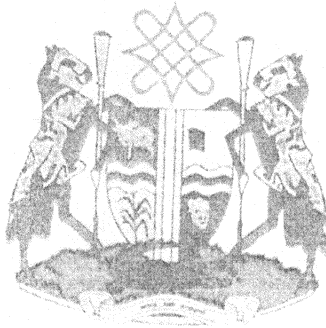


**A LAW TO PROVIDE FOR LOCAL GOVERNMENT REFORM
IN KADUNA STATE, REPEAL OF THE LOCAL GOVERNMENT
(ADMINISTRATION) LAW OF 2012 AS AMENDED, KADUNA
STATE LOCAL GOVERNMENT SERVICE COMMISSION LAW OF
2012, KADUNA STATE MASS LITERACY EDICT OF 1989 AND
OTHER MATTERS CONNECTED THERETO**



Kaduna State of Nigeria

Law No 3 2018

(6th February 2018)

Date of Commencement

BE IT ENACTED by the House of Assembly of Kaduna State as follows:

Enactment

**PART I
PRELIMINARY**

1. This Law may be cited as the Local Government Law, 2018.

Short Title

2. This Law shall come into operation on the 6th day of February 2018.

Commencement

3. (1) In this Law unless the context otherwise requires:

Interpretation

"Appointment" includes appointment to an office, confirmation of appointment, promotion or transfer;

"Board" means the Local Government Service Board;

"Chairman or Vice Chairman" when used with reference to a Local Government means the Chairman or Vice Chairman of the Local Government.

"Council" means a Local Government Council constituted for a Local Government under this Law; and where the context so requires, includes an Emirate or Traditional Council established under this Law;

"Councilor" means a member of the local government legislative council;

"Decision" means in relation to Court or Tribunal, a Judgment, Decree, Conviction, Sentence, Order or Recommendation of that Court or Tribunal;

"Electoral Commission" means the State Independent Electoral Commission;

"Function" includes power and duty;

"Government" includes the Government of Kaduna State or of a Local Government Area within the State or any person or organ exercising power or authority on its behalf;

"House of Assembly" means Kaduna State House of Assembly;

"Legislative Council" means the legislative arm of a local government consisting of councilors;

"Oath" includes affirmation;

"Office" means any of the political offices the appointment to which is by election or appointment under this Law;

"Political Party" means a political party registered by the Independent National Electoral Commission;

"Public Office" means any office of emolument in the Public Service of the Federation, State or Local Government;

"Public Service of the State" means the service of the State as staff of the Government of the State;

"Secret Society" includes society, association, group or body of persons (whether registered or not):-

- (a) that uses secret signs, oaths, rites or symbols and which is formed to promote a cause which is to foster the interest of its members and to aid one another under any circumstances without due regard to merit, fair play or justice of those who are not members;
- (b) the membership of which is incompatible with the function or dignity of any public officer under this Law

or any other enactment and whose members are sworn to observe Oaths of Secrecy; and

- (c) the activities of which are not known to the public at large and the names of whose members are kept secret and whose meetings and other activities are held in secret;

"School Certificate or its equivalent" includes:

- (a) a Secondary School Certificate or its equivalent, or Grade II Teacher's Certificate; or
- (b) education up to Secondary School Certificate level;
- (c) primary six School Leaving Certificate or its equivalent; and
 - (i) the ability to read, write, understand and communicate in English Language to the satisfaction of the Electoral Commission; and
 - (ii) any other qualification acceptable to the Electoral Commission;

"State" means Kaduna State of Nigeria; and

"Supervisor" means a person appointed by the Chairman of the Local Government to perform executive functions delegated by the Local Government council.

- (2) In this Law reference to a person holding an office shall include reference to a person acting in that office or holding that office for the time being.
- (3) For the purposes of this Law, the resignation of a Chairman of a Council, a member of a Council or a supervisor or member of a Committee or any other body constituted under or pursuant to this Law shall be deemed to have taken effect from the time it is received by the person to whom it is required to be addressed.
- (4) Subject to the provisions of this Law or any other enactment, any person whose office or seat in a Council, a Committee of a Council, a Joint Board or any other body constituted under this Law, has become vacant may if qualified again be appointed or elected or nominated, as the case may require to the body concerned.

**PART II
ESTABLISHMENT AND POWERS OF THE
LOCAL GOVERNMENT**

Executive Powers

4. There are hereby established twenty three (23) Local Government Areas provided in Column "A" with Headquarters in Column "B" of the First Schedule to this Law. Establishment of Local Government Areas
5. There shall be for each Local Government Area, an Executive Council, which shall be comprised of – Local Government Executive Council
- (a) a Chairman, who shall be the Chief Executive of the Council and its accounting officer;
 - (b) a Vice Chairman; and
 - (c) three (3) Supervisors to be appointed by the Chairman subject to the confirmation by the Legislative Council of the Local Government.
6. (1) The Chairman shall, in making appointments to the office of Supervisor, conform with the provisions of section 14 (4) of the Constitution. Supervisors
- (2) No person shall be appointed as a supervisor of a local government unless he is qualified for election as a Councilor of the Legislative Council.
- (3) An appointment as a supervisor shall be deemed to have been made where no return has been received from the Legislative Council within twenty-one (21) days of the receipt of nomination by the Legislative Council.
- (4) A councilor who is appointed a supervisor by the local government chairman shall resign his position as a Councilor, and a bye-election shall be held to fill his vacant position.
7. (1) A person elected to the office of the of Chairman or Vice Chairman, and a person appointed to the office of supervisor shall not begin to perform the functions of that office until and unless he has declared his assets and liabilities as prescribed by the Code of Conduct for Public Officers in the Fifth Schedule to the Constitution and has taken and subscribed, before the Governor, the Oath of Allegiance and Declaration of assets, Oaths of Allegiance and Office

Oath of Office as prescribed in the Third Schedule to this Law.

- (2) A Chairman, Vice Chairman or supervisor shall declare his assets on vacation of office.
8. Subject to the provisions of sections 10, 11 and 12 of this Law, the chairman shall vacate his office at the expiration of a period of three (3) years commencing from the date when –
- (a) in the case of a person first elected as a chairman under this law, he took the Oath of Allegiance and the Oath of Office; and
 - (b) the person last elected to that office took the Oath of Allegiance and Oath of Office or would, but for his death, have taken such oaths.

Tenure of Office of
Chairman of Local
Government

9. The Chairman or Vice Chairman may be removed from office in accordance with the provisions of this section:

Provisions applicable
to Vice-Chairman

- (1) When the holder of the office acts in a way as to amount to misconduct in the performance of the functions of his office, a notice in writing signed by not less than 1/3 of the members of the Legislative Council stating the misconduct, detailed particulars which shall be specified is presented to the Secretary of the Local Government.
- (2) The Secretary of the Local Government shall, within seven (7) days of the notice, cause a copy of the notice to be served on the holder of the office on each member of the Legislative Council and shall also cause any statement made in reply to the allegation by the holder of the office to be served on each member of the Legislative Council.
- (3) within fourteen (14) days of presentation of the notice (whether or not any statement was made by the holder of the office in reply to the allegation contained in the notice) the Legislative Council without the holder of the office being present at the meeting shall resolve by motion without any debate whether or not the allegation shall be investigated.
- (4) A motion of the Legislative Council that the allegation be investigated shall not be declared or having been passed unless it is supported by the votes of not less than two-thirds majority of all members of the Legislative Council.
- (5) Within seven (7) days of the passing of a motion under subsection (4) of this section, the Secretary of the Local

Government shall inform the Chief Judge of the State who shall appoint a panel of seven (7) persons who in the opinion of the Chief Judge are of unquestionable integrity not being members of:

- (a) any Public or Civil Service;
- (b) a Legislative House; or
- (c) a political party,

to investigate the allegation as provided in this section.

- (6) The holder of an office whose conduct is being investigated under this section shall have the right to defend himself in person or be represented before the Panel by a Legal Practitioner of his own choice.
- (7) A Panel appointed under this section shall:
 - (a) exercise its functions and have such powers as may be prescribed by Law;
 - (b) within three months of its appointment report its findings to the Local Government Legislative Council.
- (8) Where the Panel reports to the Local Government Legislative Council that the allegation has not been proved, no further proceedings shall be taken in respect of the matter.
- (9) where the report of the Panel is that the allegation against the holder of the office has been proved, then within fourteen (14) days of the receipt of the report, the Legislative Council shall consider the report and if by resolution of the Legislative Council supported by not less than two-thirds majority of all its members, the report of the Panel is adopted then the holder of the office shall stand removed from office as from the date of the adoption of the report.
- (10) In this section:

“Misconduct” includes breach of the Oath of Allegiance or Oath of Office of Chairman or Vice Chairman or a breach of the provisions of this Law or a misconduct of such nature as fraud, dishonesty, bribery or corruption or false declaration of assets and liabilities or conviction for treasonable felony.

10. (1) The Chairman or Vice Chairman shall cease to hold office if:
- Permanent Incapacity of
Chairman and Vice
Chairman
- (a) by a resolution passed by two-thirds majority of all the members of the Legislative Council it is declared that the Chairman or Vice Chairman is incapable of discharging the functions of his office; and
 - (b) the declaration under paragraph (a) of this subsection is verified after such medical examination as may be necessary by a medical panel established under subsection (4) of this section in its reports to the Secretary to the Local Government.
- (2) Where the Medical Panel certifies in the report that in its opinion, the Chairman or Vice Chairman is suffering from infirmity of body or mind as to render him permanently incapable of discharging the functions of his office, a notice of the medical report signed by the Secretary to the Local Government shall be published in the State Gazette.
- (3) The Chairman or Vice Chairman shall cease to hold office from the date of publication of the notice of the Medical Report pursuant to subsection (2) of this section.
- (4) The Medical Panel referred to in this section shall be appointed by the Secretary to the Local Government and shall comprise three medical practitioners in Nigeria, of whom:
- (a) one shall be a medical practitioner of the choice of the Chairman or Vice Chairman as the case may be; and
 - (b) two other medical practitioners.
11. (1) The Vice Chairman shall hold the office of Chairman of the Local Government if the office of the Chairman becomes vacant by reason of death, resignation or removal from office in accordance with section 10 or 11 of this Law.
- Cessation of the
Office of the
Chairman
- (2) Where a vacancy occurs in the circumstances mentioned in subsection (1) of this section or for any other reason during a period when the office of Vice Chairman is also vacant, the councilors shall elect one of their member who shall hold the office of Chairman for a period not more than three months, during which there shall be an election of a new Chairman.

