respective councils shall hold office for a term of four (4) years and shall be eligible for re-election for an additional term and no more.

12.13.1 Removal of Mayors and Commissioners

All Mayors and Commissioners shall be removed for cause and consistent with due process of law, in accordance with the Charters creating their cities or townships.

12.13.2 Removal of Council Members

(a) Removal of a Council Member shall be for cause and consistent with due process of law based on the submission of a petition for removal signed by not less than fifteen percent (15%) of registered voters, from the ward from which the member hails.

(b) The Council shall try all removal proceedings, including that of its own members, provided that a two-third vote of the members is required to remove a Council member.

12.13 Vacancies

12.13.3 Vacancy within a Council

A vacancy on the City or Township Council shall arise when a member: resigns or dies; becomes incapable of performing his or her duties because of poor health; is removed on account of abuse of office and/or corruption; or such other reasons as shall be determined by the Legislature or his colleagues.

When a vacancy occurs within a City or Township Council, a by-election shall be held in accordance with the national elections laws.

12.13.4 Vacancy in the office of City Mayor or Township Commissioner

(a) In the case of a temporary vacancy of the office of Mayor or Commissioner, the Chief Administrative Officer shall act as Officer-in-Charge until the return to functions of the Mayor or Commissioner;

(b) In the case of permanent vacancy, in the office of Mayor or Commissioner, a by-election shall be held to fill the vacancy in accordance with the national elections laws.
Chapter 13
Traditional Chiefs, Elders and Councils

13.1 Traditional Roles of Paramount, Clan and General Town Chiefs

a) In addition to the political and administrative roles assigned to Paramount, Clan and General Town Chiefs, they shall continue to play traditional roles assigned to them by their customs, cultures and traditions, provided that, however, those customs, cultures, and traditions are supportive of peace and development, and are not inconsistent with the Constitution and laws of the country.

b) National customary, cultural and traditional governance and management institutions and their practices shall fall under the jurisdiction of the Minister responsible for local government.

13.2 Traditional Elders

Traditional elders shall support the political, administrative and developmental roles of Paramount, Clan and General Town Chiefs.

13.3 General Duties of Chiefs

The duties and responsibilities of chiefs within their respective jurisdictions shall be, but not limited to, the following:

a. Organize regular town hall meetings for consultations on the common good and to encourage dialogues among their peoples so as to minimize conflicts;

b. Serve as advocates for the protection of the values, cultures and traditions;

c. Lead the practice of local cultures and support efforts to make cultural practices safe;

d. Support of local and central government policies and programs;

e. Promote responsible citizenship, national patriotism, community voluntary service, justice, and good governance practices such as protection of the interest of minorities, broad-based participation, transparency, and accountability;

f. Enforce community service works; and

g. Promote peace and reconciliation through inter-ethnic and intra-ethnic relations in their communities regardless of ethnic, religious belief, or political affiliation.

13.4 National Council of Chiefs and Elders

Under the jurisdiction of the minister responsible for local government, the National Council of Chiefs and Elders is hereby recognized as the national body of all traditional councils of chiefs and elders in the country with functions, membership, leadership and structure, and funding as contained in the Act of August 27, 2012 creating the National Council of Chiefs and Elders.
13.5 Sectoral Roles of Chiefs

The Provision of public services and the implementation of development activities shall be coordinated at the county and district levels. However, in appreciation of the influence of traditional chiefs in local communities at the general towns, clans and chiefdom levels, where these services are to be provided and development activities undertaken, traditional chiefs are expected to promote, support, and facilitate the delivery of public services and the implementation of development activities, especially in the areas identified below.

13.5.1 Public Works, Sanitation and the Environment

In the provision of services such as public works, environment and sanitation services to local communities, traditional chiefs shall collaborate with county and sub-county authorities to:

a. Promote voluntary participation of citizens and residents in public works, including maintenance of feeder roads and bridges between towns and districts;
b. Promote voluntary participation of citizens and residents in sanitation maintenance works in the various towns and villages within their jurisdictions;
c. Maintain records of citizens and residents who volunteer regularly for public works, sanitation and environmental protection activities; and
d. Award incentives or benefits to regular community volunteers. Awards shall include such things as certificates of recognition for service, and farm implements (such as cutlasses, hoes, shovels, diggers, which shall be provided from the county budget).

13.5.2 Enforcement of Educational Standards

Traditional chiefs shall collaborate with local educational authorities to:

a. Ensure that all school age children are attending school;
b. Maintain records of, and report parents not sending their children to school;
c. Maintain records of, and report student abuses, improper behaviors of teachers and school administrators towards students, especially girls; and
d. Impose fines established by county councils or the central government (Minister responsible for Education) on households or individuals who refuse to send their children to school.

13.5.3 Processing Certifications and Vital Statistics

Traditional chiefs shall collaborate with local health service institutions to:

a. Assist county governments in the collection of information for certification and maintenance of vital statistics;
b. Cooperate with health services providers in health campaigns such as immunizations, water and sanitation awareness, and community clean-ups; and
c. Record all relevant information on forms provided by county, city and township governments, and forward same to respective headquarters to facilitate issuance of birth, immunization, death and traditional marriage certificates, as well as registration of traditional herbalists and tribal land registries.
13.5.4 Local Security Regime

Traditional chiefs shall be members of security regimes established in their jurisdictions. They shall:

a. Collaborate with national security agencies through various means such as providing required information for the apprehension of criminal offenders including sexual and gender-based violence offenders within their jurisdictions; and,
b. Collaborate with the Liberia National Police in its community policing activities.
Chapter 14
Financing Local Governments

14.1 Principles for Fiscal Resources in Support of Local Governments

The principles governing the fiscal resources for counties, cities and townships shall include the following:

a. Establishment of adequate, identifiable, and reliable sources of own revenues;
b. Implementation of a sustainable and recurring program of direct revenue sharing;
c. Identification and authorization of local taxes to be levied;
d. Ensuring that all devolved and delegated functions are accompanied by the transfer of funds from the central government for the implementation of those functions; and
e. Ensuring that the allocations of transfers are based on a formula that adheres to internationally accepted good governance standards and practices such as equity, transparency and accountability.

14.2 Revenues of County, City and Township Governments

Revenues of counties, cities and townships shall be comprised of:

a. Revenues collected from their own sources;
b. Transfers from the central government;
c. Social Development Funds; and
d. Grants from external sources such as multilateral and bilateral development partners.

14.3 Own-Source Revenues

14.3.1 Composition of Own-Source Revenues

In keeping with the Revenue Code of Liberia, own-source revenues of counties, cities and townships shall comprise of, but not be limited to the following:

a. Real property tax and income on same;
b. Business licenses and permits;
c. Fees and charges for occupation and professional licenses;
d. Fees and charges for provision of public services provided directly by counties, cities and townships;
e. Revenues from rental of assets;
f. Fees and charges for provision of official documents and services, as delegated by respective ministries and agencies; and,
g. Fines imposed by local government authorities

14.3.2 Real Property Tax and Income from Property
a) The revenues from real property tax and income from property, as defined in the Revenue Code of Liberia are revenues of the county, city and township governments.

b) For the first ten (10) years from the establishment of local governments, and except for the National Capital City, the revenues from property shall accrue to the county to be distributed among the component local governments according to a formula to be established by the Local Government Fiscal Board.

c) The agency responsible by law to administer the real property tax will continue to collect the tax upon establishment of elected county, city and township councils.

d) The agency responsible by law to administer real property tax shall make a monthly report of revenue collected to the Minister responsible for Finance and to the counties. Ten [10] working days subsequent to that report, the funds shall be transferred to the respective county Revenue Fund.

e) With the establishment of county administrations, the reports of property conveyances and deeds submitted to the Minister responsible for Finance on the first of each month as per the Revenue Code of Liberia shall also be submitted to the respective county governments on the same day.

f) The Legislature shall adopt a plan to transfer the administration and collection of the property taxes to the county property tax office within five (5) years of the establishment of county local governments.

g) The Central Government, represented by the Minister responsible for finance shall develop during this five-year period, the capacity of the counties to take over the collection of the property taxes.

h) During this five-year transition period, counties, cities and townships shall collaborate with the agency responsible to administer property tax with relevant information on properties, owners, and other parameters to be defined. The aim shall be to develop an automated property tax base, thereby improving revenue collection performance for real property tax in their respective jurisdictions, in preparation of the transfer of collection authority. The mechanisms and format for this transmission or sharing of this information shall be defined by the agency responsible for tax administration.

i) As required, amendments to the relevant sections of the Revenue Code of Liberia shall be made to ensure implementation of the real property tax and income therefrom for county, city and township governments.

