

BELIZE:

**VILLAGE COUNCILS (DISTRICT ASSOCIATION OF VILLAGE COUNCILS)
REGULATIONS, 2007**

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

1. Short title.
2. Interpretation.

PART II

MEMBERSHIP

3. Membership of District Association.

PART III

MEETINGS

4. General Assembly.
5. Quarterly General Meetings.
6. Voting at meetings.
7. Rules.
8. Quorum.
9. Reports to meetings.

PART IV

ESTABLISHMENT, ORGANISATION AND MANAGEMENT OF DISTRICT BOARD

10. District Board.
11. Membership of District Board.
12. Appointment of President, etc.
13. Term of office.
14. District Association President full standing councilor of National Board.
15. Removal of member, etc., of District Board.
16. Oath.
17. Meetings of District Board.
18. Absence of President, etc.
19. Co-opted members.
20. Appointment of support staff.
21. Power to appoint committees.
22. Powers and duties of officers.

PART V

MISCELLANEOUS

23. Reports to Ministry.
24. Regulations proposed by Minister.
25. Zones.
26. Code of Conduct.

27. Audit.

28. Negative resolution.

29. Commencement.

SCHEDULE

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BELIZE:

**STATUTORY INSTRUMENT
NO. 50 OF 2007**

REGULATIONS made by the Minister responsible for Village Councils, in exercise of the powers conferred upon him by section 55 (4) of the Village Councils Act, Chapter 88 of the Substantive Laws of Belize, Revised Edition 2000, and all other powers thereunto him enabling.

(Gazetted 12th May, 2007)

PART I

PRELIMINARY

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| Short title. | 1. | These Regulations may be cited as the <u>VILLAGE COUNCILS (DISTRICT ASSOCIATION OF VILLAGE COUNCILS) REGULATIONS, 2007.</u> |
| Interpretation. | 2. | In these Regulations, unless context otherwise requires- |
| CAP. 88. | | “Council” or “Village Council” means a village council established and constituted under the Village Councils Act or any regulations made thereunder; |
| | | “District Association” means a District Association of Village Councils, hereinafter referred to as DAVCO; |
| | | “District Board” means the Board of Directors of a District Association established under Regulation 10; |
| | | “Minister” means the Minister of Government for the time being responsible for village councils; |
| | | “Ministry” means the Ministry for the time being charged with the responsibility for village councils; |

“National Association” means the National Association of Village Councils, hereinafter referred to as NAVCO;

“National Board” means the Board of Directors of the National Association established under Regulation 10;

CAP. 88. “village” means any place duly declared and defined to be a village within the meaning of section 3 of the Village Councils Act.

PART II

MEMBERSHIP

Membership of District Association. 3.-(1) Any elected Village Council in a district, that is a member of the National Association, shall be a member of the District Association and the Council shall be represented by two currently elected council members at the District Annual General Meeting or at a Quarterly General Meeting.

(2) Any elected Community Council shall have provisional membership of the District Association and its representative shall be able to participate in all matters of the District Association, but shall have no right to vote.

(3) Every member of the District Association shall pay an annual membership fee, to be determined by the District Board and approved by the Ministry, on the first and the sixth months of every year.

(4) The rights or privileges of any member of the District Association shall not be transferable.

PART III

MEETINGS

General Assembly. 4.-(1) The General Assembly of the District Associations shall be held at least four weeks before the General Assembly of the National Association.

(2) The General Assembly shall be the highest decision making

body of the District Association and shall have the following powers-

- (a) electing members to the National Board ;
- (b) electing members to the District Board;
- (c) deciding issues to be presented to the General Assembly of the National Association.
- (d) other matters relating to the functioning of the District Board.

Quarterly
General
Meetings.

5.-(1) Each District Association shall hold quarterly assemblies to be known as Quarterly General Meetings.

(2) A Quarterly General Meeting shall require at least two weeks notice in writing specifying the place, date, time, nature of business to be addressed, and if possible, detailed information concerning the meeting.

Voting at
Meetings.

