

Manyame Rural District Council (Proceeding of Council Meetings) By-Laws, 2023

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PART I

IT is hereby notified that the Minister of Local Government and Public Works has in terms of section 90 of the Rural District Councils Act [*Chapter 29:13*], approved the following by laws.

Title

1. These by-laws may be cited as the Manyame Rural District Council (Proceeding at Council Meetings) By-laws, 2023.

Interpretation

2. In these by-laws—

“Council” means Manyame Rural District Council.

“Chairperson” means the Chairperson of Manyame Rural District Council.

“committee” means a committee of council.

“by-law” means any by-law made by council in terms of the Rural District Council’s Act.

“Chief Executive Officer” means council employee appointed in terms of section sixty-six.

“Minutes” means a record of proceedings

“Recommendation” means a proposal made by the committee

“Resolution” means a law made by Council

“Rescind” means to revoke, cancel or repeal the law, resolution or agreement

PART II

Quorum at Meetings

- For council meetings, no fewer than one third of the total membership of council plus the chairperson or vice chairperson or a person appointed to act as chairperson
- For committee meetings, no fewer than one half of the whole number of members, and in any case, no fewer than two members
- For committee meetings, council chairperson in his/her capacity as ex-officio member shall not be counted for purposes of determining quorum

OPENING REMARKS

- All Council meetings are presided by the Chairperson who shall welcome members present and officially declare the meeting to start and a National Anthem would be sing and traditional greetings.

DELIBERATIONS IN COUNCL MEETINGS

- A council shall direct his/her speech to:
 - A question under discussion
 - A point of order
 - A personal explanation
- The chairperson shall call to order a councillor:

- Whose speech is irrelevant or,
- Who uses unbecoming language or,
- Who imputes ulterior motives or casts reflections of a personal character upon another councillor or,
Who commits any breach of order

CONFIRMATION OF PREVIOUS MINUTES

- Correction of minutes would be done
- Minutes of the previous meeting would be confirmed by show of hands

MATTERS ARISING

- Councillors would be given the opportunity to ask questions/clarification of matters raised in the previous minutes.

CHIEF EXECUTIVE OFFICER/HEAD OF DEPARTMENT'S REPORT

- The Chief Executive Officer would present a report to the house while Heads of Department present to their committees.
- The report shall be adopted by the Councillors

PRESENTATION OF RECOMMENDATION FROM COMMITTEE CHAIRPERSON FOR ADOPTION

- Committee Chairperson would present recommendation from their respective committee for resolution.
- A resolution shall be rescinded after six months or after the Minister has directed so.

COUNCILLORS AND STAFF CONDUCT

- No person shall speak at a meeting of council or committee unless invited to do so by the chairperson
- Every person who speaks at a meeting shall address the chair and shall stop speaking if so required by the chair
- A member shall refer to other councillors as Mr., Mrs., Miss, Ms or Councillor
- A councillor shall be allowed to speak once on a motion unless the chairperson in his/her discretion permits him/her to speak for a second and subsequent time
- Any question before a meeting shall be decided by a resolution passed by a majority of the members present
- In the event of an equality of votes the chairperson shall have a casting vote in addition to his/her deliberative vote
- Any person who shows disrespect for the chairperson or obstructs or interrupts the proceedings of a meeting or fails to observe the standing orders or uses offensive, abusive, or derogatory language may be suspended and ordered to leave the meeting by the chairperson or person presiding
- Any person who is ordered to leave the meeting and refuses to do so may be removed
- When any member has been suspended the person presiding may declare that any attendance allowance due to such member in respect of the meeting shall be forfeited

- Any member who is absent from council meetings after the items on the agenda have been completed will have half of his/her attendance allowances forfeited if there are no special reasons supporting him/her
- The chief executive officer may at any meeting of council or committee:
 - Advise on matters of procedure, order or law
 - Ensure that council observes the provisions of the Rural District Councils Act
 - With the approval of the chairperson, introduce motions or items needing special consideration by council
 - Speak on any matter under discussion by the council or committee