- (3) Where the office of Vice Chairman becomes vacant:
 - (a) by reason of death or resignation or removal in accordance with sections 11 and 12 of this Law; or
 - (b) by his assumption of the office of Chairman in accordance with subsection (1) of this section; or
 - (c) for any other reason, the Chairman shall nominate one of the Councilors who is thirty (30) years or above to be Vice Chairman taking into cognizance section 14(4) of the Constitution of the Federal Republic of Nigeria and where no Councilor is so qualified, the Chairman shall with a simple majority of the Councilors appoint any qualified member of a political party.
- (4) The Commission shall conduct a bye-election to fill the vacant seat created in the Ward from which the new Vice Chairman has been appointed.

- 12. (1) For every Local Government there shall be a Secretary to the Council to be appointed by the Chairman.
- (2) The functions of the Secretary shall include:
 - (i) making arrangements for meetings of the Council;
 - (ii) preparing Agenda and minutes of the meetings;
 - (iii) conveying the decisions of the Council to the members and with the approval of the Chairman to other persons or organisations;
 - (iv) discharging all other functions as may be officially assigned to him by the Council;
- (b) The Secretary may receive such salary and other allowances as may be determined by the State Executive Council.

Appointment,
Functions, Removal,
Remuneration and
Tenure of the
Secretary

Legislative Powers

13. (1) There shall be for each local government area, a legislative council which shall comprise of all the councilors elected to represent each ward within the local government area. Local Government Legislative Council
- (2) There shall be a Speaker, Majority Leader and Minority Leader (where a minority party exists) for the legislative council of the local government area who shall be elected by members from among themselves.
- (3) A person elected to the office of councilor shall not begin to perform the function of the office until and unless he has declared his assets and liabilities as prescribed by the Code of Conduct for Public Officers in the Fifth Schedule to the Constitution and has taken and subscribed before the Clerk of the Legislative Council the Oath of allegiance and the oath of office as a member of the Legislative Council prescribed in the Second Schedule to this Law, but a member may, before taking the oaths.
14. A Local Government Legislative Council shall stand dissolved at the expiration of a period of three (3) years commencing from the date of the first session of the Council. Tenure and Dissolution of Legislative Council
15. A councilor may be recalled as a member of a local government legislative council, if: Recall of a Councilor
- (a) there is presented to the Chairman of the State Independent Electoral Commission a petition in that behalf signed by 50% of the persons registered to vote in that councilor's ward alleging their loss of confidence in the councilor; and
- (b) the petition is thereafter, in a referendum conducted by the State Independent Electoral Commission within thirty days of the date of the receipt of the petition, approved by a simple majority of the votes of the persons registered to vote in that councilor's ward.
16. (1) There shall be a Clerk for the Legislative Council of a local government area, who shall be appointed by the Governor. Clerk and staff of the Legislative Council
- (2) The Clerk of the Legislative Council shall have such other staff to assist him, who shall be appointed by the Local Government Service Board.

17. (1) Whenever a casual vacancy occurs among the members of the Legislative Council the Clerk of the Legislative Council shall forthwith report the vacancy to the Electoral Commission in writing. Filling of Casual Vacancies
- (2) A new member to fill such vacancy shall be elected in the same manner as the person whose place he is taking:
- PROVIDED** that, where the tenure is less than three (3) months to the expiration of the Council, such election shall not be held.
- (3) A person elected under this section to fill casual vacancy shall hold office until the date upon which the person in whose place he is elected would ordinarily lapse.
18. Subject to the provisions of this Law, the person elected as Chairman of a Local Government shall have power to issue a proclamation for the holding of first Session of the Legislative Council of the Local Government concerned after he has been sworn in. Power to Issue Proclamation

PART III PROCEEDINGS OF THE EXECUTIVE AND LEGISLATIVE COUNCILS

19. Subject to the provisions of this Law, a Local Government Executive or Legislative Council shall regulate its own proceedings. Proceedings
20. (1) Minutes of the proceedings of every sitting of a Local Government Executive or Legislative Council or of a Committee thereof shall be regularly entered in a book kept for that purpose, and shall be read and confirmed or amended, as the case may require, and signed by the person presiding at the same or next ensuing sitting of the Local Government Executive or Legislative Council or Committee, as the case may be, and any minute purporting to be so signed shall be received in evidence without further proof. Votes and Proceedings
- (2) The names of members of a Local Government Executive or Legislative Council or of a Committee thereof present at a sitting of the Council or Committee, as the case may be, shall be recorded in the minutes.
- (3) Until the contrary is proved, a sitting of a Local Government Executive or Legislative Council or of a Committee thereof, in respect of the proceedings whereof a minute has been

made and signed as provided in subsection (1) of this section, shall be deemed to have been duly convened and held, all members present at the sitting shall be deemed to have been qualified, and where the proceedings are proceedings of a Committee, the Committee shall be deemed to have been duly constituted and to have had power to deal with the matter referred to the minutes.

21. The vote and proceedings of a Local Government Executive or Legislative Council shall at all reasonable times be open for inspection, and any person may obtain a copy thereof or an extract there from upon payment of such fee as may be specified by the Local Government Executive or Legislative Council. Votes and Proceedings to be Open for Inspection
22. The proceedings of a Local Government Executive or Legislative Council or a Committee thereof shall not be invalidated by any vacancy among its members, or by any defect in the election, or qualification of any member. Vacancy, etc. not to Invalidate Proceedings
23. (1) Subject to the provisions of this Law, a Local Government Executive or Legislative Council may make Standing Orders for the regulation of its proceedings and business and may amend or revoke such Standing Orders. Standing Order
- (2) A Standing Order made by a Local Government Executive or Legislative Council shall be sufficiently authenticated if the seal of the Local Government Executive or Legislative Council is affixed to it and it is signed by –
- (a) the Chairman and Secretary, in the case of the Executive Council; or
 - (b) the Speaker and the Clerk, in the case of the Legislative Council.
24. (1) If a member of a Local Government Executive Council or any Committee thereof has any pecuniary interest, direct or indirect, in any contract or proposed contract or other matter, and is present at a meeting of the Local Government Executive Council or the Committee at which the contract or other matter is the subject of consideration he shall at the meeting disclose the fact and shall not take part in the consideration or discussion of or vote on any question with respect to the contract or other matter, and he shall withdraw from the meeting during such consideration or discussion: Disability of Member for Voting on Account of Interest

PROVIDED that this section shall not apply to an interest in a contract or other matter which a member of the Executive Council or Committee may have as a tax payer, rate-payer or an inhabitant of the area.

- (2) For the purpose of this section, a person shall (subject to the succeeding provisions of this subsection) be treated as having indirectly a pecuniary interest in a contract or other matter if:
- (a) he or any nominee of his is a member of a company or other body with which the contract is made or is proposed to be made or which has a direct pecuniary interest in the contract or other matter under consideration; or
 - (b) he is a partner, or is in the employment, of a person with whom the contract is made or is proposed to be made, or who has a direct pecuniary interest in the contract or other matter under consideration:

PROVIDED that this section shall not apply to membership of, or employment under, any public body.

- (3) In the case of married persons living together, the interest of one spouse shall, if known to the other, be deemed for the purposes of this section to be also an interest of that other spouse.

PART IV FUNCTIONS AND STRUCTURE OF THE LOCAL GOVERNMENT

Functions of Local Governments

25. Subject to the provisions of this Law, a Local Government shall have responsibility for all of the following matters:
- (a) markets and motor vehicle parks;
 - (b) sanitary inspection, sewage, refuse and night soil disposal;
 - (c) control of vermin;
 - (d) slaughter slabs;

Functions of Local
Governments

- (e) public conveniences;
 - (f) cemeteries and burial grounds;
 - (g) registration of births, deaths and marriages and passing on the data to agencies of the State and Federal Government, when required;
 - (h) provision of community and recreational centres;
 - (i) parks, gardens and open spaces;
 - (j) forestry management;
 - (k) licensing, supervision and regulation of bake houses, eating houses and laundries;
 - (l) licensing and regulation of bicycles (other than vehicles which are mechanically propelled) and canoes;
 - (m) control or keeping of animals;
 - (n) control of hoarding, advertisement, use of loud speakers in or near public places and drumming;
 - (o) administration of land held under customary tenure designated as total non-urban land by the Governor pursuant to the Land Use Act;
 - (p) naming of roads and streets and numbering of plots and buildings;
 - (q) control and assessment of private forest estates;
 - (r) assessment of vehicle parking charges; and
 - (s) assessment of levies, rates and designated revenue.
26. (1) It shall be the duty of every Local Government together with the individual members thereof to prevent the commission of any offence within the area of its authority by any person.
- (2) A Council or Town, Village or Area Committee or a member thereof, knowing of the occurrence of any act or omission which is likely to result in a serious breach of the peace within the area of the authority of the Local Government shall report the matter to the nearest Police Officer, court

Prevention of Crime by
Local Government

officer or justice of the peace immediately, and failure to report such an act or omission shall be an offence and shall render any individual member of the Council, Town, Village or Area Committee concerned liable to a fine not less than ₦50,000.00 or to imprisonment not exceeding one year.

