

MINISTERIAL ORDER N° 007/07.01 OF 18/09/2006 DETERMINING THE ORGANISATION AND FUNCTIONING OF THE COMMUNITY DEVELOPMENT COMMITTEE

The Minister of Local Government, Good Governance, Community Development and Social Affairs;

Given the Constitution of the Republic of Rwanda of June 4, 2003 as amended to date, especially in its articles 120 and 121;

Given Law n°08/2006 of 24 February 2006 establishing the organisation, administration and functioning of the District, especially in its article 91;

Given Law n°10/2006 of 03/03/2006, establishing the organisation, administration and functioning of the City of Kigali specially in its article 191;

After consideration and approval by the Cabinet meeting in its session of 26 July 2006;

HEREBY ORDERS:

Chapter one: General provisions

Article one:

This order determines the organisation and functioning of the Community Development Committee at Cell, Sector and District level. In this order, the Development Committee shall be called «Community Development Committee/Comité de Développement Communautaire». Its French acronym shall be «CDC».

Article 2:

The Community Development Committee is a technical organ which coordinates development activities but shall not replace the staff and any other person charged with development activities.

Chapter II: Organisation of the Community Development Committee in Cell, Sector and District administration

Article 3:

The following six persons shall be members of the Community Development Committee at the Cell level:

1. In-charge of development,
2. In-charge of finance;
3. In-charge of health and social affairs;
4. In-charge of education and culture;
5. Coordinator of the National Council of Women at Cell level;
6. Coordinator of the National Youth Council at Cell level.

The person in charge of development shall be the Chairperson for this Committee.

Article 4:

The Cell Executive Secretary shall be the Community Development Committee (CDC) secretary at the Cell level.

Article 5:

At the Sector level, the Community Development Committee shall be composed of the following persons:

1. The Vice-President of the Sector Council who shall be its president;
2. The Sector Executive Secretary who shall be its secretary;
3. Persons in charge of development in Cells;
4. Person in charge of economic planning;
5. Person in charge of development in the National Women Council Executive Committee at Sector level;
6. Person in charge of development in the National Youth Council at Sector level;
7. Others who own assets and development activities in the Sector and are approved by the Sector Council.

Article 6:

At the District level, the Community Development Committee shall be composed of the following persons:

1. Vice-Mayor in charge of finances, economy and development in the Executive Committee who shall be its president;
2. Vice-Mayor in charge of social affairs in the Executive Committee who shall be the Vice-President of the Community Development Committee;
3. The District Executive Secretary;
4. The in-charge of planning at District level who shall also be the Community Development Committee Secretary;
5. Executive Secretaries of all Sectors which comprise the District;
6. Person having development in his/her attributions in the District National Women Council Executive Committee;
7. Person having development in his/her attributions in the District National Youth Council Executive Committee;
8. Others who own assets and development activities in District and are approved by the District Council.

Chapter III: Responsibilities, functioning of the Community Development Committee and the relationship with other stakeholders in the Cell, Sector and District development

Section One: Responsibilities and functioning of the Community Development Committee

Sub-section one: Responsibilities of the Community Development Committees

Article 7:

The Community Development Committees have the following responsibilities.

1. Assist the population to analyse their problems, and basic needs and resolve them by relying mainly on locally available resources and capacity. Such problems shall be solved in order of priority;
2. Sensitise the population to participate in the all Cell development activities;
3. Start and coordinate development projects at the Cell level;
4. Inform families in the Cell about available sources of resources to improve their economy;
5. Monitor the use of resources allocated to that Cell;
6. Ensure projects operating in the Cell don't destroy the environment;
7. Act as a guarantee for the population when seeking loans;
8. Sensitise the population to ensure general hygiene;
9. Submit a report to the Executive Committee which in turn shall explain it to the Council for decision.

Article 8:

The following are the Sector CDC responsibilities:

Participate in the preparation of the District development plan based on the Cell and Sector needs;
Start and coordinate Sector development projects;
Assist the population to solve their development problems by use of locally available resources;
Monitor the implementation of projects carried out by the population;
Monitor the utilisation of the development budget allocated to the Sector;
Prepare and submit Sector report to the Council for decision before it is forwarded to the District

Mayor;

Ensure projects implemented at Sector level do not destroy the environment;
Ensure equity in distribution of development projects in the Cell.

Article 9:

Responsibilities of the District Community Development Committees:

1. Prepare the District development plan;
2. Monitor and evaluate the District development projects;
3. Evaluate the financial administration of projects in the District;
4. Prepare draft District development budget;
5. Prepare training sessions related to development activities for the population.

Sub-section 2: Functioning of the Community Development Committees

Article 10:

The Community Development Committee ordinary meeting shall be convened by the president once in two months.

The invitation shall be in writing, contain the agenda of the meeting and sent to Committee members at least fifteen (15) days before the meeting convenes.

Attendance of the meeting is mandatory. Failure to attend must be due to a serious reason and explained in writing.

