

The local government system in

Vanuatu

**SUMMARY**

Vanuatu is a democratic republic with two spheres of government: national and local. Both local government and decentralisation are enshrined in the constitution and the main governing legislation is the Decentralisation and Local Government Regions Act 1994. The Department of Local Authorities within the Ministry of Home Affairs is responsible for overseeing local government, which comprises six provincial councils and three municipal councils. While local government can alter the fees charged for various services, it has no authority over the level of taxes. Approximately 70% of central grants to local government go towards administrative expenses while the remaining 30% is earmarked for small capital projects. Local government is responsible for various services ranging from education to regional planning.

1. CENTRAL GOVERNMENT

Vanuatu is a democratic republic with a unicameral parliament. The head of state is a non-executive president elected for an unlimited number of five-year terms by an electoral college comprising the Members of Parliament

(MPs) and the presidents of the six provincial councils. Parliament has 54 members directly elected by the first-past-the-post system in single-member constituencies for terms of up to four years. The head of government is the prime minister, who is indirectly elected by the MPs and must obtain a 75% majority. The prime minister appoints the cabinet from amongst the MPs, the cabinet can be no bigger than 25% of the total members of parliament.

2. LEGAL BASIS FOR LOCAL GOVERNMENT**2.1 Constitutional provisions:**

Both local government and decentralisation are enshrined in the constitution. Section 82 states that: 'the Republic of Vanuatu, conscious of the importance of decentralisation to enable the people fully to participate in the government of their Local Government Region, shall enact legislation necessary to realise that ideal.' Section 83 provides 'for the division of the Republic of Vanuatu into Local Government Regions and for each region to be administered by a Local Government Council on which shall be representatives of custom chiefs.'

2.2 Main legislative texts:

The main legislation for all authorities within Vanuatu is the Decentralisation Act (CAP. 230) and the Municipalities Act (CAP. 126).

3. STRUCTURE OF LOCAL GOVERNMENT**3.1 Local government within the state:**

Local government comprises provincial and municipal councils.

3.2 Ministerial oversight:

The Department of Local Authorities within the Ministry of Home Affairs is responsible for overseeing local government.

3.3 Council types:

There are municipal councils to govern the three urban centres, while provincial rural communities are served by six local government councils. Each has a central administration, plus local areas headed by an area secretary who resides in one of the villages and reports to the secretary-general of the provincial council.

3.3.1 Provincial councils operate through a committee system that makes recommendations to full council for approval. The Minister of Internal Affairs appoints representatives to the council from amongst the women, youth, chiefs and churches. No committees are required by law. Provincial councils however do have the discretion to establish committees as they see fit. The composition of these committees must reflect the political proportionality of the council as a whole. Many establish finance, recruitment and physical planning committees.

3.3.2 Municipal councils: No further information provided for this edition.

3.4 Traditional leadership:

The National Council of Chiefs, called the Malvatu Mauri and elected by district councils of chiefs, advises the government on all matters concerning ni-Vanuatu culture and language.

4. ELECTIONS**4.1 Recent local elections:**

No information provided for this edition.

**Table 1.** Distribution of councils and population (Census 2009)

Province	Municipality	Population (2009 Census)	% Rural
Malampa	0	36,724	n/a
Penama	0	30,819	n/a
Sanma	1	45,860	n/a
Shefa	1	78,721	n/a
Tafea	1	32,540	n/a
Torba	0	9,359	n/a
TOTAL	3	234,023	75.6

Source: Vanuatu National Statistics Office¹

4.2 Voting system:

Councils are elected through an open constituency system for a term of four years. There is no ward system.

4.3 Elected representatives:

On average there is one representative for every 1,500 citizens. The mayor is elected by the councillors from amongst themselves on an annual basis.

4.4 Women's representation:

As at 2009, there were no elected women councillors, the Local Government Department however appoints women's representatives to the councils.

5. SYSTEMS FOR COMMUNITY INVOLVEMENT

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

6. ORGANISED LOCAL GOVERNMENT

The Local Authorities Association of Vanuatu was established to ensure that cooperation between local governments is maintained and to share experiences and skills and promote peer learning. It is in the process of being registered under the law following this will be able to affiliate to international organisations. The Association is a voluntary body financed by member subscriptions. The secretariat of the association rotates amongst the councils in accordance with its constitution.

7. INTERGOVERNMENTAL RELATIONS

No information provided for this edition.

8. MONITORING SYSTEMS

Independent scrutiny is provided by two bodies – the ombudsman and the Auditor General. These are empowered by the Ombudsman Act (date unknown), the Auditor General's Act (date unknown), the Leadership Code Act (date unknown) and the Public Accounts Act (date unknown).

9. FINANCE, STAFFING AND RESOURCES

9.1 Locally raised revenue:

While local government can alter the fees charged for various services, it has no authority over the level of taxes.

9.2 Transfers:

The transfer payments made from central to local government do not follow a set formula and fall into two broad categories: about 70% of grants go towards administrative expenses and 30% towards small capital projects.

9.3 Local authority staff:

All staff are recruited by the council, which has the right to hire, discipline and fire employees. The secretary-general however, who is the head of the paid service, is seconded from the Public Service Commission and a paid public servant. The provincial accountant, also a public servant, is mandated by law and also seconded from the

Public Service Commission.

Councils have the power to appoint a treasurer and other officers as they consider necessary for the proper performance of their functions. The typical staffing structure features the president as the chairperson of the council, a secretary-general, an accountant and other council staff which include an assistant secretary-general, an economist, a planner, a treasurer, a secretary and or typist, and casual labourers.

10. DISTRIBUTION OF SERVICE DELIVERY RESPONSIBILITY

Local government is responsible for pre-school and primary education, primary healthcare, regional planning, roads, refuse collection and disposal, cemeteries and crematoria, parks and open spaces and the promotion of tourism.

References and useful websites

1. Vanuatu National Statistics Office www.spc.int/prism/country/vu/stats Census 2009 www.spc.int/prism/country/vu/stats/Publications/2009%20Census%20Summary%20release%20final.pdf
2. UN statistics <http://unstats.un.org/unsd/demographic/products/dyb/dyb2008/Table03.pdf>
3. IMF statistics www.imf.org/external/data.htm
4. Department of Local Authorities www.gov.vu/government-ministries/ministry-of-internal-affairs/department-of-local-authorities.html
5. Government of Vanuatu www.gov.vu
6. UNDP Human Development Report 2010 www.hdr.undp.org
7. Local Authorities Association of Vanuatu: no website available
8. CLGF Pacific Project Info Booklet www.pacific.clgf.org.uk/userfiles/3/File/CLGF_Pacific_Project_Info_Booklet.pdf

Table 2. Aggregate revenue (2007) and expenditure (2004) for local government

Revenue (2007)	Vtbn	Expenditure (2004)	Vt-bn
Government transfers	2.8	Administrative costs	1.4
Business licences	1.4	Personal emoluments	2.3
Other income	0.74	Other expenses	0.7
Vehicle income	1.1	-	-
Waterfront development	1.1	-	-
Physical planning fees	1.1	-	-
TOTAL	5.31	TOTAL	4.4

Source: Department of Local Authorities⁴