

CARRIACOU AND PETITE MARTINIQUE LOCAL GOVERNMENT BILL, 2022

The Carriacou and Petite Martinique Local Government Bill seeks to constitute Carriacou and Petite Martinique as a County and to provide for the establishment, constitution, powers, functions and duties of a Council for the County as an organ of Local Government.

The Bill is divided into Nine (9) Parts.

Part I of the Bill **comprises clauses 1-2 and** provides for short title and commencement, and the Interpretation Clause, which defines **certain** words and phrases to be used throughout the Bill.

Part II of the Bill comprises clauses 3 to 7 and provides for the establishment of **the** Carriacou and Petite Martinique County Council. Clause 3 provides for the establishment of the Carriacou and Petite Martinique County which shall be comprised of such number of wards as may be prescribed in accordance with sections 3,4 and 5 of the District Councils Act, **Cap 83A**, as if for this purpose the County were a District within the meaning of those sections of that Act.

By virtue of clause 4 the Carriacou and Petite Martinique County Council is established as a body corporate, to which section 49 of the Interpretation and General Provisions Act, **Cap 153**, applies which provides general provisions relating to bodies corporate for example by virtue of sub-section (1) the County Council have perpetual succession and a common seal, may sue and be sued in its corporate name, may acquire hold and dispose of movable and immovable property; and may do all other things necessary for or incidental to the purposes for which it is constituted or established.

Section 5 provides the membership of the County Council which is comprised as follows-

- (a) the Chairperson;
- (b) the elected Councillors
 - (i) one elected from each Ward on the island of Carriacou; and
 - ii. two elected from the Ward on the island of Petite Martinique
- (c) the member of the House of Representatives elected to represent the constituency of Carriacou and Petite Martinique County under the Representation of the People Act, or his **or her** nominee who

shall be an *ex officio* member and shall not be entitled to vote on any matter to be determined by the Council.

Part III of the Bill comprises clauses 8 to 14, clause 8 provides for the functions of the Chairperson and Deputy Chairperson of the Council, clause 9 provides for the election and term of office of the Chairperson, clause 11 provides for occasional vacancy in office of Chairperson or Deputy Chairperson.

Part IV of the Bill addresses the issue of powers and functions of the Council and comprises clauses 15 to 18. Clause 16 allows the Council to share in the control of education in Carriacou. Clause 17 provides for the Council to establish a Police Unit to serve the County, this clause allows members of the County Police Force to be eligible for training and transfer to the Royal Grenada Police Force.

Part V of the Bill comprises clauses 19 to 23 and addresses the financial provisions. clause 19 provides for the Council to raise its ordinary revenue from wharf and harbour dues, public utilities service charges, rents, dues, fees stallages and other such charges. Clause 20 provides for the Council to be entitled to an equitable share of grants made to the State for development purposes. The power to borrow sums is governed by clause 21.

Part VI of the Bill comprises clauses 24 to 25 which addresses the liaison between the Council and the Government by way of a Standing Co-ordinating Forum.

Part VII comprises clauses 26 and 27 provides for the general applicability of the District Council Act, **Cap 83A**, and the machinery for dissolving the Council

Part VIII of the Bill comprises clauses 28 to 34, and provides among other things for the establishment of the Petite Martinique Zonal Agency, membership of the Zonal Agency, Chairperson of the Zonal Agency, powers of the Agency and for the application of the District Councils Act, **Cap 83A**, to the Zonal Agency.

Part IX: Repeal

.....
Claudette Joseph
Hon. Attorney-General

CARRIACOU AND PETITE MARTINIQUE LOCAL GOVERNMENT BILL, 2022
ARRANGEMENT OF SECTIONS

PART I
PRELIMINARY

1. Short title and commencement
2. Interpretation

PART II
ESTABLISHMENT OF CARRIACOU AND PETITE MARTINIQUE COUNTY
AND COUNTY COUNCIL

3. Establishment of **Carriacou and Petite Martinique** County
4. Establishment of Carriacou and Petite Martinique County Council
5. Membership of County Council
6. Term of office
7. Qualifications and disqualifications of members, expulsion, resignation, recall, elections, etc.