An extra-ordinary meeting may be convened if there is an urgent item to be debated. However such meetings must not exceed ordinary ones within a given year.

Article 11:

The Cell Executive Secretary, Sector Council President or District Mayor may convene a meeting on request by a third (1/3) of the Committee, if it is not convened within the period provided for.

Article 12:

At least two-thirds (2/3) majority of members shall be the required quorum for the Committee meeting to legally convene. If that number is not present, the meeting is re-convened in the next ten (10) days. Any number present in that subsequent meeting may take decisions.

Article 13:

A meeting convened legally shall take decisions by consensus. If there is no consensus, decisions shall be taken by majority vote of members present.

Article 14:

If two-thirds (2/3) of the Committee members decide a committee member's behaviour is in contravention of its laws and aspirations, they can suspend him/her but shall submit a report to the appointing authority within the next fifteen (15) days for final decision. That committee member shall be given chance to present his/her case. A Committee member who has been expelled shall be replaced within a period not exceeding a month using the same procedures his/her predecessor was elected in.

Article 15:

The CDC operations budget shall be provided for within the ordinary District budget.

Article 16:

Planning shall be based on the wishes and aspirations of the population.

It must start within the Cells by use of UBUDEHE so that the beneficiaries play a crucial participatory role in it either by contributing ideas or finding solutions to problems manifested. In so doing locally available resources and capacity must be relied on. The CDC at each level must play a visible role.

Article 17:

Preparation and planning validation shall be done using the following procedures:

1. Analysis of a list of problems in order of priority: This shall be done at Cell level by the population with help of consultants and CDC at that level. The CDC President shall send the list of problems to the Council through the Executive Committee for approval before it is forwarded to the Sector.
2. The Sector CDC shall assemble all plans from Cells and integrate in them whatever is important at each level before preparing a Sector draft development plan to be submitted to the Sector Council.

It is the Sector Council which approves that draft. That Sector draft development plan shall be sent to the District Mayor.
3. The District CDC, by use of consultants and other stakeholders in District development, shall prepare the District development plan basing on what was submitted by all Sectors and by taking into account all needs at that level.

Before implementing the District development plan, it must first be approved by the District Council through the Executive Committee. After the approval of the development plan, it is sent to the Minister having planning in his/her attributions, other Ministries and Province/City of Kigali concerned get copies.

Article 18:

The development plan at each level must include that of a lower level plus specific projects at that level. Those levels follow each other in the order below: Cell, Sector, District, Nation.

Article 19:

Any development plan must include at least the following items:

1. Procedures to add value to social and economic activities at that level;
2. District administrative procedures and environment protection;
3. Income generating activities;
4. Activities to assist the vulnerable and a disadvantaged.

Article 20:

All consultants working in the District, Province, City of Kigali and all others who have a stake in the development of the District, Province and City of Kigali have a responsibility of assisting the beneficiaries to prepare and implement their development plan.

Article 21:

All development projects in the District, including those implemented within a bilateral context (Twinning) must be included in the District development plan, implemented and evaluated within the District. However if an urgent and essential activity presents itself, it must be perfected and included in the District development plan before implementation.

Projects hierchically above the District shall be planned and implemented at that level. But the affected Districts must have a clear role in monitoring and evaluating them.

Section 2: The relationship between Community Development Committees and other organs

Article 22:

CDC resolutions at Cell and District level and documentation prepared by it shall be submitted to the Executive Committee which in turn explain them to the Council to take decision.

At the Sector level, such resolutions and other documentations shall be forwarded to its Council.

Article 23:

Projects, aid and other assistance meant for the population from Government institutions, NGOs, private Sector, associations and others who have stake in the District development, must be channelled through the District CDC.

After consultants have improved them, the CDC shall forward them to the Council for decision through the Executive Committee.

Article 24:

Projects approved by the Council shall be implemented by Government institutions, NGOs, the private Sector, associations and other stakeholders on the basis of the competence and capacity of each.

Article 25:

The CDC is responsible for evaluation of development activities through the population, donors, and others who have stake in the development of the District.

Article 26:

The CDC must sensitise the population about the advantages of working in cooperatives which bring together people with similar problems but have the willpower to jointly resolve them.

Article 27:

Approved activities shall be implemented through legal procedures permitted by the National Tender Board by use of the District Tender Committee.

The winning bidder shall sign an agreement with the District represented by the District Mayor or his/her representative with written permission. Funds shall be disbursed in accordance with provisions in the agreement.

Projects within bilateral context shall also be implemented in accordance with provisions in this article.

Chapter IV: Final provisions

Article 28:

All previous legal provisions contrary to this order are hereby abrogated.

Article 29:

This order comes into force on the date of its publication in the Official Gazette of the Republic of Rwanda.

Done in Kigali, on 18/09/2006

The Minister of Local Government, Good Governance,
Community Development and Social Affairs
MUSONI Protais
(sé)

Seen and sealed with the Seal of the Republic:

The Minister of Justice
KARUGARAMA Tharcisse
(sé)