14.3.3 Business Licenses and Permits

(a) Counties, cities and townships shall collect fees for issuance of annual business licenses and operating permits, regulated under the Revenue Code of Liberia for individuals who practice a profession, or for operating trades or businesses. These shall include:
(i) Practicing fees paid by accountants, lawyers, pharmacists, surveyors, building contractors, engineers, etc.
(ii) Operation of cinemas, bars, night clubs, musical and places of entertainment;
(iii) Operation of retail businesses such as shops, stores, supermarkets, bakeries, restaurants, “cook shops”, “tea shops”, hotels, motels, barber shops, liquor retailers, local alcohol distilleries and breweries, motor vehicle repair garages, dry cleaners, building materials, etc.;
(iv) Licensing of small canoes and attendant fishing gears;
(v) Operation of car wash lots;
(vi) Operation of power chain saws for extraction of timbers;
(vii) Operation of slaughterhouses;
(viii) Operation of motorbikes commonly called “Pem-Pems”;
(ix) Community radio/television stations, newspapers, etc.

(b) The agency responsible by law to administer business licenses, under item (a) (iii) above will continue to collect the tax upon establishment of elected county, city and township councils.

(c) The agency responsible by law to administer business licenses shall make a monthly report of revenue collected to the Minister responsible for Finance and to the counties, cities and townships. Ten [10] working days subsequent to that report, the funds shall be transferred to the respective county, city and township Revenue Fund.

(d) The Legislature shall adopt a plan to transfer the administration and collection of the business license fees to the counties, cities and townships within three [3] years of their establishment.

(e) The Central Government, represented by the Minister responsible for Finance and the agency responsible by law to administer business licenses shall develop, during these three (3) years, the capacity of the counties, cities and townships to take over the collection of business license fees.

(f) The Legislature shall establish the range of rates for each category of annual business or operating license fees.

(g) County, city and township councils shall establish the specific rate to apply for each category of annual business, practitioner or operating license fees in their respective territory, within the national range.

(h) The local rates adopted shall be posted in public places in county capitals as well as in cities and townships.

14.3.4 Fees and Charges for Use of Public Spaces

(a) County, city and township governments shall collect fees and charges for use of public space, which may comprise, but not be limited to, the following purposes:

(i) operation of markets;
(ii) transport parking stations;
(iii) advertising billboards; and
(iv) operation of cemeteries;

(b) The rates of these charges shall be set by the respective local councils and the local rates adopted shall be posted in public places in county capitals as well as in cities and townships.

(c) Each county, city and township council shall determine the means of collection of these charges. Their collection may be outsourced in accordance with the relevant provisions of the Public Procurement and Concessions Act, as necessary.

14.3.5 Fees and Charges for Provision of Public Services

(a) County, city and township governments shall collect fees and charges for public services which they provide directly and which may comprise, but not be limited to, the following services:

(i) Waste collection, disposal and treatment;
(ii) Establishment and maintenance of public toilets;
(iii) Sanitation and public cleanliness;
(iv) Operation and maintenance of water wells; and
(v) Other public services as may be provided by counties, cities and townships.

(b) The rates of these charges shall be set by the respective local councils and the local rates adopted. The rates of these charges shall be set by the respective local councils and the local rates adopted shall be posted in public places in county capitals as well as in cities and townships.

(c) Each county, city and township council shall determine the means of collection of these charges. Their collection may be outsourced in accordance with the relevant provisions of the Public Procurement and Concessions Act.

14.3.6 Revenues from Rental of Assets

(a) County, city and township governments may raise revenues from the rental of public facilities such as:

(i) Administrative halls;
(ii) School buildings;
(iii) Soccer and other sports stadiums;
(iv) Gymnasiums; and,
(v) Other recreational facilities.

(b) The rental of these facilities shall not interfere with their main purpose to serve for the provision of public services and access.

14.3.7 Fees and Charges for Provision Delegated Services
(a) County governments shall provide services on behalf of central government ministries or agencies and shall collect fees and charges for the provision of these services, which may include, but not limited to:

(i) registration and issuance of birth certificates and death certificates;
(ii) registration and issuance of marriage certificates;
(iii) reproduction of public records and documents; and,
(iv) land registration;
(v) building construction permits;
(vi) tribal land registries; and
(vii) Certification of traditional herbalists.

(b) The rates of these fees and charges shall be set by the ministry responsible for finance in consultation with the respective delegating ministry or agency, and posted visibly and publicly in the place where the respective services are provided.

(c) Each delegating ministry or agency shall also provide via regulation the respective protocols, standards and requirements for providing the services that are delegated.

14.3.8 Fines

(a) County, city and township governments may levy fines for violation of their ordinances.

(b) The Minister responsible for Finance, in consultation with the Minister responsible for Local Government shall provide guidance and standards for the development of these fines.

(c) The rates of county, city and township fines as adopted by the respective local government council shall be posted in public places in county capitals as well as in cities and townships.

14.4 Transfers and Grants from Central Government

14.4.1 Transfer and Grants Funds from Central Government

(a) Counties, cities and townships shall receive the following transfers and grants from the central government:

(i) General Fund;
(ii) Development Fund;
(iii) Earmarked Transfers for Devolved Functions;
(iv) Earmarked Transfers for Delegated Functions
(v) Other transfers or revenue sharing as may be required or developed in the future.

(b) The Local Government Fiscal Board shall develop transparent and equitable allocation formula for the following funds:

(i) General Fund;
(ii) Development Fund; and
(iii) Earmarked Transfers for Devolved Functions.

(c) Unutilized transfers for the General Fund, Development Fund, and Earmarked Transfers for Devolved Functions shall not lapse at the end of the fiscal year and will be available to the counties, cities and townships for application, provided the expenditure is included in the ensuing annual budget and duly approved by the council.

(d) The Earmarked Transfers for Devolved Functions may only be reallocated for the specific sector for which it has been authorized.

(e) Unutilized transfers for Delegated Functions shall be returned to the relevant central government ministry or agency.

14.4.2 General Fund

(a) The central government shall provide an annual transfer to each county, city and township for the purposes of ensuring general administration and operations, including operation of their councils.

(b) The one-time initial lump-sum grant distributed in equal amounts and allocated in the first year of the functioning of counties and townships as described in the Transitional Provisions, shall be folded into the General Fund in Year 2.

(c) The parameters for allocation of the transfer will be developed by the Local Government Fiscal Board using a transparent and equitable allocation formula.

(d) The General Fund will include an equalization element to provide for redistribution of resources to disadvantaged counties.

14.4.3 Development Fund

(a) The central government shall provide an annual transfer to each county, city and township for the purposes of capital investment and development support.

(b) The parameters for allocation of the transfer will be developed by the Local Government Fiscal Board using a transparent transfer allocation formula that will take account of size, infrastructure distribution and population, among other criteria.

(c) In the first year when newly elected county, city and township councils and governments are launched, the central government, upon the coming into force of this Act, shall provide a lump sum for Development Fund, which shall be distributed and shared in equal amounts to all county, city and township governments. This amount shall be distributed according to the formula as indicated in sub-section (b) above, starting from Year two (2).

14.4.4 Earmarked Transfers for Devolved Functions

(a) The central government shall establish transfers for counties, cities and townships to finance functions and responsibilities devolved from central government.
(b) Transparent and equitable allocation formula for each sector for which functions are devolved shall be developed by the Local Government Fiscal Board, and the criteria for each sector formula linked to the specific parameters of the functions being devolved.

(c) Respective sector ministries and agencies will be required to provide detailed and accurate data for the respective devolved functions on current funding levels and other information for each county, city and township.

14.4.5 Earmarked Transfers for Delegated Functions

(a) The central government shall ensure that the required funding to carry out delegated functions is made available to counties, cities and townships.

(b) Respective sector ministries and agencies will be required to provide detailed and accurate data for the cost to implement delegated functions for each county, city and township.

14.5 County Social Development Fund

The central government shall transfer to county governments impacted by the operations of companies, particularly those counties in which concession operations exist, the annual contributions agreed in the concession agreements signed between the companies and the Government of Liberia.

