



PUNTLAND STATE OF SOMALIA
OFFICE OF THE SOLICITOR GENERAL

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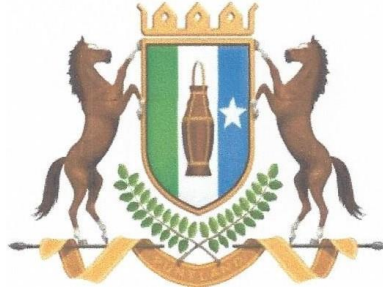
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OFFICIAL GAZETTE

**AMMENDAMENTS TO THE REGIONAL AND DISTRICT ADMINISTRATION
AND LOCAL COUNCIL ESTABLISHMENT LAW OF PUNTLAND
STATE OF SOMALIA**



PUNTLAND STATE OF SOMALIA

PUNTLAND HOUSE OF REPRESENTATIVE

**REGIONAL AND DISTRICT ADMINISTRATION AND LOCAL
COUNCIL ESTABLISHMENT LAW OF PUNTLAND STATE OF
SOMALIA**

GAROOWE, July, 2020

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CHAPTER 1: GENERAL ARTICLES

Article 1

Terms

This rule, unless these terms are interpreted differently, will have the following terms: -

"**Government**" means the Puntland State of Somalia.

"**Constitution**" means the constitution of the Puntland State of Somalia.

"**Judiciary**" means the courts and prosecutors of Puntland as stated in the 89th Article of the Constitution of Puntland State of Somalia.

"**Ministry**" means the Ministry of Interior, Federalism and Democratization of Puntland State.

"**Minister**" means the Minister of Interior, Federalism and Democratization.

"**General Penal Code**" refers to the Somali Penal Code No.5 of 1962.

Article 2

Name & Purpose of the Law

1. This Law shall be entitled "the administrative law of the regions, districts and the establishment of the local councils of Puntland state."
2. The purpose of this law is to administer the regions, districts, the establishment of local councils and local governments in Puntland.

Article 3

Scope of the Law

This Law shall govern all regions, local councils, and municipalities of Puntland as a whole in accordance with Articles 120, 121, 122, 123, 124, 124, 125, 126 and 127 of the Puntland State Constitution.

CHAPTER 2: REGIONAL ADMINISTRATION

Article 4

Structure of the state of Puntland

1. The structure of Puntland State consists of regions, and each region is divided into districts, settlements, and villages.
2. The capital of Puntland State is Garowe and shall have its own status.

Article 5

Regions and Districts of Puntland

1. Puntland State is divided into nine (9) regions, namely, Nugal, Bari, Sool, Sanaag, Mudug, Haylan, Karkar, Ayn and Gardafuu regions.
2. Each region is sub-divided into districts, settlements, and villages.
3. The districts have A, B and C ranks.
4. The capital of each state is of grade "A" category and are as follows:

#	Name of Region	Name of regional capital	Rank
1.	Nugaal region	Garoowe	A
2.	Bari region	Boosaaso	A
3.	Sool region	Laas-caanood	A
4.	Sanaag region	Badhan	A
5.	Mudug region	Gaalkacayo	A
6.	Haylaan region	Dhahar	A
7.	Karkaar region	Qardho	A
8.	Cayn region	Buuhoodle	A
9.	Gardafuu region	Caluula	A

Article 6

Regional Administration System

1. Puntland adheres to the principles of decentralization.
2. In order to implement decentralization, the country is divided into regions and districts.
3. The State shall be responsible for the reorganization and delimitation of the regions and districts as stated in Article 120, Paragraph 3 of the Puntland Constitution, and in accordance with the procedure set out in Article 21, Paragraph 2 of this Law.

Article 7 Regional Development Council

Each region shall have a regional development council consisting of:

1. Regional Executive Committee.
2. Regional Heads of State Ministries.
3. The mayors of the region's districts.

Article 8

Duties of the Regional Development Council

The Regional Development Council is responsible for:

1. Coordination of development plans for the districts of the region.
2. Organizing the activities of the state branches at the regional level.
3. Supervise the progress of district activities.
4. Recommendation on district development.

Article 9 Regional Security Committee

The regional security committee is made up of:

1. Chairman and Deputies.
2. Regional Heads of Security Agencies.
3. The mayors of the region's districts

Article 10

Duties of the Regional Security Committee

Regional Security Committee:

1. Maintains security in the region.
2. Prevents potential organized crimes in the region.

3. Submits their decisions to the Ministries of Interior and Security with regular report to the President.

Article 11

Criteria for Nomination of Governor and Deputies

1. The Governor and Deputies shall be nominated in Presidential Decree on the recommendation of the Minister.
2. The person who is going to be the governor must meet the following requirements:
 - b) Must be a Puntlander, a Muslim, and fulfill his/her religious duties.
 - b) Must not be younger than thirty (30) years old.
 - c) Must not have had his citizenship rights revoked for the last 5 years.
 - d) Must have knowledge and management experience.
 - e) Must be familiar with the context and circumstances of the region.

Article 12

Powers and Responsibilities of the Governor

1. The Governor shall be the head of state at the regional level and shall chair the meetings of the regional development, security, and executive committees.
2. He shall chair the meetings of the standing committees of the district councils.
3. Oversees the services and operations of the state in his region.
4. He is the liaison between the central administration of Puntland and the district administrations of his region.
5. Executes government directives on politics, security, and administration.
6. Submits monthly reports to the regional government departments and the Ministry in the areas of politics, security, economy, and social affairs.
7. Implements and monitors the implementation of government regulations at the regional level.
8. Has the power to appoint a Regional Dispute Resolution Committee.

Article 13

Powers and Responsibilities of the Deputy Governor

1. The deputy-governor is the second head of state at the regional level.
2. The deputy-governor shall perform all the duties of the Governor in the absence or incapacity of the Governor for any reason.
3. Advises the Governor on security and administrative matters.
4. Performs any task assigned to him by the Governor which does not exceed the powers and duties of the Governor.