27. (1) A Local Government may engage in any form of trade, commerce or industry. Power to Engage in Trade and Maintain Works and Services
- (2) A Local Government shall have powers to provide and maintain works and services, which are incidental to any functions, conferred upon it or under this Law or any other enactment.
28. (1) A Local Government shall – Responsibility for eradication of illiteracy
- (a) be responsible for the eradication of illiteracy in the local government area;
 - (b) draw-up masterplans towards the total eradication of illiteracy within the local government area;
 - (c) plan, implement, control, monitor and evaluate adult and non-formal as well as vocational and continuing educational activities in the local government area;
 - (d) provide avenues for continuing education and vocational programmes to all manner of people outside the formal school system;
 - (e) serve as a monitor for education towards self-reliance; and
 - (f) promote functional literacy for the improvement of occupational methods.

Structure

29. (1) Every Local Government shall have divisions grouped under the following sectors: Sectors of a Local Government
- (a) Finance and Administration to oversee the functions of the public service and finance of the local government;
 - (b) Works and Infrastructure to facilitate the provision of roads, electricity, water supply and sanitation;

- (c) Social Development to support early child, primary and adult education, and preventive healthcare;
 - (d) Agriculture and Forestry excluding Kaduna North and Kaduna South Local Governments; and
 - (e) Such other divisions as maybe required in the local government, subject to the approval of the Governor.
- (2) It shall be the duty of every Local Government to:
- (a) discharge the duties and obligations imposed by or under this Law or any other enactment; and
 - (b) generally assist in maintaining order and good governance within the area of its authority, and for these purposes, a Local Government may, within the limits of the functions so conferred, either by its own employees or by duly appointed agents, do all such things as are necessary or desirable for the discharge of such functions.
- (3) Any functions conferred upon a Local Government by or under this Law shall be exercisable over all persons within the area of its authority save as is otherwise expressly provided in this Law.
30. (1) Each of the sectors created under section 30 of this Law shall be headed by a Director: Head of Sector
- (2) Subject to the provisions of this Law, each Director shall:
- (a) in matters of policy, be subject to the general direction of a supervisor;
 - (b) in matters relating to the employees and the internal control of the department, be under the general direction and control of the Secretary of the Local Government.
31. (1) Every person employed by a Local Government, whether under this Law or any other enactment, shall at such times during the continuance of his Office or within three months after his ceasing to hold such office render to the Local Government, a true account in writing of all monies and properties committed to his charge, including copies of receipts and payments with vouchers and other document Accountability of Employees

and records supporting the entries therein, and a list of persons from whom or to whom money is due in connection with his office showing amount due from, or to each person.

- (2) Every such person shall pay all money due from him to the Local Government in such manner as the Local Government may direct through bank payment or electronic means and never in cash.
- (3) If any such person;
 - (a) refuses or willfully neglects to make any payment which he is required by this section to make or,
 - (b) after three days' notice in writing signed by the Chairman of the Local Government or by three members thereof, and given or left at his usual or last known place of residence, refuse or willfully neglects to make out or deliver to the Local Government, or as it directs any account or list which he is required by this section to make out and deliver, or any voucher or other document or records relating thereto, or to give satisfaction respecting it to the Local Government; a Magistrate's Court having jurisdiction where the person is or resides may, on complaint, by order require him to make such payment or delivery or to give such satisfaction.
- (4) Nothing in this section shall affect any remedy by action against any such person or his surety, except that the person shall not be both sued by action and proceeded against under the provisions of this section for the same cause.

**PART V
EXECUTIVE POWERS OF THE
LOCAL GOVERNMENT**

32. (1) Subject to the provisions of this Law, the Executive Powers of a Local Government as provided under this Law shall be vested in the Chairman of the Local Government.
- (2) The Executive Powers vested in the Chairman under subsection (1) of this section shall, subject to the provisions of this Law be exercised by him either directly or through:

Executive Powers of the Local Government to be vested in the Chairman

- (a) the Vice Chairman or Supervisors of the Local Government; or
 - (b) officers in the service of the Local Government.
33. The Chairman or the Vice-Chairman shall preside over all meetings that may be convened by the Local Government Executive Council. Chairman shall Preside Over all Meetings of The Executive Council
34. The Chairman shall:
- (a) assign to the Vice Chairman specific Executive responsibilities including the supervision of any sector or sectors in respect of the business of the Local Government. Functions of the Vice Chairman and Supervisors
 - (b) assign to each Supervisor of the Local Government responsibilities for any business of the Local Government, including the supervision of one sector of the Local Government.
 - (c) hold regular meeting with the Vice Chairman and all the Supervisors for the purpose of:
 - (i) determining the general direction of the policies of the Local Government;
 - (ii) coordinating the activities of the Local Government; and
 - (iii) generally discharging the Executive functions of the Local Government.
 - (4) A meeting to which subsection (3) of this section relates shall be held not later than one month from the date of the previous meeting.

**PART VI
COMMITTEES (GENERAL)**

35. (1) A Local Government Executive or Legislative Council may appoint a "Committee" of its members for any special or general purpose as in its opinion would be better regulated and managed by means of such a Committee and may by resolution, regulation or otherwise as it thinks fit delegate any functions exercisable by it to any such Committee. Standing Committee of the Council

- (2) The number of members of a Committee appointed under this section, their term of office and quorum shall be fixed by the Executive or Legislative Council.
- (3) Nothing in this section shall be construed as authorizing a Local Government Executive or Legislative Council to delegate to a Committee the power to:
 - (a) decide whether a Bill shall be passed into a Bye-Law, where the Committee is appointed by the Legislative Council; or
 - (b) to determine any matter that the Executive Council is empowered to determine by resolution under this Law, where the Committee is appointed by the Executive Council,

but such a Committee of the Executive or Legislative Council may be authorized to make recommendations to the Council on any such matter.

- 36. (1) Every Local Government shall establish Finance and General Purposes Committee which shall consist of:
 - (a) the Chairman;
 - (b) the Vice-Chairman;
 - (c) all Supervisors;
 - (d) the Head of Finance Department;
 - (e) the Resident Local Government Inspector; and
 - (f) the Secretary of the Local Government Council who shall be the Secretary of the Committee.
- (2) Subject to the policy laid down by the Ministry for Local Government from time to time, the Finance and General Purposes Committee shall be responsible for:
 - (a) the regulation and control of the finances of the Local Government; including contract award and monthly fund allocation,

Composition of
Finance and General
Purpose Committee

- (b) the implementation of the decision of the Local Government with which no other Committee or body is charged and for the general running of the affairs of the Local Government;
- (c) such other functions as the Local Government may, from time to time delegate thereto, (except the power of levying a rate or tax or of borrowing money).

37. Every Local Government shall establish an Education Committee which shall consist of: Education Committee

- (a) the Supervisor responsible for Education as Chairman;
- (b) the Local Government Education Secretary;
- (c) an educationist who is with expertise in Adult Education;
- (d) not more than four other members, at least two of whom shall be women and at least of whom shall be from a non-governmental organization active in education; and
- (e) such other persons as may be prescribed by the Education Law.

38. (1) Subject to the provisions of this Part, a Local Government Executive Council may appoint such other Standing or Ad-Hoc Committees in addition to those specified under this Part for any general or special purpose at council, town, ward, village and other levels, that in the opinion of the Local Government Executive Council would be better regulated and managed by means of a Committee and may delegate to a Committee so appointed, with or without restrictions or conditions, any functions exercisable by the Local Government Executive Council. Other Committees and General Provisions for Committees.

(2) The power to make Bye-Laws, to levy a rate or to borrow money, shall not be delegated to any Committee of a Local Government.

(3) The number of members of a Committee appointed under this section, the Chairman of the Committee, and the term of office of the members shall be specified by the Local Government Executive Council.

- (4) A Committee appointed under this section may include persons who are not members of the Executive Council;

PROVIDED that:

- (a) at least one member of every such Committee is a member of the Executive Council;
- (b) no person shall be appointed as a member of the Committee who was an unsuccessful candidate at the most recent election to the office of Chairman, vice-chairman, or Councilor of the Legislative Council of the local government.

39. (1) A Committee appointed under the provisions of this part may appoint a Sub-Committee for any such special purposes as the Committee may deem expedient, but in the absence of express authority from the Local Government in that behalf, it shall not be Lawful for a Committee to delegate any of its Executive functions to any such Sub-Committee. Sub-Committees
- (2) The number of members of a Sub-Committee and their term of office shall be such as may from time to time be fixed by the Committee appointing such Sub-Committee.
- (3) A Committee may make, vary and revoke Standing Orders respecting the place of sitting, quorum and proceedings of any Sub-Committee appointed by such Committee.
40. A Local Government may, concur with one or more other Local Government in appointing from amongst their respective members a Joint Committee for any purpose in which they are jointly interested. Joint Committee
41. A person who is disqualified from contesting an election into the Executive or Legislative Council shall not be eligible for appointment as a member of a Committee or Sub-Committee of a Local Government. Disqualification for Membership of Committees
42. The provisions of section 25 relating to non-disclosure of interest shall apply to members of Committees and Sub-committees. Disability for Acting as Member of Committee on Account of Pecuniary Standing Orders for Committees
43. A Committee appointed by a Local Government or Local Governments in the case of a Joint Committee, may make, vary or revoke its Standing Orders relating to its quorum and proceedings.

