

POWER TO THE PEOPLE

Towards an effective and efficient
Local Government Administration in Liberia



Produced by:

Naymote Partners for Democratic Development

Introduction

Liberia's system of governance has been overly centralized since 1847. This contributed to the underdevelopment of the country, made it difficult for the government to deliver services. As a result of the centralization of power in Monrovia, majority of the citizens were excluded from the decision-making and development. This exclusion was one of the root causes of the civil crisis (1990-2003). Even though the country has a presidential system and its territories subdivided into counties and districts for administrative purposes, the subdivisions have struggled to gain resources for local development. The Presidency became so powerful that the president could appoint a clan chief to serve at his/her will without even consulting the local people. After the civil crisis, the government deemed it necessary to reform this system by decentralizing power. To this end, they adopted the National Policy on Decentralization and Local Governance in 2012, and in 2018 the government passed into law the Local Government Act (LGA). The LGA gives legal effect to the policy and makes it mandatory for the government to implement an effective local government administration. While signing the LGA into law, President George Weah said:

“To develop our country, we have to do the right thing for our people; and I think, among the things we proposed, this is the key component while we anticipate other development initiatives.”

Naymote Partners for Democratic Development has collaborated with the Ministry of Internal Affairs over the past 8 years helping to deepen citizens' understanding of the decentralization process, including the LGA of 2018.

Over the past years, the NAYMOTE held series of community-level meetings, trainings, interuniversity debates, and radio programs on the decentralization policy, the draft LGA and the approved LGA of 2018.

Power to the people

In addition to the many innovative programs on the LGA, NAYMOTE has produced a booklet to popularize the LGA of 2018.

The booklet is expected to help young people develop knowledge to critically think, discuss, and analyze the importance of the LGA of 2018 in local economic development, participatory decision-making, job creation, and peacebuilding. The booklet facilitates discussion in a civic space, expose young people to political opportunities and stimulate their ownership and implementation of the LGA. This is true to say, young people can seize the opportunities the LGA presents and use it as an entry point into government and contribute to national development.

In 2019 and 2020, NAYMOTE produced 10,000 copies of a Frequently Asked Questions on the LGA and distributed them across the country to stimulate a national conversation on the LGA and deepen citizens understanding of the ACT.

The booklet is expected to be used as a reference material by local government administrators, civil society, community groups, school administrators, the media, and peacebuilders in educating citizens about the LGA and its benefits to national economic development, peacebuilding, and youth empowerment.

SUMMARY

Local Government Act 2018

Frequently Asked Questions (FAQs)

The Government of Liberia on September 19, 2018, signed into law the Local Government Act (LGA), which provides the legal and regulatory framework for the implementation of the National Policy on Decentralization and Local Governance. The Act was done through a collaboration between the Governance Commission, Ministry of Internal Affairs, the Ministry of Finance and Development Planning and the Law Reform Commission. Liberia's local civil society organizations and international development partners, including the European Union, Sweden, USAID, and United Nations Development Programme, supported this initiative.

This booklet of Frequently Asked Questions (FAQ) forms part of efforts to address the numerous concerns and queries from citizens and stakeholders on the LGA nationwide.

1. What is the Local Government Act?

The Local Government Act (2018) is the law passed to give legal effect to most of the provisions of the National Policy on Decentralization and Local Governance. Both the policy and law were developed after consultations with the Liberian people in all counties.

The aim of both the policy and the law is to ensure that government is decentralized so that people can have better opportunities to participate in government and development decision-making as a means of strengthening democracy and promoting socioeconomic development. (Chapter 1).

2. What are the objectives of the LGA?

This Act supports the commitment of the Government of Liberia to further the unity of the Republic by providing equal opportunity for all 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:

1. To give effect to the country's national policy on decentralization and local governance.
2. To ensure democratic participation in, and control of, decision making by the citizenry.
3. To create and establish democratic and political administrative structures in local governance.
4. To ensure sources of revenues in support of local government administration and operations.

