

Republic of Yemen  
Ministry of Legal Affairs  
& Parliamentary Affairs



**LAW NO. (4) OF 2000**  
Concerning the  
**LOCAL AUTHORITY**

August - 2000

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**LAW NO. (4) OF 2000  
CONCERNING THE  
LOCAL AUTHORITY**

IN THE NAME OF THE PEOPLE,  
President of the Republic,  
AFTER perusal of the Constitution of the Republic of Yemen,  
AND following approval of the Council of Representatives,  
PROMULGATES the law whose text FOLLOWS:

*PART ONE*

**CITATION, DEFINITIONS AND FUNDAMENTAL PRINCIPLES**

Article (1): This law shall be cited as the "Local Authority Law".

Article (2): The words and expressions contained in this Article are meant to have the meanings shown before each of them, unless the context should indicate another meaning: -

Republic: Republic of Yemen.

Minister: Minister of Local Administration.

Ministry: Ministry of Local Administration.

Central Authority

Organs : Presidency of the Republic, Cabinet Council of Ministers, Organs headquarters of ministries, authorities, all government organs and public bodies and corporations and that which is determined in accordance with this law and the implementing resolutions.

Executive Organs: Offices and branches of ministries and authorities and all Organs in the administrative units.

Administrative Unit: Capital Secretariat, governorate and district. The cities that are deemed to be capitals of the governorates shall be considered within the scope of a district.

Head of the

Administrative Unit: Secretary of the Capital, Governor of the governorate, General Director a Unit district, as the case may be.

**Local Council:** The Local Council elected at the level of the administrative unit in accordance with the provisions of this law.

**Administrative Body:** The administrative body of the Local Council constituted in accordance with the provisions of this law.

**Executive Office:** The executive office of the administrative unit constituted in accordance with the provisions of this law.

**Regulation:** The Executive Regulation of this law.

**Article (3):** The Local Authority is comprised of the Head of the administrative unit, the Local Council and the executive organs of the administrative unit that give expression to the authority of the administrative unit in accordance with the Constitution, this law And the laws in force. From this are excepted: -

- (a) The judicial authority organs.
- (b) The armed forces units.
- (c) Branches of the Central Organ for Control and Audit in respect of rendering their control tasks.
- (d) Any utilities of a public nature at the national level that are determined by promulgation of a Republican decree.

**Article (4):** In accordance with the provisions of the Constitution and this law, the local authority system is based on the principle of administrative and financial decentralization, and on the basis of expansion of popular participation in decision-making and management of the local concern in the spheres of economic, social and cultural development. This is effected through elected Local Councils and the authority of such councils to propose investment programs, plans and budgets for the administrative units, and exercise their role in the process of implementing development plans and programs in accordance with the provisions of this law. It is also effected through popular control of and supervision over the executive organs of the local authority, and holds them accountable.

**Article (5):**

(a) the territory of the Republic shall be divided into administrative units in accordance with the administrative division of the Republic. The law promulgated in this respect shall determine their number, divisions and bounds.

(b) The administrative unit shall enjoy the status of a body corporate.

**Article (6):** The administrative division of the Republic shall be based on scientific studies of a set of factors and determinants aimed at strengthening and reinforcing national unity, economic growth, social security and peace. The following represents these factors: -

- (a) Population factors.
- (b) Economic factors.
- (c) Social factors.
- (d) Geographical and natural factors.

**Article (7):** In exception to the provisions of Article (5) of this law, administrative division at the level of the district and below may be amended, be that related to its founding, composition or links. This shall be by a Republican Decree, following approval by the Council of Ministers and upon submission of the Minister.

**Article (8):** Each administrative unit shall have a Local Council freely, directly and equally elected in accordance with the provisions of the Constitution and this law.

**Article (9):** All citizens within the scope of their administrative units shall have the right of nomination and election to the Local Councils in accordance with the provisions of this law and the General Elections Law.

**Article (10):** Every one of the administrative units and the local councils is deemed to be an integral part of state authority.

**Article (11):** Local elections to each of the local councils of the governorates and the local councils of the districts shall be held simultaneously in accordance with the provisions of this law.

**Article (12):** It shall not be permissible to hold together membership of the Council of Representatives and membership of the Local Council. It shall also not be permissible to hold together membership of the Local Council of the governorate and membership of the Local Council of the District.

Article (13): With due regard for the provisions of Article (154) of this law, the tenure of the Local Councils shall be four calendar years starting from the first meeting that is convened. The President of the Republic calls upon electors to participate in new local councils' elections before the expiry of the local councils' tenure by at least sixty days. If that is difficult due to extenuating circumstances they shall continue to conduct their activity until such circumstances are eliminated and new local councils are elected.

Article (14):

- (a) The powers of the central organs, each within its sphere of competence, over the executive organs of the administrative units are determined in formulation of general policy, enactment of organizational regulations, control, qualification and training and implementation of projects which are difficult to implement by the local councils in the administrative units and that upon their request or projects that have a general national nature.
- (b) In accordance with the provisions of this law, its regulation and resolutions in implementation thereof, the executive organs of the governorate undertake the role of central authority organs, each within its sphere of competence, in implementing activity at the level of the governorate and technical supervision over organs corresponding to it in the districts, without prejudice to the contents of paragraph (a) of this Article.
- (c) The executive organs of the administrative unit are deemed to be local organs. They represent the technical, administrative and executive organ of the local council and under its supervision, management and control they undertake founding, equipping and management of all development and services projects incorporated in the administrative unit's annual plan and budget. The Regulation shows the levels of the development and services projects whose implementation is assigned to the governorates and the districts.

Article (15): The organs of the local authority in the administrative units undertake their tasks and responsibilities in accordance with the Constitution.

the state's general policy, and the provisions of this law and the laws, resolutions and rules in force.

## PART TWO

### THE LOCAL AUTHORITY IN THE GOVERNORATE

#### Section One

#### The Governorate Local Council

Article (16):

- (a) The Governorate Local Council is comprised of all of the members elected by the districts to the Council, whereby the number of members of the governorate local council shall not be less than 15 members, including the Chairman of the Council.
- (b) The districts shall be equally represented in the Governorate Local Council and that at the rate of one member from each of them elected by the citizens. In the governorates where the number of districts does not reach the minimal level that permits formation of the Governorate Local Council at a minimal level representation of the districts may be increased to realize this purpose.
- (c) For the purposes of implementing the provisions of this Article the district shall be deemed to be a single electoral district.

Article (17): The members of the Governorate Local Council do not represent the districts from which they are elected as they represent all of the governorate's populace.

Article (18): The premises of the Local Council shall be in the capital of the governorate.

Article (19): The Governorate Local Council shall undertake the study of draft comprehensive plans at the level of the governorate and supervise over their implementation. It shall also undertake direction of, supervision over and control of the work of the District Local Councils and the executive organs of the governorate. In particular, it will exercise the following tasks and responsibilities: -

- (1) Study and adopt the draft social and economic development plans and the annual budget and approve the draft final account at the level of the governorate.

- (2) Study statistics and data and carry out field surveys to ascertain development priorities and evaluate the level of implementation of projects.
- (3) Direct, supervise and control work of the executive organs of the governorate, evaluate the level of implementation of their plans and programs, and hold their heads accountable, withdraw confidence from them when they impair their duties and that in accordance with the provisions of this law and the laws in force.
- (4) Control application of the laws and regulations in force in all spheres and adopt measures ensuring tackling aspects of impairment and violations, if any.
- (5) Determine and adopt fees for benefiting from services of utilities operated by the executive organs of the governorate, unless laws and resolutions already determine such issued by the Council of Ministers.
- (6) Consider and approve the financial situation, the level of collection of local and joint revenues from their various sources, act for their development and verify the reasons behind shortcomings and issue directives ensuring their resolution.
- (7) Consider and approve the level of collection of central revenues in the governorate and issue the necessary recommendations in this respect.
- (8) Consider and approve fundamentals and rules organizing citizens' contributions to the funding, founding and maintenance of essential services projects funded by them or with their participation.
- (9) Discuss and approve fundamentals and rules of simplifying and improving dealings of the executive organs with citizens in all spheres.
- (10) Discuss the security situation in the governorate and issue appropriate directives that help strengthening and consolidation of the citizens' security and stability and protection of rights, public liberties, preservation of public and private properties and funds.

- (11) Discuss and approve draft public construction and environment plans prior to their submission to the competent central quarters for their adoption and control over their implementation.
- (12) Consider public affairs that concern citizens at the level of the governorate and issue the necessary resolutions and recommendations in this respect.
- (13) Consider and discuss reports and recommendations related to the supplies situation and adopt the necessary measures in this respect.
- (14) Supervise over and control implementation of water policy, protection of water basins against expropriation and pollution and that in accordance with the provisions of laws and regulations in force and directives issued by the central authorities in this respect.
- (15) Encourage establishment of investment projects in the governorate and adopt measures ensuring the tackling of difficulties that impede investment.
- (16) Supervise over and control the work and activities of the local councils of the districts.
- (17) Discuss the difficulties and problems faced by the districts' local councils and impeding their exercise of their tasks in the fullest manner and act for finding appropriate solutions for that.
- (18) Study and evaluate the applications of the local authority system and the administrative division at the level of the governorate and submit to the central authorities recommendations and proposals ensuring their development
- (19) Promote the founding of qualitative co-operative societies of various forms as well as association of a social, vocational and creative nature and furnish them with facilities.
- (20) Supervise over co-operative activities and associations of a social nature, co-ordinate their plans and programs in a manner that ensures their complementation with the development plans of the administrative unit.

