

THE LOCAL GOVERNMENT SYSTEM IN

JAMAICA



1 INTRODUCTION

Jamaica is an island in the western Caribbean with a population of 2,780,132¹ and covering an area of 10,991 sq km.²

Jamaica is a constitutional monarchy and a unitary state. The legislature, based in the capital Kingston, is bicameral comprising the House of Representatives (60 members elected for terms of no more than five years) and the Senate, an appointed body (21 members appointed by the governor-general, 13 on the advice of the prime minister, eight on the advice of the leader of the opposition). The election of the House of Representatives is conducted on universal adult suffrage. The head of government is the prime minister who appoints a cabinet from the House of Representatives and the Senate.

There are 14 local government authorities in Jamaica.

2 POLITICAL AND ORGANISATIONAL STRUCTURE OF JAMAICA

2.1 Position of local government in the state

In the 1980s local government was 'virtually dismantled',³ its functions being regionalised or

removed to central government. Since the 1980s, there has been movement towards decentralisation, with a strong emphasis on developing participative democracy, though local government has yet to regain control of many of the functions it once had.⁴

The National Advisory Council published a policy document looking at local government reform in 2006, which is the foundation for current initiatives.

Over the past 20 years, ministerial involvement with local authorities has been frequent. Local government has only a limited number of functions and is substantially dependent upon central government financially.

The last general election was held on 3 September 2007. The Jamaica Labour Party (JLP) won 31 seats, the People's National Party won 29 seats. The new prime minister is the Hon. Bruce Golding MP.

In the local government elections 5 December 2007, the JLP won 134 seats, the PNP 94 seats and independent parties won 4 seats.

The new government which assumed office in September 2007 has placed its emphasis

regarding local government reform on accelerating implementation of recommendations on which there is general consensus, rather than on further studies/consultations on the subject.

The minister of state responsible for local government in the Office of the Prime Minister is Hon. Robert Montague, who has requested that a prototype of a local authority embodying all the recommendations, be developed to provide a clear visual image of the final outcome of the reform process over the next two years.

3 THE LEGAL BASIS FOR LOCAL GOVERNMENT

3.1 Constitutional provisions

The constitution is silent on the matter of local government. However, the proposal for entrenchment of local government in the constitution has been agreed in principle and it is expected to take place when there is a constitutional review.

3.2 Main legislative texts

- Parish Councils Act 1887
- Parochial Rates and Finance Act 1900
- Kingston City Corporation Act 1923
- Municipalities Act 2003.

The Local Government Department is in the process of expediting the necessary amendments to these and other priority legislation as part of the main thrust of local government reform.

4 LOCAL GOVERNMENT ORGANISATIONAL STRUCTURE

4.1 Distribution of local governments and population

The average population of Jamaica's local authority areas is 200,446.⁵ The smallest is Hanover, with 67,500, and the largest is Kingston and St Andrew Corporation (KSAC) with 716,000. 54% of the total population lives in urban areas. The distribution of the population is illustrated in Table 1.

5 DEMOCRATIC AND POLITICAL STRUCTURES IN LOCAL GOVERNMENT

Elections are conducted on a first-past-the-post

system with universal adult suffrage for a three-year term of office. The mayor is elected indirectly for the term of the council: in law the term is three years. However, in recent decades, elections have been suspended on a number of occasions. Local elections are held about every three to five years. The electoral divisions are each represented by one member.

The local government elections held on 19 June 2003 saw a new beginning in the democratic process of local governance, whereby mayors can now be directly elected as a result of the recent passing of the Municipalities Act. The Act has led to the creation of the Municipality of Portmore – a community in the parish of St Catherine.

Non-statutory bodies called parish development committees have been established in all parishes, and involve representatives of local government, central government, the private sector, civil society and established non-governmental organisations. The role of these committees is to prepare parish development plans in partnership with the local authorities, and to facilitate the participation of civil society in local government decision-making.

The councils operate a committee system. The standing committees hold delegated decision-making powers. Other committees of the councils have powers to recommend.

In the 2007 local elections, out of 227 seats, 41 women were elected ie 18%. There are two women deputy mayors, but no women mayors.

5.1 Local authority structures

The councils are required by law to have two committees: finance and poor relief. They have discretionary powers to establish other committees, the most common being health, public health, commercial services, building and town planning, and roads and works.

Mayors are considered to be full-time and

are paid accordingly, a nominal amount above that of the head of the paid service. The amounts paid to other councillors are set in relation to the mayor’s salary. For instance the deputy mayor receives about 60% of the mayor’s salary and the other councillors about 40%.

Some authorities establish executive committees to assist the leadership of the council. There are 227 councillors; 40 each in Kingston and St Andrews (KSAC) and St Catherine Parish Council. The average number of councillors in the remaining councils is 13.

5.2 Local government staffing

Local government staff are recruited by a central body, the Municipal Services Commission (MSC). The MSC is responsible for disciplining and dismissing staff on the recommendation of the individual parish council.