6.-(1) All decisions taken at the District Annual General Meeting or at the Quarterly General Meeting shall be made by a majority of the members present and voting at that meeting.

(2) Voting shall be by show of hands unless a ballot is requested by fifty percent (50%) of the members present at the meeting.

(3) Each member of the General Assembly and the District Board shall have only one vote and one extra vote shall be granted to the officer presiding over the meeting in the case of a tie.

Rules.

7. All meetings of the District Association shall be conducted using Rules made by the District Board.

Quorum.

8. The quorum of the General Assembly or a Quarterly General Meeting shall be twenty-five percent (25%) of the members of the District Association and a simple majority of the members of the District Board.

Reports to

9.-(1) The President, Secretary and Treasurer shall give brief oral

Meetings. and written reports to General Assembly and to the Quarterly General Meeting.

(2) The members of the District Board not mentioned in sub-regulation (1), shall submit written reports of their activities at least one week prior to a meeting of the General Assembly or the Quarterly General Meeting.

PART IV

ESTABLISHMENT, ORGANIZATION AND MANAGEMENT OF DISTRICT BOARD

District Board. 10. There shall be established a Board of Directors of the District Association, to be known as the District Board.

Membership of District Board. 11.-(1) The number of members of a District Board shall be determined by the number of zones in the district.

(2) The members of the District Board shall be elected from among currently elected members of the village councils in the district by the General Assembly.

Appointment of President, etc. 12.-(1) The President of the District Association shall be elected from among the members of the General Assembly by an electorate consisting of at least five different village councils.

(2) The members of the District Board shall elect from among themselves the following officers-

- (a) Vice President;
- (b) Secretary;
- (c) Treasurer,
- (d) Assistant Secretary; and
- (e) Assistant Treasurer.

Term of Office. 13.- (1) The term of office of the officers and other members of the District Board shall be three years.

(2) The term of office of the officers and other members of the District Board shall be unaffected by any change in the membership of a village council.

(3) The President and other officers of the National Association shall not be eligible to serve in their respective positions for more than two consecutive terms.

District Association President full standing councilor of National Board.

14.- (1) Each DAVCO President shall be a full standing councilor of NAVCO.

(2) A person holding the position of President of a District Association shall not be eligible to serve as President of the National Association.

Removal of Member, etc. of District Board.

15.- (1) If any member of the District Board-

(a) is absent without good cause from two consecutive meetings of the District Board; or

(b) behaves in a manner inconsistent with the good administration of the District Association,

the District Board may, after giving seven days written notice wherein particulars of the charge be given in compliance with the rules of natural justice to the member and other members and affording the member an opportunity to present a defence at a special meeting, pass a resolution by the votes of at least seven members of the District Board to expel the member.

(2) If such expulsion occurs while the District Board's term of office has at least six months of unexpired time, a by-election to fill the vacancy shall be held on a date to be fixed by the District Board, being not less than twenty and not more than sixty days after the vacancy arises.

(3) Such election shall be held, and the voting and other procedures shall be conducted, in the same manner provided in these Regulations in respect of election of ordinary members of the Board.

(4) The officers of the District Board may be re-shuffled at any time by the National Board at a special meeting, after the Ministry has been notified and invited at least two weeks prior to the special meeting and the majority of the members of the District Board vote to re-shuffle the member.

(5) The results of the vote in sub-regulation (4) shall be subject to an affirmative resolution at the next Quarterly General Meeting convened for that purpose, and published in the *Gazette*.

(6) Every member elected under sub-regulation (2) shall hold office for the unexpired period of the term of office of the member in whose place he was elected but shall then be eligible for re-election.

(7) Whenever a newly elected DAVCO takes office, there shall be an official handing over of all association properties by the outgoing officers of the former association to the officer of the incoming association. Such handing over shall take place within two weeks of the expiry of the term of the outgoing association and shall be duly witnessed by officers of the ministry and the managing director.

Oath. 16. A person who is elected as an officer or a member of the District Board shall take, before a magistrate or Justice of the Peace at the General Assembly or a Quarterly General Meeting, an
Schedule. oath or affirmation of allegiance and office in the form set out in the Schedule.