PART III
CHAIRPERSON AND DEPUTY CHAIRPERSON OF COUNCIL

8. Functions of Chairperson and Deputy Chairperson
9. Election and term of office of Chairperson
10. Election and term of office of Deputy Chairperson
11. Occasional vacancy in office of Chairperson or Deputy Chairperson
12. Oath to be taken by Chairperson and Deputy Chairperson
13. Chairperson and Deputy Chairperson to be Justices of the Peace
14. Exemption from jury service

PART IV
POWERS AND FUNCTIONS OF COUNCIL

15. General powers of administration
16. Council entitled to share in the control of education
17. County Police Unit
18. Council to have all powers of a District Council

PART V
FINANCIAL PROVISIONS

19. Council may raise revenue
20. Council to share equitably in grants to the State
21. Power to borrow sums
22. Council to enjoy revenue raising powers of a District Council
23. Financial accountability of Council

PART VI
LIAISON BETWEEN COUNCIL AND GOVERNMENT

24. Standing Co-ordinating Forum

25. Chairperson of Standing Co-ordinating Forum

**PART VII
GENERAL APPLICABILITY OF DISTRICT COUNCILS ACT 1995**

26. District Councils Act, **Cap 83A**, applies to Council *mutatis mutandis*
27. Machinery for dissolving Council

**PART VIII
PETITE MARTINIQUE ZONAL AGENCY**

28. Establishment of Petite Martinique Zonal Agency
29. Membership of Zonal Agency
30. Chairperson of Zonal Agency
31. Further provisions regarding Chairperson **of Zonal Agency**
32. Powers of **Zonal** Agency
33. District Councils Act, **Cap 83A**, applies to Zonal Agency
34. **Machinery for dissolving Zonal Agency**

PART IX

- 35. Repeal**

GRENADA

ACT NO. OF 2022

AN ACT to constitute Carriacou and Petite Martinique a County and to provide for the establishment, constitution, powers, functions and duties of a Council for the County as an organ of Local Government and other related matters.

[**2022**]

WHEREAS the Constitution of Grenada, Schedule 1 to the Grenada Constitution Order 1973, SI 1973/2155 [UK], provides that

107. (1) There shall be a Council for Carriacou and Petite Martinique, which shall be the principal organ of local government in those islands.

(2) The Council shall have such membership and functions as Parliament may prescribe

AND WHEREAS it is requisite for the Parliament of Grenada to make prescriptions in furtherance of section 107 of the Constitution

NOW THEREFORE the Parliament of Grenada provides as follows:-

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Grenada, and by the authority of the same as follows-

PART I PRELIMINARY

Short title and commencement

1. This Act may be cited as the **CARRIACOU AND PETITE MARTINIQUE LOCAL GOVERNMENT ACT, 2022**

and shall come into force on a date to be fixed by the Minister by Notice published in the *Gazette*.

Interpretation

2. In this Act, unless otherwise, it is expressly stated or the context requires-

“Carriacou and Petite Martinique County” means, the islands of Carriacou and Petite Martinique and the neighbouring islets lying to

the north of the parallel of twelve degrees and twenty minutes of north latitude, and included within the State; which islands and islets shall for the purposes of Local Government be called a County;

“Chairperson” means the Chairperson of the Council elected pursuant to section 9(1);

“**Commissioner**” means, the Commissioner of Local Government, whose office is established by section 91 of the District Councils Act 1995 with an office in Carriacou;

“**Constitution of Grenada**” means,—**Schedule 1 to the Grenada Constitution Order 1973**;—, **SI 1973/2155 [UK]**—

“**Council**” means, the Carriacou and Petite Martinique County Council established by section 4 (1);

“**County**” means, the Carriacou and Petite Martinique County established by this Act;

“**Deputy Chairperson**” means the **Chairperson of the Council elected pursuant to section 10(1)**;

“**Government**” means the Government of Grenada;

“**Minister**” means, the Minister **of the government** for the time being charged with responsibility for Local Government;

“**State**” means,—the State of Grenada, including Carriacou and Petite Martinique; and

“**Zonal Agency**” means the Agency established **pursuant to** section 29 to provide for Local Government in the island of Petite Martinique.