- (21) Invite the districts' local councils or any one of them to convene extra-ordinary meetings, when necessary, and prepare the agenda of such meetings.
- (22) Activate tourism, promote tourism investment and adopt the necessary measures to protect antiquities and antiquities regions and prohibit attacks upon them.
- (23) Control exemplary utilization of fish and marine life wealth and adopt measures ensuring protection of this wealth in a manner that is consistent with the provisions of laws and regulations in force.
- (24) Control implementation of hiring policies and manpower within the scope of the governorate.
- (25) Preserve services and utilities projects in a manner ensuring their safety and ongoing operation.

**Article (20):**

- (a) The Local Council of the Governorate shall hold its first meeting within a fortnight of the date of declaring the general results of the elections and that at the invitation of the President of the Republic and in the presence of representatives of the ministries. At this meeting the Council shall elect from among its members, after swearing the Oath of Office, a General Secretary for the Council, as well as elect the chairmen of the specialist committees determined in Article (23) of this law.
- (b) For the correctness of the meeting provided for in the preceding paragraph it shall be a condition that three quarters of the members of the Council be present. If this quorum is not obtained the meeting shall be adjourned till the next day directly and at the same time appointed for the previous meeting. In such case the meeting shall be considered valid with the presence of a majority of the members of the Council. If such quorum is not obtained the matter shall be submitted to the Council of Ministers to adopt that which it deems appropriate.

**Article (21):**

- (a) It shall be a condition that whosoever nominates himself to the post of general Secretary of the Governorate Local Council that he meet the following conditions:-
  - 1) His age should not be less than thirty-five years.
  - 2) That he should hold a university qualification.
  - 3) That he should possess experience in administrative work after obtaining his qualification and for not less than five years.
- (b) In the event of one or more of the conditions determined in the preceding paragraph not being met by the nominee or it is difficult to elect a General Secretary for any other reason, it shall be permissible for the President of the Republic to select whomsoever he sees fit from among the members of the Local Council to hold this post and that upon the submission of the Minister and approval of the Council of Ministers.

**Article (22):** The General Secretary of the Governorate Local Council shall assist the Governor in the management of the affairs of its Local Council. In particular, he shall exercise the following tasks and responsibilities: -

- 1. Prepare for the meetings of the Local Council.
- 2. Follow-up preparation of the draft social and economic development plans of the governorate, follow-up their accomplishment on time and submit regular reports concerning them to the Governor.
- 3. Propose administrative and operational expenses necessary for conducting the Council's work and implement them following their approval.
- 4. Follow-up the work of the various committees constituted by the Council.
- 5. Co-ordinate relations and efforts with the social, vocational and creative societies, organizations and unions founded in accordance with the laws in force.
- 6. Any other tasks with which he is charged by the Council or the Governor.

**Article (23):**

(a) At the first meeting held by the Governorate Local Council it shall constitute from among its members the following specialist committees:-

- Planning, development and finance committee.
- Services committee.
- Social affairs committee.

The Regulation shall show the number of members of such committees, the manner of their constitution, their tasks and responsibilities and the method of their work.

(b) The Local Council may constitute ad hoc committees from among its members or from outside them to consider specific matters that are related to its tasks. Their task shall end with the end of the purpose for which they were constituted.

**Article (24):** The Governorate Local Council shall ordinarily meet once every three months. The Minister or the Council Chairman or upon a written request by one third of the members the Council may hold an extraordinary meeting. In such case, the Council Chairman shall extend the invitation.

**Article (25):**

- (a) The Minister shall chair the meetings of Local Council allotted to consider violations or excesses of the Council Chairman or the General Secretary.
- (b) The Council Chairman or the general Secretary may not be present at the meeting during voting on resolutions adopted by the Council related to matters provided for in the preceding paragraph. The voting shall be secret.

**Article (26):**

- (a) The meeting of the Local Council shall be valid with the presence of a majority of its members. Decisions shall be adopted at majority of the members present, with the exception of cases that require a special majority in accordance with the provisions of this law. When votes are equal the side with which the Chairman stands shall prevail. If the legal quorum of members is not obtained the meeting shall be

adjourned to the following day directly and at the same time of the previous meeting. In this case, the meeting shall be valid whatever the number of members present may be, unless the meeting is devoted to consideration and adoption of the draft development plans, the annual budget and the final accounts. In such case, the meeting shall be adjourned for one week, provided that all members of the Council are notified of the new date.

- (b) The Regulation shall show the rules for and measures of directing the invitation to attend meetings, manner of voting in the Council and the dates for notifying minutes, resolutions and recommendations of the Council meetings to the quarters concerned, as well as the procedures and measures of directing notifications and warnings to the absentee members.

**Article (27):** The Local Council may not take up other than issues included in its agenda except with the approval of a majority of the members present. From this shall be excepted matters of importance that appear during the meeting.

**Article (28):** The Local Council may call upon any of the employees of the executive organs of the Governorate to appear before it to clarify specific matters placed before it. The Council Chairman may also call to the meetings of the Council whomsoever of experience and competence should be called, provided that these shall not have a countable vote when adopting resolutions.

**Article (29):** The directors of the executive organs of the governorate must attend meetings of the Local Council at which matters related to their responsibilities are discussed and that without their enjoying the right to vote when decisions are adopted.

**Article (30):** Members of the Council of Representatives from the governorate may attend the meetings of the Governorate Local Council and participate in discussion of the topics tabled before it. They shall have the right to submit proposals, place questions and inquiries without having the right to vote when decisions are adopted.

**Article (31):** The Governorate Local Council shall have a managing committee comprised of: -

\* Chairman of the Council  
 \*General Secretary  
 \*Heads of specialist committees

Chairman  
 Vice Chairman  
 Members

Article (32): The Managing Committee of the Governorate Local Council shall undertake the following tasks and responsibilities: -

1. Administer and conduct the Council's work between sessions.
2. Consider and approve draft agenda of the Council.
3. Discuss and study draft social and economic development plans, the annual budget and the final accounts of the governorate and table them before the Council.
4. Study and discuss the administrative and operational expenses budget of the Local Council and table it before it.
5. Control and follow-up the executive organs in the performance and execution of their tasks and submit reports thereon to the Council.
6. Follow-up implementation of the Council's resolutions and recommendations and prepare the necessary reports thereon for the Council.
7. Undertake the tasks of the Council in exceptional cases and on urgent matters that cannot be delayed, provided that the decisions and measures adopted are placed before the Council at its first meeting to decide thereon as it deems fit, unless they relate to matters that the Council has already previously passed decisions thereon.
8. Supervise over the work of the managing bodies of the districts' local councils and assist them in executing their tasks.
9. Approve representation of the local councils at internal and external conferences and seminars.
10. Follow-up the level of collection of local and joint financial resources, verify their being paid in to the special accounts of each in a regular manner in accordance with the provisions of this law and the directives issued by the Ministry of Finance.
11. Accept grants, contributions and wills presented to the Council in accordance with the provisions of laws and regulations in force.

12. Consider and propose the establishment of joint projects with other governorates.
13. Causative proposal to carry out accountability of heads of executive organs of the governorate in accordance with the provisions of this law and laws in force.
14. Prepare proposals aimed at development of self-initiatives.
15. Consider reports and topics that are required to be tabled before Governorate Local Council and express opinions thereon.
16. Follow-up activities of the districts' local councils and discuss the difficulties and problems that confront them and propose appropriate solutions therefor.
17. Any other tasks charged by the Council.

Article (33):

- (a) The Managing Committee of the Governorate Local Council in accordance with the provisions of this law is deemed to be the Public Tenders Committee of the Governorate to which the provisions of the Tenders and Bids Law apply.
- (b) The executive organ concerned with the tenders topic shall prepare all the technical documents related to the tender, including the format of the announcement following approval of the Managing Committee.
- (c) Tenders for the development projects in the governorate shall be announced in the name of the Local Council.
- (d) The head of the relevant executive organ shall participate in the meetings of the Managing Committee related to the various stages of the tender. In this case he shall have the right to vote.

Article (34): The Managing Committee shall meet at the premises of the Local Council once every fortnight. The Council Chairman may or at the request of three of its members invite the Committee to meet, whenever that is required.

Article (35): The meeting of the Managing Committee shall not be valid unless it is attended by a majority of its members. Its decisions shall be adopted by a majority vote of the members present. In the case of votes being equal the side with which the Chairman stands shall prevail.



Article (36): The Chairman of the Local Council may invite whomsoever he considers fit to attend the meetings of the Managing Committee to benefit from their opinions and that from among the employees of the governorate or others if the discussion of some matters tabled before the Committee should require that. These shall not have countable votes in respect of the decisions that are adopted.

Article (37): The Governor may convene joint meetings of the Local Council and the Governorate Executive Office to discuss the public affairs of the Governorate, co-ordinate the work of the local authority organs and improve their performance.

