



## The local government system in Mozambique

Local government information correct as of 2009



### Key facts

**POPULATION (Census 2007):** 20,530,714  
**AREA:** 801,590 sq km  
**CAPITAL:** Maputo  
**LOCAL GOVERNMENT CONTRIBUTION TO GDP:** -  
**CURRENCY:** Mozambican metical (MZN)  
**HEAD OF STATE AND GOVERNMENT:**  
 President Armando Guebuza  
**FORM OF GOVERNMENT:** republic  
**PARLIAMENTARY SYSTEM:** unicameral  
**STATE STRUCTURE:** unitary  
**LANGUAGES:** Portuguese (official)  
 Swahili, Makhuwa, Sena (recognised)  
**NATIONAL ELECTIONS:** last: 2009; turnout: 44%;  
 next: 2013  
**LOCAL ELECTION:** last: Nov 2008 turnout: -  
 next: 2013

#### SUMMARY

Mozambique is a democratic republic with two spheres of government: national and local. Law No. 9/96 ('the local authority law') enshrines local government in the constitution whilst Laws No. 2/97 and 10/97 ('the municipalities laws' establish municipalities in all 33 cities and ten of the country's 116 towns. Local government

therefore only covers a proportion of the population, and is predominantly urban. The Minister of State Administration is responsible for the administration of the laws overseeing local government. Municipal budgets must be prepared and managed within the framework of the central government budget and municipalities are also responsible for

collecting taxes and user fees. One of the main sources of central-local government transfers is the Municipal Compensation Fund, which in 2006 represented 3.5% of all tax revenue raised at national level. Local government has a number of statutory functions including the execution of economic, cultural and social programmes.

**Table 1.** Distribution of councils and population (Census 1999) (adjusted)

Province	Municipalities		No.*
	Cities/towns	Population	
Cabo Delgado	Montepuz	56,433	17
	Pemba	84,897	31
	Mocimboa da Praia	25,506	13
Gaza	Xai-Xai	99,442	31
	Chibuto	51,454	17
	Chokwe	49,930	17
Inhambane	Mandlakase	23,342	13
	Inhambane	52,370	17
	Maxixe	93,985	31
Manica	Vilanculos	19,840	13
	Chimoio	171,056	39
	Manica	28,568	13
Maputo	Catandica	24,682	13
	Matola	424,662	46
	Manhica	19,006	17
Maputo City	Maputo City	996,837	61
Nampula	Nampula	303,346	44
	Angoche	85,703	31
	Ihla de Moçambique	42,407	17
	Nacala Porto	158,248	39
Niassa	Monapo	20,384	17
	Lichinga	85,758	31
	Cuamba	57,205	31
Sofala	Metangula	6,852	13
	Beira	397,368	45
	Dondo	71,644	21
Tete	Marromeu	18,551	13
	Tete	101,984	31
	Moatize	26,560	13
Zambezia	Quelimane	150,116	39
	Gurue	99,335	17
	Mocuba	124,650	21
	Milange	16,666	13
<b>TOTAL</b>	<b>33</b>	<b>**4,989,787</b>	<b>800</b>

\* Number of elected representatives \*\*note that not all of Mozambique's population is served by local government - the gradualist approach

Source: National Statistics Institute<sup>1</sup>

## 1. CENTRAL GOVERNMENT

Mozambique is a democratic republic with a unicameral parliament known as the Assembly of the Republic. The head of state and government is the president, who is directly elected through universal adult suffrage with a minimum of 50% of the vote. The president may serve a maximum of two consecutive five-year terms, after which the incumbent must wait a term until they are re-eligible. The Assembly of the Republic has 250 members, elected to serve a five-year term under a modified version of the d'Hondt system of proportional representation. Parties or coalitions must secure 5% or more of votes on a national basis in order to qualify for a seat under the proportional system. The president appoints the prime minister and a council of ministers (the cabinet). There are 11 constituencies, each

corresponding to one of Mozambique's provinces. The council of ministers is convened and chaired by the prime minister, under powers delegated by the president. The first multi-party democratic elections were held in 1998.

Mozambique has 11 administrative provinces, one of which consists of the capital city Maputo. The provinces are further divided into districts, administrative posts and localities.

## 2. LEGAL BASIS FOR LOCAL GOVERNMENT

### 2.1 Constitutional provisions:

Local government is enshrined in the constitution as amended by Law No. 9/96: 'The tasks of local authorities are: to organise the participation of citizens in finding a solution to the community problems, to promote local development, and to strengthen and consolidate democracy within the

framework of Mozambican state unity.'