PART II

ESTABLISHMENT OF CARRIACOU AND PETITE MARTINIQUE COUNTY AND COUNTY COUNCIL

Establishment of Carriacou and Petite Martinique County

3. (1) For the purposes of this Act, the District of Carriacou and Petite Martinique established by section 3 of the District Councils Act, **Cap 83A** with the boundaries referred to by sections 3, 4 and 5 of that Act, is hereby constituted as a County,—, **to be called the Carriacou and Petite Martinique County**

(2) The Carriacou and Petite Martinique County shall comprise such number of Wards in Carriacou and Petite Martinique as may be prescribed in accordance with section 3, 4 and 5 of the District Councils Act, **Cap 83A**, as if for this purpose the County were a District within the meaning of those sections of that Act.

Establishment of Carriacou and Petite Martinique County Council

4. (1) There is hereby established a body corporate to be called the Carriacou and Petite Martinique County Council constituted in and Carriacou and Petite Martinique County as a local government authority with the powers, functions and duties provided for in this Act.

(2) The provisions of section 49 of the Interpretation and General Provisions Act, **Cap 153** shall apply to the body corporate **established by** sub-section (1).

(3) The Carriacou and Petite Martinique **County** shall be subject to the jurisdiction of the Council **-established by sub-section (1).**

Membership of County Council

5. (1) The membership of the Carriacou and Petite Martinique County Council shall be as follows-

- a. the Chairperson;
- b. the elected Councillors-

i. one elected from **and by** each Ward on the island of Carriacou; and

(ii) two elected from **and by** the Ward on the island of Petite Martinique;

(c) the member of the House of Representatives elected to represent the constituency of Carriacou and Petite Martinique under the Representation of the People Act, **Cap 286A**, or his **or her** nominee; **such member or his or her nominee** shall be an *ex officio* member and shall not be entitled to vote on any matter to be determined by the Council.

(2) The elected Councillors shall be elected in local government elections conducted in accordance with elections referred to in section 6.

(3) Where no **person** is elected as Councillor of a particular **Ward** pursuant to section 5(1)(b)(i), the elected Councillors of the remaining **Wards** in the island of Carriacou, shall in consultation with the members of that **Ward** nominate a person from that **Ward** to be elected Councillor for that **Ward**; **if** the person nominated agrees to such nomination.

(4) Where no person is elected as Councillor of the Ward in Petite Martinique pursuant to section 5(1)(b)(ii), the elected Councillors of Carriacou shall in consultation with the members of the Ward in Petite

Martinique nominate two persons from Petite Martinique to be elected Councillors for Petite Martinique, if the persons nominated agree to such nomination.

(5) The provisions of sub-section (2) shall apply with regard to the election referred to **in** sub-sections (3) **and** (4).

(6) The elected Councillors may, for the purpose of assisting them in the carrying out of their responsibilities, engage the services of persons having suitable qualifications and experience to provide services where necessary to the Council from time to time.

Term of office

6. (1) The elected Councillors shall be elected in accordance with section 18 of the District Councils Act, **Cap 83A**.

(2) Elected Councillors shall hold office for four years and shall be eligible for re-election.

(3) There shall be a fixed date for the election of Councillors and a period of one month immediately after the elections are held should elapse before the inauguration of the newly elected Councillors.

(4) A person who is a member of the Council by virtue of section 5 (1) (c) shall cease to be such member upon ceasing to represent the constituency of Carriacou and Petite Martinique in the House of Representatives.