Staff secondments from central government to local government and vice versa take place, though only occasionally. It is still considered an important feature of local government in Jamaica.

Each authority is comprised of priority officers. These are: the secretary-manager (in KSAC this officer is called the town clerk and in Portmore the chief administrative officer), a director of finance (in KSAC called the city treasurer), a superintendent of roads and works (in KSAC this is the city engineer), an inspector of poor (this officer is responsible for dealing with the destitute and homeless), a director of sustainable development and planning, a commercial services manager and an IT officer.

5.3 Independent scrutiny

The Auditor General audits the financial accounts and performance of local authorities. The Local Government Department also conducts audits, and the Board of Supervisors

for Poor Relief audits the poor relief operations in local authorities. The legislation governing this role is contained in the Financial Administration and Audit Act 1959 and the Poor Relief Act 1867.

6 DISTRIBUTION OF SERVICE DELIVERY COMPETENCE

Local government has a number of responsibilities. As Annex A shows, local government is responsible for parochial infrastructure including roads, markets, transportation centres, parks, cemeteries, crematoria, pounds and slaughterhouses. The local authorities are also responsible for poor relief, and share responsibility with central government in a number of areas including water supply, environmental health and regulatory development control.

7 FINANCE

7.1 Revenue

The aggregate revenue (current and capital) of Jamaican local government in 2005/2006 was J\$5.2bn (US\$75.4m).⁶ The main sources of this revenue were:

- 1. Central government grants 46%
- 2. Parochial revenue fund 42%
- 3. General revenue 12%.

The Ministry of Finance sets the property tax. User fees are set by local government, subject to the approval of the Minister for Local Government.

7.2 Revenue-sharing

There is no revenue-sharing policy. There are a number of tied grants made in respect of poor relief, minor water supplies, capital expenditure and contributions towards street lighting.

7.3 Expenditure

The aggregate expenditure (current) of local government in Jamaica was J\$5.17bn (US\$74.2m) in 2005/2006. The main items of expenditure were:

- 1. Property-related services – street lighting, cleaning etc 45%
- 2. Roads and maintenance 20%
- 3. Minor water supplies 1%
- 4. Poor relief 5%
- 5. General and municipal services administration 19%
- 6. Self-financing services 4%
- 7. Equalisation fund 1%
- 8. Building & sub-division 1%.

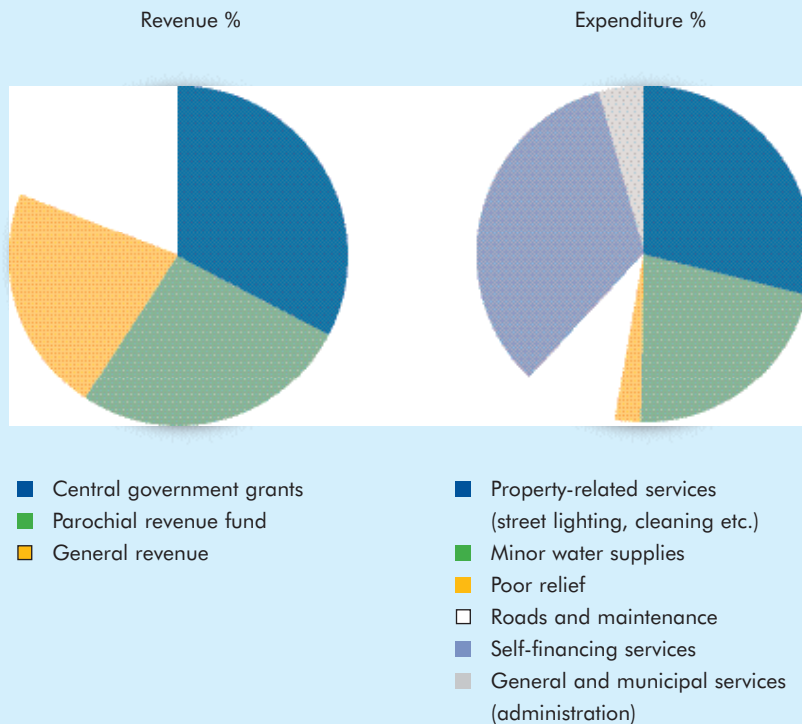
Local authorities are not permitted to set deficit budgets.

Table 1. Distribution of local authorities and population

Local authority	Population	% rural
Clarendon	228,300	70.0
Hanover	67,500	91.7
Kingston and St Andrew	716,000	11.5
Manchester	188,800	66.2
Portland	79,400	79.2
St Ann	164,900	75.5
St Catherine	413,200	29.9
St Elizabeth	148,600	89.9
St James	180,800	45.8
St Mary	112,800	79.4
St Thomas	92,400	74.1
Trelawny	72,500	81.7
Westmoreland	140,600	80.0
Total	2,605,800	50.4

(Source: Statistical Yearbook of Jamaica 1999 and Demographic Statistics 2000)

Figure 1. The financial structure of local government in Jamaica



- A new Local Government Act to give expression to the new paradigm of participatory governance and self-management, to be complemented by the entrenchment of local government in the constitution.