## SECTION TWO

### Executive Organs of the Governorate

#### Sub-section One

##### The Governor

Article (38):

- (a) Each governorate shall have a governor with the rank of a minister, whose appointment shall be by a Republican Decree upon the nomination of the Minister and following approval of the Council of Ministers. The governor shall take the constitutional oath of office before the President of the Republic prior to taking up his duties.
- (b) Without prejudice to the right to appoint governors at any time in accordance with the provisions of the preceding paragraph the governor's tenure of office shall be four years from the date of appointment to the governorate. It shall be renewable in the same governorate for a similar tenure as a maximum.

Article (39): The governor is the Chairman of the Governorate Local Council by virtue of his office and is the first official therein as the representative of the executive authority.

Article (40): The Governor shall be accountable and responsible before the President of the Republic and the Council of Ministers and their decisions shall be binding upon him. He shall also be responsible before the Governorate Local Council and the Minister for the performance of his tasks and responsibilities provided for under this law.

Article (41): The Governor undertakes supervision over the implementation of the laws and the general policy of the state in his management of the affairs of the governorate in all spheres. He directs its executive organs, develops its resources and preserves public order. For the sake of that he exercises the following tasks and responsibilities: -

- 1- Chairs the meetings of Governorate Local Council, organizes its work, implements its resolutions and recommendations and its role in the development of local society and that in accordance with the provisions of this law.
- 2- Supervises over the preparatory work for the meetings of the local council.
- 3- Chairs the Executive Office of the governorate and supervises over the preparatory work for its meetings.
- 4- Follow-up and evaluation of the progress of work of the governorate's districts and undertake regular and sudden inspection visits.
- 5- Follow-up implementation of the reporting system related to the plan, the budget and other activities in the governorate and the districts.
- 6- Preservation of public funds.
- 7- Protection of public rights and liberties.
- 8- Generalize laws, resolutions and directives issued by the central authorities and that among the executive organs of the administrative units and all those concerned and follow-up their implementation.
- 9- Conclude contracting and supplies contracts related to the projects that are executed by the governorate executive organs after announcing their tenders and that in accordance with the laws and regulations in force.
- 10- Reinforce the role of the judiciary by referring the disputes of a legal nature that are tabled before him to the competent judicial authorities and executes the orders, decisions and rulings which the judiciary asks him to execute.

- 11-Carry out the necessary arrangements with the competent central authorities to ensure provision of supplies materials to the populace of the governorate and follow-up their distribution.
- 12-Adopt urgent measures and carry out the necessary contacts to face cases of disasters and emergencies and co-ordinate official and popular efforts to alleviate their effect.
- 13-Issue invitations to convene extra-ordinary meetings of the local councils of the districts or any of them.
- 14-Co-ordinate between the local councils of the districts and solve any differences that may ensue between them or between them and any of the executive organs.
- 15-Co-ordinate with the central authority as regards the public affairs of the governorate.
- 16-Represent the governorate and its local council before the judiciary and in face of others.
- 17-Inform the Managing Committee of the local council of the nominations of the heads of the executive organs of the governorate.
- 18-Any other tasks required by the nature of his office or provided for under the laws and regulations in force.

Article (42): Before each periodic meeting, the Governor must submit to the Managing Committee of the Governorate Local Council a detailed report on the activity of the governorate, the level of implementation of plans, resolutions and recommendations issued by the Council and that preparatory to tabling them before the Local Council.

Article (43):

- (a) The Governor shall be the head of all civil servants working within the scope of the governorate. The powers and responsibilities determined for ministers shall be transferred to him as regards appointments, transfers, secondments, and referral to investigation and disciplining.
- (b) The Governor undertakes nomination of the heads of the executive organs of the governorate and that in co-ordination with the minister concerned.

Article (44): The Governor submits regular reports to the Minister related to the activity of the local authority's organs, the problems and difficulties

they face along with his views and suggestions in this respect. He also directs communications and letters from the executive organs of the governorate to the central authority and other governorates bearing the signature of the Governor or whosoever deutes for him.

Article (45): Directives and communications from the central organs to the governorates shall be addressed to the Governor. Communications and correspondence from the executive organs of the governorate to the central authorities and other governorates shall be forwarded under the signature of the Governor or whosoever deutes for him.

Article (46): It shall not be permissible for the Governor to leave the governorate except with the consent of the Minister.

Article (47): By virtue of his office the General Secretary of the Governorate Local Council shall be considered the deputy of the governor. He shall undertake assisting him in managing the affairs of the governorate. He shall take his place during his absence or the post becoming vacant and shall exercise all of his powers, tasks and responsibilities determined in accordance with the provisions of this law. In the case of the absence of the General Secretary or his post becoming vacant the Governorate Under-secretary shall replace him in the exercise of his executive powers.

Article (48): The General Secretary of the Governorate Local Council may not leave the governorate except with the permission of the Governor.

#### SUB-SECTION TWO

#### GOVERNORATE UNDER-SECRETARY

Article (49): Each governorate shall have one or more under-secretaries with the rank of a Ministry Deputy Minister and shall be appointed by a Republican Decree following approval of the Council of Ministers upon the nomination by the Minister.

Article (50): The Governorate Under-secretary shall undertake the tasks of supervision over the management of the activity of one or more sectors in the governorate or over public affairs within a certain geographic scope in accordance with the resolution of his appointment.

Article (51): The Governorate Under-secretary may not leave the governorate except with the permission of the Governor.

### SUB-SECTION THREE

#### Executive Office of the Governorate

Article (52): Each governorate shall have an Executive Office comprised of the following: -

- |  |               |
|--|---------------|
| - Governor of the Governorate                      | Chairman      |
| - General Secretary of the Local Council           | Vice Chairman |
| - Governorate Under-secretary                      | Member        |
| - Directors of executive organs of the governorate | Members       |

Article (53): The Governorate Executive Office shall in a collective manner exercise the following tasks and responsibilities: -

- 1- The draft development plan undertaken by the Governorate executive organs and its annual budget. This should be tabled before the Local Council before referral to the Plan and Budget Committee.
- 2- Co-ordinate the planning and executive activities of the Governorate executive organs.
- 3- Study and discuss reports related to implementation of plans, programs and works undertaken by the Governorate executive organs and evaluate the level of performance.
- 4- Discuss means ensuring exemplary implementation of central and Governorate Local Council resolutions.
- 5- Formulate plans and programs for the collection of financial resources in a manner ensuring raising collection competence and evaluation of implementation in a continual manner.
- 6- Adopt measures ensuring the tackling of natural disasters and activating civil defence activities.
- 7- Study and discuss the topics referred to it by the Governor or the Governorate Local Council and express opinions thereon.
- 8- Supervise over the work of the executive offices of the governorate's districts and aid them in executing their tasks.
- 9- Study and evaluate the administrative situation in the governorate and propose means and plans ensuring improvement and development of the level of performance.

Article (54): The Executive Office shall hold a periodic meeting at least once every month. The Governor may or at the request of one third of the members of the Office call it to an extra-ordinary meeting, whenever required or there be need for that.

Article (55): The meetings of the Executive Office shall not be valid except with the presence of a majority of its members. Its resolutions and recommendations are adopted by a majority of the members present. When votes are equal the side with which the Chairman stands shall prevail.

Article (56): The Governor may invite whomsoever he considers of experience and competence to attend the meetings of the Executive Office, without these having the right to vote on decisions adopted by the Office.

Article (57): The resolutions and recommendations of the Governorate Executive office shall be intimated to the Local Council and copied to the Minister and the relevant central quarters within seven days of the date of their adoption.

Article (58): It shall not be permissible for the directors of the executive organs of the governorate to leave it without the permission of the Governor.

### PART THREE

#### District Local Authority

#### SECTION ONE

##### District Local Council

Article (59): The District Local Council, apart from its Chairman appointed in accordance with the provisions of this law, is constituted according to the following levels: -

- 1- The district whose population is 35 thousand and less will have a local council made up of 18 members.
- 2- The district whose population exceeds 35 thousand but does not exceed 75 thousand will have a local council made up of 20 members.
- 3- The district whose population exceeds 75 thousand but does not exceed 150 thousand will have a local council made up of 26 members.

- 4- The district whose population exceeds 150 thousand will have a local council made up of 30 members.

Article (60): In the light of the provisions of the preceding Article, the Higher Elections Committee shall divide the district into local electoral districts whereby one member in the district local council represents each district.

Article (61): The district local council shall undertake the suggestion of the draft social and economic development plans of the district, supervise over their implementation in a manner that provides and develops essential services for the local society and its development. It shall also undertake direction, supervision over and control of the work of its executive organs. In particular, it will exercise the following responsibilities and tasks: -

- 1- Propose draft plans and the annual budget, approve the draft final accounts of the district and submit these to the Governorate Local Council to revise and approve prior to completion of their ratification measures.
- 2- Study the statistics, data and carry out field surveys to ascertain development priorities and for the purposes of evaluation of projects.
- 3- Direct, supervise and control the work of the district executive organs, evaluate the level of performance of their plans and programs, hold their heads accountable and withdraw confidence from them whenever they impair their duties and that in accordance with the provisions of this law and the laws in force.
- 4- Study and approve draft building plans and submit them to the Governorate Local Council for completion of ratification measures and supervise over and control their implementation.
- 5- Study and discuss the financial situation, the level of collection of local and joint revenues from their sources, act for their development and ascertain the causes of shortcomings and issue directives ensuring their resolution.
- 6- Study and discuss the level of collection of central revenues in the district and issue the necessary recommendations in this respect.