14.6 Obligation to Ensure Timely Transfer of Funds

Upon the adoption of the national budget, the minister responsible for finance shall issue a regulation with the timetable for transferring the various funds and grants to counties, cities, and townships over the course of the fiscal year.

14.7 Funding of Sub-County Structures

a) The county budget should include budget support for local administration and local development project support to districts, chiefdoms, clans and general towns.

b) In conformity with the national budget guidelines issued by the Minister responsible for Finance, the County Finance Officer will provide detailed guidelines for budget preparation for Districts and Chiefdoms, and subsequent submission to the county for purposes of inclusion in the county budget and final approval by the County Council. District Commissioners and Paramount Chiefs will prepare their budgets in accordance with the guidelines issued.

14.8 County Council Support to Chiefdom Public Works, Sanitation and Environmental Protection Activities

The County Council shall allocate funds to support public works, sanitation and environmental enforcement activities undertaken by paramount chiefs.
14.9 **External Grants from Donor Community**

County, city and township governments shall access fiscal resources from the donor community for specific development purposes through mechanisms established and supervised by the central government.

14.10 **Short-Term Liquidity Central Bank Overdrafts**

14.10.1 **Availability of Standing Short-Term Liquidity Facility**

The central government through the ministers responsible for Finance and Local Government shall negotiate a standing facility with the Central Bank that would allow counties, cities or townships to borrow funds for short-term liquidity shortfalls.

14.10.2 **Time Limits of Short-Term Liquidity Facilities**

a) No overdraft may be taken for a period of more than ninety [90] days.

b) All overdrafts must be repaid in full by the end of each fiscal year.

c) No overdrafts may be authorized during the first sixty [60] days of the fiscal year, barring exceptional circumstances.

14.10.3 **Use of Facility**

(a) Conditions under which the facility may be accessed:

i. Delay in receipt of scheduled transfers from the central government; or

ii. Response to a local emergency or natural disaster requiring access to budget contingency fund

(b) The minister responsible for finance shall issue further guidelines for the application process and approval criteria, pricing, oversight, and repayment procedures for county, city and township access to the short-term liquidity overdraft facility.

(c) The minister responsible for local government shall be informed of all requests for use of the overdraft facility made by the local governments.

14.11 **Local Government Fiscal Board**

14.11.1 **Objectives of the Local Government Fiscal Board**

There is hereby established, an autonomous National Local Government Fiscal Board for the purpose of:

a. Making annual recommendations to the Legislature with copy to the Minister responsible for Finance and the Minister responsible for local government of annual grant allocations to
counties, cities and townships for the grant funds defined above, and with the objective to ensure that the financing of local government is equitable and transparent;

b. Reviewing and commenting on any draft laws / decrees which will have an impact on county, city and township finances, such as transfer of new responsibilities and the associated financing, changes to tax laws, amendments to this Act, etc.

c. Periodically reviewing and making recommendations to the Legislature on the composition of own source revenues with eventual proposals for sharing of specific national tax revenues to be allocated to counties, cities and townships.

d. Carrying out periodic (every 3 to 5 years) reviews of the overall local government financing system and making recommendations to the Legislature to ensure stable and equitable financing of counties, cities and township.

14.11.2 Independence of the Local Government Fiscal Board

The Local Government Fiscal Board shall carry out its analysis and make its proposals to the Legislature independent of the Minister responsible for Finance, Minister responsible for Local Government, other central government ministries and agencies and from local governments.

14.11.3 Membership of the Local Government Fiscal Board

(a) The Local Government Fiscal Board shall consist of seven [7] members.

(b) The members of the Local Government Fiscal Board shall be appointed by the President, from among experts nominated by the:

i. Minister responsible for Finance (1 member);
ii. Minister responsible for Local Government (1 member);
iii. Director-General of the Civil Service Agency (1 member);
iv. Liberia Institute for Statistics and Geo-Information Services (1 member);
v. Representative of county superintendents elected by the Superintendents (1 member);
vi. Representative of cities selected by the City Mayors (1 member); and
vii. Representative of townships (when enacted), selected by the Township Commissioners (1 member)

(c) The qualifications for members of the Local Government Fiscal Board shall be defined by regulation issued by the ministers responsible for finance and local government.

(d) The Chairperson of the Local Government Fiscal Board shall be elected from among its members.

(e) Members of the Board shall serve on a part-time basis for a term of four [4] years, renewable once.

14.11.4 Secretariat Support Services
The department responsible for decentralization implementation within the ministry responsible for local government shall provide secretariat support services to the Board. When needed, the Board may recruit short-term technical experts to provide specific technical services to inform its work. The services of technical consultants and the cost for such services shall be included in the Board's work plan and budget and financed by the National Budget.

14.11.5 Parameters to Consider for Allocation of Transfer Funds

(a) In carrying out its functions to determine and recommend the amount of grant allocations to counties, cities and townships, the Local Government Fiscal Board shall apply criteria and factors appropriate to each of the transfer funds.

(b) Measurable factors and indicators which could be taken into consideration for the General Fund include, but are not limited to:

   i. Area (geographic location, size and topography of territory);
   ii. Level of socio-economic development, taking into consideration elements such as poverty index and infrastructure distribution);
   iii. Population size and density;
   iv. Fiscal potential and tax generation capacity; and
   v. Good governance practices reflected by practices such as budget hearings, citizen participation and consultation in development of county development plans.

(c) Measurable factors and indicators which could be taken into consideration for the Development Fund include, but are not limited to:

   i. Population size and density;
   ii. Infrastructure distribution; and
   iii. Size and geographic challenges of territory

(d) Measurable factors and indicators which should be taken into consideration for the transfers of devolved functions shall be based on individual sector financing requirements and may take into consideration joint proposals or options of the relevant sector ministry or agency and the minister responsible for Finance.

14.12 Accessing of Internal or External Resources by Local Governments

In accordance with the Public Finance Management Act 2009, the national government shall enter into negotiations with bilateral and multilateral institutions on behalf of county government to access external funding for sustainable local development projects and programs based on proposals from the county consistent with approved development plans and central government aid coordination policies, rules and regulations.

14.13 Aid Coordination at Local Government Level
The county government shall establish an Aid Coordination Unit under the office of the County Development Officer. The functions of this Unit shall include:

a. registration of the development partners operating in the county;
b. development of a database of development activities by sector and location in the county;
c. harmonizing interventions by development and implementing partners with county development plans and budgets;
d. ensuring that recurrent implications of development interventions are budgeted and accounted for to ensure sustainability; and
e. preparing an annual report to be reviewed by the County Council for onward transmission to the National Aid Coordination Unit in the ministry responsible for finance.
Chapter 15
Financial Management

15.1 Responsibility for Financial Management

The public financial management for the devolved local government structures will be subject to the Public Finance Management Act, 2009 which provides that the President has overall responsibility for policy matters related to the national budget and public financial management system of the Republic of Liberia. The Act further provides that the minister responsible for finance has the responsibility for all technical matters related to the proper functioning of the public finance management system subject to the overall policy guidance from the President.

15.2 Principles of Public Financial Management

The management of public finances of counties, cities and townships shall be guided by the following principles:

15.2.1 Accountability

(a) County, city and township administrations are accountable to their respective elected councils with respect to the management of their finances.

(b) County, city and township governments are accountable to the central government as represented by the Minister responsible for Finance with respect to the application of public finance management principles as embodied in the Public Finance Management Act, 2009 and for the stewardship of public funds.

15.2.2 Unity of the Budget

(a) County, city and township budget is the instrument for approving the annual estimates of respective local government revenues and expenditures.

(b) These annual budget estimates are presented in a single document and adopted by an annual budget ordinance, including both recurrent and capital expenditures.

15.2.3 Balanced Budget

(a) In the budget, expenditure outflows shall be balanced by revenues and shall not include financial inflows such as borrowing.

(b) Recourse to the short-term liquidity overdraft facility shall not be budgeted and any funds obtained from the facility shall be repaid within the respective fiscal year.

(c) There shall be no expenditure activities outside of an approved budget, except in cases of emergencies. However, emergency expenditures outside of the budget must be approved under regulations issued by the Minister of Finance in consultation with the minister responsible for local government and the Chairman of the Public Procurement and Concessions Commission.
15.2.4 Comprehensiveness

All county, city and township revenues and expenditures shall be included in their approved budgets.

15.2.5 Specificity

All county, city and township revenues and expenditures shall be presented and executed in their respective budgets with the detailed structure as specified by the Minister responsible for Finance.