Article 14

Regional Executive Committee

The Regional Executive Committee consists of:

- a) The Governor.
- b) His/her deputies.
- c) The Regional Local Government Coordinator.

Article 15

Duties and Responsibilities of the Regional Local Government Coordinator

The Regional Local Government Coordinator:

1. Is the third official of the regional administration.
2. Coordinates the reports of the various branches of government in the region and reports to the governor.
3. Is responsible for the coordination of the budget of the regional municipalities, and presents it to the regional executive committee, and then submits it to the Ministry with a detailed report.
4. Collects and coordinates the accounts of the local government budgets of his region and submits them to the Ministry.
5. Is responsible for the coordination of the administration and finances at the regional level and is responsible for the payment of the salaries of the center.
6. Keeps the regional documents and the files of the employees of the municipalities of the districts in the region.

CHAPTER 3: ESTABLISHMENT OF LOCAL GOVERNMENT ADMINISTRATION

Article 16: Administrative Procedure of the Municipality

1. The establishment of the Municipality is part of the central government, with the Ministry being politically responsible.
2. The administration of the municipality shall be based on decentralization in accordance with Article 120 of the Puntland State Constitution.
3. Local government administration consists of:
 - a. District.
 - b. Settlement.
 - c. Village.
4. The municipality is a public body established for the development of the district administration and has legal existence and an independent management to carry out its functions in accordance with this law.

Article 17

District Formation Criteria

1. The new municipality must be at least forty (40Km) from the other district.
2. The population of the district should be not less than four thousand.
3. The district must be able to meet 50% of its financial needs.
4. There must be at least two (2) settlements and five (5) villages under the district.
5. Must have roads, hotels, communications, and basic services such as health center and a primary school.

Article 18

Criteria for Recognition of Settlement

1. The settlement must be not less than twenty (20) kilometers from the district.
2. The population of the settlement must be not less than one thousand (1,000) families.
3. The settlement must have resources of taxpayers.

4. Must have some of the basic services.

Article 19

Village Recognition Criteria

1. The village must be at least ten (10) kilometers from the district.
2. The population of the village must not be less than one hundred (100) families.

Article 20

Ranks of Districts

1. Districts are divided into ranks A, B, and C.
2. If a district is recognized as having made economic or social development, the Ministry shall propose a change in the rank of the district, and the change of rank shall be approved by the House of Representatives.
3. If a district falls short of the requirements of its original rating, the Ministry, on the basis of a study, shall recommend that the rank be reduced to that district, and shall be approved by the House of Representatives.

Article 21

District Boundaries

1. The existing districts, which are not affected by the designation of new districts, shall have their own boundaries, provinces, and names.
2. The boundaries of the new regions and districts and their jurisdictions shall be issued by a Presidential Decree, considering the recommendations of the Ministry based on a study, and then approved by the House of Representatives.
3. The ranking of the districts shall be based on the size of their jurisdiction, their production and population.

CHAPTER 4: MUNICIPAL ADMINISTRATION STRUCTURE

Article 22

Elections, Office Term and Oaths of Local Councils

1. The District Council shall be elected by the citizens of each district, in accordance with Article 123, Paragraph 3 of the Puntland State Constitution.
2. The term of office of the council shall be five (5) years from the date of the announcement of the election results, and they may be re-elected.
3. The elected members of the local council shall take the oath of office, in accordance with Article 132 of the Constitution.

Article 23

Terms of Election for Local Council Members

The person to be elected to the District City Council must meet the following requirements:

1. Every Muslim citizen, faithful to his/her religious obligations, responsible, Puntlander, and not less than twenty-five (25) years of age may be elected as a member of the local council, in accordance with Article 126 of the Puntland State Constitution.
2. Must have at least an intermediate school diploma or its equivalent.
3. He must not have had his citizenship rights revoked for the last five (5) years.
4. Must not be a government employee.
5. Must be familiar in the context and circumstances of the local community
6. Must have good manners and ethics.

Article 24

Terms of Loss of Local Council Membership

1. Membership of the District Council may be lost for one or more of the following reasons:
 - a) Death
 - b) The member submits his/her resignation to the council and is accepted
 - c) The member receives a final sentence from a court of justice having jurisdiction for which he or she is subject to penalty
 - d) Absence of the member from two consecutive regular sessions without valid justification
 - e) The member participates in anti-government activities, treason, and violation against the constitution.

2. If a member of the local council loses his/her membership, the electoral law shall specify the procedure for the election of a new member, and he/she must be sworn in within thirty (30) days from the date the predecessor member loses his/her membership.

Article 25

Immunity of the District Council

1. No member of the council may be arrested, searched physically, his/her residence or transport, or subjected to arbitrary interference unless the council approves an immunity petition filed by the public prosecutor's office or is caught in the act of committing a serious crime, in accordance with Article 131, Paragraph 7 of the Constitution.
2. If the member is caught in the act of committing a crime, the board of the council must be immediately notified to waive the immunity.
3. If a member is convicted of a crime, the legal procedure must be applied to waive immunity
4. The immunity of the member shall be limited to the term of office.

Article 26

Number of Local Councils

1. The number of local councils is based on the district rank (A, B and C).
 - a) The "A" grade districts will have 33-member councils
 - b) The "B" grade districts will have 27-member councils
 - c) The "C" grade districts will have 21-member councils
2. The local council shall be representative of all sections of the local community, especially women and minorities clans.

Article 27

Dissolution of Local Councils

- 1) The council may be dissolved in the event of one or all the following:
 - a) When 2/3 of the council members resign.
 - b) When the council fails to sit for two consecutive sessions for no reason.

