



# Republic of Liberia

## Local Government Act 2018

### Frequently Asked Questions (FAQs)

The Government of Liberia on September 19, 2018 signed into law a Local Government Law, also known as 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 created through a collaboration between the Governance Commission, the Ministry of Internal Affairs, the Ministry of Finance and Development Planning, and the Law Reform Commission, with financial support from development partners namely EU, Sweden and UNDP.

This list of frequently asked questions (FAQ) is part of an effort 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. The policy was adopted and launched by the Government of Liberia on January 5, 2012. The aim of both the policy and the law is to ensure that government is decentralized so that people can have more opportunities to participate in decision-making and policy development at the local level as a means of strengthening democracy and promoting socioeconomic development. (Chapter 1).

#### **2. 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.

#### **3. 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. The local government will take care of some of its development needs, in terms of health, education, roads, agriculture and so forth. No one will have to always come to Monrovia to get better services all the time because most of the things done in Monrovia will be done in the counties. (Chapter 2).

#### **4. 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 the police, army, money and banking, foreign affairs and so forth. (Chapter 2).

#### **5. What will the Local Governments do in the counties?**

The local governments will be responsible for managing and carrying out development projects 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) powers to enable them carryout their functions like service delivery in some areas of education, health, roads, water, and electricity. (Chapter 2)

#### **6. What will be the Local Government Structure at the County Level?**

The Local government in the county will have a County Council that will pass ordinances and regulations, approve budgets, and county development plans; and will have a County Administration headed by the Superintendent to 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)

## **7. 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)

## **8. How many cities will Liberia have when the Local Government Act comes into force?**

When the Local Government Act comes into force, Liberia will have only 16 cities. They will include the capital cities of the 15 counties and the city of Monrovia. All the other cities in other parts of the counties will have to apply for city status according to well defined criteria in the Local Government Act. (Chapters 1 & 2.16d).

## **9. What happens to the functioning of other existing cities?**

Existing cities, other than the national and county capitals, 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 re-affirmation. Cities that will not meet the criteria set in this Act shall be relegated to a town status. (Chapter 2.16c)

## **10. 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).

## **11. 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)

## **12. What will be the traditional role of chiefs in the local governments?**

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, town, clans and chiefdoms. They will also be responsible to promote unification and good citizenship among the people. All of this is in addition to their administrative responsibilities. (Chapter 3).

## **13. 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).

## **14. 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 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 projects they want. Whatever the people say at the town hall meeting will form the development agenda. (Chapter 5).

## **15. 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 reserved for young people to occupy. They can also go for the other seats if they want them. (Chapter 2.3).

## **16. 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 minorities get access to basic services. The law also says local governments must ensure that people with disabilities and minorities be trained and get 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).

## **17. Who will the superintendent and other local government officials in the counties 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 state of affairs 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 except Mayor of Monrovia, the Capital City, who will also report to the President; and the Township Commissioner, will report to the Township Council. (Chapter 2).

## **18. 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 will be applied, so also will regulations of the Liberia Anti-Corruption Commission. This will include the Code of Conduct. The Public Finance Management Law also will be applied. (Chapter 7).

## **19. What is the County Council?**

An appointed body of a county having regulatory, representative and confirmatory functions and powers.

## **20. 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.

## **21. What are positions within 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's 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).

## **22. 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.

**23. How many counties will have County Service Center?**

There is a CSC in each of the 15 Counties. The CSC is in located in the capital city of each county.

**24. 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.

**25. Will these services be offered free in the County Service Center?**

Answer: No, fees will be charged for these services.

**26. Will the cost of services be the same in the counties as in Monrovia?**

Answer: Yes, no other charges will be added.

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

Answer: Services would be but not limited to:

Traditional Marriage Certificates, Western Marriage Certificates, Business Registration, Birth Certificates, ECOWAS alien Work Permits, Issuance of school operation license, Contractor’s Licenses and 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 and License Plates and, Registration of Transport Related Businesses

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