L.N. 184 of 2023

PUBLIC ADMINISTRATION ACT
(CAP. 595)

Local Enforcement System (Establishment as an Agency) (Amendment) Order, 2023

IN EXERCISE of the powers conferred by article 26 of the Public Administration Act, the Prime Minister has made the following order:-

Citation.

1. The title of this order is the Local Enforcement System (Establishment as an Agency) (Amendment) Order, 2023 and this order shall be read and construed as one with the Local Enforcement System (Establishment as an Agency) Order, hereinafter referred to as "the principal order".

S.L. 595.14.

Amends article 3 of the principal order.

2. Paragraph (c) of article 3 of the principal order shall be substituted by the following new paragraph:

"(c) administering and apportioning between the local councils any net surpluses, after the apportionments made in accordance with regulation 8A, resulting from enforcement operations in accordance with a formula established by agreement, following consultations between the local councils' association and the Minister;".

Amends article 6 of the principal order.

3. In article 6 of the principal order, immediately after sub-article (2) there shall be added the following new sub-article:

"(3) The Chief Executive Officer shall be the prosecutor in any relevant hearing in the local tribunal and shall have the same powers assigned to the Executive Police in accordance with the Commissioners for Justice Act. Service of any summons shall be effected by the Chief Executive Officer as provided in article 6(2) of the Commissioners for Justice Act or by the Executive Police or by a community officer;

Cap 291.

Provided that the functions of the Chief Executive Officer in accordance with this sub-article may be delegated to any other person as the Chief Executive Officer may determine.".

Adds new article to the principal order.

4. Immediately after article 8 of the principal order there shall be added the following new article:

"Contingency Fund.

8A. (1) There shall be established a fund to be known as the Contingency Fund, with an authorised capital as recommended by the Advisory Board, after taking into account the Agency's commitment and future plans, and that the amount shall be provided from appropriations made from time to time out of the net surpluses of any Agency.

(2) The Agency shall have the power and authority to establish an amount from any net surpluses, which shall be used for the purpose of funding any worthy social or philanthropic causes, that may be identified from time to time.".

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