Meetings of District Board. 17.- (1) The District Board shall have quarterly meetings and emergency meetings when necessary.
(2) Notice of meetings shall be issued in writing at least fourteen days prior to the meeting.
(3) Meetings of the District Board shall have a quorum of the majority of the members.

Absence of President, etc. 18.- (1) The members of the District Board shall choose one of their number to preside at a meeting of the District Board, if the President and Vice President are absent.
(2) The members of the District Board shall choose one of their number to take minutes of a meeting, if the Secretary and the Assistant Secretary are absent.

Co-opted Members. 19.- (1) The District Board may co-opt members who are not members of the village or community councils, subject to endorsement by the General Assembly.
(2) The terms of reference of the co-opted members shall be written and submitted to the Ministry.

(3) A co-opted member shall be entitled to participate in all matters of the District Board but shall have no right to vote.

Appointment of support staff.

20.- (1) The District Board may from time to time appoint such persons as may be required for the efficient administration of the affairs of the District Association.

(2) A person appointed under sub-regulation (1) shall hold office during the pleasure of the Board, and may receive such remuneration and shall perform such duties as may be assigned from time to time by the District Board.

(3) A signed copy of a contract of employment of a person appointed under sub-regulation (1) shall be submitted to the Ministry before the person commences his appointment.

Power to appoint committees.

21.- (1) The District Board may from time to time appoint committees to carry out such tasks as the District Board may assign to them.

(2). On appointing any committee, the District Board shall-

- (a) appoint an officer of the District Board as chairperson of the committee;
- (b) appoint as members of the committee other officers of the District Board or other members of the District Association;
- (c) clearly state in writing the terms of reference of the committee and the period for which it is appointed.

(3) Every committee shall report its proceedings to the District Board, and the decisions of the committee shall be subject to the approval of the District Board.

(4) The meetings of the committee shall be governed by the same rules as those governing meetings of the District Board, subject to any special rules that may be made by the District Board in that behalf.

Powers and duties of officers.

22. The powers and duties of the officers of the District Board shall be such as may be assigned or delegated to them by the District Board.

PART V

MISCELLANEOUS

- Reports to
Ministry.
- 23.- (1) The District Board shall provide monthly technical and financial reports to the National Association, and to the Ministry, relating to the activities of the District Board and special reports relating to the meetings of the District Board.
- (2) The staff of the Ministry and the National Board shall have reasonable access to the financial and administrative records of the District Association for the purposes of inspection of the records.
- Regulations
proposed by
Minister.
CAP. 88.
24. The District Board shall convene a minimum of four special meetings to allow members of the District Association to discuss Regulations proposed by the Minister under section 55 (4) of the Village Councils Act.
- Zones.
25. Each District Association may divide its area into zones and set up an Executive Committee for each zone.
- Code of
Conduct.
26. The members of the District Association shall conduct themselves in such a way as not-
- (a) to place themselves in positions in which they have or could have a conflict of interest;
 - (b) to compromise the fair exercise of their public or official functions and duties;
 - (c) to use their office for private gain;
 - (d) to demean their office or position;
 - (e) to allow their integrity to be called into question; or
 - (f) to endanger or diminish respect for, or confidence in, the integrity of the District Association.
- Audit.
27. The accounts of the District Association shall be regularly audited by the Auditor General.

Negative resolution. 28. These Regulations shall be subject to negative resolution of the House of Representatives.

Commencement 29. These Regulations shall come into force on the 27th day of April, 2007.

MADE by the Minister responsible for Village Councils this 27th day of April, 2007.

(Mark Espat)
Minister responsible for Village Councils

Schedule

(Regulation 16)

Form of Oath and Affirmation

“I, , do swear, (or solemnly and sincerely affirm and declare) that I will bear true faith and allegiance to Belize and will uphold the Constitution and the law, and I will conscientiously, impartially and to the best of my ability discharge my duties as (.....) and I will not place the needs of my village before national or district needs, and I will do right to all manner of people without fear or favour, affection or ill-will. (So help me God).”.