Qualifications and disqualifications of members, expulsion, resignation, recall, etc.,

7. Part IV, comprising sections 10 to 21, of the District Councils Act, **Cap 83A**, shall apply *mutatis mutandis* to the County Council established under this Act as if the County Council were a District Council, in relation to:

- (a) qualifications of members;
- (b) disqualifications of members;
- (c) members' seats vacated in certain events;
- (d) statement and declaration by persons named;
- (e) power of Council to expel members;
- (f) resignation of members;
- (g) **Ward recalling its** Councillor;
- (h) notification of vacancy in Council;
- (i) time and conduct of elections;
- (j) oath to be taken by Councillor; and
- (k) occasional elections.

PART III

CHAIRPERSON AND DEPUTY CHAIRPERSON OF COUNCIL

Functions of Chairperson and Deputy Chairperson

8. (1) The Council shall have a Chairperson and a Deputy Chairperson.

(2) The Chairperson shall preside at every meeting of the Council at which he **or she** is present. **He or she** shall also have such other duties as may from time to time be assigned to him **or her** by the Council **in accordance with this Act**.

(3) The Chairperson shall have an original vote and in case of an equal division of votes on any question before the Council, he **or she** shall have a second or casting vote.

(4) In the temporary absence or inability of the Chairperson to perform his **or her** functions through illness or otherwise, the Deputy Chairperson shall perform those functions, including presiding at meetings of the Council.

(5) Where the Chairperson or Deputy Chairperson is temporarily absent or is unable to preside at a meeting of the Council such other elected member as may be appointed by the Council for that purpose may perform that function.

(6) The Chairperson may be granted leave of absence by the Council for a period not exceeding six weeks in the aggregate in any calendar year and in the case of the Deputy Chairperson not exceeding four weeks in the aggregate in any calendar year.

Election and term of office of Chairperson

9. (1) When the Council first meets after this Act comes into force, before it proceeds to the dispatch of any other business **the elected Councillors shall elect out of their number a Chairperson of the Council**.

(2) The qualification and disqualification of the Chairperson shall be the same as those applying to an elected Councillor, referred to section 7

(3) The term of office of the Chairperson shall be four years, to coincide with the term of office of the elected Councillors and the holder of such office shall be eligible for re-election save and except that a person shall not serve as Chairperson for more than two successive terms.

Election and term of office of Deputy Chairperson

10. (1) **In every calendar year** the elected Councillors shall elect out of their number a Deputy Chairperson **of the Council**.

(2) The term of office of the Deputy Chairperson shall be one year but the holder of such office shall be eligible for re-election save and except that a person shall not serve as Deputy Chairperson for more than two successive terms.

Occasional vacancy in office of Chairperson or Deputy Chairperson

11. (1) An occasional vacancy in the office of the Chairperson or Deputy Chairperson shall be deemed to have occurred under this section where-

- a. the Chairperson or Deputy Chairperson dies, or ceases to be a member of the Council or his office as member is declared to be vacant for disqualification or otherwise;
- b. the Chairperson or Deputy Chairperson notifies the Minister in writing of his resignation as Chairperson or Deputy Chairperson;
- c. the Chairperson or Deputy Chairperson
 - i. is granted leave of absence by the Council; or
 - ii. departs from the State without leave from the Council save and except that where the Council refuses such leave to the Chairperson he **or she** may apply to the Commissioner for such leave and it shall be competent for the Commissioner to grant the Chairperson such leave; or
- (d) the Chairperson or Deputy Chairperson is voted out of office in the following circumstances
 - (i) in the case of the Chairperson, by a majority of three quarters of all the elected members of the Council present and voting;
 - (ii) in the case of the Deputy Chairperson, by a majority of the elected members **of the Council** present and voting; or
 - (iii) in either case on the ground that the respective number of members **of the Council** have lost confidence in the Chairperson or Deputy Chairperson as the case may be.

(2) Elections under paragraph (d) shall be conducted by secret ballot.

