

LOCAL GOVERNANCE (AMENDMENT) BILL, 2017

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BILL

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AN ACT to amend the Local Governance Act, 2016 (Act 936) to provide for the discretion of the President to revoke the appointment of an appointed member of a District Assembly.

PASSED by Parliament and assented to by the President:

Section 10 of Act 936 amended

The Local Governance Act, 2016 (Act 936) is amended in section 10 by the substitution for subsection (9) of

“(9) The appointment of an appointed member of a District Assembly may be revoked by the President

(a) in the exercise of the discretion of the President;

(b) upon the recommendation of three-fourths of the members of the District Assembly on grounds that the member has

(i) systematically neglected the duties of an appointed member of a District Assembly, or

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- (ii) committed acts incompatible with the office as a member of the District Assembly for which sufficient evidence is available; or
- (c) upon a complaint made of wrongdoing or improper conduct established to be true after investigation by an ad-hoc committee of the District Assembly.”

Date of *Gazette* notification: 31st January, 2017

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MEMORANDUM

The object of the Bill is to amend the Local Governance Act, 2016 (Act 936) to provide for the President, who is the appointing authority for an appointed member of a District Assembly, to exercise discretion to revoke the appointment of the appointed member of the District Assembly.

The Local Government Act, 1993 (Act 462) which has been repealed by the Local Governance Act, 2016 (Act 936) provided for this discretion of the President in paragraph (a) of subsection (6) of section 9. However, this provision has been omitted in subsection (9) of section 10 of the Local Governance Act, 2016 (Act 936).

This Bill therefore seeks to provide for the discretion of the President to revoke the appointment of an appointed member of a District Assembly by amending subsection (9) of section 10.

HAJIA ALIMA MAHAMA

Minister for Local Government and Rural Development

Date: 30th January, 2017.