15.2.6 Transparency

(a) The roles of those entrusted with financial management functions are clearly specified in this Act or in the regulations to be issued by the Minister responsible for Finance under it.

(b) The adoption of county, city or township budget shall be preceded by open and public budget hearings, whose time and place shall be publicized in advance and which may be attended by local citizens.

(c) This Act requires that timely and reliable financial information on county, city and township budgets be made publicly available. These include posting information in respective county, city and township headquarters, as well as in the seat of administrative districts and chiefdoms.

15.3 Revenue Fund

a) For the effective management, accounting and control of local government, public financial transactions, respective county, city and township Revenue Funds shall be established.

b) All revenues received by counties, cities and townships, pursuant to this Act shall be deposited into the Revenue Fund.

c) The finance officer has the authority to manage the Revenue Fund to allow for an effective and efficient cash management.

d) The functioning and rules which govern the Revenue Fund shall be further specified by regulations to be issued by the Minister responsible for Finance.

15.4 Budget Structure and Preparation

15.4.1 Financial Year

The financial year shall be the same as that of the central government in accordance with the Public Financial Management Act, which is the period of twelve months commencing July 1, every year and ending June 30 of the following year.
15.4.2 Budget Structure

(a) All revenue and expenditure transactions for counties, cities and townships are to be structured and classified using the same classifications for both budgeting and accounting.

(b) The Minister responsible for Finance shall prescribe budget classifications for local government budgets and shall further issue detailed instructions for the use of the classifications in the preparation, execution and accounting of the budget.

15.4.3 Budget Preparation

(a) The Minister responsible for Finance shall issue detailed regulations that prescribe procedures and calendar for the development, presentation, funding assumptions, approval and submission of the county, city, and township budgets to their respective councils and to the Ministers responsible for Finance and Local Government.

(b) Based on the budget circular and guidelines for key steps, processes and deadlines provided by the Minister responsible for Finance, each county, city and township administration will elaborate its draft budget with inputs from the sub-county or ward levels, and county, city and township administrative departments for submission to the council.

15.5 Adoption of the Budget

15.5.1 Council Authority and Responsibility to Approve the Budget

County, city and township councils shall review and approve their respective budgets in accordance with public finance management principles stated in this Act, the Public Finance Management Act and related implementing regulations.

15.5.2 Temporary Financing of the Budget

In the case where the local council is unable to adopt the budget before the start of the fiscal year, or where the national budget has not been adopted before the start of the fiscal year, the Superintendent, Mayor, and Commissioner shall be authorized to collect revenues and approve expenditures on a monthly basis up to one-twelfth (1/12) of the budget of the previous year.

15.5.3 Supplementary Budgets and Mid-Year Review

(a) During the fiscal year, the approved county, city or township budget may be amended through supplementary budgets to be approved by the council.

(b) The preparation, approval and execution of a supplementary budget shall be governed by the same rules applicable to the approval and execution of the budget as specified in this Act, the Public Finance Management Act and related implementing regulations.

(c) The Superintendent, Mayor and Commissioner shall submit a mid-fiscal year review of the implementation of the local budget in the middle of February each year, including an analysis of the revenue collections and expenditure performance in the first six months of the fiscal year and, if necessary, provide a supplementary budget for approval by the council.
(d) Any reallocations between the different funds transferred from central government to counties, cities and townships shall only be effected with the approval of the Minister responsible for finance.

15.6 Budget Execution, Expenditure Management and Financial Reporting

15.6.1 Responsibility for County, City and Township Budget Execution

The Superintendent, Mayor and Commissioner are respectively responsible for the overall management and execution of the county, city and township budget.

15.6.2 General Rules for Budget Execution

(a) The rules related to budget execution shall be detailed in the regulations issued by the Minister responsible for Finance, and further elaborated in guidelines issued from time to time.

(b) Total payments for a detailed budget line in a given fiscal year may not exceed that budget line as amended by any Supplementary Budget.

(c) No payment shall be made from the local Revenue Fund except under an item identified in the adopted annual budget estimates, as amended by any Supplementary Budget.

(d) An annual spending plan shall be prepared for each administrative department, as well as for each sub-county structure, as well as city and township wards.

15.6.3 Financial Reporting

The Minister responsible for finance shall provide the format and schedules for the submission of required financial reports and accounts, as well as for the reconciliation of accounts between local and central governments.

15.7 External and Internal Audit of Counties, Cities and Townships

County, City and Township financial reports, accounts and general performance of public finance management, shall be subject to external and internal audits.

15.7.1 External Audit

Each county, city and township shall be audited on an annual basis by the General Auditing Commission.

15.7.2 Internal Audit Unit
There shall be an Internal Audit Unit established by the Internal Audit Secretariat in each county, city and township, which shall comprise at least one (1) Internal Auditor. Further organization of the Internal Audit Unit shall be determined by the Internal Audit Secretariat.

15.8 **Contracts and Procurement**

(a) All purchases of goods and services from suppliers, including capital investments shall comply with the provisions prescribed in the Public Procurement and Concessions Act of 2005, as amended, and its enabling regulations.

(b) All contracts, including those established through the simplified Local Purchase Order mechanism shall be considered commitments of the local government.

(c) All contracts should as closely as possible be reflected in the annual procurement plan of the local government, as required by the Public Procurement and Concessions Act.

(d) The Public Procurement and Concessions Commission shall prepare additional regulations and guidance for procurement by local governments.

15.9 **Outsourcing of Certain Services**

To reduce recurrent costs and enable the local government to focus on its core business, local government shall outsource certain category of jobs such as security services, janitorial services, gardening and landscaping, carpentry, plumbing, electrical and mechanical services, tile/carpet laying, cooking, painting, bricklaying, roofing, and general laboring. These and similar services shall be outsourced to competent individuals or private sector firms through transparent and merit-based, competitive processes in compliance with the provisions of the Public Procurement and Concessions Act and its regulations.

15.10 **Property**

15.10.1 **Own Initial Property**

All public properties of central government that are being utilized by counties, cities and townships shall devolve to said counties, cities and townships immediately upon the passage of this Act.

15.10.2 **Transfer of Property with Devolved Functions**

Properties in the counties, cities and townships associated with devolved functions from central ministries, agencies and commissions shall devolve to said counties, cities and townships immediately upon the passage of this Act.

15.10.3 **Management of Property**

(a) County, city and township governments, in order to ensure efficient and cost effective upkeep and maintenance of their properties, shall contract out to private service providers in areas
such as provision of security guards, buildings and ground maintenance, catering, and other basic municipal property management functions.

(b) Contracting out such services shall be carried out in conformity with the Public Procurement and Concessions Act and its regulations.

Chapter 16

Development Planning Unit

16.1 County Development Planning Unit

Counties shall establish a Development Planning Unit headed by the County Development Officer. The Unit shall be responsible for development planning which shall be linked with the central government development planning and aid coordination entities and shall coordinate Development Planning Units to be established in Administrative Districts. Specifically, it shall:

a. Coordinate and facilitate the preparation of county development plans;
b. Supervise the activities of District Development Units;
c. Coordinate activities with sector ministries and non-governmental organizations;
d. Develop project proposals for the county to access donor funds through the appropriate central government institutions;
e. Monitor and evaluate development activities within the county;
f. Collect, document and disseminate county development information and data;
g. Maintain a county-based databank of socio-economic and development information and data for research, development planning, and monitoring and evaluation; and
h. Carry out other functions which may be imposed by law or are incidental to the above.

16.2 County Development Planning Process

a) The development planning process shall be participatory, gender-sensitive, and inclusive of all citizens, residents, minorities and marginalized communities, as we as civil society organizations, non-governmental organizations, and private sector entities. Consultations shall commence from the general town level. It shall, specifically, include the following:

I. An assessment of the current social, economic, and environmental situation of districts and chiefdoms to determine development challenges and needs that should be attended;
II. Prioritization of identified challenges and needs to inform proper determination and sequencing of actions in the development agenda;
III. An assessment of Capacity Assets: available development resources, skills, and capacities;
IV. Identification for research various development issues of concern in the county development management process; and
V. Organization and leadership in the preparation of county development agendas.

b) The development planning process shall take place every four (4) years to establish a 4-year County Development Agenda, at the beginning of each county council mandate.
16.3 County Development Agenda

a) The County Development Agenda shall be a four-year forward-looking strategic document. It shall be a comprehensive and integrated development plan that incorporates the plans of administrative districts and the chiefdoms.