- 7- Control application of laws and regulations in force in all spheres and adopt measures ensuring tackling of aspects of shortcomings and violations, if any.
- 8- Determine and approve fees for benefiting from services of utilities operated by the executive organs of the district, unless such are determined by laws, regulations or resolutions issued by the Council of Ministers.
- 9- Discuss the security situation, issue appropriate recommendations aiding the reinforcement of citizens' security and stability, protection of public rights and liberties and preservation of public and private funds and property.
- 10- Study and discuss the supplies situation in the district and adopt necessary measures in this respect.
- 11- Discuss public affairs that concern the citizens at the level of the district and issue the necessary resolutions and recommendations in this respect.
- 12- Care for development of water resources through promoting the founding of dams and water weirs, protecting water from depletion and pollution and that in accordance with scientific studies and water legislation in force.
- 13- Promote the establishment of qualitative co-operative societies of various forms as well as associations of a social, vocational and creative nature and provide them with facilities.
- 14- Supervise over co-operative activities as well as those of societies of a social nature and co-ordinate their plans and programs to ensure complementation with the integrated development plans of the district.
- 15- Activate tourism, promote tourism investment and adopt necessary measures to protect antiquities and antiquities regions and prevent attacks upon them.
- 16- Supervise over implementation of environmental policies and legislation, adopt the necessary measures ensuring preservation of the environment and natural preserves and protect them from pollution and attacks upon them.

- 17-Study and evaluate the local authority system and submit recommendations and proposals for its development.
- 18-Propose fundamentals regulating citizens' contributions to the founding and maintenance of essential services projects funded by them or with their participation and supervise over their execution after approval of the Governorate Local Council.
- 19-Promote the founding of investment projects in the district and adopt measures ensuring tackling of difficulties obstructing investment.
- 20-Control implementation of fundamentals and means of simplifying dealings of executive organs with citizens in all spheres.
- 21-Supervise over implementation of illiteracy eradication programs and encourage citizens to enroll in them.

Article (62):

- (a) The district local council shall hold its first meeting within a fortnight of the announcement of the general results of the elections and that upon the invitation of the President of the Republic and in the presence of representatives of the Ministry. At this meeting the council shall elect from among its members, after taking the constitutional oath of office, a general secretary of the council, as well as heads of the specialist committees determined in Article (65) of this law.
- (b) For the validity of the meeting provided for in the preceding paragraph it shall be a condition that at least three quarters of the members of the council be present. If such quorum is not obtained, the meeting shall be adjourned till the next day and shall be held at the same time as the previous one. In such case, the meeting shall be considered valid with the presence of majority of the council members. If such quorum is not obtained the matter shall be referred to the Council of Ministers to adopt what it considers fit.

Article (63):

- (a) For whosoever nominates himself to the post of general secretary of the local council it shall be a condition that he meet the following:-

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- 1- That his age should not be less than thirty years.
- 2- That he should hold a university qualification.
- 3- That he should possess experience in administrative work following obtaining his qualification and that for not less than four years.

- (b) In the event of the nominee not possessing one or more of the conditions determined in the preceding paragraph, or it being difficult to elect a general secretary for any other reason, the Council of Ministers may select from among the members of the local council whomsoever it sees fit to fill this post and that upon the nomination of the Minister.

Article (64): The general secretary of the district local council shall undertake assistance of the General Director of the district in the management of the affairs of the local council. In particular, he shall undertake the following tasks and responsibilities: -

- 1- Prepare for the meetings of the local council.
- 2- Follow-up preparation of the draft social and economic development plans, follow-up its accomplishment on time and submit regular reports in respect thereof to the District General Director.
- 3- Propose the administrative and operational expenses necessary for conducting the work of the council and implementing it following adoption.
- 4- Follow-up the work of the various committees that are constituted by the council, including the services projects management committee.
- 5- Co-ordinate relations and efforts with the social, professional and creative societies and unions founded in accordance with the laws in force.
- 6- Any other tasks charged by the district local council or the district general director.

Article (65):

- (a) At its first meeting the district local council shall constitute from among its members the following specialist committees: -

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- ❖ Planning, development and finance committee.
- ❖ Services committee.
- ❖ Social affairs committee.

The Regulation shall determine the number of members of such committees, the manner of their constitution, their tasks and responsibilities and the methods of their work.

- (b) The local council may constitute ad hoc committees from among its members or from outside it to consider specific topics related to its tasks. Their task shall end with the end of the purpose for which they were constituted.

Article (66): The premises of the local council shall be at the center of the district.

Article (67): The local council shall convene an ordinary meeting once every three months. The Minister, the governor, the council chairman or at the written request of one third of its members invite the council to hold an extra-ordinary meeting. In such case, the council chairman issues the invitation.

Article (68):

- (a) The Governor chairs the meetings of the local council devoted to consider violations or excesses by the council chairman or the general secretary.
- (b) The council chairman or the general secretary may not participate in the meeting during voting on resolutions adopted by the council in respect of matters provided for in the preceding paragraph, provided that the voting shall be secret.

Article (69):

- (a) The meeting of the local council shall be valid with the presence of a majority of its members. Decisions shall be adopted by a majority of the members present, with the exception of resolutions requiring a special majority in accordance with the provisions of this law. When votes are equal the side with which the chairman stands shall prevail. If the legal quorum is not obtained the meeting shall be adjourned till the next day and shall be held at the same time as the previous meeting. The meeting shall be valid, in such case, whatever the number of members present may be, except if the meeting is

devoted to the study and adoption of the development plan, the annual budget and the final accounts. In such case, the meeting shall be adjourned for one week, provided that all members of the council are notified of the new date.

- (b) The Regulation shall determine the fundamentals and rules for issuing the invitation to attend meetings, the manner of voting in the council, the dates appointed for intimating the minutes, resolutions and recommendations of the council to the relevant quarters as well as the fundamentals and rules for dispatching notices and warnings to the absentee members.

Article (70): The local council may not take up other than matters placed on its agenda except with the consent of a majority of the members present, with the exception of such matters of importance that emerge during the meeting.

Article (71): The local council may call any of the employees of the district executive organs to clarify specific matters tabled before it. The council chairman may also invite whomsoever of competence and experience to enlist their assistance, provided that they shall not have a countable vote when decisions are adopted.

Article (72): The directors of the executive organs of the district must attend the council meetings that discuss matters related to their responsibilities, without their having the right to vote when decisions are adopted.

Article (73): The members of the Council of Representatives and members of the Governorate Local Council may attend the meetings of the local councils of their district and participate in the discussion of topics tabled before them. They shall have the right to submit proposals, table questions and inquiries, without having the right of a countable vote when resolutions are adopted.

Article (74): The district local council shall have a managing committee comprised of:

- Council chairman
- General secretary
- Heads of specialist committees

Chairman  
Vice chairman  
Members

Article (75): The Managing Committee of the district local council shall undertake the following tasks and responsibilities: -

- 1- Management and conducting the work of the council in between sessions.
- 2- Consider and adopt draft agendas of the council.
- 3- Consider and discuss draft social and economic development plans, the annual budget and the final accounts of the district and submit them to the council.
- 4- Consider and discuss the annual administrative and operational expenses of the local council and present them to it.
- 5- Control and follow-up the executive organs in their performance of their tasks, implementation of plans and programs, and submit reports in respect thereof to the council.
- 6- Follow-up implementation of council resolutions and recommendations and prepare the necessary reports thereon for the council.
- 7- Exercise the tasks of the Council during extra-ordinary circumstances and urgent matters that cannot be postponed, provided that the resolutions and measures adopted are tabled before the council the following first meeting held to decide thereon, unless they are related to matters on which the council has already adopted decisions.
- 8- Follow-up the level of collection of local, joint and central financial resources, verify their being paid into the special accounts of each of them in a regular manner in accordance with the provisions of this law and directives issued by the Ministry of Finance.
- 9- Accept grants, contributions and wills presented to the council in accordance with the provisions of the laws and regulations in force.
- 10- Consider and propose the founding of joint projects with other districts.

11-Causative proposal to undertake accounting of heads of district executive organs in accordance with the provisions of this law and the laws in force.

12-Prepare proposals aimed at development self-initiatives.

13-Consider reports and topics required to be tabled before the district local council and express opinions thereon

14-Any other tasks that are charged by the council.

Article (76):

- (a) In accordance with the provisions of this law the district local council's managing committee is considered to be the public tenders committee of the district and the provisions of the Bids and Tenders Law.
- (b) The executive organ concerned with the tender topic shall undertake the preparation of the technical documents related to the tender, including the text of the announcement following approval of the managing committee.
- (c) The district development projects' tender s announcement shall be in the name of the local council.
- (d) The concerned head of the executive organ shall participate in the meetings of the managing committee related to the various stages of the tender. In such case, he shall have the right to vote.

Article (77): The managing committee shall meet at the premises of the local council once every fortnight. The chairman of the council or at the request of three of its members may invite the committee to meet whenever there is need for that.

Article (78): The meeting of the managing committee shall not be valid except with the presence of a majority of its members. Its resolutions shall be issued by a majority vote of the members present. When votes are equal the side with which the chairman stands shall prevail.

Article (79): The chairman of the local council may invite to the meeting of the managing committee whomsoever he wishes to benefit from their views from among the employees of the district or others, if discussion of some topics tabled before the committee require that, without their having a countable vote when decisions are adopted.