The constitution now defines two types of local authority: municipalities in the cities and the town and village councils in rural areas, which cover the areas of the administrators. It also enshrines local democracy, requiring assemblies to be elected by proportional representation, and the president or mayor of a council to be directly elected.

### 2.2 Main legislative texts:

- Law No. 9/96, known as the 'local authority law' – amended the constitution and introduced a new local government structure and revised electoral arrangements
- Law No. 2/97, known as the 'municipalities law' – established municipalities in Maputo City and the ten provincial capital cities
- Law No. 10/97 – established as municipalities the remaining 22 cities and ten towns in the districts
- Law No. 11/97 – established the financial framework for municipalities
- Law No. 9/97 – defined the roles and responsibilities of office-holders and members of the municipality
- Laws No. 4/97, 5/97 and 6/97 – specifications regarding electoral matters.

## 3. STRUCTURE OF LOCAL GOVERNMENT

### 3.1 Local government within the state:

Only a portion of Mozambique has local government. There are 33 municipalities covering Mozambique's 23 cities and ten of the 116 towns in the districts.

### 3.2 Ministerial oversight:

The Minister of State Administration is responsible for the administration of the laws overseeing local government.

### 3.3 Council types:

The committees that local authorities are required to establish depend on their size, in terms of population and geography, and the responsibilities that have been devolved to them. It is recommended that standing committees for the main services provided by the authority are established, for example finance, administration and social services. The president of the council, or mayor, is head of the executive and appoints councillors (vereadores) to the executive municipal council. At least half must be members of the municipal assembly (see Section 4.2). The presidency is a full-time position, while councillors may be either full- or part-time. Presidents and full-time councillors are not permitted to undertake other paid employment.

Municipal assemblies are required to have annual activity plans and budgets. These are



proposed by the municipal council and must be submitted for approval to the municipal assembly.

#### 4. ELECTIONS

##### 4.1 Recent local elections:

No information provided for this edition.

##### 4.2 Voting system:

Mozambican municipalities are composed of two distinct bodies: the municipal assembly, which acts as a legislature, and the municipal council, which holds executive powers. Members are elected to the municipal assembly under the d'Hondt system of proportional representation for a term of five years. Unlike the national system, there is no requirement to secure five percent of the total vote to qualify for a seat. Voting for an assembly is conducted on the basis of city and town-wide party lists. There are no wards. The members elect from amongst themselves a president of the assembly, or speaker.

##### 4.3 Elected representatives:

The president of the council, or mayor, is directly elected for a term of five years and must secure more than 50% of the vote. Where no candidate achieves this, a second election must be contested between the two top candidates within 30 days of the publication of the results. A person may stand simultaneously for the presidency and also be named on a party list for the local assembly. The democratic system is uniform across the municipalities.

To field a presidential candidate or put forward a list for a municipal assembly, political parties must obtain signatures from 1% of registered voters. Law No. 6/97 allows citizens, citizen groups or political parties which are not recognised also to campaign in elections for the office of president or seats in the municipal assembly.

In the first local government elections of June 1998 the turnout was approximately 24%.

The decision-making process begins with the executive council drawing up an action plan and a budget, which are presented to the municipal assembly for approval. After approval is received, they are displayed for wider public information.

#### 5. SYSTEMS FOR COMMUNITY INVOLVEMENT

No information has been provided for this section of this edition.

#### 6. ORGANISED LOCAL GOVERNMENT

The National Association of Municipalities of Mozambique (ANAMM) was established in 2006.

#### 7. INTERGOVERNMENTAL RELATIONS

At district level a 'district council', convened on a three-monthly cycle, acts as a consultative body. The council's membership is drawn from the district government (the district administrator, the directors, and the chiefs of administrative posts), together with the president of any municipal councils, community authorities, and representatives of economic, social and cultural organisations in the district.

#### 8. MONITORING SYSTEMS

Financial scrutiny is exercised by the Office of the General Inspector of Finance of the Ministry of Planning and Finance under Law No. 11/97, a law on municipal finance. Mozambique's Administrative Tribunal, the highest jurisdiction in administrative matters, adjudicates in alleged breaches of administrative law. This power comes under the auspices of the Minister of State Administration who may delegate functions to the provincial governors.

#### 9. FINANCE, STAFFING AND RESOURCES

Municipal budgets must be prepared and managed within the framework of the central government budget.

##### 9.1 Locally raised revenue:

The aggregate revenue for local authorities in 2006 was approximately US\$36m. The main sources of income were:

- Head or poll tax
- Income taxes
- Property taxes
- Licences and fees
- Government transfers
- Charges for services.