44. (1) There shall be constituted for every Local Government a Security Committee which shall consist of the Chairman of the Local Government as Chairman and the following members:
- Establishment of Security Committee
- (a) the vice-chairman of the local government;
 - (b) the Secretary to the Local Government;
 - (c) the Divisional Police Officer or his representative;
 - (d) State Security Service (SSS) in charge of the Local Government;
 - (e) District Heads in the Local Government;
 - (f) Two Religious Leaders;
 - (g) Immigration Officer in charge of the Local Government Area;
 - (h) Vigilance Service Officer in charge of the Local Government;
 - (i) National Drug Law Enforcement Officer in charge of the Local Government;
 - (j) National Security and Civil Defence Corps Officer in charge of the Local Government; and
 - (k) Federal Road Safety Commission Officer in charge of the Local Government.
 - (l) Head of Legal and Special services of the local government.
- (2) The Security Committee shall have power to regulate its own proceedings but shall meet not less than once in every month.
- (3) Members of the Committee who are not public officers shall be paid such remuneration and allowances as the Local Government Chairman may from time to time determine.
45. (1) Subject to any other enactment, the Security Committee shall have responsibility for the following:
- Functions of the Security Committee

- (a) maintaining under constant review question relating to the enforcement of Bye-Laws and other legislation made by the Local government;
 - (b) investigate and comment upon complaints lodged about the activities of the law enforcement and security officers in the Local Government Area; and
 - (c) giving advice relative to the general maintenance of Law and Order in the Local Government Area.
46. (1) The Secretary of the Local Government shall be the Secretary to the Security Committee and be responsible for:
- Secretary to the Committee and his Duties
- (a) taking the minutes of the meetings of the Committee; and
 - (b) performing such other duties as the Committee or the Chairman thereof may direct.
- (2) The Secretary to the Committee shall soon after each meeting convey the decisions of the Committee to all members thereof and to the following:
- (a) the Governor of the State;
 - (b) the Commissioner of Police of the State; and
 - (c) the Ministry for Local Government of the State.
47. (1) There shall be constituted for every Local Government a Committee to be known as Planning Committee which shall comprise of the following:
- Planning Committee
- (a) Chairman of the Local Government, as chairman;
 - (b) Vice-Chairman of the Local Government;
 - (c) Head of Planning and Budget;
 - (d) Head of Finance and Treasury;
 - (e) one representative of the Traditional Institution;
 - (f) all Supervisors of the Local Government; and
 - (g) Chairman of the Local Government Revenue Committee.

- (2) (a) The Head of Planning and Budget in the Local Government shall be the Secretary of the Committee;
- (b) The Secretary of the Local Government Planning Committee shall be responsible for:
 - (i) making arrangements for meetings;
 - (ii) preparing agenda for meetings after consultation with the Chairman;
 - (iii) taking of minutes of meetings;
 - (iv) in conjunction with the Chairman and the Local Government Planning Committee render regular reports to the Board of Kaduna State Planning and Budget Commission; and
 - (v) any other duties that may be assigned by the Board of Kaduna State Planning and Budget Commission or the Local Government Planning Committee.
- (3) The Local Government Planning Committee shall advise Council on economic development of the Local Government Area in line with Kaduna State Development Plan and undertake any other duty that may be assigned to it by the Board of Kaduna State Planning and Budget Commission.
- (4) The Local Government Planning Committee may co-opt any person to any of its meetings on such terms as it may consider appropriate, provided that he shall not be entitled to vote on any question or be counted towards a quorum.
- (5) The quorum at meetings of the Local Government Planning Committee shall be a simple majority.

**PART VII
MISCELLANEOUS POWERS OF
LOCAL GOVERNMENT**

- | | | |
|-----|---|---|
| 48. | All contracts to be executed by Local Governments shall be made in accordance with their approved budgets and in compliance with the Public Procurement Law of the State. | Local Government
May Enter Into Any
Contract |
| 49. | Subject to the provisions of this Law or any other enactment, a Local Government may charge fees for any service or facility provided by it. | Charges of Fees |
| 50. | A Local Government may insure its properties against risks of any description. | Insurance of
Property by the Local
Government |

**PART VIII
POWERS OF THE LEGISLATIVE COUNCIL**

- | | | |
|-----|---|-----------------------------|
| 51. | Subject to the provisions of this Law or any other enactment, a Local Government Legislative Council may make Bye-Laws for all or any of the following matters: | Powers to make Bye-
Laws |
| | (a) health centres, maternity centres, dispensaries and clinics, ambulance services, leprosy clinics and preventive health services; | |
| | (b) Livestock inspection and abattoirs; | |
| | (c) nursery, primary and adult education; | |
| | (d) information and public enlightenment; | |
| | (e) provision of scholarships and bursaries; | |
| | (f) provision of public libraries and reading rooms; | |
| | (g) agricultural and animal health extension services and veterinary clinics; | |
| | (h) rural and semi-urban water supply; | |
| | (i) fire station and services; | |
| | (j) provisions of roads (other than truck roads) their lighting and drainage; | |

- (k) support for arts and culture;
- (l) control of pollution;
- (m) control of beggars, prostitution and repatriation of destitutes;
- (n) provision of houses for destitute, the infirm and orphans;
- (o) provision of public utilities including road and water transport;
- (p) public housing programmes;
- (q) regulation and control of buildings;
- (r) operation of commercial undertakings;
- (s) control of traffic and parking;
- (t) piped sewage systems;
- (u) control of sale and consumption of alcohol; and
- (v) any other power imposed on a Local Government by any other enactment.

52. A local government legislative council may appoint a Committee of its members for any special or general purpose as in its opinion would be better regulated and managed by means of such a Committee and may by resolution, regulation or otherwise as it thinks fit delegate any functions exercisable by it, excluding its power to decide whether a Bill shall be passed into a Bye-Law, to any such Committee.

Committees of the Local Government Legislative Council

PART IX BYE – LAWS

53. (1) The powers of the Local Government Legislative Council to make Bye-Laws shall be exercised by the Legislative Council and assented to by the Chairman of the Local Government.
- (2) Where a proposed Bye-Law is passed and presented to the Chairman for assent, he shall within thirty (30) days signify that he assents or that he withholds same.

Bye-Laws

(3) Where the Chairman withholds assent and the Bye-Law is again passed by the Legislative Council by two-thirds majority, the Bye-Law shall come into effect and the assent of the Chairman shall not be required.

54. (1) The provision of this part shall apply to bye-laws made by a Local Government by virtue of:- Application

- (a) this Law;
- (b) any enactment in force at date of this Law; and
- (c) any enactment made or which comes into force after the commencement of this Law.

(2) Bye-Laws shall be made under the common seal of the Local Government.

55. (1) There may be provided in or by any Bye-Laws a penalty not less than ₦100,000.00 or imprisonment not exceeding six months or both, as the Local Government making the Bye-Laws may think fit, on any person who fails to take any action required by, or who disobeys the Bye-Laws. Penal and Other Provisions

(2) A Bye-Law may specify a further penalty not less than ₦1,000.00 for each day on which a breach of the Bye-Law is committed after written notice has been served on the offender.

(3) Where any enactment confers power on a Local Government to make Bye-Laws and to make provision therein in respect of fees or charges the Local Government may provide in the Bye-Laws for:

- (a) certified fees or charges;
- (b) maximum and minimum fees or charges;
- (c) for the payment of fees or charges either generally or under specified conditions; and
- (d) for the reduction, the waiver or the refund in whole or in part of any such fees or charges either upon the happening of certain events or in the discretion of any person, subject to section of the Tax (Codification and Consolidation) Law, 2016.

- (4) Where any reduction, waiver or refund in whole or in part of any fee or charge is provided, such reduction, waiver or refund may be made to apply, subject to section of the Tax (Codification and Consolidation) Law, 2016, either generally or specifically:-
- (a) in respect of certain matter or classes of matters;
 - (b) in respect of certain documents or classes of documents;
 - (c) where any event happens or cease to happen;
 - (e) in respect of any combination of such matters, persons, documents or events and may be made to apply subject to such conditions as may be set out in the Bye-Laws or in the discretion of any specified person.

PART X COMMUNITY PARTICIPATION

56. (1) Local governments shall develop a culture of participatory governance that complements formal representative government as envisaged in section 14 of the Constitution, and shall for this purpose –

Local Governments to foster community participation

- (a) encourage, and create conditions for, the local communities to participate in the affairs of the local government, including –

- (i) the preparation, implementation and review of development plans;
- (ii) the assessment of the performance of the local government executive and legislative councils; and
- (iii) the preparation of the local government's budget.

- (b) contribute to building the capacity of –

- (i) local communities to enable them to participate in the affairs of the local government; and

- (ii) councilors, supervisors and staff of the local government to foster and facilitate community participation.

(2) Nothing in subsection (1) of this section shall be interpreted as permitting interference with the rights of the local government elected representatives to govern and to exercise executive and legislative authority over the local government.

57. (1) Local governments shall establish appropriate mechanisms, processes and procedures to enable the local communities participate in the affairs of the local government area, and for this purpose shall provide for –

Local Governments to set up mechanisms for community participation

- (a) the receipt, processing and consideration of petitions and complaints lodged by members of the local communities;
- (b) public meetings and hearings by the executive or legislative councils of the local government and political office holders;
- (c) consultative sessions with members of the local communities, locally recognized community based organisations, and traditional authorities.

(2) When establishing mechanisms, processes and procedures for community participation, the local government shall take into consideration the special needs of –

- (a) persons who cannot read or write;
- (b) persons with disability;
- (c) women; and
- (d) other disadvantaged groups.

58. A local government shall communicate to its local communities information concerning –

Constituents to be educated on their right to community participation

- (a) the available mechanisms, processes and procedures to encourage and facilitate community participation;
- (b) the matters with regard to which community participation is encouraged;
- (c) the rights and duties of members of the local communities; and

(d) local governance, management and development.

PART XI
FINANCIAL AND AUDIT PROVISIONS
Financial Provisions

59. Every Local Government shall open and operate Bank Account(s) into which shall be paid all monies accruing to the Local Government and from which all expenses incurred by it shall be defrayed. Bank accounts

PROVIDED that a Local Government shall not open, operate, or close any Bank Account without the prior approval of the Ministry of Finance.