- c) When the electorate of the districts "A" grade 3,000 (3,000), grade "B" two thousand (2000), grade "C" one thousand five hundred (1500) people register and sign before the District Court and propose the dissolution of the council.
 - d) Whenever it is proven that the council has deliberately violated Islamic Sharia, the constitution, and other laws of the country.
- 2) If all or any of the issues referred to in paragraph 1 (a, b, c and d) of this article occur simultaneously, the Ministry shall conduct an investigation into the allegations and submit the findings to the President.
 - 3) Upon receipt of proof that one or all the matters referred to in paragraph 1, letters a, b, c and d of this Article have occurred, the President shall submit to the Constitutional Court a petition seeking affirmation of the matters referred to in paragraph 1.
 - 4) When it becomes clear to the Constitutional Court the occurrence of the matters referred to in paragraphs 1, letters a, b, c and d of this Article, it shall inform the President of the affirmation of the allegations made against the local council.
 - 5) The President, upon receipt of the ruling of the Constitutional Court, shall issue a decree dissolving the local council, instructing in the same document the new local council to be elected within forty-five (45) days.
 - 6) Until a new council is elected, an interim chairperson shall hold office selected by the majority political party of the local council, and implements existing plans, but cannot create a new plan.

Article 28

Powers of the District Council

The local council has the following powers:

1. They hold accountable the executive committee of the municipality.
2. Ensure the collection of taxes, fees and any other rights granted by law to the municipality and any revenue from the activities of the municipality.
3. Recommend the confiscation of property belonging to others in the public interest and pay compensation commensurate with that property in accordance with Article 53 of the Puntland State Constitution.
4. They may remove the chairman of the district council, who is also the mayor, and his/her deputy if they do not fulfill their duties.
5. Dissolve the administration of settlements, neighborhoods and villages when it becomes clear that they have abandoned the purposes for which they were created, or they do not serve the interests of the residents.
6. Participates in the implementation of government plans at the district level for social services such as: basic education, health, animal husbandry, agriculture, security, water,

electricity, telecommunications, environment protection, and utilization of marine resource, sanitation, infrastructure development and district development projects in general.

7. Decide on the amendment and termination of public fees for services rendered by the council and sanctioning of special contributions from the public to be used for funding public interest projects.
8. Approves the staff of the monitoring unit and special committees and can impose staff reductions and staff additions.
9. Approves the district's annual budget which is balanced in terms of expected revenue and actual expenditure.
10. Make by-laws and directives for the implementation of the functions this Law assigns the municipality.
11. They may appoint special committees to work on specific tasks as part of the functions of this Law.
12. Proposes and approves tax amendments in accordance with the procedures of the Ministry, while notifying the Ministry.
13. To formulate and approve the district development plan which will be implemented in collaboration with the central government of Puntland.
14. Manages assets and all revenues they receive and submits detailed accounting reports to the Ministry and the Auditor General.
15. They may cooperate with other districts and their counterpart councils at the international and local levels and notify the Ministry.
16. Hold annual meetings to hear expenditure of the Budget, attended by the various sections of the local community.
17. Preparation of district taxation and submission to the relevant Ministry for approval by the House of Representatives.
18. To assist in the development projects being implemented in the district by national, Puntland and regional institutions.
19. They exercise all the powers conferred on them by the Constitution and other laws of the country.

Article 29

Election of Mayor and Deputy Mayor

1. The first meeting of the local council, before election of the mayor and deputy mayor, the council shall be temporarily chaired by the oldest member of the council.
2. The interim chairperson referred to in paragraph 1 of this Article shall preside over the election of the Mayor and Deputy Mayor and shall convene an election committee of no more than seven (7) members and not less than three (3) members.
3. The chairman and his deputy shall be elected through secret ballot by a majority of the members of the local council.

4. Candidates for the post of Mayor and Deputy Mayor must be members of the District Council.
5. Each candidate must submit a written statement of intent, accompanied by two photographs and his/her CV.
6. Each candidate shall state in his or her application the position for which he/she is running, whether that of the Mayor / Deputy Mayor.
7. Voting shall be three (3) rounds:
 - a) In the first round, the candidate who receives the majority of the votes in the total number of councilors wins the election.
 - b) If no candidate receives that number, the second round will begin.
 - c) The second round will be contested by the three (3) candidates who received the most votes in the first round.
 - d) If there are candidates who have received an equal number of votes, all of them will participate in the second round, and the number of competitors will increase. The candidate who wins the votes of the majority of the members of the local council wins the election. If not, the third round will begin.
 - e) The third round will feature the top two (2) candidates with the majority of votes in the second round. If there is a third candidate who gets the same number of votes as the other two candidates, he or she will also run in the third round, and the candidate who receives a one-vote majority will win the election.
 - f) If only two candidates remain after the first round, due to a waiver by the other candidates, the third round is automatically advanced, and the second round is eliminated.
 - g) The two remaining candidates will win by a simple majority of the votes cast.
8. If the two remaining candidates in the third round receive an equal number of votes (draw), the voting will be repeated two (2) more times.
9. If after two (2) repetitions the two candidates still stand, in the third round, the interim speaker will have one more vote.
10. If one candidate remains and there is no other candidate, the candidate shall be elected by show of hands.
11. At the end of the voting, the interim chairman shall open the ballot boxes, count the votes, and then announce the results of the election to the winner of the post of mayor / deputy mayor and his / her deputy.

Article 30

Duties and Responsibilities of the District Council Chairman/Mayor

1. The chairman of the council/Mayor shall be the head of the government departments of the district and shall chair the development and security committees of the district.

2. Oversees all government activities in the district.
3. He shall chair the meetings of the local council, the settlements administrations, the village and neighborhood committees.
4. He shall be the chief executive of the local government and shall liaise the district administration and the central government of Puntland.
5. He shall be responsible for the implementation of the decisions of the local council and the daily functions of the municipality.
6. He may convene the council to regular and extraordinary sessions and may convene upon call by a third (1/3) of the total number of members of the local council.
7. Has the signature of the official decisions of the local council and the standing committee.
8. Presents debates to the council for approval by the members of the standing committee, whose members shall not exceed one-third (1/3) of the total number of councilors.
9. Budget preparation and municipal planning.

