Commencement: 13 December 1993

PORT VILA MUNICIPAL COUNCIL (STANDING ORDERS)

Order 7 of 1993*
Order 56 of 2005

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PART 1 – PRELIMINARY

1. Interpretation

In these Standing Orders, unless the context otherwise requires:

"Act" means the Municipalities Act [Cap. 126];

"Council" means the Port Vila Municipal Council;

"Councillor" means an elected member of the Council;

"Clerk" means the Town Clerk of the Council appointed in accordance with Section 18 of the Act or anyone acting on his behalf.

PART 2 – COMMITTEES

2. Finance Committee

(1) There shall be a finance committee of the Council which shall consist of the Mayor, Deputy Mayor and three other Councillors.

(2) One of the members of the finance committee shall be appointed by the Council to be the Chairman of the finance committee.

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* *Editor's note: Two Orders were given this same reference number; this Order was not published at the time it was issued in 1993.*

3. Town planning committee

(1) There shall be a town planning committee which shall make examination of building permit applications, approve building permits and deal with town planning matters on behalf of the Council.

(2) The town planning committee shall consist of the Mayor and five other members, and may include not more than two persons who are not Councillors.

(3) One of the members of the town planning committee who shall be a Councillor shall be appointed by the Council to be the Chairman of the committee.

4. Term of office of committee members

(1) A member of a committee of the Council appointed under these Standing Orders shall hold office for such period not exceeding one year as may be specified in the instrument of appointment of the member unless the committee is dissolved before the expiry of that period.

(2) Where a committee member:

(a) dies;

(b) resigns, or

(c) ceases to be a Councillor;

another member shall be appointed to serve for the remainder of the term of office.

PART 3 – COUNCIL MEETINGS

5. Meetings

(1) One meeting of the Council shall be convened in the month of April of each year to debate and approve the annual estimates of the Council for the coming year.

(2) Extraordinary meetings may be convened at the request of two thirds of the Councillors by giving notice in writing to the Clerk not less than three weeks before the date of such meeting.

(3) Before a Council meeting ends, the Council shall approve the date for the next meeting of the Council.

6. Calling of meetings

(1) The Mayor shall in writing issue notice of Council meetings to each Councillor stating the place and time of meeting therein.

(2) The notice issued under subparagraph (1), shall be given not less than three clear days in advance of the day of the meeting and shall be recorded in the minute book.

(3) Where the agenda has not been exhausted at one session and it becomes necessary for the Council to meet the following day or on subsequent days, the Mayor shall, at that session verbally obtain the consent of the majority of Councillors to attend meetings on the following day or subsequent days, as the case may be.

(4) Notices of Council meetings shall be displayed on the notice board at the door of the Town Hall, and shall be publicized as much as possible, particularly in the press and over the radio.

7. Invitations to non councillors to attend meetings

(1) The Council may invite to its meetings any person having special knowledge of matters which the Council is concerned with, and whose advice may be of use.

(2) Any person invited to attend a Council meeting under subparagraph (1) shall not have a right to vote.

8. Place of meetings

(1) All meetings of the Council shall be held at the Town Hall, except as the Mayor may decide.

(2) When a meeting is to be held at a place other than the Town Hall, the Mayor shall in the notice of the meeting give reasons for holding the meeting in that place.

9. Precedence

(1) Councillors in office take precedence in alphabetic order, except that the Mayor followed by the Deputy Mayor shall take precedence in the order of their appointment.

(2) The Mayor shall keep a list of Councillors in this order at the Town Hall for the information of the public and shall ensure that the list is kept up-to-date.

10. Agenda

(1) The agenda for all ordinary meetings shall be drawn up by the Mayor in conjunction with the Clerk and shall be issued with notices convening such meetings. It shall list items in the following order:

(a) approval of minutes of the previous meeting;

(b) Clerk's report to the Council;

(c) committee's reports to the Council;

(d) examination of listed business;

(e) any other business;

(f) date of next Council meeting.

(2) (a) If a Councilor wishes a subject to be included on the agenda he shall give the Clerk written notice of the item not less than eight days before the date of the meeting.

(b) If an item does not appear on the agenda the Councillor shall obtain the approval of the majority of members before it may be discussed.

Division 1 – Procedure of Council Meetings

11. Opening of meetings

(1) The Mayor shall open meetings at the time specified in notice issued under paragraph 6(1), and shall call the roll of Councillors in office to ascertain that a quorum is reached.

(2) If one hour after the time specified a quorum is still not reached the Mayor shall adjourn the meeting for eight days.

(3) On adjournment of a meeting under subparagraph (2), new notices shall be issued to Councillors who were absent from the meeting.

(4) The Council shall meet after the eight days adjournment declared under subparagraph (2) and shall proceed with its normal business whatever the number of Councillors present.

12. Minutes and reports

(1) After the opening of the meeting the Mayor shall direct –

(a) the Clerk to read out minutes of the previous meeting; and

(b) the Chairman of the –

(i) finance committee;

(ii) town planning committee; and

(iii) any other committee that has been established;

to give a report on the activities of those committees.

(2) The Clerk shall take minutes of all proceedings, discussions, decisions and votes of Council meetings.