3. When will the Local Government Act come into force?

The Local Government Act came into effect on November 23, 2018 when it was signed by President George M. Weah and printed into handbill by the Ministry of Foreign Affairs.

4. What benefit will this law bring to Liberia and the Liberian people?

The Local Government Act will establish a system of local government consisting of locally appointed and elected officials and vest them with certain powers and resources to be used for the development of their localities. The local governments will take care of some of their development needs, including healthcare, education, roads, and agriculture. No one will have to always come to Monrovia to get some of these services all the time because most of the things done in Monrovia will be done in the 15 counties. (Chapter 2).

5. Will we have a federal state when the Local Government Act comes into force?

NO! We will continue to have a unitary state and not a federal state. The law says clearly that Liberia will remain a unitary state. We will have a system in which some powers are shared between the counties and the central government, but the central government will remain in charge of many other things like police, army, money and banking, and foreign affairs. (Chapter 2).

6. What are the powers of the central government?

The following functions and/or areas are exclusively reserved for the central government to ensure the continuous 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 (l) Policies on Health, Education, Water, Energy and Transportation (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 and (r) Civil Service Administration. (Chapter 2, 2.5)



7. What will the local governments do in the counties?

The local governments will be responsible to manage and carry out development in their respective areas. For example, the county government will be responsible for the whole county, the city government for the city, and the district commissioner for the district. They will have some political, administrative, and fiscal (revenue collection and expenditure) powers to enable them carryout their functions, like service delivery in some areas of education, health, roads, water, and electricity. (Chapter 2)

8. What are the powers and authority of local governments?

Local Governments shall be responsible for the overall management and development of their respective jurisdictions or areas.

Specifically, they shall:

Protect the Constitution and laws of Liberia; (b). Undertake functions devolved or delegated to counties by the 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 execute 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.

9. What will be the Local Government Structure at the County Level?

The Local government in the county will have a County Council and a County Administration. The County Council will pass ordinances and regulations, approve budgets, and county development plans. The County Administration headed by the superintendent will implement local ordinances and national laws and policies. All local ordinances and regulations will have to be consistent with national laws and the constitution of Liberia. (Chapter 2)



10. Who Are the County Government Officials?

The county government or county administration shall comprise the following officials:

- a. The County Chief Executive Officer (CEO) 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

County Administrative Officer

The County Administrative Officer shall assist the Superintendent in the implementation of all county development projects and programs and shall:

1. Prepare, through participatory processes, county development plans and programs for submission by the Superintendent to the County Council,
2. Supervise the implementation of county development plans, as approved by the County Council,
3. Prepare implementation status reports on development projects in the County,
4. Monitor and evaluate development programs implemented by the county and other agencies, and report to the Superintendent.

The County Finance Officer

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

1. Prepare county budgets and submit to the County Council through the Superintendent for approval,
2. Prepare the annual budget performance, accounts, and financial reports in a timely manner to facilitate informed decision-making by the Superintendent and County Council,
3. Develop and communicate budget preparation guidelines to District Finance Officers,
4. Develop county revenue collection plan and supervise implementation,
5. Implement all fiscal responsibilities delegated by the Minister responsible for Finance,

6. Represent the County during audits of its finances, and report to the Superintendent.

County Development Officer

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

1. Prepare the county development plans and programs for submission by the Superintendent to the County Council,
2. Supervise the implementation of county development plans, as approved by the County Council,
3. Prepare implementation status reports on development projects in the County,
4. Monitor and evaluate development programs implemented by the county and other agencies.
5. Report to the Superintendent.

11. Heads of County Administrative Departments

Heads of County Administrative Departments shall assist the Superintendent in matters relating to their respective departments and shall perform:

1. Supervise the affairs of their respective departments within the county,
2. Collect, organize, and provide district or county-wide data and information in their respective sectors to inform planning and administrative decision-making,
3. 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,
4. Undertake other assignments given by the Superintendent and report to the superintendent.