60. (1) The revenue and other funds of a Local Government shall consist of all sums of money or funds as are lawfully in possession of the Local Government including revenue or such other monies accruing to a Local Government including the following:- Revenues of a local government

- (a) monies derived from tax and any rate that may be levied by the House of Assembly of the State;
- (b) monies payable to a Local Government under the provisions of any other enactment;
- (c) monies derived from licenses, permits, dues charges or fees specified by any Bye-Laws or rules made by a local Government;
- (d) receipts derived from any public concern, or any service or undertaking to or maintained by a Local Government either in whole or in part;
- (e) rent derived from the lettering or leasing of any building or land belonging to a local government;
- (f) statutory allocation or grant- in aid out of the general revenue of Nigeria, or of the State, or other public revenue;
- (g) any sums of money which may lawfully be assigned to a Local Government by any public corporation;
- (h) interest on the investment funds of a Local Government;

- (i) such sums of money as may be granted to a Local Government by any other Local Government; and
- (j) such sums of money as may be paid to a Local Government by a joint board in accordance with the provisions of this Law.

(2) Any other monies lawfully derived by a Local Government from any other source not herein before specifically mentioned shall be and form part of the revenue and funds of such Local Government.

61. (1) Subject to the provisions of this section, all revenues of a Local Government shall be paid into the general revenue of the Local Government and shall be applied to the administration, development and welfare of the area over which its authority extend and to the welfare of the inhabitants thereof.

Revenues to be paid into the general revenue account of the local government

(2) Of the revenues accruing in respect of any trading, commercial or industrial undertaking engaged in and maintained by a Local Government, only such part thereof as the Local Government shall determine shall be paid into the general revenue of the Local Government and the remainder shall be applied and used solely for the purpose of the undertaking.

62. A local government shall ensure that at least sixty (60) per cent of its net revenue after contributions to the Kaduna State Universal Basic Education Board and Kaduna State Primary Health Care Development Agency, is utilised in the development and provision of basic infrastructure and services for the inhabitants of the local government area.

Utilisation of sixty per cent net revenue in provision of basic services

63. (1) Subject to the provisions of this Law, a Local Government may incur expenditure necessary for and incidental to, the carrying out of any function conferred upon it or under this law, or any other enactment.

Power to incur expenditure

(2) (a) A Local Government may incur expenditure subject to the restrictions and conditions in section 67 of this Law and subsection (1) of this section for any of the following purposes in addition to the purposes specified in subsection (1) of this section:-

- (i) the maintenance of any office of chief or other Traditional title holder, which the Local

Government Executive Council by a resolution of three-fourth of the members, has agreed should be maintained by it; ;

- (ii) the grant, subject to the approval of the Executive Council, of an allowance to any former Chief or other former holder of a traditional title;
 - (iii) the establishment and maintenance or equipping of any special school or post primary institution which is recognized by the State Government.
- (b) Discharge any liability in respect of which expenditure may be incurred by it in accordance with the powers conferred on it by or under this Law.
- (3) All liabilities falling to be discharged to a Local Government shall be met from the general revenue and funds of the Local government, except any liability that may properly relate to any commercial, industrial or trading undertaking engage in by the local government which shall be met from the funds of the undertaking.
- (4) Subject to the approval of the Governor, a Local Government may make grants or loans to any other Local Government for the purpose of any of the functions conferred by or under this Law or any other enactment.
64. The pattern and limit of expenditure to be incurred by every Local Government shall be in accordance with Financial Regulations applicable in the State. Limit of expenditure to be in accordance with Financial Regulations and Guidelines
65. (1) A Local Government may from time to time raise loans within Nigeria of such amounts, from such sources in manner, upon such terms and conditions in fulfillment of its lawful functions, when approved by the State House of Assembly, Power to obtain loans
[Act No. 18 of 2003]
- (2) such loans shall be subject to the recommendation of the Legislative Council and the State Executive Council, and shall be secured upon the property, assets and revenues of the local Government.
66. (1) Subject to the provisions of section 67 and this section, it shall be lawful for a local Government to obtain advances from Banks by way of overdraft upon the credit of the Local Government: Power to obtain advances

Provided the Local Government Executive Council approved it by resolution, supported by a resolution of the Legislative Council.

- (2) No such overdraft shall at any time or in any circumstances exceed ten per cent of the income of the Local Government in the preceding financial year.
 - (3) For the purposes of this section "income" means revenue accruing to a Local Government excluding capital grants or other grants and loans served by the Local Government.
67. A Local Government may invest all or portion of its moneys in government bonds or in such other manner as may be prescribed. Power to invest in government bonds
68. The financial year for such Local Government shall be the same as that of the State government. Financial year
69. (1) Every Local Government shall keep accounts and other records in relation thereto in accordance with such instructions as may be issued. Books of accounts
- (2) Every Local Government shall immediately after the end of each financial year cause its accounts for that year to be brought to a balance and a balance sheet prepared with respect thereto together with a statement or abstract of accounts.
70. (1) A Local Government may make advances and loans within such limits and upon such conditions as are not inconsistent with its Financial Memoranda. Local Government may make advances and grant loans
- (2) A Local Government may operate deposit and suspense accounts.
- (3) for the purpose of subsections (1) and (2) of this section, approval of the Ministry responsible for Local Government matters may be given generally or in respect of any particular Local government.
71. (1) The Governor through the Ministry responsible for Local Government matters, shall from time to time issue guidelines consistent with the financial regulations applicable in the State to Local Governments for the better control of employment, establishment and management of finances and the conduct of the affairs of the Finance and General Purpose Committee of Local Governments. Ministry to issue guidelines on management and control of finances

(2) Without prejudice to the generality of subsection (1) of this section, guidelines under this section may make provision for any of the following:-

(a) the conditions upon which allowances and out of pocket expenses may be paid to members of Executive and Legislative Councils or members of Committees of the Councils whilst engaged on the business of the Local Government, to members of assessment Committee and assessment appeal Tribunals whilst engaged in carrying out their functions under this Law.

(b) the restrictions and conditions applying to the authorization by a local Government of expenditure appropriated in an approved estimate for one purpose to other purpose therein contained.

72. (1) (a) A Local Government Executive Council shall in each year cause to be prepared, in accordance with any general directives made in that behalf by the Legislative Council, a detailed estimate of its revenue and expenditure for the next ensuing financial year not later than 30th June.

Annual Estimates

(b) The Local Government Executive Council shall submit the estimate of revenue and expenditure for the next ensuing year to the Legislative Council, for its consideration and approval, with or without modification to the estimates.

(c) A local government Annual Estimates shall be deemed to not have been approved by the local government executive and legislative council, unless it has been subjected to consultation with and input from members of the various communities in the local government in a town hall meeting.

(d) A local government Annual Estimates which has not been subjected to consultation with members of the communities in a town hall meeting, shall not be submitted to the House of Assembly for appropriation.

(e) The estimates as approved by the Legislative Council shall be submitted to the House of Assembly within such time and in such manner as may be directed by the House of Assembly.

- (2) The House of Assembly shall consider the annual estimate approved by the local government Legislative Council submitted by a Local Government and of the resolution of the Local Government in order to ensure that it is not inconsistent with the general budgetary measures adopted for the State for the succeeding financial year: and in any case where the estimate is found inconsistent, the House of Assembly may give such directives as may be appropriate in the circumstances to the Local Government.
73. Where it appears to a Local Government in any year that expenditure for any specified purpose is desirable and no provision or insufficient provision therefore has been made in the estimate for such year, the Local Government may submit a Supplementary Estimate to the House of Assembly for approval, in accordance to the prescribed procedure in section 73 of this Law. Supplementary Estimates
74. Where in any financial year it appears to a Local Government to be necessary, the Local Government Executive Council may prepare revised estimates of revenue and expenditure in respect of that year and the provisions of section 74 shall apply accordingly. Revised Estimates
75. (1) Subject to the provisions of this section, a Local Government may, from time to time, authorise the writing off, as an irrecoverable debt in regard to which no further proceedings need be taken, of any sum due or payable to the Local Government by any person, on the ground of the poverty of such person or for other sufficient cause. Writing off as irrecoverable Arrears
- (2) Subject to the provisions of this section, a Local Government may, from time to time authorize the writing off of deficiencies of cash or stores.
- (3) No such sum shall be written off as an irrecoverable debt without the prior approval of the Local Government Executive Council if it exceeds ₦50,000.00 in any case, or if by so writing off, the total sum written off in any financial year will exceed one percent of the total income for that financial year of the Local Government concerned.
76. (1) The State Executive Council shall, in respect of any Local Government or group of Local Governments appoint Local Government Inspectors. Local Government Inspectors
- (2) Local Government Inspectors:

- (a) shall have the right to attend any Executive Council and Committee meetings, but shall have no voting rights;
 - (b) shall at all reasonable times have access to and be entitled to inspect all staffing data, books, accounts and records of a local government; and
 - (c) may advise a Local Government in regard to any of its functions under this Law.
77. The Inspectors appointed under section 78 above shall, in the course of the performance of their duties be given all reasonable independence and facilities so as to operate without interference or hindrance. Inspectors to Operate Without Interference
78. The Local Government Executive Council on receipt of the Inspector's report shall take such steps as are necessary in order to remedy any wrong or defect defected as highlighted in the said report. Inspector's Report
79. Where the report has substantially indicted any officer(s), the Chairman shall table same at a meeting with all the Supervisors and, may, after deliberation, forward the matter to the appropriate Law enforcement agency for action. Inspector's Report to be Deliberated
80. (1) There shall be paid to the Chairman, Vice Chairman, Supervisors and Councilors such salary and allowances as may be recommended by the State Executive Council and approved by simple resolution of the House of Assembly not exceeding the amounts that may be prescribed by the Revenue Mobilization, Allocation and Fiscal Commission. Remuneration of Chairman, Vice Chairman, supervisors and Councilors
- (2) The salary and allowances payable under this section shall be charged upon the Local Government Revenue.

