

MINISTRY PAPER NO: -

STATUS OF LOCAL GOVERNMENT REFORM

OVERVIEW

The Government of Jamaica has embarked on a process of Local Government Reform to establish a decentralized model of local governance which gives a substantial level of self-management to localities/communities, and facilitates meaningful participation of civil society in the processes of local governance and local sustainable development. This paradigmatic shift in approach to governance is predicated on a recognition that the tenets of good governance, and creation of a prosperous and socially cohesive nation, is best achieved through a model of governance that empowers citizens/communities to have a real say in the management of their own affairs, and in policy/decision-making processes that affect their quality of life and life chances.

The Reform Programme is funded predominantly from the Consolidated Fund and the Parochial Revenue Fund (PRF)

OBJECTIVES

A focal objective of Local Government Reform, as outlined in Ministry Paper 8/93, is:

“To create a decentralized, democratically controlled system of local administration which will facilitate maximum participation by all elements of the local community in the management of local affairs and taking the initiative to solve local problems.”

The fundamental tenet which underpins the new paradigm of local governance on which Local Government Reform is predicated, is the centrality of the principle that citizens should have a direct say in the management of their own affairs, and to actively participate in the governance process. The essence of the Reform Agenda is the empowerment of citizens/communities and Local Authorities (LAs).

The Reform Programme is funded predominantly from the Consolidated Fund and the Parochial Revenue Fund (PRF).

NATIONAL IMPACT

The Local Government Reform initiative touches a wide cross section of the Jamaican landscape. The essence of the reform paradigm is to empower citizens/communities and Local Authorities. With a view to achieving this fundamental objective, the reform initiative embraces a multi-sectoral approach. Some key stakeholders include:

- Local Authorities
- Social Development Commission
- University of the West Indies (UWI)
- Northern Caribbean University
- University of Technology UTECH)
- Political parties

- Private Sector Organization of Jamaica (PSOJ)
- Jamaica Association of Local Government Officers (JALGO)
- Jamaica Councils of Churches
- Jamaica Teachers' Association (JTA)
- Bureau of Women's Affairs
- Jamaica Vendors, Hagglers and Markets Association
- Institute of Sports
- Sports Development Foundation
- NGO/Civil Society
- Ministry of Land and Environment
- Planning Institute of Jamaica (PIOJ)

ACHIEVEMENTS FOR FINANCIAL YEAR 2008/2009

- Proposal on Entrenchment of Local Government in the Constitution developed and submitted to Ministry of Justice. Comments from Attorney General received. Obtained consensus on Chapter on Local Government which will be included in the Constitution.
- Concept Paper for the Strategic Laws completed (i.e. Local Government Reform, Local Government Financing and Local Government Unified Services Acts) to clearly define the scope and role of the Local Authorities/PDCs, et al. Five (5) consultations have been completed, with three (3) remaining.
- Tender process completed for the Organizational Restructuring of the Local Authorities.
- Twelve (12) Councils have established Reform Committees.
- Local Public Accounts Committees (Places) are being implemented in the Local Authorities. Template accepted by ALGAJ. Seven (7) Local Authorities have established Places. The Committee comprises membership from civil society/business community and the political directorate.
- All Local Authorities have submitted Budgets for Financial Year 2009/2010.
- Strict procedures implemented regarding the certification and authorization of expenditure.
- All Local Authorities have been trained in revenue enhancement, with a view to strengthening their own source generating capabilities.
- All Local Authorities have received training in Strategic/Corporate Planning and mandated to align these Plans with Budget. To date, two (2) Local Authorities have submitted Strategic Plans, with one (1) submitting a Business Plan.
- A grant was received from the Government of Canada to finance preparation of the Regional Policy and Cooperation Framework. This document was prepared and presented to Ministers attending a Regional Consultation held in Montego Bay in December, 2008. The Policy was endorsed by the Ministers. It is to be presented to the Governments of the region for their approval and eventually to CARICOM to be accepted as a Regional Policy.