Article 31

Powers and Responsibilities of the Deputy Chairman of the District Council

1. The Deputy Chairman, as the Deputy Mayor, shall assume all the responsibilities of the mayor in his absence or in case of temporary incapacity, resignation, or illness.
2. The mayor may not transfer parts of his powers to anyone other than his deputy, in the existence of circumstances provided for in paragraph 1 of this article.
3. Advises the chairman / mayor on all matters of the local government.
4. To carry out the functions delegated to him by the chairman/mayor which are not outside the duties and responsibilities of the chairman.

Article 32

Dismissal of the Council Chairman/Mayor

1. The chairman of the local council, who is also the mayor, and his deputy may lose their office in the following cases:
 - a) Death
 - b) Written resignation accepted by the council.
 - c) Failure to comply for any reason.
 - d) Violation of the Islamic Sharia, constitution, and other laws of the country
 - e) Whenever the term of office expires
 - f) Loss of public property
 - g) A final sentence handed down by a competent court of law and liable to penalty.
2. In the event of the occurrence of the matters referred to in letters c, d, f and g of paragraph 1 of this Article for any reason and proposed by one third (1/3) of the

members of the local council, he shall be dismissed through a vote of two-thirds (2/3) of the total number of councilors.

3. In the event of dismissal of the mayor as described the provisions of this Article, the new Mayor shall be elected within thirty (30) days. If the dismissal affects both the chairman and his deputy, the oldest member of the council shall temporarily hold the position.

Article 33

District Council Executive Committee

The Executive Committee of the district is made up of:

- a) Local council chairman/mayor.
- b) Deputy Mayor.
- c) Secretary of the Municipality.

Article 34

Duties of the Executive Committee

The District Executive Committee is responsible for:

1. Carrying out the day-to-day activities of the district administration.
2. Monitoring and Supervision of the smooth running of the district activities.
3. To implement the decisions of the district council.
4. Implementation of the laws, regulations, decisions, and orders issued by the standing committee of the district council and the government.
5. Preparation and implementation of the budget.
6. Implementation and supervision of development projects.
7. Preparation of executive reports on the activities that took place in-between sessions, those that did not take place and presentation to the Standing Committee.
8. To present to the Standing Committee urgent orders from the Government which cannot wait for the council sessions.
9. Budget expenditure in accordance with the Municipal Budget.
10. The possession and distribution of land and other property in the public interest after approval from the Standing Committee.
11. Proposing taxation, increase, reduction, evaluation and leasing of licenses and other services.
12. They may enter into agreements with any interested party at district level.
13. They can contact and deal with a Company, person or more in respect to their responsibilities.
14. They can represent any person and any part of the municipality.
15. Provide staff, equipment, services and accommodation whenever the need arises for the common good.

Article 35

Appointment and Dismissal of the Secretary of the Municipality

1. Each local government shall have a local government secretary nominated by the Minister.
2. The dismissal of the Secretary of the Municipality shall be at the discretion of the Minister after receiving the decision of the Standing Committee of the District Council, which shall first issue a final warning. After the submission of their decision to the Minister, the Minister shall complete the appointment of the new Secretary within twenty-one (21) days.
3. In the event of the dismissal referred to in paragraph 1 of this article, before the appointment of the new secretary, the work shall be temporarily continued by the director of administration department of the municipality.

Article 36

Duties and Responsibilities of the Secretary of the Municipality

1. The Secretary and the staff of the Municipality are accountable to the mayor.
2. The Secretary and other staff shall be responsible for carrying out the instructions/orders of the mayor in accordance with this law and other laws of the country.
3. He is the manager of the municipality's finances.
4. He is the chief of staff of the municipality.
5. He is responsible for the expenses and revenues of the municipality, and maintains the smooth running of the day-to-day operations and service system of the municipality
6. Responsible for the work of the staff and their rights.

Article 37

Criteria for Selection of Municipal Secretary

The person to be appointed as the Secretary of the Municipality must meet the following requirements: -

1. Must have a university level knowledge related to his/her job.
2. Must have at least five (5) years of experience in administration and management.
3. He/she must be a decent, drugs-free person with a good reputation in the community.
4. He must have a thorough knowledge of the context and district in which he works.

Article 38

Standing Committee

The Standing Committee: -

1. Carries out the functions of the local council during the period between two sessions.
2. Present its activities to the local council for approval.

3. Has the proposal for the formation of the Committees of the Settlements, Neighborhoods and Villages.

Article 39

Meetings and Decisions of the Standing Committee

1. The Standing Committee shall hold regular and extraordinary sittings.
2. The Standing Committee shall meet at least once a month or once a week.
3. The meetings of the Standing Committee shall be valid with a two-thirds (2/3) quorum of the members of the Standing Committee.
4. All decisions of the committee shall be approved by a simple majority, but if the result of the voting is equal in two rounds, the chairman of the committee shall have an extra vote in the third round.

Article 40

Neighborhood Management Committee

1. The Neighborhood Management Committee consists of seven (7) members and does not have the same autonomy as the district council.
2. The neighborhood management committee is responsible for the following:
 - a) Connecting the local council and the neighborhood community
 - b) Ensuring that the basic services reach the neighborhood.
 - c) Implement decisions, plans and regulations issued by the municipality.
 - d) Contribute to district revenue generation and voluntary activities.
 - e) Strengthening security and stability in the neighborhood.
 - f) Participate in other activities delegated by the municipality.
3. The district administration committee shall have a chairman, a deputy chairman and a secretary, and their internal bylaws will be issued by the district council.

Article 41

Settlement Management and Village Committees

1. The settlement management and the village committees are elected by the community in the settlements and the village.
2. The permanent residents of the settlement elect their management of eleven (11) members once every two years and shall be approved by the local council.
3. The people of the village shall have a management committee similar to the process of selection, term and appointment of the settlement management committee, and shall consist of seven (7) members.
4. The administrative committees at the district and village level shall elect from among themselves chairman and deputy chairman, and their internal bylaws will be issued by the local council.

