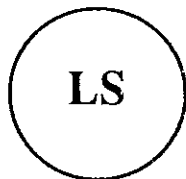


## COMMONWEALTH OF DOMINICA

ACT No. 7 OF 1994

I assent

C.A. SORHAINDO  
*President.*

16th September, 1994.

AN ACT TO AMEND THE VILLAGE COUNCILS  
ORDINANCE, CAP. 190.

(Gazetted 22nd September, 1994.)

BE IT ENACTED by the Parliament of the Commonwealth of  
Dominica as follows:

1. This Act may be cited as the –

Short title.

VILLAGE COUNCILS (AMENDMENT) ACT 1994.

2. In this Act the Village Councils Ordinance is referred to as  
“the Ordinance”.Interpretation.  
Cap. 190.

Amendment of  
section 2 of the  
Ordinance.

3. Section 2 of the Ordinance is amended by deleting the –
- (a) word “Colony” from the definition of the term “Minister of religion” and replacing it with the word “State”, and
  - (b) definition of the term “Financial Secretary”.

Amendment of  
section 3 of the  
Ordinance.

4. Section 3 of the Ordinance is amended by deleting the word “Colony” from subsection (1) and replacing it with the word “State”.

Repeal and  
replacement of  
section 5 of the  
Ordinance.

5. Section 5 of the Ordinance is repealed and replaced as follows:

“5. (1) No person shall be qualified to be elected as a member of a Council unless he –

- (a) is a citizen of the State;
- (b) is able to read and write English;
- (c) has attained the age of eighteen years;
- (d) is resident in the village district.

(2) A person shall not be qualified to be elected as a member of a Council if he is a minister of religion.”

Amendment of  
section 6 of the  
Ordinance.

6. Section 6 of the Ordinance is amended by deleting the word “Colony” in subsection (1) paragraph (c) and replacing it with the word “State”.

Amendment of  
section 7 of the  
Ordinance.

7. Section 7 of the Ordinance is amended by deleting the word “Colony” in paragraph (c) and replacing it with the word “State”.

Repeal and  
replacement of  
section 20 of the  
Ordinance.

8. Section 20 of the Ordinance is repealed and replaced as follows:

“20. (1) It is lawful for a Council, under any by-law or regulation to require, impose and charge dues, fees, licences, rates and taxes within the limits of the village.

Ch. 66:01. (2) The collection of any due, fee, rate or tax shall be in accordance with the Collection of Taxes Act.

(3) Notwithstanding subsection (2) a Council may recover any due, fee, rate or tax and all extra charges related thereto as a simple contract debt.

(4) This section does not apply to Government and church property.”

9. Section 22 of the Ordinance is repealed.

Repeal of section 22 of the Ordinance.

10. Section 24 of the Ordinance is repealed.

Repeal of section 24 of the Ordinance.

11. The following is inserted as PART IIA of the Ordinance

Insertion of PART IIA of the Ordinance.

“PART IIA

ADMINISTRATION AND GOVERNMENT  
OF A VILLAGE COUNCIL’S FUND

Payment of  
moneys to  
Council  
Fund.

29A. (1) All moneys due or granted to any Council or moneys made out in favour of or payable to that Council must be deposited at least every week into the Council’s account at a bank or other financial institution to be determined by the Minister.

(2) Moneys deposited under subsection (1) shall form the Council Fund.

Payment  
from  
Council  
Fund.

29B. All payments from the Council Fund shall be made on the written order of the Clerk of the Council countersigned by the Chairman or other person designated by the Council.

Composition  
of Council  
Fund.

**29C.** The Council Fund shall be composed of moneys derived from—

- (a) house and land rate imposed by this Act;
- (b) dues, fees, rates and taxes payable to the Council under this Act or any Rules or By-laws made thereunder;
- (c) fines for breaches of the By-laws of the Council;
- (d) moneys derived from the sale, hire or mortgage of properties vested in the Council; and
- (e) all other moneys from which the Council Fund may lawfully be derived, including any vote or contribution from the general revenue of the State.

Preparation  
of estimates.

**29D.** (1) In or before the month of February of each year, the Council shall submit to the Minister an annual estimate of the anticipated expenditure of the Council in respect of the financial year commencing the 1st of July of that year.

(2) The estimates shall, when approved by the Minister, be binding in their details upon the Council, subject nevertheless to any addition, deletion, re-vote or transfer agreed to by resolution of the Council communicated to the Minister and approved by him.

Accounts.

**29E.** The accounts of the Council shall be open at all reasonable times to inspection by the Minister or any person designated by him.

Audit of  
accounts.

**29F.** (1) The accounts of the Council shall be produced by the Clerk of the Council for audit by the Director of Audit at such time as the Director of Audit may from time to time require, and the accounts shall thereupon be audited by the Director of Audit.

(2) The Director of Audit shall make and sign a report upon the accounts at the end of every financial year and shall forward a duplicate of the accounts with the report thereon to the Minister and the Chairman of the Council.

(3) The accounts shall be published in the *Gazette*.

Power of  
Director of  
Audit to call  
for books,  
etc.

**29G.** For the purpose of any audit as mentioned above the Director of Audit may require –

(a) the production before him of all accounts, books, contracts, deeds, receipts, vouchers and other documents and paper which he may think necessary; and

(b) any person holding or accountable for any such accounts, books, contracts, deeds, receipts, vouchers and other documents and papers to appear before him at any such audit or any adjournment thereof, and to make and sign a declaration as to the correctness of the same.

Director of  
Audit may  
enter office  
of Council.

**29H.** The Director of Audit may at all reasonable times enter any office of a Council and have access to all accounts, books, contracts, deeds, receipts, vouchers and other documents and papers.

Clerk of the  
Council shall  
furnish  
statement of  
accounts.

**29I.** (1) The Clerk of the Council shall furnish monthly to the Council a statement of the Council's fund and the same shall be published in the *Gazette*.

(2) Whenever called upon to do so by the Council the Clerk of the Council shall furnish an account showing the state of the Council Fund.

Interim  
appropriation  
of Council  
Fund  
moneys.

**29J.** The Council may invest any accumulation of a Council Fund in any manner approved by the Minister.

Payments  
from  
Council  
Fund.

**29K.** The debts of the Council shall be discharged from the Council Fund.

Appropriation  
of money in  
general.

**29L.** All moneys raised under this Act shall be used exclusively for the purposes set out in this Act and the By-laws."

Passed in the House of Assembly this 23rd day of August,  
1994.

M. ALBERTHA JNO. BAPTISTE  
*Clerk of the House of Assembly.*

DOMINICA

Printed by the Government Printer at the Government Printery, Roseau

(Price \$1.20)