12. What will be the local government structure at the levels below the counties?

The local government structure below the County level will have the following: The District will have a District Commissioner and District Advisory Board; the Chiefdom will have a Paramount Chief and an Advisory Board; the Clan will have a Clan Chief and an Advisory Board; the General Town will have a Chief and an Advisory Board; the City will have a City Council and a City Administration headed by the Mayor and the Township will have a Township Council and a Township Administration headed by the Township Commissioner. (Chapter 2)

13. What happens to the functioning of other existing cities?

Existing cities, other than the national and county capitals, and townships, and boroughs shall continue to enjoy their legal status under this Act. However, the Minister responsible for local government shall report to the Legislature on the status of each such city, township and borough seven years following the passage of this Act for the purpose of reaffirmation. Cities that will not meet the criteria set in this Act shall be relegated to a town status. (Chapter 2.16c)



14. What are the elected positions in the local governments?

Under the Local Government Act the following positions will be elected in the various local government units: Paramount Chief, Clan Chief, and General Town Chief. (Chapter 2).

15. What are the appointed positions in the local governments?

Under the Local Government Act, the following positions shall be appointed: Superintendent, County Administrative Officer, County Finance Officer, County Development Officer, City Mayor, and Commissioner (Townships and Boroughs) shall be appointed by the President with the consent of the Senate. (Chapter 2.13b).

Non-Elected County Officials

The following shall constitute non-elected official positions in county governments and appointment will be done by the Superintendent from a list of eligible candidates submitted by the Civil Service Agency. All candidates shall be senior-level civil servants:

- a. County Administrative Officer,
- b. County Finance Officer, and
- c. County Development Officer.

16. What will be the role of traditional chiefs in local government?

Chiefs in Liberia will continue to play their roles as moral custodians (guarantors) of culture and traditional values. They will remain leaders of their people in the various villages, towns, clans, and chiefdoms. They will also be responsible to promote unification and good citizenship among the people. They will also perform additional administrative responsibilities. (Chapter 3).

17. How will Local Governments get money to perform their functions and mandates?

Local governments will get money in so many ways to perform their functions and mandates. Some of the ways in which they will get their own money will be to collect taxes on houses, land, small businesses, and issue licenses and

permits to some businesses. They will also get money every year from the central government. Counties that have concessions will have social development money every year. Counties will also get money from other sources like donors. (Chapter 4).

18. Will the people participate in the planning of the development agenda every year in the local governments?

Yes! The local people will participate in the planning of the development agenda every year. The Local Government Act says that each local government must have town hall meetings in the districts, towns and communities with the people so that they can all decide on what development they want. Whatever the people say at the town hall meeting will form the development agenda. (Chapter 5).

19. Will women and youth hold positions in the local governments?

Yes! Women and youth will have special roles to play in the local governments. Women are qualified to contest or apply for any position they want in the local governments. Besides, exclusive seats are on the county council that only women can occupy, and another two seats are there for young people only to occupy. They can also go for the other seats if they want them. (Chapter 2.3).

20. Will people with disability and minorities be recognized in the local governments?

Yes! The Local Government Act says local governments must do everything possible to ensure that people with disabilities and minority get access to basic services. The law also says local governments must ensure that people with disabilities and minorities be trained and given access to employment and educational opportunities.

This means local governments will recognize the rights of everybody, regardless of your condition or social background. (Chapter 6).

21. Who will the superintendent and other local government officials in the county report to?

Every local government authority will report to somebody or some superior authority. The county superintendent will report to the County Council and the President of Liberia. The Superintendent's report to the President goes through the ministry responsible for local government and will inform the President about the situation in the county. The District Commissioner will report to the Superintendent; the Paramount Chief will report to the District Commissioner; the Clan Chief will report to the Paramount Chief; the General Town Chief will report to the Clan Chief. The City mayor will report to the City Council. In the case of Monrovia, the national capital city, the mayor will report to both the City Council and the President of the Republic. The Township Commissioner will report to the Township Council. (Chapter 2).