Article 42

Powers of the Settlement and Village Management Committee

1. Settlement and village committees do not have the same autonomy as the district council.
2. Settlement and village management committees shall:
 - a) implement decisions, plans and regulations issued by the local council.
 - b) Collects and submits special needs to the district planning department of the district they represent.
 - c) Carries out the functions delegated to them by the municipality and the central government.
 - d) They resolve disputes among the local communities.
 - e) They participate in upholding security.
 - f) They prevent erosion and environmental degradation.
 - g) Participate in voluntary projects and revenue generation.
 - h) They also carry out other functions delegated by the municipality.

Article 43

District Council Meetings

1. The first session of the local council shall be held within thirty (30) days from the announcement of the election results and shall be valid by a quorum of 2/3 of the total number of council members.
2. The other meetings of the council shall be convened by the chairman of the council/mayor of the district or proposed by one third (1/3) of the total number of members of the council.
3. The local council shall convene every six months, and the standing committee shall meet at least once a month or once a week.

4. The District Council may convene regular and extraordinary sessions.
5. Local council meetings are open to the public unless it is a closed-door meeting.

Article 44

Approval of Council Meetings

1. The meetings of the local council shall be opened with a quorum of one and a half ($1/2 + 1$) of the total number of members of the council.
2. Decisions of the local council shall be valid by a simple majority of the votes cast, but if the result of the voting is draw two times, then the chairman/mayor shall have one extra vote.

Article 45

Speech Writing and Recording

1. All meetings of the local council and other committees should have written records or minutes.
2. The minutes of the council shall be recorded and archived and is the responsibility of the secretariat of the council.
3. The minutes of the meeting of the local council and the standing committee shall be taken by the secretary of the local council, while he shall have the right to comment on the meetings but shall not have a vote.
4. The secretary of the local council shall be appointed by the chairman of the district council/mayor in consultation with his deputy mayor.

Article 46

Salaries and Allowances of the Local Council

1. The chairman of the district council and his deputy shall have monthly salaries and allowances determined and approved by the council.
2. The Standing Committee, which does not include the members of the Executive Committee, shall have monthly allowances and session (sitting) allowances, which shall be determined and approved by the council.
3. The other members of the council shall have a sitting allowance determined by the council.
4. The sub-committees shall have a sitting allowance which shall be determined and approved by the council.
5. When the committees of the council go on a work-related trip, they shall have travel allowances determined by the council.
6. The allowances referred to in paragraphs 1, 2, 3, 4 and 5 of this Article will be paid from the municipality's budget.

Article 47

District Security Committee

1. According to the Puntland Public Safety Act (Law No. 1 of 2000), the district security committee consists of: -
 - a) The Mayor and Deputy Mayor.
 - b) The Commander of the Police Station.
 - c) Other heads of district police force.
2. The responsibilities of the district security committee shall be:
 - a) Maintaining the stability and security of the district.
 - b) Prevention and Control of Crimes.
 - c) Any other threat to the safety and security of the district.
 - d) They report to the Region and the Ministry.

CHAPTER 5: THE ADMINISTRATIVE AND LEGISLATIVE POWERS OF THE LOCAL GOVERNMENTS

Article 48

Local Government Departments

1. Municipalities shall have:
 - a) Department of Public Works.
 - b) Department of Social Affairs.
 - c) Department of Finance.
 - d) Department of Revenue.
 - e) Department of Planning, Monitoring and Supervision.
2. A district that may accommodate departments other than those mentioned in this Article may submit a request to the Ministry for evaluation, approval, or rejection.
3. A district that cannot accommodate the above departments shall concentrate the activities of those departments in the departments of planning, finance, public works, and social affairs.

Article 49

Municipal Powers Related to Planning

1. The municipality is responsible for formulating its short-term and long-term development plans, in line with the government's overall development plan.
2. The planning department of the municipality is mandated for developing the plans in close cooperation with the other departments.
3. The municipality ensures that its short-term and long-term plans reflect the actual priorities and needs of the district.

Article 50

Municipal Powers Related to Providing Social Services

The municipality is responsible for: -

1. Construction and maintenance of primary schools, Qur'anic schools, kindergartens, orphanages, schools for the disabled and mosques.
2. Primary health care.
3. Municipalities at grades "A" and "B" are responsible for ensuring the provision of water and electricity services that are both accessible and affordable.
4. Water trucking in times of drought.

5. Construction of housing/shelter for the poor in the district.
6. Construction, maintenance and management of orphanages and facilities for the mentally handicapped.
7. Organizes businesses and the community to provide Zakat and other charities to care for the poor in the district.

Article 51

Municipal Powers Related to Sanitation and Hygiene

The municipality is responsible for:

1. Urban and sewerage management system.
2. Controlling waste (solid and liquid) and preventing anything that may generally affect the sanitation and beauty of the district, and designate waste collection points.
3. Ensures the best way to incinerate, bury or dump waste in a specific area without causing health or environmental problems.
4. Prevent the sale of food, beverages, medicine and all other substances and products whose date expired or found to be lethal to human and animal health.
5. In addition to ensuring the health of livestock slaughter, the Municipality is responsible for ensuring the prevention of infectious diseases caused by poor sanitation, especially slaughterhouses, butchers' meat, fish, and vegetables, which need to be kept clean.

Article 52

Municipal Powers Related to Public Works Administration

The municipality is responsible for:

- 1) The management and protection of public lands, private lands and the settlement of any land disputes which shall be resolved by the competent court.
- 2) Provides land for carrying out activities related to the public interest in accordance with the town plan.
- 3) Promotes the utilization of urban land and the prevents illegal land grabbing.
- 4) Construction of roads within the towns and its environs up to five (5) kilometers outside the town.
- 5) Provides addresses, house numbers, land plots, and roads.
- 6) Registers the real estate of the district residents.
- 7) Organizes and regulates public transportation between towns.
- 8) Lights the town and illuminate all the streets and other places of public use.

