



## **ELECTION OF MUNICIPAL COUNCILS/ CORPORATE OFFICES & APPOINTMENT OF COMMITTEES**

1. The **powers of a Municipal Corporation** shall be exercised by its Council; the **Council acts through** its Chief Officers and staff. *Municipal Corporations Act Sec 10. (1)*

**NOTE:** The term of office of a Council is three years

*Municipal Corporations Act Sec 11. (4)*

2. **The Council of a Municipal Corporation** consists of the:

*Municipal Corporations Act Sec 10. (2)*

- a) Mayor/ Chairman
- b) Aldermen
- c) Councillors

**NOTE:**

- Councillors are chosen to represent *electoral districts* within the 14 Municipalities (in Trinidad) at Local Government Elections which are conducted by the Elections and Boundaries Commission (EBC).
- The Municipal Corporations Act which governs the Local Government system does not apply to Tobago which is administered by the Tobago House of Assembly (THA), a local self-governing body.

3. **Chief Officers** of a Municipal Corporation are the:

*Municipal Corporations Act Sec 36. (1)*

- a) Chief Executive Officer (CEO)
- b) Corporation Secretary
- c) Treasurer
- d) Engineer
- e) Medical Officer of Health

4. Following the Local Government Elections, the CEO of the Corporation will call a **meeting of all the Councillors to be held**

*Municipal Corporations Act Sec 13. (1)*

**no more than ten days after the day on which they were elected** to office. This meeting will be chaired by the CEO.

**At this meeting:**

*Municipal Corporations Act Sec 13. (1) (a)*

- a) Each **Councillor must produce a copy of the declaration of his election** as a Councillor (issued by the EBC's Returning Officer) to the CEO.

b) Each **Councillor will take the oath of office.** (*4<sup>th</sup> Schedule Municipal Corporations Act*)

*Municipal Corporations Act  
Sec 13. (1) (b)*

c) The **Councillors will then elect Aldermen** to complete the membership of the Council as follows

*Municipal Corporations Act  
Sec 13. (1) (c)*

- Regional Corporations: 2 Aldermen
- Borough Corporations: 2 Aldermen
- POS City Corporation: 4 Aldermen
- San Fernando City Corporation: 3 Aldermen

*Municipal Corporations Act  
Sec 12. (2)*

**Aldermen must be** persons who possess demonstrated knowledge, expertise or experience in professional or vocational occupations suitable to the development focus of the Municipality.

*Municipal Corporations Act  
Sec 12. (1)*

**In the case of Regional Corporations at least one Alderman** shall be elected from qualified persons who are members of a Village or Community Council functioning within the Municipality.

*Municipal Corporations Act  
Sec 12. (3)*

In voting for the Aldermen each Councillor present at the meeting may **vote for the prescribed number of Aldermen in the Corporation** by filling in, signing and personally delivering to the CEO a voting paper containing:

*Municipal Corporations Act  
Sec 13.(2) (a) to (d)*

- i) The surname and other names for each of the proposed Aldermen
- ii) The place of abode of each of the proposed Aldermen (address)
- iii) A description of each of the proposed Aldermen (occupation)

As soon as the voting papers have been handed to the CEO, he shall openly produce and read them or cause them to be read.

The persons, not exceeding **the number of vacancies who are found to have the most votes** shall be declared the elected Aldermen of the Corporation.

**In the case of an equality of votes**, the meeting shall determine by lot (random selection) which of the persons obtaining such equal votes shall be elected as Aldermen.