The County Development Agenda shall also be informed by Vision 2030, and the national development agenda.

b) The County Development Agenda shall provide for the following:

I. Physical and social infrastructures such as roads, bridges, schools, health facilities, sports and recreation facilities, parks, and conservation reserves;
II. Delivery of social services, including electricity, water and sanitation, solid waste management, education and health services; sports and recreational services;
III. Productive activities such as agricultural production;
IV. Capacity building in human and non-human resources;
V. Disaster preparedness and response;
VI. Special programs for youths, women and children, people with disabilities and minority groups; and
VII. Promotion of peace and social cohesion.

c) The County Development Agenda will incorporate annual work and implementation plans to ensure its realization.

d) The County Development Agenda shall be approved by the County Council.

16.4 District Level Development Planning

a) Under the direction of the County Development Officer, there shall be a planning unit established at the district level. The unit shall be responsible for the development of district development plans which shall cover all chiefdoms of the district. District-wide development plans shall be incorporated in the County Development Agenda.

b) The district development planning processes shall be similar to those of the county development planning unit.

c) The Minister responsible for Local Government shall provide guidelines, including templates for the structure and content of district and county development agendas and annual implementation plans.

16.5 Development Planning in Chiefdoms

a) Development Focal Persons shall be appointed in chiefdoms by the District Commissioner for the purpose of overseeing development planning activities in the chiefdoms. Their primary
function shall be to oversee the collection of relevant development information and data required by the district development units.

b) The County Development Unit shall provide capacity building training for district development planning personnel and chiefdom focal persons.

**Monitoring and Evaluation**

In conformity with the practices of good governance, local governments shall, in collaboration with the Governance Commission, undertake performance monitoring and evaluation of their programs. The Minister responsible for Local Government shall prescribe the frequency, coverage and form which monitoring and evaluations shall take.
Chapter 17

Inclusive Local Governance

17.1 Gender Mainstreaming

In line with the provisions of the Liberian National Gender Policy, local governments shall take proactive measures to promote gender equality and women’s empowerment at all levels and in all areas of local government administration. The principles to guide integration of a gender perspective in local government shall include the following:

a. **Participation**: promoting equal access to participation of women and men in decision-making;

b. **Representation**: promoting equal access of women, men, minorities and people with disabilities in recruitment, established committees, and local government service;

c. **Protection**: protecting the equal rights of women and girls and enhancing their security from gender-based violence;

d. **Capacity-development**: designing and implementing gender-sensitive policies and programs that enhance the capacity of men, women, children and people with disabilities to have equal access to decision-making, local government leadership, work and other opportunities.

17.1.1 Participation

Local governments shall ensure equal access to participation of women in local government decision-making as well as in all critical sectors of development, including agriculture, health, education and governance, as well as contractual services offered by various local government administrations.

17.1.2 Representation

Local governments shall ensure equal access to opportunities for women representation in structures of local government decision-making such as local government councils, advisory boards, as well as in other areas of local government service.

17.1.3 Protection

Local governments shall commit to protect and promote the rights and security of women, girls and children and invest in improving structures and community mechanisms that will assist in the prevention of child abuse and sexual and gender based violence.

17.1.4 Capacity-Enhancement

a) Local governments shall support training programs to enhance women’s access to participation in local government leadership and decision-making, as well as access to employment and contractual service opportunities.
b) Local governments shall undertake affirmative action as stipulated in the Girls’ Education Policy as a framework for investing in education of girls.

17.2 Reversing Discrimination

Local governments shall take proactive measures to reverse discrimination by identifying and rectifying discriminatory practices within local government set ups and governance processes that may negatively affect women or men.

17.3 Vulnerable and Marginalized Groups

a) Local governments shall also work to promote the empowerment, participation and integration of vulnerable and marginalized groups and persons with special needs such as the physically and mentally challenged, the elderly, orphaned and abandoned children in all aspects of development at local levels.

b) Specifically, local governments shall ensure the following:

I. That the physically challenged have access to participation in local government decision-making and to user-friendly, physical infrastructures;

II. That the physically challenged have equal access to employment and social services being provided the people;

III. That local government programs are children-friendly and responsive to the needs of orphans and abandoned children;

IV. That local government programs take into account the needs of the elderly in local communities; and

V. That local government health services programs attend to the needs of persons mentally challenged.
Chapter 18

Reporting Relationships

18.1 Superintendent

(a) The Superintendent shall report to the County Council and the President of Liberia on activities of the county. The superintendent shall maintain an administrative relationship with the Minister responsible for Local Government.

(b) The annual report of the Superintendent to the President shall be through the Minister responsible for Local Government. It shall include general and specific circumstances of the county, its administration and fiscal status. The report shall also include the extent of the county conformity with national regulations and standards of good governance.

18.2 District Commissioner

The District Commissioner shall report to the superintendent on activities of the district and shall maintain a regular administrative relationship with paramount chiefs and heads of county administrative agencies. He/she shall submit an annual report to the superintendent to be included in the superintendent’s annual report.

18.3 Paramount Chief

The Paramount Chief shall report to the District Commissioner on activities of the chiefdom and maintain a regular working relationship with clan chiefs and representatives of county and national administrative agencies working in the chiefdom.

18.4 Clan Chief

The Clan Chief shall report to the Paramount Chief on activities of the clan and maintain a regular working relationship with general town chiefs and representatives of county and national administrative agencies working in the clan.

18.5 General Town Chief

The General Town Chief shall report to the Clan Chief on activities of the general town and maintain a regular working relationship with town chiefs and representatives of county and national administrative agencies working in the general town.

18.6 City and Township Mayors

The Mayor of the National Capital City shall report to the Monrovia City Council and the President of Liberia on activities of the nation’s capital city. Mayors of all other cities and commissioners of townships shall report to their respective Councils and the superintendents of the counties in which their cities and townships are located.
18.7 Heads of County Administrative Departments

The heads of County Administrative Departments shall report to the County Superintendent. They shall also report to relevant central government ministries and agencies through the ministry responsible for local government on government programs that are delegated to them for implementation.
Chapter 19

Standards of Transparency and Accountability in Local Government

19.1 Anti-Corruption Measures for Local Governments

All local governments shall prioritize adoption of systems and measures to prevent corruption and improve internal controls in the administration of the county, city and township’s affairs. Such measures shall include adoption of the Code of Conduct, adoption of all anti-corruption standards and regulations contained in the Acts creating the Liberia Anti-Corruption Commission and the Public Procurement and Concessions Commission, as well as standards, rules and regulations of the Civil Service.

19.2 Standards of Transparency and Accountability

Standards of transparency and accountability applicable to officials of central government shall be equally applicable to local government officials in the discharge of their duties. These shall be inclusive of financial and non-financial standards such as provided under the Public Procurement and Concession Act and the Public Finance Management Act 2009, as well as their other regulations.

19.3 The Code of Conduct Adopted

The Code of Conduct, as enacted into law for all public officials and employees of the three branches of government, shall also apply to all officials and employees in the service of local governments.

19.4 Additional Proactive Anti-corruption Measures

The Office of the County Administrative Officer shall collaborate with the Civil Service Agency, the Liberia Anti-Corruption Commission, the Public Procurement and Concessions Commission, and other national integrity institutions in anti-corruption and public ethics advocacy which shall include:

a. **Compulsory Anti-corruption and Ethics Training** – Training and certification in professional ethics in the public service and the benefits of eradicating corruption, which shall be compulsory for all officials and civil servants in local government services. The training shall also include awareness of the national Anti-Corruption and Public Procurement legislations; and

b. **Public Awareness and Sensitization Campaigns** – County-wide ethics and anti-corruption, public procurement sensitization and public awareness programs through flyers, billboards, local radio talk shows, workshops and seminars, as well as the print and other media.
Chapter 20
Civil Service in Local Government

20.1 Civil Service Management

(a) Human resources management of all non-elected, civilian employees of the county, city and township administrations shall adhere to the civil service rules and regulations.

(b) All civilian employees of county, city and township administrations shall be subjected to the policies and regulations of the Civil Service Agency.

(c) Human resource management issues such as recruitment and retention, classification, pay and benefits; promotions and transfers; retirement and pensions; grievances and grievance handling shall all be subjected to the policies and regulation of the Civil Service Agency.