(3) Subject to sub-sections (3) and (4), in the event of the death, resignation, disqualification for any cause of the Chairperson or other occasional vacancy in the office of Chairperson, the Deputy Chairperson shall forthwith succeed to the

office of Chairperson, and shall continue in such office until the time when the Chairperson whom he **or she** succeeds would have gone out of office, and he **or she** shall then go out of office.

(4) Where an occasional vacancy arises on account of the Chairperson being granted leave of absence by the Council under section 8 (6), the Deputy Chairperson shall hold the office of Chairperson until the Chairperson returns from such leave of absence and has notified the Minister in writing that he **or she** has resumed the office of Chairperson-

(5) Where a vacancy arises apart from an occasional vacancy provided for under sub-section (4) in the office of Chairperson for any reason before the end of the third year of the term of the holder of that office, an election for Chairperson shall be held within forty-five days of the vacancy so arising, but meanwhile the Deputy Chairperson shall act as Chairperson.

(6) The Chairperson may resign his **or her** office at any time by notifying the Minister in writing that he **or she** has resigned as Chairperson and such resignation letter must be sent within two days of the resignation, and it takes effect upon receipt by the **Minister**.

(7) Where the Chairperson departs from Grenada without the leave of the Council, the Deputy Chairperson shall forthwith succeed to the office of Chairperson in accordance with sub-section (1).

(8) Subject to sub-section (5), in the event of the death, resignation, disqualification for any cause of the Deputy Chairperson, or other occasional vacancy in the office of Deputy Chairperson, another elected member shall, in accordance with section 10, be elected as Deputy Chairperson, and such newly elected Deputy Chairperson shall hold office for the unexpired portion of the term in relation to which the occasional vacancy has occurred:

(9) Where an occasional vacancy arises on account of the Deputy Chairperson being granted leave of absence by the Council under section 8 (5), such newly elected Deputy Chairperson shall hold the office of Deputy Chairperson only until such time as the Deputy Chairperson who was granted leave of absence by the Council has returned from such leave and has notified the Minister in writing through the Commissioner that he has resumed the office of Deputy Chairperson.

(10) (1) The Council may remove the Chairperson or Deputy Chairperson if it has lost confidence in him **or her**, as provided for in sub-section (1) (d); and subject to this section, the Council shall, in **the proceedings** doing so adhere to the relevant provisions of Part VI of the District Councils Act, **Cap 83A**, in particular section 29 (5) thereof.

(11) The proceedings referred to under sub-section (10) shall be chaired by the Commissioner.

Oath to be taken by Chairperson and Deputy Chairperson

12. The Chairperson and Deputy Chairperson shall, before assuming office as such, take and subscribe the oath or affirmation of office specified in section 87 of the District Councils Act, **Cap 83A**.

Chairperson and Deputy Chairperson to be Justices of the Peace

13. (1) The Chairperson and Deputy Chairperson shall **each** be **an** *ex officio* Justices of the Peace for the State and, unless disqualified for re-election to their respective offices, shall continue as Justices of the Peace during the year next after they cease to be Chairperson or Deputy Chairperson respectively.

(2) The disqualification referred to in sub-section (1) shall not include disqualification due to ineligibility for re-election as Chairperson or Deputy Chairperson by reason only of any person having served as Chairperson or Deputy Chairperson for four successive years.

(3) Before acting as Justices of the Peace, the Chairperson and Deputy Chairperson shall take the oaths required by law to be taken by **a Justice of the Peace** unless, on the day on which they become entitled to act as Chairperson or Deputy Chairperson, they have already taken the oaths required by law to be taken to act as **a Justice of the Peace**.

(4) An elected member of the Council who serves temporarily as Chairperson or Deputy Chairperson under section 8 (4) is not entitled to be an *ex officio* Justice of the Peace under this section.

Exemption from jury services

14. The Chairperson, Deputy Chairperson and other members of the Council shall, during their terms of office, be exempted from jury service.