12 SUMMARY

The National Advisory Council (NAC) on local government reform was re-established in 2004 to review existing reports and develop new recommendations for moving the reform process forward.

Subsequent to national consultations with various stakeholders and interest groups the NAC report was the subject of review by the Joint Select Committee on Local Government Reform in April 2007.

The decentralisation process has been significantly accelerated from January 2008 and local government will through this process be accorded the requisite constitutional status, institutional capacity, financial autonomy and self-sufficiency.

8 ORGANISATIONS OF LOCAL GOVERNMENT

There is a single local government association for Jamaica and it is recognised in law. Membership of the Association of Local Government Authorities (ALGA), which is comprised of all elected councillors, is mandatory for all parishes and KSAC. It is financed by member subscription fees and its main activity is to lobby central government.

9 INTERGOVERNMENTAL RELATIONS

The Minister for Local Government holds regular meetings with all mayors.

The Local Government Reform Unit within the ministry is working to promote and facilitate improved intergovernmental relations.

10 E-GOVERNMENT

The government of Jamaica has been developing a strategy to extend e-government services and provide general information. The Local Government Department provides basic information on web pages for each of the local governments.⁷

In 2006 there were 1,067,000 internet users in Jamaica, or 39% of the population.⁸

11 ENVISAGED REFORMS

In February 2004 the then minister of local government reestablished the National Advisory Council on local government to advise ministries on issues and proposals relating to reform and strengthening of local government in Jamaica. Areas examined included:

- National decentralisation policy
- Constitutional entrenchment of local government and promulgation of a new local government Act
- Parish Development Committees
- Direct election of mayors
- Financial management of local authorities
- Functions of local government.

As the reform process moves forward, proposals emanating from the Joint Select Committee on Local Government Reform include:

- A duty to consult the citizens
- A duty to report back to the citizens
- Legal reforms involving amendments to more than 20 Acts
- Creating a regional development framework and the introduction of a two-tier system
- Improved transparency and accountability direct to the citizens
- Performance management systems for all local authorities
- Public-private partnerships for service delivery
- Increased fiscal autonomy of local authorities and general grants leading to greater political autonomy
- The delegation of authority in a number of areas
- A national policy on decentralisation to provide clear and coherent guidelines for local government reform, community empowerment and sustainable local development

References

- 1 CIA World Factbook 2007
- 2 Commonwealth Yearbook 2001
- 3 Keith Miller, Advisor Consultant on Local Government Reform, Local Government Reform Unit, Ministry of Local Government, Youth and Community Development 29 October, 2001
- 4 Keith Osbourne, Secretary, ALGA, 30 October 2001; Keith Miller, 29 October 2001
- 5 Demographic Statistics, Statistical Institute, 2001
- 6 J\$45.94 = US\$1, September 2001 Economic Statistics, October 2001, Vol.11, No.10, Bank of Jamaica
- 7 www.mlge.gov.jm
- 8 CIA World Factbook 2007.

Service	Delivering authority		Remarks
	Central	Local government	
GENERAL ADMINISTRATION			
Police	●		Disaster management lies with central government, but is implemented with local government
Fire protection	●		
Civil protection	●	●	
Criminal justice	●		
Civil justice	●		
Civil status register	●		
Statistical office	●		
Electoral register	●		
EDUCATION			
Pre-school	●		
Primary	●		
Secondary	●		
Vocational and technical	●		
Higher education	●		
Adult education			
Other	●		
SOCIAL WELFARE			
Kindergarten and nursery	●		
Family welfare services	●	●	
Welfare homes	●	●	
Social security	●	●	
PUBLIC HEALTH			
Primary care	●		
Hospitals	●		
Health protection	●	●	
HOUSING AND TOWN PLANNING			
Housing	●		
Town planning	●		
Regional planning	●		
TRANSPORT			
Roads	●	●	
Transport	●		
Urban roads	●		
Urban rail			
Ports	●		
Airports	●		
ENVIRONMENT AND PUBLIC SANITATION			
Water and sanitation	●	●	
Refuse collection and disposal		●	
Cemeteries and crematoria		●	
Slaughterhouses		●	
Environmental protection	●	●	
Consumer protection			
CULTURE, LEISURE AND SPORTS			
Theatre and concerts	●		
Museums and libraries	●		
Parks and open spaces		●	
Sports and leisure	●		
Religious facilities			
UTILITIES			
Gas services	●		
District heating	●		
Electricity	●		
Water supply	●		
ECONOMIC			
Agriculture, forests and fisheries	●	●	The parishes are becoming increasingly involved in matters regarding economic promotion
Economic promotion	●	●	
Trade and industry	●	●	
Tourism	●	●	

● = discretionary service by the local authority