20.2 Civil Service Outreach Program

(a) Until at such time when the Civil Service Agency has the capacity to establish a Civil Service Unit in each county administration, the Civil Service Regional Outreach Program (CSROP) is hereby adopted as the model for de-concentration of the civil service to the counties. The four regional centers established below to provide coverage to all 15 counties shall be strengthened and empowered to provide effective and efficient civil service management services.

(b) The Regional Civil Service Outreach Program Structure which shall serve the counties is as follows:

a. **Region I**: Bong, Nimba, and Lofa Counties, with headquarters in Gbarnga;

b. **Region II**: Grand Gedeh, River Gee, Maryland, Sinoe, and Grand Kru counties, with headquarters in Zwedru;

c. **Region III**: Bomi, Cape Mount, and Gbarpolu counties, with headquarters in Tubmanburg;

d. **Region IV**: Grand Bassa, River Cess, and Margibi counties with headquarters in Buchanan;

e. **Region V**: Montserrado County, where the Civil Service Agency is headquartered
20.3 **Mobility within the Service**

The Civil Service Agency shall issue a standing order to ensure that there is mobility, both vertically and horizontally, within the civil service, allowing for upward career growth, development and movement as well as cross-agency and cross-county-of-origin recruitment, placement, and transfers such that employees, or certain category of employees, of an agency or local government are not predominantly from one gender or region of the country.

20.4 **Rotational Assignments**

The Civil Service Agency shall ensure that civil servants who occupy the following positions in local governments are rotated from one county to another after having served for a period of four (4) years in a particular county:

a. County Administrative Officer;
b. County Finance Officer;
c. County Development Officer; and
d. County Internal Auditor.

For other junior and middle level personnel, the Superintendent may make internal transfers consistent with policies and regulations of the Civil Service.

20.5 **Technical Assistance to Local Governments**

The Civil Service Agency shall, from time to time and for specific periods, assign civil servants from the central government to local governments as technical assistance to local governments. Capacity building shall be among the terms of reference for such technical assistance. The Liberia Institute of Public Administration shall be responsible for training and capacity enhancement.

20.6 **Resettlement Benefits**

Resettlement benefits linked directly to salary and/or fringe benefits shall be made available to a certain category of civil servants assigned from central to local governments and for local government civil servants re-locating from one county to another. A Resettlement Benefit Program shall be formally developed and put into place by the Civil Service Agency. A resettlement benefit shall be a one-time allowance paid to central government civil servants re-locating from the capital city or other locations to local government positions in counties, or for local government civil servants re-locating from one county to another.
Chapter 21

Land Governance and Management in Local Government

21.1 Land Governance and Administration

a) All land governance and administration functions, including land administration, management, and land alternative dispute resolutions, shall remain under the jurisdiction of the national agency responsible for land.

b) All land related functions including those related to determination of rights to land, surveying and mapping, deed and title registration, valuation of land, and collection and management of land information shall be administered by the national agency responsible for land.

c) In pursuit of its functions and the exercise of its authority and powers, the national agency responsible for land shall establish and mobilize structures at local government levels as it deems necessary for the effective and efficient administration and regulation of land.

d) All land governance and administration functions, including land governance and administration at the national and local government levels, shall be governed by land laws enacted by the Legislature as well as by policies formulated and regulations issued by the national agency responsible for land.

e) The national agency responsible for land shall establish standards and processes in various areas of land governance and administration including but not limited to land: acquisition, transfer, surveying, valuation, and title processing.

f) All public and private surveyors accredited and licensed by the professional surveyors’ board and providing services to private and public individuals and institutions shall be shall register with the county office of the national agency responsible for land in the county in which they intend to practice surveying.

21.2 Harmonization of Boundaries

The national agency responsible for land shall provide advice and technical assistance to the Minister responsible of local government in the harmonization of administrative boundaries between counties, districts, chiefdoms, clans, and general towns, as well as cities and townships.

21.3 De-concentrated Functions and Services

The national agency responsible for land, from time to time, shall devolve or delegate certain of its functions and powers to the counties. Accordingly, immediately following the coming into effect of this law, the following services shall be de-concentrated from the national agency responsible for land to local governments: (i) survey services; and (ii) land registration services, including updating and storage of land records services.
21.4 Capacity Building

The national agency responsible for land shall work with local governments to build their capacities to facilitate the devolution and/or delegation of certain of its functions and powers, commencing initially, with capacity building for the devolution of the following activities: (i) survey services; and (ii) land registration services, including updating and storage of land records services.
Chapter 22
Miscellaneous Provisions

22.1 Oath of office

All local government officials shall, before taking office, take a solemn oath affirming their loyalty to the sovereign state of Liberia and pledging that they will support the Constitution and laws of Liberia, promote the National Policy on Decentralization and Local Governance, as well as perform the duties and functions that have been assigned to them.

22.2 Incorporation of Counties, Cities and Townships

Counties, cities and townships shall be incorporated as corporate bodies with perpetual succession and a common seal. They shall have the right to sue and be sued; invest in and own real property; levy taxes, fees and charges on residents under delegated authority from the Legislature from which a county, city and township shall fund its budget, without prejudice to taxes, fees and other charges imposed by and collected for the central government.

22.3 Councils’ Power to Make Bylaws or Adopt Internal Rules

County, city, and township councils shall make bylaws and/or adopt internal rules to govern their operations regarding matters such as procedures for introducing draft regulations and ordinances, debates, attendance of meetings, standing committees, quorums, and voting, provided that such bylaws and/or internal rules are not inconsistent with the Constitution, this Act, and other enacted laws of the country, or their own ordinances.

22.4 Minister to provide Guidelines and Templates for By-Laws

The Minister responsible for Local Government, in consultation and collaboration with other relevant central government officials, shall provide guidelines, including templates, to facilitate county, city, and township councils to develop by-laws or internal operating procedures.

22.5 Civil Service Regulations to Govern Non-Elected employees of Local Governments

All non-elected, civilian employees of county, city and township governments shall be governed by the policies, standards and regulations of the Civil Service Agency.
(a) The provisions of this law relative to the elections of Superintendents and District Commissioners that depend on the amendment of the Constitution of the Republic of Liberia, before it takes effect, shall be deemed suspended after the passage of this law until at such time when the constitutional provisions on the appointment of Superintendents and District Commissioners are repealed.

(b) Prior to the amendment of the relevant provisions of the Constitution to provide for the election of Superintendents and County Commissioners, Superintendents and District Commissioners shall continue to be appointed by the President of Liberia.

(c) As soon as the Constitution is amended and takes effect relative to the election of Superintendents and District Commissioners, the suspension of the provision of this law on elections of Superintendents and District Commissioners shall be deemed lifted effective immediately.
Chapter 24
Repeals and Amendments

24.1 Title 12 Executive Law, Chapter 25, Ministry of Internal Affairs

Title 12 Executive Law, Chapter 25, Ministry of Internal Affairs, is hereby amended as follows:

Section 25.1, Ministry Created, of said Act which reads: “There is hereby created and established in the Executive Branch of the Government a Ministry of Internal Affairs to be headed by a Minister who shall be appointed by the President with the advice and consent of the Senate. The President shall appoint with the advice and consent of the Senate a Deputy Minister who shall be the principal assistant to the Minister of Internal Affairs and who shall act in the absence of the Minister. The President may also appoint, with the advice and consent of the Senate, such Assistant Ministers as would be required for the effective operation of the Ministry”

This section is amended to alter the name of the Ministry of Internal Affairs, the number of Deputy Ministers, and the requirement for appointing the Minister and Deputy Ministers, and the new Section 25.1 shall read:

“There is hereby created and established in the Executive Branch of the Government a Ministry of Local Government to be headed by a Minister, who shall be assisted by a Deputy Minister for Administration as the principal deputy to the Minister and shall act as Officer-in-Charge in the absence of the Minister, a Deputy Minister for Operations, and a Deputy Minister of Research and Planning”.

24.2 Section 25.2 of the Executive Law establishing the duties of the Minister Responsible for Local Government

Section 25.2 of the Executive Law is hereby amended as follows: Subsection (a) which reads “The successful conduct and improvement of local government through supervision and direction of the activities of the political subdivision of the central government”

...shall now read:

“Promoting the successful implementation of the National Policy on Decentralization and Local Governance of the Republic of Liberia through advocacy and facilitation of smooth interaction between the National Government and the County Government.”