Article 53

Municipal Powers Related to Employees

1. Municipal employees are civil servants, and their duties and rights shall be regulated by a special law issued by the Ministry.
2. The municipality shall be responsible for the recruitment, promotion, and dismissal of district employees. Those functions are executed by the executive committee in accordance with the law.
3. An employee who has a complaint against the decision of the executive committee may file a complaint to the local council, and if he/she is not satisfied with the decision of the council, he/she may appeal to the competent court.

Article 54

Municipal Powers Related to Public Registration

1. The municipality issues and registers marriage, divorce, birth, and death certificates.
2. The municipality shall create for each of the matters mentioned in Clause 1 of this Article a special register for storage.
3. The municipality provides citizenship and residence documents.
4. The municipality shall establish a special office for matters relating to the registration of persons.

Article 55

Municipal Powers Related to Procurement and Contracts

1. The municipality shall be independent in the management of procurement and contracts, and shall have a special committee in charge of procurement and contracts which shall be responsible for:
 - a) Procurement planning and contracting.
 - b) Preparation of procurement and contract documents.
 - c) Ensuring compliance with procurement procedures and contracts.
 - d) Maintaining the transparency and openness of the process at all stages of procurement and contracting.
 - e) Opening and evaluating contracts and awarding contracts to successful bidders.
2. Contracts for the procurement of goods, services and the implementation of activities related to the administration of the municipality or projects, shall be approved by the district executive committee if the amount does not exceed Three Hundred Million (300,000,000 Sh. So), any amount more than that shall need the approval of the local council.

3. Contracts shall be made available to the public ten (10) days in advance and shall be published through the district's usual information channels and through any means deemed appropriate.
4. The contract is awarded to the lowest bidder or most technically qualified person whose proposed budget seems to be reasonable and satisfactory to the task at hand.
5. The procedures and process for the administration of procurement and contracts shall be in accordance with the general procedures and guidelines set out in the Public Procurement and Contracts Act.

Article 56

Municipal Powers Related to Legislation

1. The local council may issue and approve by-laws to regulate the activities this Law grants the Municipality in accordance with the constitution and this law.
2. All laws issued by the local council shall be submitted to the Ministry and the Attorney General and shall be published by the Attorney General in the Official Gazette.
3. If the Attorney General identifies the rules issued by the council conflict with the constitution or other laws of the government, he shall send it back to the council within thirty (30) days for review.
4. The by-laws issued by the local council may not impose a prison sentence of more than six (6) months or a fine of more than 30,000,000 So. Sh.
5. The by-laws of the local council shall not be in contradiction with the powers vested in the council by this Law.

Article 57

Municipal Powers Related to Entering Agreements

1. The municipality has the power to enter into agreements relating to the implementation of the functions set out in this Law.
2. The agreements of the local government shall be signed by the mayor of the district in the presence of the secretary of the municipality and shall bear the seal (stamp) of the municipality, as the official responsible for maintaining agreements, registration and so on.
3. Agreements made without complying with the requirements of Clause 2 of this Article shall be null and void.

Article 58

Municipal Powers Related to Environmental Protection

1. The municipality shall assist in the protection of the environment and the prevention of erosion, private land enclosure, deforestation, poaching and environmental degradation.
2. The municipality shall prevent air pollution and shall work on town planting and the rehabilitation of damaged lands.

3. The municipality shall implement the environmental protection regulations of the state and can make bylaws safeguarding the environment.

Article 59

Municipal Powers Related to Protection of Religion and Ethics

- 1) The municipality is responsible for the revival of the Islamic values, and it will prevent anything that is offensive to the practice of Islam.
- 2) The municipality is responsible for arranging funeral services and availing cemetery grounds.
- 3) The local government is responsible for organizing and hosting Islamic festivals such as Eids.

Article 60

Municipal Powers Related to Development of Livestock, Fisheries and Agriculture

1. The municipality will create markets for sale and slaughter of livestock, and will prevent animal diseases, by assisting in ensuring animal health and care.
2. The municipality will create markets for the sale of vegetables and encourage investment in agriculture.
3. The municipality shall create fish markets and shall assist in the encouragement of fishermen and the implementation of regulations relating to the management of the fisheries markets.

Article 61

Municipal Powers Related to the Promotion of Arts, Literature and Sports

- 1) The municipality promotes arts and literature and provides financial and technical support for the strengthening of arts and literature.
- 2) The municipality will create teams that will represent the district in competitions of art, literature, and sports.
- 3) The municipality shall ensure the construction and equipping of public reading libraries.
- 4) The municipality is responsible for the construction, maintenance, and management of sports stadiums.

Article 62

Municipal Powers Related to Business Development

- 1) The municipality shall establish commercial markets and create business opportunities for the district people.

- 2) The municipality shall encourage industrialization and investment of the municipality.

Article 63

Municipal Powers Related to Taxation and Revenue Collection

1. The municipality collects taxes at the district level and creates new sources of revenue.
2. The municipality shall prepare a comprehensive list of the types of taxes in the district and shall prepare report on the revenue collected.
3. The municipality shall evaluate the various types of taxes each year and shall impose taxes in accordance with this law.

Article 64

Municipal Powers Related to Firefighting

1. The municipality is responsible for the city's fire brigade and ensures that the district has firefighting equipment.
2. The municipality prevents the construction of petrol stations in residential areas, the commercial centers, and crowded markets.
3. The municipality will ensure that fire extinguishers or firefighting equipment are installed at the fuel stations.
4. The municipality shall require businesses, households, hotels, and restaurants to have fire extinguishers and monitor their compliance.
5. The municipality shall impose obligations on all types of buildings for the provision of fire extinguishers.