PART IV POWERS AND FUNCTIONS OF COUNCIL

General powers of administration

15. (1) The Council is hereby authorised to take decisions and implement measures in relation to Carriacou to-

a. improve and maintain roads, public buildings, jetties
and harbour facilities;

b. regulate and provide consumer protection for the supply

of electricity, telecommunication services and other public utilities;

- c. build manage and maintain all public cisterns, wells, springs and ponds, save and except that the National Water and Sewerage Authority shall continue to manage borehole water supply in Hillsborough;
- d. promote and regulate hotel and tourist development;
- (e) administer regulate and monitor agricultural, forestry, fisheries services, and marine resources.
- (f) administer public health, sanitation services and environmental services;
- (g) maintain shared responsibility for public health with the Government;
- (h) provide and maintain social services;
- (i) maintain the Windward and Petite Martinique jetties and harbour facilities;
- (j) administer, co-ordinate and regulate cultural, sporting and youth oriented programs and events within Carriacou and Petite Martinique;
- (k) co-ordinate disaster preparedness operations in collaboration with the National Disaster Management Agency;
- (l) collaborate with air, land and sea transportation service providers to make travel safer and less costly especially when transporting sick persons;
- (m) where **structures of** certain industrial, or historical sites or both exist at the commencement of the Act within the jurisdiction of the Council, **the Council** shall with the approval of the Minister vest such sites or structures or both with the Carriacou Historical Society for their preservation; and
- (n) administer, upon the delegation of the Government and on an agency basis, postal services in Carriacou **and Petite Martinique** upon terms agreed between the Council and the Government.

(2) No licence under the Aliens (Land-Holding Regulation) Act, **Cap 13**, may be issued in respect of land situate either in Carriacou or in Petite Martinique without the Council being previously consulted thereon.

Council entitled to share in the control of education

16. The Council shall be entitled to share in the control of education in Carriacou while education remains a responsibility of the Government and shall be able to:-

- a. inspect school premises and equipment;
- b. improve school facilities and equipment;
- c. care for school facilities and equipment;
- d. assist in the administration of schools with maintaining discipline;
- e. **promote** adult education; and
- f. provide scholarships.

County Police Unit

17. (1) The Council may establish a Police Unit to serve the County and to be called the Carriacou and Petite Martinique County Police Unit.

(2) Members of the County Police Unit shall be eligible for training and transfer to the Royal Grenada Police Force.

(3) The County Police Unit shall have its own immediate commanding officer in the County, but shall ultimately fall under the control of the Chief of Police in the Royal Grenada Police Force.

(4) The services to be rendered by the County Police Unit shall be paid for by the County out of its own ordinary revenue.

(5) At least one-quarter of the numbers of the County Police Unit shall be stationed on Petite Martinique and its own immediate sub-commanding office shall be chosen by the Zonal Agency.

Council to have all the powers of a District Council

18. (1) In addition to the powers and functions vested in the County Council by sections 16 **and** 17, there is also hereby vested in the County Council all the rights, powers, privileges and facilities enjoyable by a District Council by virtue of the District Councils Act, **Cap 83A**, particularly Part VIII of that Act.

(2) Where a public market exists at the commencement of this Act within the jurisdiction of the Council, the Council shall-

b. have the sole management, control and care of that public market;

c. maintain and keep the market in good condition and may enclose the market with proper

- i.railings;
- ii.gates;
- iii.drains;
- iv.level;
- v.lay out;

(d)ornament or otherwise improve the market and erect and maintain buildings **thereon**; and

(e) also do all such works and things as may be requisite for the use of the market as a public market, subject to any relevant town and country or other planning legislation.

PART V FINANCIAL PROVISIONS

Council may raise revenue

19. (1) The **Council** may raise its ordinary revenue from the following sources-

- a. wharf and harbour dues as agreed between the Council and the Port Authority and private entities operating within Carriacou and Petite Martinique;

- b. public utilities service charges in relation to utilities provided by the Government or by a statutory corporation or by a company in which the Government has majority shares; and
- c. rents, dues, fees, stallages and other such charges made by the Council for the use by others of its facilities.