Subsection (b), (d), (g), (h), (i) and (k) are hereby repealed while Subsections (c), (n), (o), (p), (q) and (r) are amended as follows:

Subsection (c) which reads “Coordinating and implementing Government services rendered through the units of Local Government” is hereby amended to become subsection (b) and shall now read as follows:
“Coordinating and in collaboration with the County Superintendent, implementing National Government services rendered through the County Government”.

Subsection (n) which reads: “Overseeing the collection and publication of the laws and customs of the Liberian tribes” is now subsection (c) and shall read:

“Collaborate with the Law Reform Commission and other relevant government agencies to collect and publish the laws and customs of Liberian ethnic groups.”

Subsection (o) which reads: “Initiating and organizing programs for rural community development with emphasis on housing and other facilities designed to transform rural communities into viable towns” is now subsection (d) and shall read:

“Cooperating with counties, cities and townships to initiate and organize programs for transformation of rural communities into viable towns.”

Subsection (p), (q) and (r) shall now become subsections (e), (f) and (g) respectively.

24.3 Title 20, Local Government Law, Chapter 1, Territorial Divisions of Liberia, Section 1, County Area

Title 20, Local Government Law, Chapter 1, Territorial Divisions of Liberia, Section 1, County Area and Hinterland is hereby repealed and in its stead, a new Chapter 1 is established as follows:

“Chapter 1: Division of Liberia into Counties.

24.3.1 Local Government Structure:

The territory of Liberia is hereby divided into counties, districts, chiefdoms, clans and general towns, National Capital, cities and townships for the purpose of decentralization and participatory governance. The boundaries of the existing counties shall remain as specified by law until such time when the Legislature shall alter same.
Chapter 25

Effective Date

This Act shall take effect concomitantly with the coming into force of the Liberian Constitution as shall be amended in any future referendum.

Any law to the contrary notwithstanding.
# Appendices

## Appendix 1: Devolved Functions from Central to Local Governments

<table>
<thead>
<tr>
<th>Area/Sector</th>
<th>Central Government Retain Functions</th>
<th>Devolved Functions to Local Governments</th>
</tr>
</thead>
</table>
| **Agriculture**   | • Development of policy, regulation and strategy  
• Technology transfer  
• Technical assistance  
• Outbreak of plant/animal diseases  
• Research and planning services  
• Monitoring and evaluation  
• Veterinarian services  
• Licensing of off-shore fishing boats  
• Regulation of agricultural and fishery activities | • Pest and insect control  
• Extension services/technology dissemination  
• Distribution of farming inputs (seeds, fertilizers, pesticides, other planting materials)  
• Seed multiplication and distribution  
• Crop, vegetable and animal production  
• Fish pond development, fish farming and support to fishermen  
• Construction and maintenance of water impounding services  
• Licensing of small canoes |
| **Commerce & Industry** | • Development policy, regulation and strategy  
• Standardization  
• National registration of business  
• Global price monitoring  
• Price regulation on certain essential products such as gas, and cement  
• Import & export permits | • Promotion of small/medium enterprises  
• Registration of businesses  
• Inspection of local businesses  
• Monitoring of cross-border trades  
• Establishment and regulation of markets  
• Monitoring of trade, commercial and industrial activities  
• Licensing and regulation of cinemas and video clubs |
| **Education**     | • Development of policy, regulation and strategy  
• Curriculum development  
• Calendar planning  
• Oversight of universities and colleges  
• Junior colleges  
• Teacher training/certification  
• Vocational and technical education  
• Monitoring and evaluation | • Educational Supervision  
• Teachers and staff recruitment  
• Oversight of pre-school, kindergarten, primary, junior high and secondary schools  
• Adult literacy programs |
<table>
<thead>
<tr>
<th>Area/Sector</th>
<th>Central Government Retain Functions</th>
<th>Devolved Functions to Local Governments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finance</td>
<td>• Development of policy, regulation and strategy</td>
<td>• Local government fiscal management: budgeting, revenues, expenditures</td>
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<td></td>
<td>• National fiscal management: budgeting, revenues, expenditures</td>
<td>• County development planning</td>
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<td>• National auditing</td>
<td>• County development agenda management</td>
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<td>• National development Planning</td>
<td>• County public procurement management</td>
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<td></td>
<td>• External resource mobilization</td>
<td>• Liaising with and monitoring NGOs and development partners operating in counties</td>
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<td>• Public procurement regulations</td>
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<td>• Management of relations with international financial institutions and donors</td>
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<td></td>
<td>• Aid coordination</td>
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<tr>
<td>Gender &amp; Social</td>
<td>• Development of policy, regulation and strategy</td>
<td>• Gender mainstreaming</td>
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<tr>
<td>Welfare</td>
<td>• Advocacy for women in law and policy making</td>
<td>• Advocacy for girls education</td>
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<td>• Advocacy against domestic abuse and violence</td>
<td>• Gender counseling services</td>
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<td>• Advocacy for women empowerment</td>
<td>• Child protection</td>
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<td>• Research of national gender issues</td>
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<td></td>
<td>• Regulatory and enforcement, setting of standards</td>
<td>• Ensuring access of women to community decision-making</td>
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<td>Health</td>
<td>• Development of policy, regulation and strategy</td>
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<td>• Case management protocols</td>
<td>• Oversight of orphanages, elderly care, disabled care</td>
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<td>• Oversight of referral hospitals</td>
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<td>• Oversight of tertiary hospitals</td>
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<td>• National drugs and medical supplies management</td>
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<td>• Setting of licensing standards for pharmacies and drug stores</td>
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<td>• Certification and licensing of nurses and doctors and paramedics</td>
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<td>• Set sanitation and hygiene standards for restaurants and cook shops, and water and food services</td>
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<td>• Medical research</td>
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<td>• National health planning</td>
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<td>• Monitoring and evaluation</td>
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<td></td>
<td>• Regulatory and enforcement, and setting of standards</td>
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<tr>
<td>Internal Affairs</td>
<td>• Development of policy, regulation and strategy</td>
<td>• Communicate decentralizations changes</td>
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<td></td>
<td>• Advice the Central Government on Local Government matters</td>
<td>• Implement decentralization activities</td>
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<td></td>
<td>Monitor establishment of local government structures</td>
<td>Coordinate services of central government ministries, agencies and commissions in the county</td>
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<td></td>
<td>Oversight of Local Government</td>
<td>Promote peace, reconciliation, justice, and security</td>
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<td></td>
<td>Boundary harmonization</td>
<td>Promote good governance principles such as participation, transparency, accountability, and inclusiveness</td>
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<td></td>
<td>Issuance of regulations on Local Governance</td>
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<td>Ensure compliance with national and local laws</td>
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<td>Capacity development of local governments</td>
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<td>Regulatory and enforcement, setting of standards</td>
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<td>Addressing natural calamities and disasters</td>
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<tr>
<td>Labor</td>
<td>Development of policy, regulation and strategy</td>
<td>Implementation of labor policies and strategies</td>
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<td>Supervision of collective bargaining</td>
<td>Enforcement of labor standards</td>
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<td>Oversight of labor unions</td>
<td>Compilation of labor statistics</td>
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<td>Setting of minimum wage</td>
<td>Collection of labor market information</td>
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<td>Setting standards and safety at workplaces</td>
<td>Promotion of private sector vacation job program</td>
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<td>Ensuring fair labor practices such as non-discriminatory employment, avoidance of sexual harassment</td>
<td>Provision of labor inspection services</td>
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<td>Implementing International labor standards</td>
<td>Attestation of contracts</td>
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<td>Publication of labor statistics</td>
<td>Issuance of contractor certificates</td>
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<td>Publication of labor market information</td>
<td>Processing of alien work permit documentation</td>
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<td>Issuance of alien work permits</td>
<td>Promotion of labor relations</td>
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<td>Operation of labor courts</td>
<td>Promotion of private sector employment</td>
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<td>Establishment of Labor Hearing Offices</td>
<td>Supervision of trade union services</td>
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<tr>
<td>Post &amp; Telecommunications</td>
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<td>Oversight of Expedited Mail Services</td>
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<td>Standards monitoring and compliance</td>
<td>Oversight of provision of Local Money Order services</td>
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<td>Expansion of the quantum and quality of the telecommunications services being provided</td>
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<td>Ensuring real GSM market competition</td>
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<td>Construction/rehabilitation of postal structures</td>
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<td>Provision of postal services</td>
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<td>Regulatory and enforcement, setting of standards</td>
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<tr>
<td>Public Works</td>
<td>• Development of policy, regulation and strategy</td>
<td>• Ensure compliance with zoning laws and regulations</td>
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<td>• Construction of national highways and bridges</td>
<td>• Issuance of building permits</td>
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<td>• Construction designs approval</td>
<td>• Construction and maintenance of water, sanitation and hygiene (WASH) facilities</td>
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<td>• Civil engineering supervision</td>
<td>• Construction and maintenance of secondary and feeder roads and bridges</td>
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<td>• Construction industry regulation</td>
<td>• Roadside brushing and maintenance, drainage cleaning and betterment</td>
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<td>• Zoning regulation</td>
<td>• Oversight of parks and public spaces</td>
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<td>• City/Town planning framework</td>
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<td>• Issuance of contractors’ licenses</td>
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<td>• Regulatory and enforcement, and setting of standards</td>
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<td>Transport</td>
<td>• Development of policy, regulation and strategy</td>
<td>• Issuance of drivers’ licenses</td>
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<td>• Oversight of airports and seaports and highways and airspace</td>
<td>• Vehicle registration</td>
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<td>• National transport fares setting</td>
<td>• Issuance of license plates</td>
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<td>• Production of license plates</td>
<td>• Establishment and regulation of transportation stations</td>
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<td>• Development of curriculum and standards for driving schools</td>
<td>• Registration of regional Transport Unions</td>
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<td>• Regulation road toll systems</td>
<td>• Enforcement of road toll system</td>
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<td>• Creation of alternative roads</td>
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<td>• Regulatory and enforcement, and setting of standards</td>
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<td>Youth &amp; Sports</td>
<td>• Development of policy, regulation and strategy</td>
<td>• Apprenticeship training for youths</td>
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<td>• Oversight National Sports Teams</td>
<td>• Management of Vacation Job Programs</td>
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<td>• Development of Sports Academies</td>
<td>• Construction and operation of youth centers</td>
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<td>• Organization of National Sports Leagues</td>
<td>• Coordination of youth programs and activities</td>
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<td>• Development of youth empowerment</td>
<td>• Development of county sports and operation of county sports offices</td>
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<td>• Coordination of international youth relations</td>
<td>• Protection and regulation of cultural practices and institutions</td>
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<td>• Coordination of international tournaments</td>
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<td></td>
<td>• Provision of technical vocational and educational training programs</td>
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<td>• Regulatory and enforcement, and setting of standards</td>
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<tr>
<td>LISGIS</td>
<td>• Development of policy, regulation and strategy</td>
<td>• Responsiveness to training in data collection and dissemination</td>
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<td>• Collection, analysis, interpretation and dissemination of statistical and geo information</td>
<td>• Collection and dissemination of statistical and geo information</td>
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<td>• Training of counties in the use of statistical and geo information</td>
<td>• Use of statistical and geo information in development planning and implementation</td>
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<td>• Training of counties in the collection of statistical information</td>
<td>• Use of monitoring and evaluation of statistical and geo information</td>
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<td>• LISGIS infrastructural development</td>
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<td>• Regulatory and enforcement, and setting of standards</td>
<td>• Sensitization and training of sub-local government structures in the importance and methods of statistical and geo information collection</td>
</tr>
</tbody>
</table>
Appendix 2: Functions of County Administrative Departments at the time of devolution

