

BELIZE:

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

ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

1. Short title.
2. Interpretation.

PART II

MEMBERSHIP

3. Membership of National Association.

PART III

MEETINGS

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

PART IV

ESTABLISHMENT, ORGANISATION AND MANAGEMENT OF NATIONAL BOARD

10. National Board.
11. Membership of National 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 National Board.
16. Oath.
17. Meetings of National 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. Code of Conduct.
26. Audit.
27. Negative resolution.
28. Commencement.

SCHEDULE

BELIZE:

**STATUTORY INSTRUMENT
NO. 49 OF 2007**

REGULATIONS made by the Minister responsible for Rural Development and Culture 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

- | | | |
|-----------------|----|---|
| Short title. | 1. | These Regulations may be cited as the <u>VILLAGE COUNCIL (NATIONAL ASSOCIATION OF VILLAGE COUNCILS) REGULATIONS, 2006.</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; |

“General Assembly” or “National Annual General Meeting” means the body or meeting referred to in regulation 4;

“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;

“Special General Meeting” means the meeting referred to in regulation 5;

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 National
Association.

3.-(1) Any elected Village Council shall be a member of the National Association and the Council shall be represented by a currently elected council member at the National Annual General Meeting or at a Special General Meeting.

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

(3) Every member of the National Association shall pay an annual membership fee to be determined by the National Annual General Meeting.

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

PART III

MEETINGS

General Assembly. 4.-(1) The General Assembly of the National Association shall be held once a year in August, at a date, time, and place determined by the National Board after consultation with the District Associations.

(2) The General Assembly shall be the highest decision making body of the National Association and shall have the following powers-

- (a) endorsing the members of the National Board and other bodies or persons required to be elected by the General Assembly;
- (b) deciding and reviewing policies and programmes of the National Association; and
- (c) receiving reports of the operations of each District Board;
- (d) passing resolutions with regards to the affairs of village councils.

Special General Meetings. 5.-(1) A Special General Meeting shall be called by the National Board upon a demand in writing from at least three District Associations.

(2) If the National Board fails to convene the Special General Meeting within one month from the date of the demand, the persons demanding the Special General Meeting may proceed to convene the meeting and all decisions made at the meetings shall be considered binding on the National Association.

(3) A Special General Meeting shall require at least one month's notice in writing specifying the place, date, time, nature of business to be addressed, and if possible, detailed information concerning the meeting.

(4) The National Association shall be responsible for financing the holding of a Special General Meeting.

-
- Voting at Meetings. 6.-(1) All decisions taken at the National Annual General Meeting or at a Special 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 National 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 National Association shall be conducted using Rules made by the National Board.
- Quorum. 8. The quorum of the General Assembly or a Special General Meeting shall be twenty-five percent (25%) of the members of the National Association and a simple majority of the members of the National Board.
- Reports to Meetings. 9.-(1) The members of the National 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 a Special General Meeting.

PART IV

**ESTABLISHMENT, ORGANIZATION AND
MANAGEMENT OF NATIONAL BOARD**

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

Membership of 11.-(1) The National Board shall consist of twelve members, six of whom shall be the president of the District Association and six of whom shall be elected in accordance with sub-section (2) below.

National Board.

(2) Each of the six districts shall elect one representative to the National Board at the General Assembly of the District Association, subject to endorsement by the General Assembly.

Appointment of President, etc. 12.-(1) The President of the National Association shall be elected from among the members of the National Board, by and electorate consisting of twelve representatives from each District Association.

(2) The members of the National 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 National Board shall be three years.

(2) The term of office of the officers and other members of the National 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 member of the National Board

(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 National Board.

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

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

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

the National 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 National Board to expel the member.

(2) If such expulsion occurs while the National 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 National 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 National Board.

(4) The officers of the National 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 at least seven members of the National Board vote to re-shuffle the member.

(5) The results of the vote in sub-regulation (4) shall be subject to an affirmative resolution of a Specific 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 National Board takes office, there shall be an official handing over of all association properties by the outgoing officers of the former association to the officers 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 National Board shall take, before a magistrate or Justice of the Peace at the General Assembly or a Special General Meeting, an
Schedule. oath or affirmation of allegiance and office in the form set out in the Schedule.

Meetings of National Board. 17.- (1) The National 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 National Board shall have a quorum of seven members.

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

(2) The members of the National 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 National 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 National Board but shall have no right to vote.

Appointment of support staff.

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

(2) A person appointed under sub-regulation (1) shall hold office during the pleasure of the National Board, and may receive such remuneration and shall perform such duties as may be assigned from time to time by the National 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 National Board may from time to time appoint committees to carry out such tasks as the National Board may assign to them.

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

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

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

(4) The meetings of the committee shall be governed by the same rules as those governing meetings of the National

Board, subject to any special rules that may be made by the National Board in that behalf.

Powers and duties of officers.

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

PART V

MISCELLANEOUS

Reports to Ministry.

23. (1) The National Board shall provide monthly reports to the Ministry relating to the activities of the National Board and special reports relating to the meetings of the National Board.

(2) The staff of the Ministry shall have reasonable access to the financial and administrative records of the National Association for the purposes of inspection of the records.

Regulations proposed by Minister.
CAP. 88.

24. The National Board shall convene a Special General Meeting to consider regulations proposed by the Minister under section 55 (4) of the Village Councils Act, after the proposed regulations have been discussed at a minimum of four special meetings of the District Associations.

Code of Conduct.

25. The members of the National 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 National Association.

Audit. 26. The accounts of the National Association shall be regularly audited by the Auditor General.

Negative resolution. 27. These Regulations shall be subject to negative resolution of the House of Representatives.

Commencement. 28. 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).”.

_____***_____