22. How will corruption be avoided in the local government?

All the national laws and policies used currently to fight corruption and promote transparency and accountability will apply to local governments. This means, the Public Procurement and Concession Commission laws; and all regulations of the Liberia Anti-Corruption Commission will be applied. This will include the Code of Conduct.

The Public Finance Management Law also will be applied. (Chapter 7).

23. What is the County Council?

It is an appointed body of a county having regulatory, representative, and confirmatory functions and powers.

24. What are the Powers and Authority of the County Council?

The following are key among functions of the County Council:

- a. Promulgate ordinances, rules, and regulations for the promotion of peace, unity, reconciliation, maintenance of public order and security, and the delivery of basic public goods and services, consistent with law,
- b. Impose local taxes, rates, duties, fees, and fines within limits 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. The council will ensure broad-based citizens' participation in decision making through town hall meetings and consultation to decide on the budget and development plans.

25. What is the Composition the County Council?

The County Council shall be comprised of the following members:

- a. The County Council of Chiefs - 3 representatives (2 chiefs, one of whom shall be the head of the Council of Chiefs, plus an elder appointed by the Council);
- b. The County Women Organization -1 representative.

- c. The County youth organization -2 representatives (a male and a female, one of whom shall be the head of the organization);
- d. The County organization of people with disabilities -1 representative; and
- e. The County organization of civil society associations -2 representatives (a male and a female, one of whom shall be the head of the organization).

26. Will Council Members be Paid?

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.

County Council Support Office

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.

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 in the county administrative building.

27. What is the County 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 a simple majority of members present.

28. How will the County Council Meet?

The Council shall meet at least once every quarter but shall meet in an 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.

29. How Will Public Hearings Be Conducted?

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.

30. What is the County Service Center (CSC)?

It is a one-stop service center where Ministries, Agencies and Commissions (MACs) will provide their specialized services relating to documentation permits, certificates, and Licenses.

31. How many counties will have County Service Center?

There is a CSC in all the 15 Counties. The CSC is in each County Capital City.

32. How will the County Service Center operate?

The CSC will be a collaboration of identified MACs mandated to provide specific services in the center under the coordination of the County Superintendent.

33. Will the services at the County Service Center be offered free of charge?

Some of the services will be free of charge, like birth certificates for children and psychosocial services for victims of sexual and gender-based violence. But most services, like birth certificate for adults, marriage certificate, permits and licenses will, will be paid for by applicants. The fees will be the same as they are in Monrovia. No extra fees will be charged.

34. What services will be available at the County Service Center?

The services available at the CSC are but not limited to the following:

Traditional Marriage Certificates,
Western Marriage Certificates,
Business Registration,
Birth Certificates
ECOWAS alien Work Permits,
Issuance of school operation license,
Contractor's Licenses & Permits,
Zoning and Land use permits,
Psychosocial Services,
Land Deed Registration,
Letter of Administration,
Other Legal instruments,
Labor related Cases,
County Treasury,
Driver's License,
Vehicle Registration & License plates and Registration of
Transport related businesses

About the Producer

Naymote Partners for Democratic Development is a good governance and research institution working to advance democracy, transparency, human rights, and participatory governance in Liberia. NAYMOTE believes that a purposeful and effective civil society is needed to set the national policy agenda, stimulate sound and healthy grassroots' response to governance issues, and influence the uneven power dynamics that characterize the relationship between Liberia's citizens and government.

Since its establishment in 2001, NAYMOTE has initiated several programs to foster political accountability to make elected leaders more accessible, responsible, and accountable to the electorate; and to build the capacity of local leaders to be more effective in the delivery of essential government services, etc. Read more at [http:// naymote.com/](http://naymote.com/)

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