(3) The minutes shall be written in English, French and Bislama.

(4) Copies of the minutes shall be issued to Councillors with notices of Council meetings issued under paragraph 6(1) of these Standing Orders.

13. Voting

(1) A vote shall be taken on all matters discussed by the Council.

(2) Every vote shall be moved and seconded by Councillors whose names shall be recorded in the minutes.

(3) Subject to the Act and these Standing Orders, all members of the Council may vote in a Council meeting.

(4) Except as provided for in subparagraph (6), voting shall be by show of hands and shall be by the majority of Councillors voting.

(5) Councillors who abstain shall not be considered to be voters.

(6) A secret ballot may be held in the case of any nomination or appointment, and whenever a majority of elected members present so wishes.

(7) A secret ballot shall be taken by means of blank slips handed out to members, who shall write "FOR", "AGAINST", or "ABSTENTION" on the slip and return it to the Clerk for counting.

(8) Municipal by-laws and annual estimates shall be voted on section by section.

Division 2 – Discipline and Order at Council Meetings

14. Mayor to be responsible for discipline and order

The Mayor shall be responsible for discipline and order in the Council Chamber and all remarks and observations shall be addressed to him.

15. Members to obey and observe orders by Mayor

(1) All members shall obey and observe all orders by the Mayor.

(2) (a) The Mayor may call to order any Councillor whose dress, speech or behaviour is contrary to the rules of decency or propriety or for failure to observe these Standing Orders.

(b) A second call to order to the same Councillor during the same meeting shall cause him to be excluded from the Council Chambers.

(c) Calls to order shall be recorded in the minutes.

16. Non councillors to address Council upon request

(1) Officers or employees of the Council may only address the Council at the request of the Mayor.

(2) No person, other than a Councillor, may address the Council without prior written invitation of the Council in accordance with paragraph 7 of these Standing Orders.

PART 4 – COMMITTEE MEETINGS

17. Number of committee meetings

A meeting of a committee of the Council shall be convened whenever necessary at the request of the Chairman or at least four members, provided that not less than six meetings of any committee shall be held in any one year.

18. Quorum of committee meetings

(1) The quorum for any meeting of the committee of the Council shall be two thirds of the total membership.

(2) If at a first meeting the quorum in not reached, the Chairman shall convene the meeting 24 hours later and the committee's deliberations shall be valid if two members including the Chairman are present.

19. Agenda of committee meetings

(1) The agenda shall be drawn up by the Clerk after consultation with the Chairman, and shall be given in notices notifying members of meetings.

(2) If a member of a committee of the Council wishes to add any items to the agenda he may do so at the meeting without prior notice.

20. Voting

(1) A vote shall be taken on all matters discussed by a committee of the Council.

(2) Only members of a committee of the Council may vote.

(3) Unless all members of a committee of the Council present in a committee meeting decide otherwise, voting shall be by show of hands.

21. Minutes of committee meetings

(1) The Clerk shall take minutes of all proceedings, discussions, decisions and votes of a committee of the Council meetings and shall circulate the minutes to the members of the committee within a reasonable time, before its next meeting.

(2) The minutes may be written in English, French and Bislama.

(3) Minutes of Committee Meetings must be approved by a subsequent meeting of the Committee.

PART 5 – MISCELLANEOUS

22. Sitting allowance

(1) Each Councillor shall be entitled to a maximum sitting allowance of VT 5,000 for each day or part of a day's meeting of a committee of the Council that he or she attends.

(2) For meetings of the Council, the maximum sitting allowance is as follows:

(a) The Mayor is entitled to VT 10,000 for each day or part of a day's meeting;

(b) The Deputy Mayor is entitled to VT 7,000 for each day or part of a day's meeting;

(c) The Councillors are entitled to VT 5,000 for each day or part of a day's meeting.

(3) For the avoidance of doubt, a Councillor who has been elected as Mayor or Deputy Mayor must be paid the sitting allowance of Mayor or Deputy Mayor only, as the case may be, and must not receive a sitting allowance as a Councillor.

23. Duties allowance

(1) Each Councillor shall be entitled to a maximum monthly duties allowance of VT 40,000 during his or her mandate except the Lord Mayor and the Deputy Lord Mayor.

(2) The Town Clerk, the Deputy Town Clerk, the Senior Town Planning Officer or his representative, the Senior Environmental Health officer or his representative shall be entitled to a maximum duties allowance of VT 5,000 when recording minutes of each meeting of the Council or of a committee of the Council that he or she attends.

(3) For the purpose of this paragraph, "meeting" shall mean one day's sitting of the Council.

24. Special duties allowance for the Lord Mayor and the Deputy Lord Mayor

(1) The Lord Mayor shall be entitled to a maximum monthly duties allowance of VT 170,000 during his or her mandate.

(2) The Deputy Lord Mayor shall be entitled to a maximum monthly duties allowance of VT 95,000 during his or her mandate.

24A. Councillor advances

All Councillors must not receive in advance any allowances or other payments to which they are entitled under the Standing Orders.

Table of Amendments

22 Substituted by Order 56 of 2005
23(1) Amended by Order 56 of 2005
24(1),(2) Amended by Order 56 of 2005
24A Inserted by Order 56 of 2005