Municipalities are responsible for collecting taxes and user fees. The Municipal Taxation Code governs the taxes available to local government.

##### 9.2 Transfers:

Under Law No. 11/97 central government transfers funds to the municipalities through the Municipal Compensation Fund, which, in 2006, represented 3.5% of all tax revenue raised at national level. The fund provides a general grant distributed between the municipalities under a formula published in the annual budget, and based on the following criteria: surface area, population, level of development and success in collecting taxes. In the first year of the fund's operation, central government made available MT49bn, almost doubling the funds allocated to the cities and towns before they became municipalities. Further financial support is

provided for local development projects.

A percentage of revenue from certain national taxes has also been transferred to local government, for example, 30% of the tourism tax collected by local establishments, 75% of vehicle taxes, and certain income taxes for people working locally. Most municipalities own primary schools, dispensaries and other health facilities whose staff are paid directly by the central government.

##### 9.3 Local authority staff:

Municipal assemblies set the salary and expense payments of their own members, the president of the council and the officers, within strict legal limits. The total bill for wages and expenses for the assembly and the council cannot exceed 3% of the municipality's income (ie the money it raises, excluding government transfers). There is a ceiling on salaries for the president of the council and the officers. Members of the assembly are paid for the days they attend. The president of the assembly cannot be paid more than 10% of the salary of the president of the council, and members no more than 3%.

Recruitment and dismissal of staff is the responsibility of the municipality. Following the first municipal elections in 1998, the staff of the former executive councils in the 23 cities were transferred to the new municipalities and became local government rather than central government employees (Law No. 2/97, Article 20). In the ten towns, given their limited capacity and fewer services, fewer staff were transferred. In towns some services are still delivered by staff employed by the local authority, and others by employees of central (ie district) government.

The president of the municipal council acts as the chief executive officer. The towns have a simple staffing structure. Until they are ready to assume more responsibilities, they typically operate with a finance department and an urban services department. There are a small number of senior officials who supervise the manual workers.

#### 10. DISTRIBUTION OF SERVICE DELIVERY RESPONSIBILITY

Local government has a number of statutory functions including the execution of economic, cultural and social programmes, and the execution of its action plan and the implementation of its budget. It shares many responsibilities with other spheres of government.



### References and useful websites

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9. 'Decentralization and Sustainable Peace Building in Mozambique'  
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10. UN 2004 Mozambique Public Administration Profile  
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## Annex A. Summary of service provision in different spheres of government

Service	Delivering authority				Remarks
	Central	Provinces	Districts	Municipalities	
<b>GENERAL ADMINISTRATION</b>					
Police	■				
Fire protection	■	■			
Civil protection	■	■			
Criminal justice	■				
Civil justice	■				
Civil status register					
Statistical office					
Electoral register	■				
<b>EDUCATION</b>					
Pre-school		■			
Primary	■				
Secondary	■				
Vocational and technical	■	■			
Higher education	■				
Adult education	■	■			
<b>SOCIAL WELFARE</b>					
Kindergarten and nursery		■			
Family welfare services	■				
Welfare homes	■				
Social security	■				
<b>PUBLIC HEALTH</b>					
Primary care	■	■			
Hospitals	■	■			
Health Protection	■				
<b>HOUSING AND TOWN PLANNING</b>					
Housing	■			■	
Town planning	■	■	■	■	
Regional planning	■	■			
<b>TRANSPORT</b>					
Roads	■	■	■	■	
Transport	■	■			
Urban roads	■		■	■	
Urban rail					
Ports	■	■	■	■	
Airports	■	■		■	
<b>ENVIRONMENT AND PUBLIC SANITATION</b>					
Water and sanitation	■		■	■	
Refuse collection and disposal	■		■	■	
Cemeteries and crematoria	■		■	■	
Slaughterhouses	■				
Environmental protection	■	■			
Consumer protection	■	■			
<b>CULTURE, LEISURE AND SPORTS</b>					
Theatre and concerts	■	■			
Museums and libraries	■	■			
Parks and open spaces	■		■	■	
Sports and leisure	■		■	■	
Religious facilities	■	■			
<b>UTILITIES</b>					
Gas services	■	■			
District heating					
Water supply	■	■	■	■	
Electricity	■	■		■	
<b>ECONOMIC</b>					
Agriculture, forests and fisheries	■				
Economic planning	■			■	
Trade and industry	■	■		■	
Tourism	■	■		■	