The following shall constitute the functions for each of the county administrative departments:

(a) Department of Revenue, Expenditure & Budget:

- Development planning
- Budget preparation
- Revenue collection administration
- Expenditure management
- Procurement and payment processing
- Financial accounting and reporting

(b) Department of Administration and Personnel

- Civil service merit based recruitment
- Manpower planning and development
- Personnel database, records and archives
- Information, education, communication on civil service

(c) Department of Public Works and Utilities

- Zoning rules implementation
- Public lighting, water and sewage
- Parks and public spaces
- Issuance of building permits
- Construction and rehabilitation of public facilities
- Construction and rehabilitation of feeder roads and bridges
- Roadside brushing and maintenance
- Drainage cleaning and betterment
- Issuance of contractors’ licenses and permits
- Construction and maintenance of water wells

(d) Department of Health & Social Welfare

- Provision of primary and secondary health care
- Procurement of equipment and medicines
- Inspection of pharmaceutical products
- Registration of medicine and drug stores
- Birth registration and issuance of birth certificates
- Inspection of public health facilities
- Management of public health information system
- Issuance of health certificates
- Registration of death and issuance of death certificates

(e) Department of Agriculture and Commerce

- Issuance of regulatory documents (clearance, permits, licenses, registration) for food, plants and animals
- Control of pests, insects & outbreak of animal and plant related diseases
- Dissemination of modern farming technology information
- Demonstration of modern farming practice
- Distribution of inputs (seeds, fertilizers, pesticides & planting materials)
- Animal production, health and the administration of livestock market
- Sensitization of communities on forest conservation
- Licensing of small canoes and attendant fishing gears
- Establishment and management of fishponds and inland lakes
- Registration of businesses and monitoring of prices of essential commodities
- Inspection of goods and local businesses and monitoring of cross border trade
- Regulation of local businesses and operation of trade, commercial and industrial activities

(f) Department of Education, Information and Sports

- Administration of vocational and technical education
- Administration of adult literacy program
- Educational supervision
- Apprenticeship training for youth
- Provision of agricultural training in food crops, livestock production & fishery
- Operation of youth centers
- Management of sports activities, including inter-high school leagues in counties

(g) Community Enterprise Development Agency (CEDA)

- Promotion of small-medium scale enterprises
- Management of small-scale enterprise development fund
- Provide local financially disadvantaged citizens with loan/credit facilities to start small businesses;
- Provide small-scale business development and loan repayment counseling
- Implementation of farm-to-consumer program to enhance local food crop production and marketing with large institutions

(h) Land, Environment and Natural Resource Management

- Undertake land registration services, including updating and storage of land records
- Monitor land issues such as illegal sale of land
- Monitor land surveying activities
- Monitor the enforcement of community land rights laws
- Monitor environmental conservation and protection
- Support the enforcement of community forestry rights
- Support the enforcement of community mineral rights in concession agreements
Appendix 3: Powers of the Minister responsible for Local Government

Authority of the Minister to Oversee Local Governments

The Minister responsible for Local Government, under authority and powers delegated to him/her by the President of Liberia, shall have oversight of local governments, including the implementation of decentralization and this Local Government Act.

Specific Roles of the Minister responsible for Local Government

The Minister shall undertake the following:

a. Advise the President on issues of governance and local government;
b. Provide oversight of socio-cultural institutions such as Poro and Sande, and their practices;
c. Provide guidance to counties on local government administration, particularly in the planning and implementation of the decentralization policy;
d. Issue regulations to facilitate the effective and efficient implementation of the local government law;
e. Develop and implement a framework for inter-governmental consultations and coordination on local government issues;
f. Develop and implement a framework for the engagement of civil society organizations in local government administration;
g. Develop and implement a framework for monitoring and evaluating the activities of local governments;
h. Administer the re-organization of local government structures, particularly the harmonization of boundaries between counties, administrative districts, chiefdoms, clans, and general towns, as well as between cities and townships;
i. Administer processes leading to the creation and granting of city and township charters to localities;
j. Issue guidelines, including templates, for by-laws of county, city and township councils;
k. Issue guidelines, formats and requirements for administrative reporting of local governments to the central government;
l. Issue guidelines and templates for preparing development plans, based on needs assessments and for monitoring and evaluating development activities;
m. Facilitate the capacity development of local government authorities, including technical assistance capacity building, to enable them effectively and efficiently discharge their functions;
n. Promote good governance in local governments, particularly popular participation, transparency, and accountability; as well as inclusive broad-based participation by youth, women and marginalized groups;
o. Promote research of issues of interest and/or relevance to local governments.
Appendix 4: Powers of the Agency responsible for good governance and governance reforms

The agency responsible for governance reform, under authority and powers granted in the legislation creating said agency, shall undertake the following:

a) Monitor and evaluate good governance programs and practices related to public sector reform and local governance, and produce an annual local government performance report;

b) Study emerging issues emanating from the implementation of this Act and the National Policy on Decentralization and Local Governance and formulate policy options to resolve them;

c) Undertake research to inform new policy options relative to empowering local governments; and

d) Provide technical guidance and support to the ministry responsible for local government in the coordination of the implementation of this Act and the National Policy on Decentralization and Local Governance.