Article (80): The district general director may hold joint meetings of the local council managing committee and the district executive office to discuss the district's public affairs and co-ordinate the work of the local authority organs and improve their performance.

## SECTION TWO

### District Executive Organs

#### SUB-SECTION ONE

##### District General Director

Article (81): Each district shall have a general director appointed by a resolution of the Prime Minister upon the nomination of the Minister.

Article (82): The district general director is the chairman of the district local council by virtue of his position and is the senior executive official therein.

Article (83): The following conditions must be met by whosoever is appointed general director of a district: -

- 1- His age should not be less than thirty years.
- 2- He should hold a university qualification.
- 3- He should be from among the cadres employed in the state administrative organ.
- 4- He should meet the conditions for holding the post of a general director of a general directorate in accordance with the laws and regulations in force.
- 5- He should not have been dismissed from a public post by a disciplinary measure.

Article (84): Under the supervision and direction of the Governor the district general director shall undertake implementation of laws and the general policy of the state in his management of the district affairs in all spheres, directing its executive organs, development of their resources and preservation of public order therein. For the sake of that he shall exercise the following tasks and responsibilities: -

- 1- Chair the meetings of district local council, organize its work, implement its resolutions and recommendations in a manner that ensures realizing his tasks, objectives and role in developing local society in accordance with the provisions of this law.

- 2- Supervise over preparatory work for the meetings of the local council.
  - 3- Preside over the district executive office and supervise over preparatory work for its meetings.
  - 4- Preserve public funds.
  - 5- Protect public rights and liberties.
  - 6- Implement the resolutions and directives issued by the governorate.
  - 7- Conclude contracting and supplies contracts related to projects being executed by the district executive organs after announcing their tenders and that in accordance with the laws and regulations in force.
  - 8- Reinforce the role of the judiciary by referring that which is referred to him of a legal nature to the competent judicial organs and execute the orders, decisions and rulings that the judiciary requires him to execute.
  - 9- Make the necessary arrangements with the Governor and the relevant central authority to ensure provision of supplies for the district populace and control their distribution.
  - 10- Adopt urgent measures and carry out the necessary contacts to confront emergency and disaster cases and co-ordinate official and popular efforts to alleviate their effect.
  - 11- Prepare regular reports for the Governor on the level of performance of the district executive organs of their tasks and implementation of their plans and programs.
  - 12- Represent the district and its local council before the judiciary and in the face of others.
  - 13- Any other tasks that are assigned to him in accordance with the laws, regulations and rules in force or with which he is charged by the Governor or the district local council.
- Article (85): The district general director must submit to the managing committee of the district local council, before every periodic meeting of the council, a detailed report on the district's activity, the level of implementation



of plans, resolutions and recommendations issued by the council prior to their submission to the local council.

Article (86): The general director of the district may not leave the district except with the permission of the Governor.

Article (87): By virtue of his post the general secretary of district local council is considered to be the deputy district general director. He shall undertake assisting the general director in undertaking management of the district's affairs. He shall depute for him in the event of his absence or his post falling vacant and shall exercise all of his powers and responsibilities determined by the provisions of this law.

Article (88): The general secretary of the district local council may not leave the district except with the permission of the district general director.

Article (89): The district general director shall be the head of all civil servants working within the scope of the district as regards the performance of their duties and tasks. He shall have the authority to propose their appointment, transfer and promotion. He shall also have the right to refer them to investigation, disciplining and impose administrative penalties upon them in accordance with the laws and regulations in force.

Article (90): The Regulation or executive resolutions shall determine the measures, timing and provisions related to the movements of the districts' general directors.

#### SUB-SECTION TWO

##### District Executive Office

Article (91): Each district shall have an executive office comprised of: -

- |   |               |
|---|---------------|
| - District general director                     | Chairman      |
| - General Secretary of the local council        | Vice chairman |
| - Directors of executive organs in the district | Members       |

Article (92): The executive office of the district shall collectively undertake the following tasks and responsibilities:-

- 1- Determine the district's need for projects, estimate the necessary funding and prepare the draft development plan and its annual budget before tabling it before the local council.

2- Co-ordinate activities of the planning and executive activities of the district executive organs.

3- Study and discuss reports on implementation of plans, programs and works undertaken by the district executive organs and evaluate the level of performance.

4- Consider means ensuring exemplary implementation of central resolutions and those of the district local council.

5- Formulate plans and programs related to collection of financial resources in a manner ensuring raising competence of collection and evaluate implementation in a continuous manner.

6- Adopt measures ensuring confrontation of natural disasters and activate the role of the civil defence.

7- Consider and discuss that which is referred by the district general director or the local council of topics and express opinion thereon.

8- Consider and assess the administrative situation in the district, propose means and plans ensuring improvement and development of the level of performance.

Article (93): The executive office shall hold a regular meeting once every month at least. The district general director, or when one third of the members of the office request, may call for an extra-ordinary meeting whenever there is need or necessity for that.

Article (94): The meetings of the executive office shall not be valid except with the presence of a majority of its members. Decisions and recommendations shall be adopted by a majority vote of those present. When votes are equal the side with which the chairman stands shall prevail.

Article (95): The general director may invite anyone of competence and experience to attend meetings of the executive office without having the right to vote on the decisions that are adopted by the office.

Article (96): The resolutions and recommendations of the district executive office shall be intimated to the local council and copied to the Governor within seven days from the date of adoption thereof.

Article (97): It shall not be permissible for the directors of the district executive organs to leave the district without the permission of the district general director.

#### PART FOUR

##### Joint Provisions for the Local Councils

**Article (98):** It shall not be permissible for a person to nominate himself to the membership of the local council in more than one administrative unit at the same time.

**Article (99):**

(a) It shall be a condition that whosoever nominates himself for the membership of the local council must meet the following conditions:-

- 1- He must be a Yemeni national.
- 2- His age should not be less than twenty-five years.
- 3- He should be able to read and write.
- 4- He should be a resident or have a permanent residence in the administrative unit in which he nominates himself.
- 5- His name should be entered in the electors' rolls within the scope of district in which he nominates himself within the administrative unit.
- 6- He should be of good conduct and behaviour and observes Islamic rituals and should not have been adjudged in a crime violating honour and honesty, unless he has been rehabilitated.

(b) It shall not be permissible to bring together the chairmanship of any of the executive organs and membership of the local council simultaneously. This provision shall apply to members of the judicial authority.

**Article (100):** The member of the local council shall take the oath of office before the council prior to exercising his tasks. The oath shall be "I swear by Almighty Allah to render my duty in this council in all honesty and sincerity, respect the Constitution and the law. Allah is witness to what I state".

**Article (101):** The member of the local council shall enjoy the following rights: -

- 1- Freely express his opinion at the meetings of the council and its specialist committees.
- 2- Participate in the process of nomination to and election of the council general secretary and the chairmanship of any of the

specialist committees in accordance with the provisions of this law.

3- Peruse the minutes, documents and registers of the local council.

4- Propose the inclusion of a specific topic in the agenda of the local council.

5- Participate in the membership of any of the specialist committees.

6- Enjoy moral and material privileges in accordance with the provisions of this law and its regulation.

7- Vote on resolutions and recommendations adopted by the council.

**Article (102):** Membership of the local council is voluntary against which the member does not receive a salary or bonus. He may be granted a cash amount against his travel to attend the council's meetings in accordance with what is determined by a resolution of the Council of Ministers upon the submission of the Minister.

**Article (103):**

(a) The general secretary of the local council and the chairmen of the specialist committees shall be granted a lump sum bonus amount determined by a resolution of the Council of Ministers upon the submission of the Minister and that against releasing themselves for the work of the council.

(b) If the general secretary of a local council or chairmen of the specialist committees is a public servant he shall be considered seconded throughout the period of his full time release for the local council. If the salary, which anyone of them receives from his quarter of employment, is less than the monthly bonus amount he shall be granted the difference throughout the period of his release to the local council's work.

**Article (104):** The quarter employing the member of the local council must facilitate his rendering his membership duties provided for under this law.

**Article (105):** The member of a local council shall not be held accountable for the views that he expresses during the meetings and discussions of the council.

**Article (106):** The competent seizure authorities must inform the relevant chairman of the council of the detention or penalty measures taken against any of

the members of the council and that within at the most 48 hours from the date of adoption of such measures. In all cases, the chairman of the council must be informed of the results of the investigation

**Article (107):** Every member of the local council may ask the council chairman to include a specific topic in the agenda of the council and according to the measures and times appointed in the Regulation.

**Article (108):** Every member of the local council may within the administrative unit direct questions to the head of the administrative unit or any of the directors of the executive organs concerning the affairs that fall within their purview. The question must relate to one of the local matters and should not relate to a personal side. Those to whom questions are directed must reply to them at a meeting of the local council, unless the council should see it fit to be satisfied with a written reply. It shall be permissible for the head of the unit to depute any of the heads of the relevant executive organs to reply to the questions directed to him. The Regulation shall determine the fundamentals and measures and conditions for submitting questions and replying to them.

**Article (109):** The local council shall have the right to call the directors of the executive organs and clarify from them any matter that falls within their purview or submit to the council any statements or information on any topics that fall within their purview.