(2) The Government may allocate a portion of its annual revenue to the Council as part of the ordinary revenue of the Council, such allocation being fair and reasonable and may specify what part of such allocation shall be made available to the Zonal Agency for spending by that Agency.

Council to share equitably in grants to the State

20. The Council shall be entitled to such an equitable share of grants made to the State for development purposes as may be agreed between **the Council** and the Government.

Power to borrow sums

21. (1) Subject to sub-section (2) the Council shall have power to borrow in any year as it sees fit sums not exceeding fifteen percent of its recurrent budget for the purpose of maintaining and operating its public services and such recurrent budget under sub-section (1) **as** first approved by a resolution of Parliament;

(2) No such borrowing under sub-section (1) shall be made-

- (a) from persons or bodies ordinarily resident abroad;
- (b) without the prior written approval of a resolution of **the Houses of Parliament**.

Council to enjoy revenue raising powers of a District Council

22. Subject to sections 19 to 21, the provisions of the District Councils Act, **Cap 83A**, particularly sections 48 to 52, which empower a District Council to raise revenue from the sources identified in and by that Act shall apply *mutatis mutandis* to the Council.

Financial accountability of Council

23. The provisions of the District Councils Act, **Cap 83A**, particularly sections 53 to 57, imposing financial accountability on District Councils shall apply *mutatis mutandis* to the Council.

PART VI LIAISON BETWEEN COUNCIL AND GOVERNMENT

Standing Co-ordinating Forum

24. (1) There shall be a Standing Co-ordinating Forum comprising five members of the Council and five members of the Government, or such other equal number of representatives from both sides as agreed between the Council and the Government.

(2) The Council shall choose its five members of the Forum, and the Minister shall choose the five members of the Government on the Forum.

(3) The Standing Co-ordinating Forum shall also comprise the Minister as well as the Member of the House of Representatives elected to represent the constituency of Carriacou and Petite Martinique

(4) The Standing Co-ordinating Forum constituted by sub-section (1) shall be the medium for high level consultation between the Government and the Council.

(5) There shall be no unlawful interference by the Government with the Council or the Zonal Agency.

Chairperson of Standing Co-ordinating Forum

25. (1) The Standing Co-ordinating Forum constituted by section 25 shall annually select its Chairperson, who shall come from among the elected members of the **Council**.

(2) The Chairperson of the Forum shall preside at all meetings of the Forum at which he **or she** is present.

(3) If **the Chairperson of the Forum** is absent from any meeting of the Forum, members present shall select another elected member to deputise for him at that meeting.

PART VII

GENERAL APPLICABILITY OF DISTRICT COUNCILS ACT, Cap

83A

District Councils Act, Cap 83A, applies to Council *mutatis mutandis*

26. (1) Subject to the provisions of this Act, the District Councils Act, **Cap 83A**, shall apply *mutatis mutandis* to the County Council established under this Act as if this County Council were a District Council regarding :-

- (a) procedural matters, sections 27 to 34;
- (b) officers and staff, sections 35 to 42;
- (c) the powers and functions of the Council, sections 43 to 47;
- (d) financial matters, sections 48 to 57;
- (e) legal proceedings, sections 58 to 80;

- (f) the right of the public to attend meetings of the Council, section 86;
- (g) the oath or affirmation of office to be taken on assuming an office on the Council, section 87; and
- (h) miscellaneous matters, sections 92 to 94.

(2) Without limiting the provisions of sub-section (1) the following provisions of the District Councils Act, **Cap 83A**, shall apply to the Council established under this Act, and the Zonal Agency:-

- (a) section 53 sub-section (2) (ii) which provides for the payment of remuneration to the Councillors including the Chairperson, which remuneration may for the purposes of this Act be called a stipend;
- (b) section 53 sub-section (2) (iii) which provides for the payment of allowances to the Chairperson;
- (c) section 49 which provides for the allocation by the Government of a subvention to a Council.