Audit

81. There shall be an Auditor-General for the Local Governments of the State who shall be appointed by the Governor subject to confirmation by the House of Assembly. Appointment of Auditor General
82. (1) The accounts of the Local Governments and all other offices shall be audited annually in accordance with the provisions of this section. The Auditor-General shall, within six months from the end of each financial year, submit his report to the House of Assembly. Auditing of Account of Local Governments

- (2) A Local Government shall:
 - (a) make available at all times the accounts subject to audit, together with all books, papers, vouchers and records relating thereto, for inspection by the auditor, or
 - (b) prepare and submit to such auditor statements or abstracts containing such particulars and relating to such periods.
- (3) In exercise of his functions under this Law, the Auditor-General shall not be subject to the direction or control of any other authority or person.

83. Payments shall be made by the State Government in respect of the remuneration and expenses of any external auditor appointed under this Law including the staff of such auditor, to such amount as may be prescribed.

Remuneration of Auditor

84. (1) It shall be the duty of an auditor at every audit held by him to:

Powers and Duties of Auditors

- (a) disallow any account which is contrary to Law or to Financial Memoranda issued or is unsupported by proper records or accounts, or which he considers unreasonable;
- (b) surcharge any sum which has not been duly brought into account upon the person by whom that sum ought to have been brought into account;
- (c) surcharge the amount of any loss or deficiency upon any person by whose negligence or misconduct the loss or deficiency has been incurred;
- (d) certify, at the conclusion of the audit, his allowance of the accounts subject to any disallowance or surcharges which he may have made:

PROVIDED that no expenses incurred by a Local Government be disallowed by the Auditor, if they have been sanctioned by the House of Assembly or the Legislative Council.

(2) It is hereby declared that for the avoidance of doubt that in subsection (1) of this section the word "person" includes:

- (a) any employee or former employee of a Local Government;
- (b) any person who, though not an employee of a Local Government, holds or formerly held an office the emoluments attaching to which are or were paid wholly or partly from the revenue or other funds of a Local Government;
- (c) any Chairman or other member of a Local Government, Committee or Management appointed for a local government; or
- (d) any Administrator or former Administrator appointed for a Local Government.

85. Notwithstanding any of the provisions of the last preceding section, no liability to surcharge shall be incurred by an employee of the Local Government who can prove to the satisfaction of the Auditor that he acted in pursuance of, and in accordance with, the terms of a resolution of the Local Government to whose orders, in relation to the matter in question, he was subject: Special relief

PROVIDED that nothing in this section shall exempt any person from liability to surcharge in accordance with the provision of section 86 where that person knew or ought reasonably to have known that the terms of any resolution or any written instruction as aforesaid were unlawful.

86. For the purpose of any examination under the provisions of this part the Auditor may take evidence and examine witness, upon oath or affirmation (which, oath or affirmation the Auditor is hereby empowered to administer), and may, by summons under his hand, require all such persons as he may think fit, to appear personally before him at a time and place stated in such summons and to produce all such books and papers, including the minutes of the proceedings of the Council or of the Committee thereof, as he may consider necessary such examination. Auditor May Take Evidence on Oath etc.

87. Every sum certified by the Auditor to be due from any person shall be paid by that person to the treasury of the Local Government concerned within sixty days after it has been so certified, or if an appeal with respect to that sum has been made within thirty days after the appeal is finally disposed of or abandoned whether or not by reason of the non-prosecution thereof. Payments from Sums Due

88. (1) Any sum which is certified by the Auditor to be due and has become payable shall be recoverable as a civil debt. Recovery
- (2) In any proceedings for the recovery of such a sum, a certificate signed by the Auditor shall be conclusive evidence of the facts certified, and a certificate signed by the Secretary to the Local Government concerned or any employee whose duty it is to keep the accounts that the sum certified to be due has not been paid shall be conclusive evidence of non-payment unless it is proved that the sum certified to be due has been paid since the date of the certificate.
- (3) Unless the contrary is proved, a certificate purporting to be signed by the Auditor, or by the Secretary or the employee whose duty it is to keep the accounts, shall be deemed to have been signed by such Auditor, Secretary or employee as the case may be.
89. (1) Any person who is aggrieved by a decision of the Auditor on any matter with respect to which he made an objection at the audit and any person aggrieved by a disallowance or surcharge or other decisions relates to an amount not exceeding ₦400.00 appeal to the Chairman, and may in other case appeal to the High Court: Appeal from Decisions of Auditors
- PROVIDED** that any appeal under this section be lodged by the person aggrieved by decision, disallowance or surcharge, within thirty days of the decision or disallowance, or of the making of the surcharge, as the case may be.
- (2) The High Court or the Chairman on such appeals shall have power to confirm, vary or quash the decision of the Auditor, and to remit the case to the Auditor with such directions as the High Court or the Chairman thinks fit for giving effect to the decision or appeal.
- (3) Where an appeal is made to the Chairman under this section, he may at any stage otherwise of the proceedings state in the form of a special case for the opinion of the High Court any question of Law arising in the course of the appeal, but save as aforesaid the decision of the Chairman shall be final.
90. Every Local Government shall render to the Legislature an annual financial statement in such form as the Legislature may direct and, unless the Legislature shall otherwise direct, shall before the first day of September in each financial year publish such annual Local Government to Render Annual Financial Statements to the Legislature

financial statement and the report of the Auditor, thereon at its own offices, and in any other manner customary in the area.

91. (1) There shall be an Audit Alarm Committee for the local governments in the State. Establishment of Audit Alarm Committee and composition
- (2) The Audit Alarm Committee shall comprise of the –
- (a) Auditor General of Local Governments as the chairman;
 - (b) Director responsible for Local Government Inspectorate for the State; and
 - (c) Representative of the Accountant General of the State.
92. (1) The functions of the Audit Alarm Committee shall be to – Functions of the Audit Alarm Committee
- (a) meet and deliberate on any audit alarm brought to the Committee's notice;
 - (b) ensure that fraudulent or irregular payments are not made;
 - (c) impose sanctions on any erring officer; and
 - (d) notify the Public Accounts Committee of House of Assembly of any alarm of significant importance and serious payment audit queries for which the Accounting Officer of the Local Government is responsible;
- (2) The work of the Audit Alarm Committee shall be facilitated by the following officers –
- (a) the Resident Auditor;
 - (b) the Local Government Inspector; and
 - (c) the Head of Internal Audit.
- (3) It shall be the individual and collective responsibility of the officers stated in subsection (2) of this section to alert the Audit Alarm Committee before irregular or illegal payments are made by the Local Government, or as soon as possible after discovery of such payments.
- (4) Where an officer stated in subsection (2) of this section fails to promptly alert the Audit Alarm Committee of an irregular or

illegal payment, he shall be liable to sanctions as provided under the guidelines on audit queries and sanctions applicable in the State.

(5) Members of the public shall also have the power to raise alarm to the Committee if they become aware of any irregular or illegal payment by a local government.

(6) Once a pre-payment audit alarm has been raised, it shall be an offence for any local government officer to process any queried payment under the Audit Alarm system any further, without an audit clearance certificate issued by the Auditor General of Local Governments.

PART XII EMIRATE OR TRADITIONAL COUNCILS

93. (1) The Governor may by order published in the State Gazette, establish an Emirate or chiefdom, and an Emirate Council or a traditional Council based on the history and tradition of the Community. Power to Establish
Emirate or Traditional
Council
- (2) Each Council established under this section shall consist of the following members:-
- (a) the Emir or Paramount Chief as chairman;
 - (b) other Traditional title holders;
 - (c) the Chairman of the Local Government Council, where there are two or more Local Governments, the Chairmen of all Local Government Councils in that area.
- (3) Every order under this section shall have effect from the date of such publication or from the date named therein.
- (4) Every order establishing an emirate or a chiefdom, and a Council under this section shall:
- (a) specify the name and description of the Council and the date on which it is established;
 - (b) describe the device of the seal of the Council;
 - (c) provide for the composition of the Council;

(d) contain such provisions for other matters as are required by this Law to be prescribed therein.

94. (1) Where the order so provides, a Council set up under this part shall be a body corporate by the name designated and shall have perpetual succession and a common seal and have power to hold land and can sue and be sued.
- (2) Any contract which if entered into or executed by a person not being a body corporate, would not require to be under seal, may be entered into or executed on behalf of a Council by any person generally or specially authorised by the Council for that purpose.

Emirate or Traditional Council may be Bodies Corporate

95. The functions of a Council established under this part shall be:

Functions of Council

- (a) to formulate general proposals as advice to the Local Government or to all Local Governments in its area;
- (b) where applicable, to harmonise the activities of such Local Governments through discussion of problems affecting them generally and by giving advice and guidance thereon such Local Government;
- (c) where applicable to offer advice on development plans of such Local Governments by joint discussion;
- (d) where requested by the Government or, as the case may require, by some or all the Local Governments in its area, to assist in the assessment of community tax in consultation with such Local Government or Local Governments in the area and its subsequent;
- (e) to monitor religious matters where appropriate;
- (f) to give support for Arts and Culture;
- (g) to assist in the collection of intelligence and security information facilitating the maintenance of Law and Order;
- (h) to advice on any matter referred to it by the State or Federal Government;
- (i) to make representation or express opinions to the State Government Local Government or any other organisation on behalf of the emirate or chieftdom on any matter of concern to the area as a whole whether

or not such a matter is within the Legislative competence of any such Local Government;

- (j) to monitor questions relating to chieftaincy matters and control of Traditional titles; and where such matters are within the exclusive prerogative of the Emir or Paramount Chief, to give advice thereon where so requested;
- (k) notwithstanding any other provision of this Law, to serve as custodians of Customary Law and practice and advise on all matters governed by Customary Law including land tenure under Customary Law;
- (l) to identify and recommend persons for appointment as District Heads to the Governor, and subject to the approval of the Governor to appoint and discipline District Heads; and
- (m) to recommend to the Governor the creation of districts in the emirate or chiefdom, subject to the approval of the Governor and the establishment of the district by order of the Governor published in the State Gazette.