**Article (110):** Each member of the local council can inquire the head of an administrative unit or any of the directors of the executive organs within the scope of the administrative unit on any matter of public importance or urgent and related to their responsibilities. The member submitting the inquiry must determine the matters that the request contains, clarify their urgent public nature. The Regulation shall determine the measures and conditions for submission of inquiry requests and replies thereto.

**Article (111):**

- (a) A causative resignation from the membership of the local council is submitted to the council chairman and must be presented to the council at earliest meeting. It shall not be considered accepted except with the approval of a majority of the council members present. In

this case, the council declares the seat of the resigning member to be vacant and it shall be filled in accordance with the provisions of this law.

- (b) A causative resignation from the membership of the managing committee shall be submitted to the council chairman and he must present it to the council at the earliest meeting it holds. The resignation shall not be considered accepted except with the approval of a majority of the council members present and the council must elect a replacement at the same meeting.
- (c) The provisions of this law that apply to the resignation of the general secretary shall apply to the collective resignation of the members of the managing committee.

**Article (112):**

- (a) The causative resignation of the general secretary of the local council shall be submitted to the council chairman. The chairman must call the council to an extra-ordinary meeting for this purpose within ten days of the date of submission of the resignation. The resignation shall be considered accepted with the consent of a majority of the members with on-going membership of the council. In such case, there shall be nominations to elect a successor at the same meeting.
- (b) If the resignation concerns the general secretary of the Governorate Local Council, the Minister shall be informed of the resignation within two days at the utmost of the date of its submission. The Ministry shall be represented at the meeting considering the resignation. However, if the resignation relates to the general secretary of the district local council the Governor is informed to be represented at the meeting.

**Article (113):** If the seat of one of the members of local councils becomes vacant, be that at the governorate or district levels, for any reason, the seat shall be filled in the same manner as its being occupied. This shall be within a period not exceeding thirty days from the date of announcing the vacancy of the seat, unless the remaining period of

the electoral session of the council is less than a year. The new member shall complete the remaining period of his predecessor.

Article (114): The Ministry must be informed of each case of a seat becoming vacant in the local councils and that before commencing any measure to fill these seats.

Article (115): The member of the local council shall commit himself to the following duties: -

- 1- Regular attendance and effective participation in the council meetings and work.
- 2- Implement all that with which the council charges him and submit reports on the outcome of his tasks.
- 3- Co-operation and work in the spirit of a single team along with the other members of the council.
- 4- Hold meetings with the citizens in the administrative unit to ascertain their concerns and requirements and adopt and transmit them to the council. He shall also explain and clarify the resolutions of the council, along with their various objectives and dimensions. He shall motivate the citizens to interact with and participate in the implementation and success of the local development programs.
- 5- Have the positive social relations grow and develop in a manner that realizes and safeguards social and national unity.
- 6- Effective contribution to realizing the principle of respect for law and public order and co-ordinate and contact the relevant quarters with the aim of preserving society's security and stability, property, and protection of the public services utilities and projects within the scope of the administrative unit.
- 7- Genuine objective and impartial commitment to presentation of issues, views and observations in a manner that enables the council to adopt the correct resolutions.

Article (116):

- (a) Self-contracting or contracting through an intermediary between the local authority in the administrative unit and any of the

members of the local council to implement contracting or supplies works is prohibited.

- (b) When any topic in which the member, any of his relations or in-laws until the fourth degree has a stake is presented to the council, the member of the local council must inform the council of that and not participate in the proceedings of the council in this respect. Violation of the provisions of this paragraph entails dropping membership of the local council by the force of law.

Article (117): Membership of the local council is dropped in one of the following cases: -

- 1- Loss by the member of one of the conditions of nomination for membership of the council provided for under this law.
- 2- The member violating the provisions of this law.
- 3- Acting in a manner that violates the resolutions and recommendations of the council.
- 4- Absence of the member from three successive meetings or five intermittent meetings without an acceptable excuse.
- 5- The member's impairment of the duties and requirements of membership.

In all of the preceding cases the relevant local council must issue a resolution with a majority of members with on-going membership declaring the dropping of membership. This shall be after calling the member and listening to his statements in accordance with schedules and measures shown in the Regulation.

Article (118): One third of the members of the governorate local council – with on-going membership – shall be entitled to submit a written request to the Minister to call the governorate local council to an extra-ordinary meeting to consider the matter of withdrawing confidence from the Governor. In such case, the Minister must call the council to meet under his chairmanship within ten days of his receiving the request. The convening of this meeting shall not be considered valid except with the presence of two thirds of the members with on-going membership of the council. At the beginning of the meeting it shall be a condition that a majority of the members present consent to consider the matter.

The council shall not issue its resolution to withdraw confidence from the governor except after discussion of the request, listening to statements, including those of the governor in defence of himself. Tabling the matter for secret ballot will follow this. If by a two-thirds majority the council decides to withdraw confidence the governor shall be considered suspended from undertaking his activity by force of law. In such case, the Minister must immediately take the regulatory measures to appoint a new governor.

Article (119): The provisions of the preceding article shall have a corresponding effect in respect of withdrawing confidence from the district general director, provided that the request is submitted to the governor who shall invite the council to meet and shall chair the meeting and that with the attendance of a representative of the Ministry.

Article (120):

- (a) With due regard for the provisions of Articles (25) and (68) of this law, it shall be permissible to dismiss the general secretary of the local council or the members of the managing committee collectively by a causative resolution issued by the council with a two thirds majority of the members with on-going membership. This shall take place at an extra-ordinary meeting held by the council for this purpose upon a written request signed by one third of its members. The invitation to the meeting shall be issued by the Minister in respect of the governorates' local councils and by the governor in respect of the districts' local councils.
- (b) It shall be permissible to dismiss any of the members of the managing committee by a causative resolution issued by the council with a majority of members with on-going membership and that upon the request of one third of its members.
- (c) Voting on dismissal resolutions provided for in the preceding two paragraphs shall be secret without the participation of the members whose dismissal is requested participating in the voting. In all cases, the dismissal resolution shall not be issued by the council except after listening to the member whose dismissal is requested in defence of

himself and the successor shall be elected at the same meeting, provided that the ministry is represented at such meetings.

Article (121): The heads of the executive organs in the administrative unit are responsible before the local council in respect of conducting the work of such organs and the level of implementation of their plans and programs. The council has the right to hold them accountable and withdraw confidence from them when they impair their duties.

Article (122): Upon the request of the managing committee or at least one third of the members of the local council, the local council of the administrative unit shall be entitled to withdraw confidence in the heads of the executive organs. The resolution on withdrawing confidence shall not be issued except after listening to the statements of the person from whom withdrawal of confidence is requested in his own defence. The resolution to withdraw confidence shall be issued with the consent of a majority of the members with on-going membership. The adoption of the decision entails considering the person dismissed from his post by force of law.

#### PART FIVE

##### Financial resources of administrative units

Article (123): The financial resources of the administrative units are comprised of the following sources: -

FIRST: The local resources of the district and these are the resources that are collected by the district in its own favour and are made up of: -

- 1- 50% of the sum of zakat revenues of various types.
- 2- Advertising and publicity fees.
- 3- Fees and taxes imposed on cinema, festivals and sports activities and other means of recreation tickets.
- 4- Building permits fees.
- 5- Fees for opening commercial places.
- 6- Fees on documentation of contracts and documents.
- 7- Fees on digging seep holes.
- 8- The fee added to the slaughterhouse and meat and fish markets fees.

- 9- Fees imposed on civil status and the civil register services.
- 10-All that is collected under the name of cleanliness fees and towns improvement.
- 11-Animal and plant vaccination fees.
- 12-Fees of entry in the entry and recording in the real estate register.
- 13-Educational services fees, including the resources allotted to school building maintenance and repairs.
- 14-Fees on the use of public markets and footpaths.
- 15-Fees on benefiting from passenger and goods transportation vehicle parks.
- 16-Yield of exploiting quarries and fees on exploiting coasts and shores.
- 17-Yield of disposal of government land and real estate within the scope of the administrative unit and their rent values.
- 18-Resources obtained by executive organs against the services they provide and the yield of their investments.
- 19-Fees that are imposed and collected in the name of co-operation, local councils and local development funds and that in the manner shown as follows:-
  - (a) The fee added to electricity, water and telephone bills.
  - (b) The fee imposed on transportation of stones, gravel and sand loads.
  - (c) The fee imposed on the land transportation of passengers.
- 20-Fees imposed on the permits of various professions and renewal fees.
- 21-The fee added to the fees imposed on post parcels.
- 22-Tourism fees and fees on residence at hotels and tourist and recreational installations and fees on entry into museums and antiquities places.
- 23-Fees and other taxes of a local nature whose imposition is decided in accordance with the laws and resolutions in force.
- 24-All fines related to the fees shown in the previous items and their renewal.

- 25-Grants, wills and contributions from individuals and body corporates.
- 26-Grants, contributions and aid presented by external bodies and organizations through central organs.
- 27-The free professions tax.