CHAPTER 6: RELATIONSHIP BETWEEN CENTRAL GOVERNMENT AND LOCAL GOVERNMENT

Article 65

Relations between the Ministry and the Municipality

1. The Ministry shall coordinate with the Municipality and other government agencies, and shall ensure the rule of law, anti-corruption, and abuse of power.
2. The Ministry shall reform the policies and regulations governing the Municipality and shall establish departments specifically responsible for the development of the administrative and technical capacity of the Municipality.
3. The Ministry shall be responsible for the protection of the interests of the local governments and the resolution of disputes in the local councils, and shall oversee the performance of the local councils, and the standing and the executive committees.
4. The Ministry shall ensure the implementation of the municipal elections and the devolution of authority to the district, settlement, and village levels.
5. The Ministry shall demarcate the boundaries between the districts and shall resolve the disputes between the districts relating to the boundaries.
6. The Ministry shall ensure that the taxes collected by the revenue agencies of the Municipality shall be remitted to the Municipality in accordance with the law.
7. The Ministry shall evaluate the capacity of the municipality and shall establish a training institute for the municipality staff.

Article 66

The role of Line-Ministries in the Municipality

Without prejudice to the powers conferred on the municipality by this Law, the Ministries that work with the municipality shall:

- a) Ensure the implementation of decentralization in accordance with the constitution and this law.
- b) Establish policies, rules, and standards to guide the activities of the municipality as provided by this law.
- c) Monitor and oversee the quality and quantity of services provided by the municipality to the public.
- d) Provide technical support to the municipality to strengthen the municipality's capacity.
- e) Transfer staff to the municipality upon request to strengthen the municipality's capacity.
- f) Ensure that the municipality receives sufficient revenue to carry out the functions provided by this law.

- g) Ministries and government agencies may delegate to the municipality to carry out their responsibilities.

CHAPTER 7: ACCOUNTING, AUDIT AND BUDGET

Article 67

The Accounting System

1. The administration of the municipality shall adopt an accounting system in accordance with the law and the public accounting system.
2. The municipality shall submit a detailed quarterly audit report to the municipality coordinator every 3 months.
3. Copies of the accounts report in paragraph 2 shall be submitted to the accountant and Auditor General.

Article 68

Accountability

1. The person who pays or orders the payment of unlawful expenses or due to negligence causes loss of property belonging to the municipality, must return the property.
2. The responsibility for the return of the property referred to in Clause 1 of this Article falls on the person who paid it or is responsible for its absence, unless he has a written instruction from the superiors authorized by law, then the responsibility of the return of the property falls on the person who ordered the payment of the property that was given away illegally.
3. In cases not covered by this Law, the Municipality shall apply the rules and procedures of state accounting.
4. For the return referred to in this article, the Ministry shall order the return of the property within a certain period of time.
5. If the order of the Ministry is not complied with, it shall lodge a complaint with the relevant judicial authorities.

Article 69

Inspection and Audit of the Municipality Accounts

1. The Auditor General shall inspect all the accounts and accounting of the Municipality, in accordance with Article 110 of the Puntland State Constitution.
2. The Auditor General may conduct unscheduled, sudden inspection and any necessary investigations.
3. The Auditor General shall share his report with:
 - a) The Parliament.

- b) The Ministry.
 - c) The relevant local council.
4. The municipality will have its own audit unit, which is responsible for monitoring and auditing the district's accounts, preventing theft, preparing accounting procedures and audit reports.
 5. The monitoring unit referred to in paragraph 4 of this article shall share its investigative reports with the local council and shall give copies to the Ministry and the Office of the Auditor General.
 6. The members of the Internal Audit Unit of the Municipality referred to in Clause 4 of this Article shall be nominated by the mayor and approved by the Council and shall be administratively subordinate to the mayor.

Article 70

Budget

1. The estimated budget of the municipality and its auxiliary bodies is part of the general budget of the government and is the financial base of the municipality.
2. Every year, the administration of the municipality prepares a budget for the coming year, in accordance with the procedures and guidelines issued by the Ministry of Finance. The budget consists of:
 - a) Estimates of revenue and expenditure for the coming years.
 - b) A statement detailing the Accounting Budget for the last 6 months as point of reference.
3. The proposed budget shall be presented and approved by the district council and shall be submitted to the coordinator of the municipality by September 30.
4. The Coordinator of the Ministry shall attach a written statement on the budget, and submit it to the Ministry by October 2, for submission to the Ministry of Finance for inclusion in the General Budget for approval by the House of Representatives.
5. The budget of the Municipality shall enter into force upon the approval of the District Council.
6. If the administration of the municipality thinks it can generate additional revenue in the last 6 months of the year, it is allowed to make a reviewed budget to be approved by the council and endorsed by the Ministry.
7. In the event of a need in the last 6 months, the District Council may approve a transfer of funds, with the power of authorization as follows:

- a) Transfers between two sub-heads, under the same head, will be approved by the relevant council.
 - b) The transfer between two sub-heads, but under different heads, will be approved at Ministry level.
8. On yearly basis, the municipality shall conduct quarterly, 6-month and annual audits, chaired by the mayor, and shall be submitted to the standing committee of the local council for submission to the municipality coordinator who will, in turn, submit them to the Ministry.

Article 71

Budget Monitoring and Analysis

1. The Ministry and other agencies authorized by law shall oversee and scrutinize the budgets of local governments and their accounts.
2. If other agencies conduct inspections and audits, they shall immediately submit a detailed report to the Ministry in accordance with the time and procedure prescribed by the public accounting system.