ADJOURNMENT OF COUNCIL MEETINGS

- A motion to adjourn a meeting of the council shall not be moved
 - During the course of a speech
 - While a vote is being taken
 - During a debate, except by a councillor who has not participated in that debate by speaking to the motion that is the subject of that debate
- No amendment shall be moved to an adjournment motion except to the period of adjournment
- The mover of an adjournment motion may speak to that motion for a period not exceeding five minutes
- The seconder of an adjournment motion or an amendment to an adjournment motion shall not speak beyond formally seconding that motion or amendment
- If the adjournment motion is carried, the meeting shall be adjourned forthwith and any uncompleted business shall not be proceeded with at the adjourned meeting
- If the adjournment motion is not carried, the business of the meeting shall continue as though it had not been interrupted
- A period of thirty minutes shall elapse from the time such adjournment motion was put to the vote before a further adjournment motion is moved

OFFENCES AND PENALTIES

SEC	OFFENCE & PENALTIES DURING COUNCIL MEETING FOR CLLRS AND STAFF AND GOVT AND NGOS	CHARGE
	INFORMAL DRESSING	LEVEL (Charge would be determined by the budget)
	ABUSIVE, DEROGATORY AND OFFENSIVE LANGUAGE	LEVEL
	SPEAKING WITH AUTHORITY FROM THE CHAIRPERSON	LEVEL
	LATE COMER	LEVEL

CLOSURE

- The Chairperson would declare the meeting closed and no any other business is entertained.

Model (Disclosure of Documents and Publication of Proceedings) By-Laws, 2022

ARRANGEMENT OF SECTIONS

Section

PART I

PRELIMINARY

1. Title

These by-laws may be cited as the Model (Disclosure of Documents and Publication of Proceedings) By-laws, 2022.

Interpretation

2. In these by-laws—

3. “Council” means Manyame Rural District Council.

4. “Chairperson” means the Chairperson of Manyame Rural District Council.

5. “publication” means the publication of record proceedings of council meetings or its sub-committees for purposes of filing or inspection by citizens and stakeholders

6. “by-law” means any by-law made by council in terms of the Rural District Council’s Act.

7. “Chief Executive Officer” means council employee appointed in terms of section sixty-six.

8. “Proceeding” means a record of minutes of a meeting

9. “Disclosure” means publicising in council of information required as such.

PART II

DISCLOSURE OF DOCUMENTS AND PUBLICATION PROCEEDINGS

10. Filing of Signed Council Minutes

11. Recording of Resolutions in the Resolution Book

12. Procedure of Disclosure of Council Minutes only to the Public

13. Fees for reproducing Council Records

14. Offences and Penalties

PART III
DISCLOSURE OF DOCUMENTS AND PUBLICATION OF PROCEEDINGS

FILING OF SIGNED MINUTES

- All council signed minutes must be kept by the Chief Executive Officer under lock and key.

RECORDING OF RESOLUTIONS IN THE RESOLUTION BOOK

- All Council resolutions shall be recorded in the Council Resolution book.

PROCEDURE OF DISCLOSURE OF FULL COUNCIL MINUTES

- Council Minutes are open for inspection and reproduction upon request to the public.
- Access to such minutes for inspection or reproduction follows a proper authorization by the Chief Executive Officer.
- Council minutes only shall be disclosed to the public at a fee as per council budget.
- Committee minutes are not open for the public
- Committee minutes are not open for public consumption

TARRIFS OF FULL COUNCIL MEETING

- Council fees for Full Council Meeting are determined by the Council Budget

OFFENCES AND PENALTIES

	OFFENCE & PENALTIES DURING COUNCIL MEETING FOR CLLRS AND STAFF AND GOVT AND NGOS	CHARGE
	Illegal disclosure of Council Minutes without a fee	LEVEL (Charge would be determined by the budget)
	Illegal disclosure of Committee minutes to the public	LEVEL
	Recording of videos during council meetings without permission from council management	LEVEL