**SECOND:** The joint resources at the governorate level and these are the resources that are collected in the districts of the governorate in favour of the governorate as a whole and are composed of: -

- 1-50% of the yield of zakat revenues of various types.
- 2-Tax due from real estate revenues.
- 3-Qat consumption tax.
- 4-Fees on entry in the commercial register.
- 5-Fees on driving licences for transportation means.
- 6-Fees on conducting transportation means.
- 7-Fees on transfer of ownership of transportation means.
- 8-Fines for traffic violations.
- 9-Health and medical services fees.
- 10-Fees for health certificates of various types.
- 11-Fishing permits fees.
- 12-Digging artisan wells permits fees.
- 13-Passports fees.
- 14-Fees imposed on parcels arriving to the land, marine and aerial entry points.
- 15-All fines related to taxes and fees shown in the previous items.
- 16-Other taxes and fees of a local nature whose imposition is determined by laws and regulations in force as a joint resource.
- 17-Grants, wills, contributions and aid from individuals and body corporates.
- 18-Grants, contributions and assistance from external bodies and organizations through the central organs.

19-50% of the actual increase in resources collected over than what was planned in annual budget estimates, unless such increase results from new taxes or fees.

20-Free professions work earnings tax.

21-Fees on private educational and health establishments' permits.

22-Fees on the opening of pharmacies, x-ray and laboratory units and drug houses of all types.

23-Fees for permits to establish agricultural extension, nurseries and private farms.

24-Fees on building plans and surveys.

25-Fines on workers lacking medical fitness cards.

26-Fees for permits to possess personal weapons and their renewal.

27-Driving schools permits' fees.

28-Fees for work and residence permits for Arabs and foreigners and their renewal.

**THIRD: Joint general revenues:**

(a) That which is imposed and collected centrally in the name of co-operation, local councils and local development funds. These are: -

- Fees imposed on air and sea travel tickets.
- The fee imposed on each barrel of petrol, diesel or gas sold to stations.

(b) 30% of the annual revenues of the following funds:-

- Road maintenance fund.
- Agricultural and fisheries production promotion fund.
- Youth care and sports fund.

Provided that such revenues shall be allotted to the purposes for which the funds were established.

**FOURTH: Central subsidies:**

That which is allocated by the state of annual central financial subsidies to the administrative units at the level of the Republic.

**Article (124):**

(a) A resolution of the Council of Ministers shall be issued to determine the value of the fees of services shown in items First and Second of Article (123).

(b) The joint resources at the level of the governorate shown in item Second of Article (123) shall periodically be distributed by the managing committee of the governorate local council in accordance with the following ratios:-

- 1- 25% in favour of the district that undertook collection.
- 2- 25% in favour of the governorate activity.
- 3- 50% to be equally distributed among the remaining districts of the governorate.

(c) The resources allotted in items Third and Fourth of Article (123) shall be distributed among all of the administrative units at the level of the Republic in accordance with the following fundamentals and criteria:-

- 1- Population density.
- 2- Abundance or paucity of resources of the administrative unit.
- 3- Level of social and economic growth and rate of deprivation.
- 4- Competence of the performance of the local authority.
- 5- Competence of performance in collection of financial resources and their sound expenditure.
- 6- Any other fundamentals and criteria determined by the Council of Ministers.

**Article (125):**

(a) The lump sum of all resources provided for in Article (123) shall be allotted to the purposes of funding social and economic development projects. It shall not be permissible to expend any part thereof for party purposes.

(b) The state shall continue to finance the annual recurrent expenditure of the administrative units.

Article (126): The executive organs of the administrative units, under the supervision and control of the local council, shall undertake the imposition and collection of all of the financial resources shown in this law and any

other taxes and fees of a local nature that are imposed in accordance with the laws and regulations in force. These shall be paid into the special accounts of each of them in a regular manner. The surplus of such resources at the end of the financial year will be carried forward to the budget of the next financial year.

Article (127): The offices of the Ministry of Finance and revenue authorities subordinated to them shall not be subject to the supervision of the local councils, except in respect of central resources.

Article (128): The rules determined in respect of taxes and public fees shall be applied to the collection of taxes and fees determined for the administrative units and exemption therefrom.

#### PART SIX

#### Planning, budgeting and financial affairs

Article (129):

- (a) The administrative unit at the level of the district and the governorate shall have an independent annual plan and budget.
- (b) The annual budget of each administrative unit shall comprise its revenues and expenditures. The head of the administrative unit, in his capacity as the person authorizing expenditure, shall implement it in accordance with the rules for budget implementation.

Article (130): With due regard for the central rules, fundamentals and guidelines, the following steps shall be followed in the preparation of the budget, and the social and economic development plan in the administrative units of various levels: -

- 1- The executive office of each administrative unit shall determine the need for projects and financial allocations in accordance with considered priorities. These are to be presented to the local council for discussion and adoption.
- 2- The Governor shall receive the draft plans and budgets of the governorate and districts following their adoption by the local councils. He will refer these to the plan and budget committee of the governorate to undertake their analysis, revision, categorization and compilation in the form of an integrated plan and budget at the level of the governorate.

- 3- The compiled draft plan and budget shall be presented to the local council of the governorate for discussion and adoption prior to submission to the central authorities.
- 4- The Governor submits the plan and budget to the Ministry to complete the measures necessary for approval thereof.

Article (131):

- (a) A committee shall be constituted at the level of each governorate to be known as the "Plan and budget committee" and that in the following manner:-

Governor of the governorate	Chairman
Local Council general secretary	Vice chairman
Heads of specialist committees of the governorate local council	Members
General directors of the finance, civil service, planning and development offices in the governorate	Members

- (b) The committee shall select a reporter from among its members
- (c) The committee may enlist the assistance of whomsoever of experience and competence for the performance of its duties.

Article (132): The committee referred to in the preceding Article shall undertake the following tasks and responsibilities: -

- 1- Analysis and revision of the draft budget estimates of administrative units at the level of the governorate to ascertain compatibility of expenditure in accordance with the central fundamentals and guidelines issued by budget higher committee.
- 2- Revise the investment plan and the manpower plan and verify its compatibility with the general policy of the state and availability of resources.
- 3- Co-ordinate and compile plans and budgets at the level of the governorate in the form of an integrated plan and budget. This shall be referred to the governorate local council along with a clarification memorandum showing the changes or amendments effected and the reasons behind that.



- Article (133):** The Plan and Budget Committee may effect amendments to the draft plan and budget of any administrative unit when it becomes apparent that it does not agree with the central fundamentals and guidelines issued by the Higher Budget Committee, and the financial resources and capabilities. Due regard should be given to notifying the head of the relevant administrative unit of that.
- Article (134):** By a resolution of the local council a ratio of the integrated administrative budget may be allotted to backing and promoting self and co-operative initiatives to implement development projects of public benefit. It shall be a condition that this shall not exceed 20% of the overall annual local and joint financial resources of the administrative unit. The Regulation and executive resolutions shall show the fundamentals and measures for the implementation of the provisions of this Article.
- Article (135):** An account in the name of each administrative unit shall be opened with the Central Bank or one of its branches or any other bank approved by the Central Bank. Expenditure therefrom shall be in accordance with financial fundamentals and measures in force.
- Article (136):** The budget of each governorate shall be incorporated within the state general budget and shall be a part thereof. That which applies to the state general budget of provisions shall apply to it in a manner that is not inconsistent with the provisions of this law.
- Article (137):** The administrative units shall undertake all financial acts without reference to the central authorities so long as these are not inconsistent with the fundamentals of budget implementation.
- Article (138):**
- (a) The Finance Office in the district shall revise the draft annual accounts of the district in preparation of presentation to its local council for adoption.
  - (b) The Finance Office in each governorate shall revise the draft final accounts of the administrative units, compile them in the form of a single draft final accounts at the level of the governorate prior to their presentation to the governorate local council for adoption.

- Article (139):** The governorates shall dispatch their final accounts including all attachments to the Ministry of Finance, the Central Organ for Accounting and Audit and a copy to the Ministry after their adoption by the local councils.
- Article (140):** The executive organs of the governorate must furnish the executive organs of the districts with technical expertise and assist them in the preparation and formulation of their annual plans, budget and final accounts.
- Article (141):** If any of the administrative units delay the submission of their draft budgets to the governorate plan and budget committee for more than the appointed time it shall warn them in writing and require them to submit their budget within a week. Otherwise, the committee shall undertake estimation of their budgets guided by the budgets of the current year and the level of implementation for the preceding period and the inevitable amendments in accordance with developments, be that by increases or decreases.
- Article (142):** The governorates' plans and budgets approved by their local councils shall be submitted to the Ministry through the governors of the governorates. The Ministry shall submit these to the Higher Budget Committee for their linkage to and co-ordination with the general plan and budget of the state. This shall be in preparation of submission to the Council of Ministers for approval and completion of the constitutional measures for adoption thereof.
- Article (143):** The Regulation shall determine the dates related to the various stages of preparation, approval and submission of the administrative units' plans, budgets and final accounts of various levels.

#### PART SEVEN

##### Control over the work of administrative units

- Article (144):** In the performance of their functions the executive organs of the administrative units are subject to control of the central authorities' organs.
- Article (145):** Each minister, in the sphere of his ministry's activity in respect of the administrative units, shall undertake the following: -

- (a) Inform the governors of the contents of the state's general orientations and policy, as well as whatever of technical guidelines and directives leading to improvement of the level of performance of services at the local level and control over them that he sees fit.
- (b) Co-ordinate with the governors on needs of the administrative units at the governorate level and need for technical and specialist cadres and act for their provision.
- (c) Adopt measures to raise the level of competent performance of the executive organs of the administrative units and that through the process of training and qualification of various forms and types.
- (d) Organize management of national campaigns and fund their implementation.
- (e) Formulate and prepare the general technical specifications, designs and plans.
- (f) Issue the organizational regulations in the sphere of activity of his ministry.