PART XIII LOCAL GOVERNMENT SERVICE BOARD

96. There is hereby established for the State a Board to be known as the Kaduna State Local Government service Board, which shall be a body corporate with perpetual succession and a common seal having the power to sue and be sued.
97. (1) The Board shall consist of the following;
- (a) a part-time Chairman;
 - (b) three (3) part-time members, representing three senatorial zones in the State;
 - (c) three ex-officio members not below the rank of Director as follows, representing the-
 - (i) Office of the Head of Service;
 - (ii) Ministry responsible for Local Government;
 - (iii) Bureau and Training; and

- (d) the Executive Secretary of the Board.
 - (2) The appointment of the Chairman and the members shall be made by the Governor.
98. (1) There shall be an Executive Secretary for the Board not below the rank of a Permanent Secretary, who shall be the Chief Executive Officer of the Board, to be appointed by the Governor.
- (2) The Executive Secretary shall, subject to any rules of the Board, be;
- (a) the Accounting and Chief Administrative Officer of the Board;
 - (b) responsible for the execution of policy and the day to day management of the Board;
 - (c) making arrangement of the Board;
 - (d) conveying decisions of the Board to members and, where appropriate, to other persons or organisations;
 - (e) performing all other functions affecting the Board as the Chairman of the Board.
99. A member, other than an ex-officio member, may at any time resign his membership by sending a notice of resignation in writing under his hand to the Governor.
100. Where the Board desires to obtain the advise or service of any person upon any matter, the Board may co-opt the person to be a member of such meeting and the person whilst so co-opted shall have all the rights and privileges of a member save that he shall not be entitled to vote at any such meeting.
101. No act or proceeding of the Board shall be invalid on account of any vacancy among its members or on account of the appointment of any member being defective.
102. Chairman or member, other an ex-officio member, shall only be removed from the office by the Governor acting on grounds of inability by the member to discharge the functions of his office, whether arising from infirmity of mind or body or any other just cause for misconduct.

103. There shall be paid to every member, other than an ex-officio such remuneration and allowances as may be determined by the Governor.
104. A member shall not be personally liable to be sued for any act or omission or any default as long as such act, omission or default is in good faith and in the course of the operation of the Board.
105. (1) The Board shall exercise the following functions:
- (a) to initiate, formulate and implement policies on Appointment, Training, Promotion, Discipline and Welfare prospects of the staff of the Unified Local Government Service in consonance with those obtainable in the State Public Service;
 - (b) to appoint, post, promote and discipline Local Government Employees on Grade Levels 07 and above;
 - (c) to monitor the activities of each Local Government on Appointment, Promotion and Discipline of Local Government employees on Grade Levels 01 – 06 for effective control of delegated powers by the Board;
 - (d) to approve retirement, advancement, change of cadre or name of staff of the Local Government in the State;
 - (e) to approve transfer of service from Local Government to other Scheduled services;
 - (f) to ensure fiscal discipline, accountability and transparency in the Local Government Service;
 - (g) to imbibe and enforce the culture of non-partnership, loyalty, dedication and competence in the Local Government Service;
 - (h) to decide on petitions and or appeals in respect of Appointment, Promotion and Discipline arising from Local Government Councils and or its employees.
 - (i) to implement and coordinate the Unified Local Government Service in the State;
 - (j) to maintain Local Government Training Fund generated from the Statutory Allocation of 23 Local Governments for training of staff of the Unified Local

Government Service as may be approved by the Government;

- (k) to enforce rendition of periodic returns and relevant information from all Local Governments concerning staff Appointment, Promotion and Discipline on Grade Levels 01 – 06 in order to ensure strict and uniform application of Guidelines;
 - (l) to approve any form of official agreements to be entered into between Local Government Councils and its employees.
 - (m) to delegate some of its powers to its members;
 - (n) to approve any other policy that the Board may deem appropriate to ensure motivation of staff in order to make Local Government Service efficient, effective and responsive to public expectations;
 - (o) to conduct Local Government Employees Auditing and rationalization to prevent over staffing, under staffing and ghost workers.
- (2) In exercise of its functions under this Section, the Board shall have power to make such Rules and Regulations as may be necessary or desirable.
106. (1) The Board shall maintain Account from which there shall be defrayed all expenses incurred by it.
- (2) There shall be paid and credited to the Account of the Board:
- (a) such sums as may be appropriated by an Appropriation Law of the State;
 - (b) all such monies paid to the Board by of grant, donation, gifts, fees, subscriptions, interest and royalties;
 - (c) monies raised by way of loans obtained with the prior approval of the Governor; and
 - (d) all other sums which may in any manner become payable in respect of any matter incidental to the discharge of its functions.

107. The Board shall prepare and submit to the Ministry responsible for Local Government matters each year, an estimate of income and expenditure for the next succeeding year.
108. (1) The Board shall cause to be kept proper books of accounts and other records in respect of its functions.
- (2) The Board shall prepare in respect of each financial year Statement of Accounts in such form as the Governor may approve.
- (3) The Board shall ensure that the annual Statement of Accounts is a fair and accurate position and the result of the financial to which it relates.
109. (1) The Board shall cause the Annual Statement of Accounts required under this Law to be audited not later than four (4) months after the end of each financial year by the Auditor-General of the State.
- (2) As soon as the Annual Statement of Account has been audited, the Board shall ensure the implementation of the Auditor-General's Reports.
110. The Board shall liaise with the Kaduna State Pensions Bureau to ensure disbursement of pension and other benefits to Local Government employees in accordance with the Pension reform Law operating in the State.
111. (1) The Board shall hold such number of meetings as may be necessary for the due discharge of its functions, **PROVIDED** that, a meeting shall be held in each quarter of a year.
- (2) The supplementary provisions contained in the Third Schedule to this Law shall apply to the meetings of the Board.

PART XIV
MISCELLANEOUS PROVISIONS, SAVINGS, LEGAL PROCEEDINGS
AND OFFENCES

112. In this part:-

Interpretation

"Court" includes High Court, a Magistrates' Court, Sharia and Customary Courts.

"Suit" means a civil proceeding commenced by writ of summons or in such other manner as may be prescribed by rules of Courts.

113. When any suit is commenced against any Local Government for any act done in pursuance or execution of intended execution of any Law or of any public duty or authority or in respect of any alleged neglect or default in the execution of any such Law, duty or authority, such suit shall not lie or be instituted unless it is commenced within six months next after the act, neglect or default complained of, or in case of a continuance of damage or injury within six months after the ceasing thereof. Limitation of Suit Against Local Government
114. (1) No suit shall be commenced against a Local Government until one month at least after written notice of intention to commence the same has been served upon the local Government by the intending plaintiff or his agent. Notice of Suit to be Given to Local Government by Intending Plaintiff
- (2) Such notice shall state the cause of such action, the name and the place of abode of the intending plaintiff and the relief which he claims.
115. The notice referred to in section 116 and any summons, notice or other document required or authorised to be served on a Local Government in connection with any suit by or against such Local Government shall be served by delivering the same to, or by sending it by registered post addressed to the Secretary to the Local Government at the Principal office of the Local Government. Mode of Service on Local Government
- PROVIDED** that the Court may, with regard to any particular suit or document, order, service shall be effected in accordance with the terms of such order.
116. Where in any criminal process or proceeding it is necessary to refer to the ownership or description of property belonging to or under the management of a Local Government such property may be described as the property of the Local Government. Description of Property
117. Where in any proceedings under this Law any person summoned or otherwise dealt with as the occupier of any tenement or building and such person alleges that he is not the occupier, the proof of such allegation shall be upon such person. Onus of Proof in Certain Cases
118. In any proceedings instituted by or against a Local Government it shall not be necessary to prove the corporate name of the Local Government or the constitution and limits of its area. Name of Local Government etc

119. Any person who:-

Obstruction of
Employees, etc. of a
Local Government

- (a) willfully obstructs any member of a Local Government or any employee of a Local Government in the execution of his duty as such; or
- (b) being the occupier of any premises, prevents the owner of such premises from complying with any of the requirements of a Local Government, shall be guilty of an offence and shall be liable on conviction to a fine of not less than ₦100,000.00 or to imprisonment for six months or both.

120. Save as otherwise expressly provided in this Law, the publication of any notice or other document required by this Law to be published shall be deemed to be duly made if it is fixed, for a reasonable time, in some conspicuous place on or near the outer door of the office of the Local Government during office hours, and also in some other conspicuous place or situation within the area of the authority of the Local Government.

Publication of Notices

121. (1) subject to the provisions of this section, any notice, order or other documents required or authorised by this Law or any other enactment to be served on behalf of a Local Government or by any employee of the Local government, on any person shall be deemed to be duly served:-

Service of Notice by
Local Government

- (a) where the person to be served is a company, if the document is addressed to the secretary of the company at its registered office or at its principal office or place of business, and is either:-
 - (i) sent by registered post; or
 - (ii) delivered at the registered office, or at an office or place of business of the company within the area of authority of the council;
- (b) where the person to be served is a partnership, if the document is addressed to the partnership at its principal place of business or an office or place of business within the area of authority of the Council, identifying it by the name or style under which its business is carried on, and is either:-
 - (i) sent by registered post; or
 - (ii) delivered at that office;

- (c) where the person to be served is a public body, an authority of a corporation, society or other body, if the document is addressed to the chairman, Clerk, president, secretary, treasurer or other principal officer of that body, authority, Corporation or society at its principal office and is either;-
 - (i) sent by registered post; or
 - (ii) delivered at that office;
 - (d) in any other case if the document is addressed to the person to be served, and is either sent to him by registered post or delivered at his residence or place of business.
- (2) Any document which is required or authorised to be served on the owner or occupier of any premises may be addressed "the owner" 'or' the occupier", as the case may be, of those premises (naming them) without further name or description, and shall be deemed to be duly served:-
- (a) if the document so address is sent or delivered in accordance with paragraph (d) of subsection (1) of this section; or
 - (b) if the document so addressed or copy thereof so addressed is affixed to some conspicuous part of the premises.
- (3) Where a document is served on a partnership in accordance with this section, the document shall be deemed to be served on each partner.
- (4) For the purpose of enabling any document to be served on the owner of any premises, the Local Government may by notice in writing require the occupier of the premises to state the name and address of the owner thereof, and if the occupier refuses or willfully neglects to do so, or willfully mis-states the name and address of the owner he shall, unless in the case of a refusal he shows cause to the satisfaction of the Court for his refusal, be guilty of an offence and shall be liable in respect of each offence on conviction to a fine of not less than ₦50,000.00 or in default of payment to imprisonment for a term of three months.