CHAPTER 8: SOURCES OF REVENUE

Article 72

Taxes

1. The municipality levies the following taxes:
 - i. Business license fees of 1st, 2nd, 3rd, 4th, and 5th grades.
 - ii. Taxes on fishing boats licenses and freezers.
 - iii. Tax on fish, lobster, and other marine products.
 - iv. Taxes on farms, water reservoirs and water catchments.
 - v. Settlement tax.
 - vi. Tax on tea machines, coffee, and grinding machines.
 - vii. Veterinary tax, immunization rights and medical prescriptions.
 - viii. Livestock sales tax.
 - ix. Land levy tax, building permits and home renovations.
 - x. Land value tax.
 - xi. Commodity tax.
 - xii. Slaughterhouse tax.
 - xiii. Export tax on livestock, spices, gums, fish, and salt.
 - xiv. Tax on soft drinks and Khat.
 - xv. Leather and skin goods tax.
 - xvi. Parking tax (Bus Station).
 - xvii. Birth certificate (birth and residence), marriage and divorce.
 - xviii. Taxes for leisure and entertainment centers.
 - xix. Taxes on light posts and telephones.
 - xx. Taxes on power cables, overhead or underground telephones.
 - xxi. Urban water tax.
 - xxii. Taxes on livestock exports to and from ports and airports.
 - xxiii. Tax on import and export of goods and services.
 - xxiv. Industrial and Product Tax.
 - xxv. Taxes on the transfer of real estate and immovable property.
 - xxvi. Excise duty outside the warehouse.
 - xxvii. Hotel accommodation taxes.
 - xxviii. Public transport tax.

2. The District Council shall issue by-laws the rate to be levied on each of the tax referred to in Clause 1 of this Article.

3. The council shall determine the power to regulate and evaluate local taxes in accordance with the procedures of the Ministry and district taxes may not be amended for less than five (5) years.
4. Before the local council issues the tax amendment rules to sanctioned by this Law, they shall give notice to the Ministry to evaluate and advise the concerned district on the tax amendment.

Article 73

Sales Profit and Rentals

1. The municipality can do business and lease the buildings and land of the municipality if it generates income.
2. Agreements and procedures for business management and rentals referred to in paragraph 1 shall be approved by the local council.
3. Lease agreements entered into by the municipality shall be managed in accordance with the rules of procurement and contracts of the municipality.

Article 74

Loans

1. The Council shall not have the power to incur extra-budgetary expenditures that causes debts to be owed to the Council.
2. The authorized signatories who incurred expenses outside the budget shall be responsible for the debts incurred and shall not be re-elected mayor.
3. The executive committee and the administrative authorities are prohibited from incurring debts that are not in the budget from the public, government agencies, companies, etc.
4. In the event of emergencies such as natural disasters or a security issue that requires financial resources and is not included in the budget, the council may decide to take a loan to meet those needs in collaboration with the Ministry.
5. The loans referred to in paragraph 4 of this Article must be repaid by the council within a period not more than two (2) years.

Article 75

Donations and Subsidies of the Central Government

1. The municipality receives financial support from the government as follows:
 - a) Financial support to the municipality to implement specific projects and spend it in accordance with the set requirements.

- b) Financial support provided by the government to the municipality to carry out decentralization and delivery of needed basic services at the district and local levels.
 - c) Financial support from the government to the municipality for development in some districts with slower development pace to keep up with other developed districts.
2. The Government shall directly transfer the funds referred to in paragraphs (a, b and c) to the Municipal Account, and shall be administered in accordance with the Public Finance Regulations.

CHAPTER 9: INCOME AND EXPENDITURE

Article 76

Revenue Collection

1. The revenue of the municipality shall be collected in Somali Shilling cash.
2. Foreign currencies received by the Municipality shall be converted into Somali Shillings, based on current exchange rates.
3. Any money received must have receipt (the official receipts).

Article 77

EXPENDITURE

1. The municipality may pay from the approved budget which can be:
 - a) Cost for running normal operations which is 60%.
 - b) Cost of implementing community development projects which is 30%.
 - c) Savings 10%.
2. If the municipality is unable to implement the expenditure as mentioned in paragraph 1 due to prevailing circumstances, they shall send a letter to the Ministry to ascertain that there are reasonable circumstances that may lead to the exclusion of the expenditure method mentioned in clause 1
3. All payments must be on a payment slip that is accompanied by a document proving the expense, must be signed by the authorized person and the recipient and must be in accordance with the law and the rules of public accounting.

CHAPTER 10: OFFENSES AND APPEALS

Article 78

Appeal

1. Every person who has a complaint against the decisions of the Municipality shall have the right to appeal to the competent court.
2. The appeal of the decisions of the Municipality referred to in Clause 1 shall be made in accordance with the administrative proceedings of the Judiciary.

Article 79

Penalties

1. Any person who violates any of the provisions of this law, who refuses or obstructs the orders of the local council or the officers in charge of any function of the council shall be liable to a fine of one million (1,000,000) to ten million (10,000,000) Sh. So. or imprisonment for three (3) months to six (6) months.
2. Offenses that occur outside of those referred to in paragraph 1 of this article, will be taken to the relevant legal authorities, and will be based on the General Penal Code.

CHAPTER 11: CONCLUDING ARTICLES

Article 80

Assets Management

1. Municipal property is public property and may only be used for public purposes.
2. The municipality shall establish a system for managing assets and resources that are not required in accordance with the law.
3. The manner in which the municipality shall transfer the property shall be decided by the local council which shall choose whether to auction, dump or incinerate the property if no further use is left.

Article 81

Issue of Regulations

The Minister may, in consultation with the districts, issue regulations to be implemented in relation to:

- a) Any matter permitted by this Act shall be subject to regulation.
- b) Implementation of the functions set out in this Law.
- c) Any other necessary or ingenious means to achieve or enhance the objectives of this Law.

Article 82

Cancellation

1. Any other law or regulation that is inconsistent with this Law is hereby repealed.
2. For matters not mentioned in this law, reference shall be made to other laws which do not contradict with the Constitution of the Puntland State.

Article 83

Implementation of the Law

This Law shall come into force upon the approval of the House of Representatives, the signature of the President of Puntland State of Somalia, and its publication in the Official Gazette of Puntland State.