*(After declaring the result of the election the CEO shall keep the voting papers for 12 months in a sealed envelope and after that time he shall destroy them)*

5. **On the 3<sup>rd</sup> day after the election of Aldermen** the CEO shall convene a meeting of the Council at which the **Aldermen will take the oath of office** (*Fourth Schedule Municipal Corporations Act*)

*Municipal Corporations Act  
Sec 14. (1) & (2)*

The elected Councillors and Aldermen will then proceed to:

- **elect, from among themselves, a Mayor/Chairman and a Deputy Mayor/Vice Chairman** to serve for the term of the Council.
- Appoint Standing Committees and other committees

The swearing in of Aldermen (and any newly elected Councillors who have not done so previously); the election of the Mayor/Chairman; the election of Deputy Mayor/Vice Chairman; and the appointment of Standing Committees and other Committees of the Council shall be **the only business to be transacted on that day.**

***a) Election of Mayor/Chairman and Deputy Mayor/Vice Chairman***

*Municipal Corporations Act  
Sec 14(3)*

- i) A Councillor or Alderman who is not a candidate for the office of Mayor/Chairman or Deputy Mayor/Vice Chairman shall preside over this election.
- ii) The election of the Mayor/Chairman and Deputy Mayor/Vice Chairman shall be by motion duly moved and seconded by Council members.

**NOTE:**

- Until the election of a new Mayor/Chairman the incumbent shall continue in office until his successor in office has accepted office and has made and subscribed the appropriate declaration.
- The Mayor/Chairman and Deputy Mayor/Vice Chairman of a Corporation shall by virtue of their offices be **Justices of the Peace for the Municipality** and continue to be Justices of the Peace during the year after they cease to be Mayor/Chairman or Deputy Mayor/Vice Chairman.

*Municipal Corporations Act  
Sec 15. (2)*

*Municipal Corporations Act  
Sec 20*

***b) Appointment of Standing Committees***

*Municipal Corporations Act  
Sec 69(1)*

The Standing Committees of a Council are:

- i) Finance, Planning and Allocation of Resources
- ii) Personnel
- iii) Public Health
- iv) Physical Infrastructure

The membership of these Committees shall not comprise less than 51% of all the members of Council.

*Municipal Corporations Act  
Sec 69(2)*

**c) Appointment of Other Committees (Including Advisory Committees)**

*Municipal Corporations Act*

*Sec 68. (1)*

A Council of a Corporation may appoint from among its members such committees either of a general or a special nature consisting of such number of persons as it thinks fit, for any purposes which, in the opinion of the Council, would be better regulated and managed by means of such committees.

**NOTE:**

- A member of Council not being a member of a committee may attend a meeting of that committee and may take part in the deliberations of such committee but shall not vote.
- A Council may appoint persons, not being members of Council, to any committee and such persons may take part in the deliberations of such committee but shall not vote.
- In addition to committees referred to above the Council may appoint **advisory committees** of persons who are not members of the Council.

*Municipal Corporations Act*

*Sec 68.(2)*

*Municipal Corporations Act*

*Sec 68.(3)*

*Municipal Corporations Act*

*Sec 68.(7)*

6. Every Municipality shall establish a **Regional Coordinating Committee** with responsibility for ensuring efficiency in the management of operations and coordinating the delivery of services.

*Municipal Corporations Act*

*Sec 253 (1)*

**The Regional Coordinating Committee shall comprise:**

*Municipal Corporations Act*

*Sec 253 (2)*

- a) the Mayor/Chairman of the Council
- b) the head of the district or regional operations of WASA
- c) the head of the district or regional operations of T&TEC
- d) the District or Regional Officer responsible for main roads in the area
- e) the District or Regional Officer responsible for drainage and irrigation in the area
- f) the Medical Officer of Health
- g) the Chief Executive Officer
- h) a Secretary to the Coordinating Committee appointed by the Council
- i) such other officers of Central and Local Government and other persons as the Minister may upon the request of the Council appoint.

The Mayor/Chairman shall be **Chairman of the Coordinating Committee**

*Municipal Corporations Act*

*Sec 253 (3)*

**EVERY COUNCIL SHALL HOLD MEETINGS AT LEAST ONCE A MONTH**

*Municipal Corporations Act Sec 62.(1)*

**ALL COUNCIL MEETINGS SHALL BE OPEN TO THE PUBLIC, EXCEPT COMMITTEE MEETINGS AND NO PERSONS SHALL BE EXCLUDED EXCEPT FOR IMPROPER CONDUCT.**

*Municipal Corporations Act Sec 75.(1)*