- The activities related to preparing for the transition to autonomous Local Authorities, as well as in the formulation of the Regional Policy and Cooperation Framework, have all been undertaken with extensive consultations with all relevant stakeholders and partners.

PROJECTIONS FOR FINANCIAL YEAR 2009/2010

- Endorsement of the Regional Policy and Cooperation Framework
- Subscription of Jamaica's signature to the Articles of Incorporation of the Caribbean Forum of Local Government Ministers, which will enable that body to be recognized as an institution of CARICOM, as well as to acquire any legal status necessary to enable it to be the recipient of international assistance.
- Confirm Jamaica's commitment to continue to perform its role as Chair and/or Secretariat, and participate in a regional programme to advance local governance.
- The National Advisory Council on Local Government Reform has now completed its Final Report and is in the process of formally submitting this Report to the Minister of State. The Department will now need to consider this Report, and in particular, any new or modified recommendation which might have come about as a result of feedback received from the extensive consultations that were held to consider the NAC's Interim Report. Consideration will then have to be given as to whether, and to what extent any of the new or modified recommendations should be adopted.
- The Joint Select Committee (JSC) on Local Government Reform held hearings on the subject in June and July, 2007. Having considered the Interim Report of the NAC, as well as submissions from eleven (11) stakeholder groups, the JSC prepared and submitted its own Report. This Report, which for the most part supported the NAC's recommendations, was not considered by the full Parliament because Parliament was prorogued shortly after the Report was issued. The issue is whether this Report should now be considered by Parliament. Likely benefits for doing so are:
 - i. Discussion and adoption of the Report is likely to re-confirm the bi-partisan consensus on the issue of Local Government Reform.
 - ii. Adoption of the Report could be used as a means of securing agreement on a time-table and process for having Local Government entrenched in the Constitution.
- Official Government Policy on Local Government Reform at present is essentially what is contained in Ministry Papers 8/93 and 7/03. There has been no official up-dating of this policy since the new Government has come to office, and in particular, to reflect any new direction, emphasis or vision. An updated policy which reflects the new direction, strategies and vision which currently guides the pursuit of Local Government Reform objectives would be of significant benefit in ensuring the full cooperation of agencies whose support is necessary for the successful implementation of the reform programme, and will also help to ensure that collaboration with other agencies will be guided by the direction, strategies and vision set out in the policy.
- The new National Building Act and Building Code: Jamaica is on the threshold of adopting a new National Building Code which will be of immense benefit in reducing the vulnerability of the

built environment to the vicissitudes of natural and man-made disasters. However, making this new Code legally enforceable requires the passage of a new National Building Act, which will adopt the International Building Code (IBC) issued by the International Code Council – with appropriate modifications, as the National Code of Jamaica.

- The new National Building Act will also serve to consolidate the existing Parish Councils and KSAC Building Acts; facilitate the more expeditious processing of building applications and provide more effective deterrence to and remedies for non-compliance with the Code and Act. A Submission will shortly be made to the Cabinet seeking approval for the issue of drafting instructions for the promulgation of a National Building Bill.

CONCLUSION

As the Department embarks on its journey to reform local government/governance in Jamaica, the focus will have to be on priority activities which will facilitate the completion of critical initiatives under the Reform Programme.

The following represent the priorities for Financial Year 2009/2010:

- Local Government Reform
- Development Approvals & Sub-Divisions
- Modernization of the Jamaica Fire Brigade
- Continued Support to the NSWMA

The Department is fervent in its belief that the Reform initiative will be a success. The revised date of June, 2010 will facilitate the completion of critical deliverables. However, while this date represents a significant milestone, the reform process will continue beyond this date.

In the final analysis, Jamaicans will ultimately see the creation of Local Authorities which deliver the highest standard of service, promote sustainable growth and development of the country, and a better standard of living for all citizens of Jamaica – Land We Love.