Machinery for dissolving Council

27. The Council shall not be dissolved except at its own request signified by a resolution passed at a meeting of the Council supported by the votes of not less than two-thirds of all its members; or except by an Act of Parliament the Bill for which is supported in the House of Representatives by the votes of not less than three-fourths of all the members of that House.

PART VIII PETITE MARTINIQUE ZONAL AGENCY

Establishment of Petite Martinique Zonal Agency

28. There is hereby established and constituted the Petite Martinique Zonal Agency in and for the island of Petite Martinique as a local government authority.

Membership of Zonal Agency

29. (1) The membership of the Petite Martinique Zonal Agency constituted by section 28 shall be as follows-

a. the two elected Councillors for Petite Martinique sitting on the Council referred to in section 5 (1) (b) (ii);

b. **the Chairperson of the Council; he or she shall be an *ex officio* member and shall not be entitled to vote on any matter to be determined by the Zonal Agency; and**

(c) the member of the House of Representatives elected to represent the constituency of Carriacou and Petite Martinique under the Representation of the People Act, **Cap 286A**, or his **or her** nominee; **such member or his or her nominee** shall be an *ex officio* member and shall not be entitled to vote on any matter to be determined by the **Zonal Agency**.

(2) The members of the Zonal Agency referred to in sub-section 1 (a) shall retain membership in the Zonal Agency as long as they remain members of the Council.

(3) The Zonal Agency may, for the purpose of assisting them in the carrying out of their responsibilities, engage the services of persons having suitable qualifications and experience to provide services where necessary to the Agency from time to time.

Chairperson of Zonal Agency

30. (1) The Petite Martinique Zonal Agency shall annually select its Chairperson, who shall come from among the elected members of the Agency.

(2) The Chairperson of the Zonal Agency shall preside at all meetings of the Agency at which he **or she** is present and where he **or she** is absent from any meeting of the Agency, members present shall select another elected member to deputise for him **or her** at that meeting.

Further provisions regarding Chairperson of Zonal Agency

31. The provisions of sections 12 to 14 of this Act regarding the Chairperson of the County Council shall apply to the Chairperson of the Zonal Agency.

Powers of Zonal Agency

32. (1) Sections 15 and 16 of this Act shall apply *mutatis mutandis* to the Zonal Agency in relation to Petite Martinique as they apply to the Council in relation to Carriacou.

(2) All unresolved matters in the Zonal Agency shall be tabled at the Council.

(3) The Council shall apportion an equitable amount of its budgetary allocation to the Zonal Agency.

District Councils Act, Cap 83A, applies to Zonal Agency

33. Subject to the provisions of this Act, the provisions of the District Councils Act, **Cap 83A**, shall apply to the Zonal Agency as if the Zonal Agency were a District Council, regarding:-

- (a) procedural matters, sections 27 to 34;
- (b) officers and staff, sections 35 to 42;
- (c) the powers and functions of the Council, sections 43 to 47;
- (d) financial matters, sections 48 to 57;
- (e) legal proceedings, sections 58 to 80;
- (f) the right of the public to attend meetings of the Council, section 86;
- (g) the oath or affirmation of office to be taken on assuming an office on the Council, section 87; and
- (h) miscellaneous matters, sections 92 to 94

Machinery for dissolving Zonal Agency

34. The Zonal Agency shall not be dissolved except at its own request signified by a resolution passed at a meeting of the Zonal Agency supported by the unanimous votes of two-thirds of its members; or except by an Act of Parliament the Bill for which is supported in the House of Representatives by the votes of not less than three-fourths of all the members of that House.

PART IX

Repeal

35. The Carriacou and Petite Martinique County Council Act, **Cap 42A** is hereby repealed.

Passed in the House of Representatives this day of , 2022.

.....
Clerk to the House of Representatives

Passed in the Senate this day of , 2022.

.....
Clerk to the Senate