Article (146): The control determined for the Council of Ministers and all organs of the central authority over the work of the executive organs of the administrative units aims at verifying the good performance by such administrative units of their tasks and responsibilities in accordance with the laws and regulations in force, the general policy of the state and the resolutions issued by the local councils.

Article (147):

- (a) The decrees of the President of the Republic and the resolutions of the Council of Ministers shall be binding upon all local councils in the administrative units.
- (b) The governorate local council shall be entitled to revoke and amend the resolutions of the local councils of the districts that violate the provisions of this law.
- (c) The Minister and the relevant minister may object to the resolutions of the governorate local council or the district local council, provided that there is due cause for the objections.
- (d) In the event of insistence on the part of the local council on its resolution objected to by the Minister, the matter shall be referred

to the Council of Ministers. The competent ministers shall have the right to present the matter to the Council of Ministers in the case of the relevant local council insisting upon its resolution, if the objection is issued by them and that in co-ordination with the Minister.

- (e) The Council of Ministers shall decide on the resolutions objected and its resolution in this respect shall be final.
- (f) The Regulation determines the fundamentals, dates and measures for the implementation of the provisions of this Article.

Article (148): The Central Organ for Accounting and Audit and the other control organs shall inform the Presidency of the Republic, the Prime Minister's Office, the Ministry, the local councils and the relevant ministries of the outcome of their control work in respect of the executive organs of the administrative units.

#### PART EIGHT

##### Dissolution of the local councils

Article (149): It shall not be permissible to dissolve the local councils by a comprehensive measure except by law. It shall also not be permissible to dissolve the local council during its electoral session twice and for the same reason.

Article (150): A Republican Decree on the dissolution of the local council shall be issued following approval of the Council of Ministers upon the submission of the Minister and that for reasons required by the public interest. The Decree issued on the dissolution of the local council must include the call to hold fresh elections to the council within sixty days following the issue of the dissolution decree. The duration of the new council shall be considered completion of the tenure of the preceding council. The Decree issued on the dissolution of the council shall be published in the Official Gazette and the Council of Representatives shall be informed thereof within a fortnight of the date of its issue.

Article (151): The resolution issued on the dissolution of the local council shall contain the constitution of a temporary committee under the chairmanship of the head of the administrative unit and the membership of four

persons from among the sons of relevant administrative unit from outside the members of the dissolved local council. This committee undertakes the responsibilities of the council that the resolution has dissolved and that in respect of essential and urgent matters until a new council is elected.

**Article (152):** The resolutions adopted by the temporary committee in accordance with the provisions of the preceding article must be presented to the new local council at the first meeting it convenes to adopt whatsoever it deems fit thereon.

#### PART NINE

##### Concluding and Transitional Provisions

**Article (153):** The Supreme Elections Council, in accordance with the provisions of this law and the General Elections Law, shall undertake preparation for and supervision over the local councils' elections in all of the administrative units, including the formulation of the Local Council Elections Guide showing the provisions, fundamentals, measures and schedules for nominations, the election campaign controls, the manner of announcing results, impingements related thereto and the quarters deciding thereon.

**Article (154):** Local elections to the Local Councils shall be held to coincide with the general elections to the Council of Representatives. For this purpose, the first session of the local councils elected in accordance with the provisions of this law commences from the first meeting held by such councils and ends with the end of the electoral session of the existing Council of Representatives at the time of the election of such councils.

**Article (155):** The Director of Security of the administrative unit, as well as the security forces therein, shall work under the supervision and guidance of the head of the administrative unit or whosoever replaces him in accordance with the provisions of this law.

**Article (156):** The Council of Ministers may, by a resolution, postpone the devolution some of the powers and responsibilities whose devolution is determined by the provisions of this law and that from the central authority organs to the administrative units. Such devolution shall be in the sphere of implementation of some development projects. This

will be when it becomes evident to the Council that the circumstances of the administrative unit and the low level of economic, social and services' growth therein require such postponement. This is under the proviso that the Council of Ministers undertakes a review and revision of the circumstances of each of the administrative units encompassed by the provisions of this article in a periodical manner and assess the nature of the tasks and responsibilities that can be devolved to such units or grant them further powers and responsibilities if an improvement performance is evident.

**Article (157):** For the purposes of assisting the local authority organs in the sound application of the provisions of the laws and regulations in force and disseminate legal awareness, the Ministry of Legal Affairs shall open branches for it in the administrative units or furnish them with legal advisors, as the case may be.

**Article (158):** All employees of the central authority organs charged with official tasks in the administrative units must contact the head of the administrative unit and acquaint him with the nature of their tasks before commencing such tasks so as to provide aid and assistance that enables them to perform the tasks they are charged with in the fullest manner.

**Article (159):** For the purpose of effecting an uplift to the functions and burdens of the local authority the Council of Ministers formulates and implements policies and plans related to the following: -

- 1- Open offices or branches for all central services and utilities organs in all administrative units at the level of governorates and districts and furnish the material potentials enabling such offices to undertake their tasks and responsibilities in accordance with the approved organizational and posts structure.
- 2- Redeploy manpower of the state administrative organ in a manner ensuring furnishing the executive organs of the administrative units with specialist cadres that they need to implement their various activities.
- 3- Train and develop human resources.

**Article (160):** A temporary ministerial committee, chaired by the Prime Minister and membership of the competent ministers, will in a primary manner

undertake preparation for transfer to the local authority system, overcome difficulties and solve problems that bar the actual application of this law.

Article (161): The Prime Minister calls for the convening of an annual conference of the local councils, including the ministers, heads of the relevant central organs, heads of the administrative units, the general secretaries of the local councils and heads of the specialist committees of the local councils of governorates and that for: -

- 1- Discussion and evaluation of the local authority system and its application and the means of backing and developing it and propose legislation and amendments thereto.
- 2- Assess the size of economic and social development resulting from the establishment of the local authority system.
- 3- Propose transfer to the election of the presidents of the local councils from among the members of the elected local councils.

Article (162): Work by the budgets system shall commence at the level of the administrative units as from the beginning of the fiscal year following the holding of the first local councils' elections in accordance with this law, provided that the budgets of such units shall incorporate all the allocations necessary to face the expenses of the local councils.

Article (163): By force of law all current and investment allocations approved in the general budget of the state pertaining to the executive organs of the administrative units are to be transferred to the account of each administrative unit as from the date of election of the local councils.

Article (164): The Minister proposes to the Council of Ministers the administrative and operational expenses necessary for the work of the local councils elected during the fiscal year in which the elections are held and undertakes their distribution among the councils.

Article (165): Specialist funds of economic and social development must co-ordinate projects and activities that are funded by them with the local councils from the planning and implementation aspects.

Article (166): Without prejudice to the general fundamentals and provisions provided for in this law regulating local council elections and the tasks and responsibilities assigned to them, the Capital Secretariat shall have a

special law that gives due regard to its specifics and ensures uplift of the capital of the country. The Capital Secretary undertakes the tasks and responsibilities assigned to the governors, along with any other tasks or responsibilities provided for under the Capital Secretariat Law.

Article (167): Cities that are adopted as capitals of the governorates shall be deemed to be districts. That which applies to the districts of provisions shall apply to them. By Republican Decree, and following consent of the Council of Ministers. It shall be permissible to divide any of these cities into more than one district and that with due regard for the fundamentals and objectives of administrative division.

Article (168): The local council may constitute special committees from among the beneficiary public to manage, conduct and maintain services projects of the administrative unit. The Regulation or executive decisions show the fundamentals governing that.

Article (169): The Council of Ministers constitutes a special committee that includes in its membership, besides representatives of the ministries of Finance and the Civil Service and Administrative Reform, to tackle the conditions of employees of the local councils prior to the promulgation of this law, provided that the Minister submits the results arrived at by such a committee to the Council of Ministers to adopt that which it deems fit.

Article (170): The properties and rights of the local councils, the local peoples' councils and the Works Offices of the Ministry at the time of promulgation of this law, shall devolve to the local councils elected in accordance with its provisions. Such properties and rights shall be invested and operated in the interests of the concerned administrative unit under the charge of the head of the unit under the supervision and control of the relevant local council. It is a proviso that such properties and rights be enumerated by a committee constituted by a resolution of the minister. The process of receipt and handing over takes place in accordance with official minutes prepared for such purpose.

- Article (171):** The Minister supervises over the application of the provisions of this law and submits to the Council of Ministers regular reports containing an evaluation of the level of performance of the local authority.
- Article (172):** The Executive Regulation of this law and the Financial Regulation of the local authority are issued by a Republican Decree upon the submission of the minister and approval of the Council of Ministers. The Minister issues the resolutions and directives for the implementation of the provisions of this law and its Regulation.
- Article (173):** Republican Decree on Law No. (52) of 1991 concerning the Local Administration Law is hereby revoked and any provision contained in any other law inconsistent with the provisions of this law is also hereby revoked.
- Article (174):** This law shall come into force from the date of its promulgation and shall be published in the Official Gazette.

Issued at the Presidency of the Republic

On Dhil Qaa'da 5, 1420 AH

Corresponding to February 10, 2000 AD

*Ali Abdulla Saleh*  
*President of the Republic*