- (5) In this section the word "document" means any notice, order or other document which is required or authorised to be served as specified in subsection (1) of this section.
122. (1) Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not be required to be under seal may be entered into or executed on behalf of a Local government by any person generally or specifically authorised by such Local Government for that purpose. Instrument Executed or Issued by Local Government
- (2) Any document purporting to be a document duly executed or issued under the seal of a Local Government shall, unless the contrary is proved, be deemed to be a document so executed or issued as the case may be.
123. Save as is otherwise expressly provided, nothing in this Law shall affect prejudicially any estate, right, power, privileges or exemption of the State. State Rights not Affected
124. (1) Without prejudice to the provisions of the Interpretation Laws, reference in any enactment other than this law to a Local Government Authority (how so ever called or designated) shall, unless the context otherwise requires, be construed as a reference to a Local Government established under this law. Savings etc
- (2) Nothing in this Law shall affect any order, rule, regulation, appointment, conveyance, mortgage, deed or agreement made, resolution passed, direction given, proceedings taken, instrument issued or thing done under the enactment repealed; but every such order, rule, regulation, appointment, conveyance, mortgage, deed or agreement made, resolution passed, directive given, proceeding taken, instrument issued or thing if in force immediately before the appointed day shall, on the appointed day, continue in force and in so far as it could under this Law shall have effect as if so made, passed, given, taken, issued or done and shall be construed with such modifications, issued or done and omissions as would bring it into line with the general intendment of this Law.
- (3) Nothing in this law shall be construed so as to prohibit the continuation of any inquiry whatever appointed under the repealed enactment, begun before the appointed day, but the provisions of this law shall apply to the report of any such inquiry as they apply to inquiries conducted under this Law.

125. (1) Subject to this Law, Bye-Laws made by any dissolved authority and in force immediately before the appointed day shall:-

Existing Bye-Laws Staff Regulation, Financial Memoranda etc

(a) to the extent that they related to a matter with respect to which the local Government may make Bye-Laws under this Law, have effect as if made there under;

(b) to the extent that they related to a matter with respect to which the local Government, may after the appointed day, make Bye-Laws under any provision of any other enactment, have effect as if made under this law.

(2) Subject to this law, Bye-Laws adopted by a dissolved authority under any repealed enactment in force immediately before the appointed day shall, to the extent that the Local Government may make Bye-Laws with respect to that matter this law have effect as if adopted under this Law.

(3) Subject to this Law, staff regulations made under any repealed enactment in force immediately before the appointed day shall have effect as if made under this Law.

(4) Subject to this Law, Financial Memoranda (however called) issued under any repealed Law or enactment in force immediately before the appointed day shall have effect, in so far as they are not inconsistent with the provisions of this Law as if issued under this Law.

(5) Notwithstanding the savings effected by this section and until other provision is made in that behalf, the Education Law, every other enactment referred to in this Law, every Bye-Law regulation or any provision of the Memoranda referred to above shall be construed with such modifications, amendments and omissions as would bring it into line with the general intendment of this Law.

126. The Governor shall have power to issue executive orders or directives from time to time to review the organizational structure, establishment and staffing of all or any Local Government Council in the State as he may deem fit.

Power to issue directives

127. The Local Government (Administration) Law, No 11 of 2012 as amended by the Local Government Administration (Amendment) Law, No 11 of 2014 and the Local Government Administration

Repeal

(Amendment) Law, 2016, the Kaduna State Local Government Service Commission Law, Law No 9 of 2012 and the Kaduna State Agency for Mass Literacy Edict, Law No 5 of 1989 are hereby repealed.

**FIRST SCHEDULE
EXISTING LOCAL GOVERNMENT AREAS
AND THEIR HEADQUARTERS**

S/N	A Local Govt Areas	B Headquarters
1.	Birnin Gwari	Birnin Gwari
2.	Chikun	Kujama
3.	Giwa	Giwa
4.	Igabi	Turunku
5.	Ikara	Ikara
6.	Jaba	Kwoi
7.	Jema'a	Kafanchan
8.	Kachia	Kachia
9.	Kaduna North	Doka
10.	Kaduna South	Makera
11.	Kagarko	Kagarko
12.	Kajuru	Kajuru
13.	Kaura	Kaura
14.	Kauru	Kauru
15.	Kubau	Anchau
16.	Kudan	Hunkuyi
17.	Lere	Saminaka
18.	Makarfi	Makarfi
19.	Sabon Gari	Sabon Gari

- | | | |
|-----|--------------|------------|
| 20. | Sanga | Gwantu |
| 21. | Soba | Maigana |
| 22. | Zangon Kataf | Zonkwa |
| 23. | Zaria | Zaria City |

SECOND SCHEDULE
OATHS
OATH OF ALLEGIANCE

I do solemnly Swear/Affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria and that I will preserve and defend the Law, including the Constitution of the Federal Republic of Nigeria.

So help me God.

OATH OF OFFICE OF THE CHAIRMAN

I do solemnly Swear/Affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as the Chairman of Local Government, I will discharge my duties to the best of my ability faithfully and in accordance with the provisions of the Constitution of the Federal Republic of Nigeria and the Law, and always in the interest of Tribunal he sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the Fundamental Objectives and Directive Principles of the State Policy contained in the Constitution of the Federal Republic of Nigeria that I will exercise the authority vested in me as Chairman so as not to impede or prejudice the authority Lawfully vested in the President of the Federal Republic of Nigeria so as not to endanger the continuance of Federal Government in Nigeria; that I will not allow my personal interest to influence my official conduct or my official decision; that I will to the best of my ability, preserve, protect and defend the Constitution of the Federal Republic of Nigeria; that I will abide by the Code of Conduct contained in the Schedule to the Constitution of the Federal Republic of Nigeria 1999, that in all circumstances, I will do right to all manner of people, according to Law, without fear or favour, affection or ill-will; that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall be known to me as Chairman of Local Government, except as may be required for the discharge of my duties as Chairman; and that I will devote myself to the service and well being of the people of Nigeria.

So help me God.

**OATH OF OFFICE OF THE VICE CHAIRMAN, SUPERVISORS AND
SECRETARY TO THE LOCAL GOVERNMENT**

I do solemnly Swear/Affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as the of Local Government, I will discharge my duties to the best of my ability faithfully and in accordance with the provisions of the Constitution of the Federal Republic of Nigeria and the Law, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the Fundamental Objectives and Directive Principles of State authority vested in me as so as not to impede or prejudice the authority Lawfully vested in the President of the Federal Republic of Nigeria; that I will do the best of my ability, preserve, protect and defend the Constitution of the Federal Republic of Nigeria; that I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria, that in all circumstances, I will do right to all manner of people, according to Law, without fear or favour, affection or ill-will; that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall be known to me as of Local Government, except as may be required for the discharge of my duties as and that I will devote myself to the service and well being of the people of Nigeria.

So help me God.

OATH OF A MEMBER OF A LOCAL GOVERNMENT LEGISLATIVE COUNCIL

I do solemnly Swear/Affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as a Member of Local Government Council, I will perform my functions honestly to the best of my ability, faithfully in accordance with the provisions of the Constitution of the Federal Republic of Nigeria and the Law and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria; and that I will preserve, protect and defend the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria.

So help me God.

THIRD SCHEDULE

Supplementary Provisions [section 113(2)]

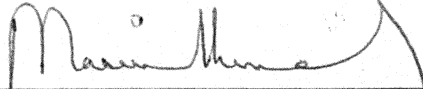
1. At the meeting of the Board:
 - (a) the Chairman shall, if present preside at such meeting;
 - (b) where the Chairman is not present or if the office of the Chairman is vacant, the Board may appoint any of their members to act as Chairman;
 - (c) every question shall be determined by a majority of the votes by the Board present and voting, and in the case of equal division of votes, the Chairman of the meeting shall have a second or casting vote.

2. The quorum of any meeting of the Board shall be a simple majority of the total membership. Where a matter is to be put to vote, the Chairman in the case of an equal number of votes, shall have a casting vote. Quorum

3. Any authority which immediately before the commencement of this Law was charged with the function similar to that of the Board by virtue of any Law, shall on the commencement of this Law cease to exercise such function.

4. Subject to the provisions of this Law, the Board may make Standing Orders for the purpose of regulating the proceedings at its meeting. Standing Orders

DATED AT KADUNA this^{6th}..... day ofFebruary..... 201~~8~~.

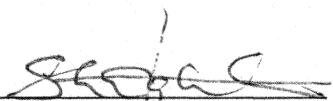

Malam Nasir Ahmad el-Rufai,
Governor, Kaduna State.

EXPLANATORY NOTE

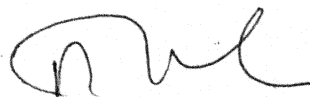
(This note does not form part of this Law and has no legal effect).

The purpose of this Law is to provide for Local Government reform.

This printed impression has been carefully compared with the Bill which has passed the Kaduna State House of Assembly and found to be true and correctly printed copy of the said Bill.



HON. AMINU ABDULLAHI SHAGALI
(Speaker)



BELLO ZUBAIRU IDRIS Esq.
(Clerk to the Legislature)