



LESOTHO

Government Gazette

Vol. 60

Friday – 13th November, 2015

No. 71

CONTENTS

No.

Page

LEGAL NOTICE

138 Local Government (Transfer of Functions) Regulations, 2015 559

OTHER NOTICES

(See Supplement of the Gazette)

Published by the Authority of His Majesty the King

Price: M9.50

LEGAL NOTICE NO. 138 OF 2015

Local Government (Transfer of Functions) Regulations, 2015

Pursuant to section 5 and 84 of the Local Government Act, 1997¹, I,

PONTŠO 'MATUMELO SEKATLE

Minister of Local Government and Chieftainship Affairs make the following regulations:

Citation and commencement

1. These regulations may be cited as the Local Government (Transfer of Functions) Regulations, 2015 and shall come into operation on the date of publication in the Gazette.

Functions of Local Authorities

2. A Local Authority shall, subject to the powers reserved for, or vested in, any other authority by the Local Government Act, 1997, be the authority charged with the regulation, control and administration of the matters set out in the Schedule.

Transfer

3. Within a period of 6 months from the commencement date of these regulations, the relevant central Government Ministry or agency responsible for the functions set out in the Schedule shall make arrangements for the transfer of the functions to a Local Authority within its jurisdiction.

Extension

4. The Minister may, by notice published in the Gazette, extend the period referred to in regulation 3.

PONTŠO 'MATUMELO SEKATLE
MINISTER OF LOCAL GOVERNMENT AND
CHIEFTAINSHIP AFFAIRS

NOTE

1. Act No. 6 of 1997 as amended

FIRST SCHEDULE

Functions to be transferred to Local Authorities

A. Health

1. Health Education and Promotion

- (1) Advocacy.
- (2) Communication (face to face training, IEC material, radio).
- (3) Social Support.
- (4) School Health.

Environmental Health

2.
 - (1) Food Hygiene and Safety.
 - (2) Water, Sanitation and Hygiene (WASH).
 - (3) Occupational Health and Safety.
 - (4) Port Health.
 - (5) Pollution Control.
 - (6) Vector and rodent Control.
 - (7) Housing and Building.
 - (8) Health Care Waste Management.

Minkates
+ MinMinly
did not
submit
functions
to be
transferred

Maternal and Child Health

3. (1) Child Health
 - (a) Immunisation
 - (i) Expanded Programme on Immunisation (EPI) management;
 - (ii) cold chain management;
 - (iii) surveillance;
 - (iv) vaccine and logistics management;
 - (v) data management;
 - (b) integrated management of childhood illnesses;
 - (c) infant and young child feeding.
- (2) Adolescent Health
 - (a) peer health education (youth groups);
 - (b) pre-natal care;
 - (c) integrated school health.
- (3) Maternal Health
 - (a) ante natal care;
 - (b) child birth;
 - (c) post natal care;
 - (d) Prevention of Mother To Child Transmission (P.M.T.C.T);

- (e) family planning;
- (f) cancer screening (cervix and breast).

4. **Communicable and Non-Communicable Diseases**

(1) Communicable diseases (Tuberculosis, HIV and Sexually Transmitted Infections and other communicable diseases)

- (a) screening.
- (b) counselling and testing;
- (c) diagnosis;
- (d) treatment, Care and support;
- (e) disease surveillance and response.

(2) Non-communicable diseases (Diabetes Mellitus, Cancer, High Blood Pressure, Trauma and Injuries, Mental Health, Oral Health)

- (a) screening;
- (b) counselling and testing;
- (c) diagnosis;
- (d) treatment, care and support;
- (e) disease surveillance and response.

5. **Procurement and supply of medicines**

- (1) Medicines and supplies will be procured at community council level.
- (2) Distribution of preventive medicines and supplies will also be done at community council level.

6. Health Legal Frameworks and Policy Regulation

Implementation and enforcement of Health related laws, policies and related standard.

7. Health Human Resources Management and Information Systems

- (1) Reporting.
- (2) Planning.
- (3) Data entry and analysis.
- (4) Dissemination of data.
- (5) Feedback.
- (6) Deployment.

8. Quality Assurance

- (1) Compliance (Standards, protocols and guidelines).
- (2) Customer services (satisfaction of both staff and patients).

B. LAND

1. Land Tenure

- (1) Land acquisition and compensation.
- (2) Land valuation.
- (3) Maintenance of valuation roll.
- (4) Preparation and management of tenancy agreements between Government and private sector on immovable property.
- (5) Assessment and acquisition of immovable property for public sector.

- (6) Land allocation.
- (7) Establishment and maintenance of database on land tenure within district.
- (8) Land disputes resolution.

2. **Physical Planning**

- (1) Preparation of regional, district and local developments plans.
- (2) Enforcement of development control through grants of planning and building permits.
- (3) Record keeping of all rights that are allocated in the planning process.
- (4) Collection of spatial data for future physical planning.
- (5) Creation of new sub divisions, consolidations and new patterns of land use.

3. **Land Use Planning**

- (1) Formulation of land use plans and zoning each type of land to specific use in accordance with its geological state.
- (2) Collect, analyse and provide relevant socio-economic data for preparation of land use plans.
- (3) Link land use planning programmes with related government agencies and NGO's to eliminate overlaps.
- (4) Development of district data base for best land use option.

4. **Land Surveying**

- (1) Conduct cadastral, topographic and geodetic surveys.
- (2) Conduct compensation survey of land earmarked for settlement

planning and production of layouts.

- (3) Supervision of all public and private surveys.
- (4) Preserve public survey data.
- (5) Regulate survey through the Surveyor's Licencing Board.
- (6) Advise all government ministries and agencies on mapping requirements and specifications for the development activities.
- (7) Undertake cadastral survey of infill and settlements layouts/plans.

C. SOCIAL DEVELOPMENT

1. Social Assistance Services

Provision of social assistance to vulnerable persons

- (a) handle queries and complains at household and community level;
- (b) receive complaints from the public and take appropriate action;
- (c) conduct initial investigations to establish facts and determine solution;
- (d) inform complainants of the outcome of cases;
- (e) maintain a record of cases handled;
- (f) update information on the National Information System for social assistance;
- (g) mobilize communities on social assistance programs;
- (h) train Village Assistance Committees and other local structure on validation and enrolment of beneficiaries and management of cases;

- (i) participate in the collection and verification of data and enrolment of potential social assistance clients;
- (j) undertake initial assessments for vulnerability, completes NISSA Form and submit Form through supervisor.

2. **Community Based Development Services**
Facilitation of community participation in local development initiatives

- (a) sensitive beneficiaries on engaging in sustainable livelihood initiatives;
- (b) collaborate with other local stakeholders to provide holistic services;
- (c) keep a register of community development activities and facilitate sharing of lessons, experiences and best practices;
- (d) conduct regular follow-up visits to monitor progress, provide necessary support and ensure conformity to agreements;
- (e) mobilise local resources, i.e community volunteers, donations, support groups, etc.

3. **Community Based Care Services**
Promotion and protection of the rights of vulnerable persons

- (a) create public awareness on the rights of vulnerable people (children, the elderly and people with disability) in collaboration with local structures;
- (b) sensitize the public on vulnerable groups;
- (c) receive cases of people whose rights have been violated (land grabbing, property rights, right to education etc.);
- (d) refer victims to relevant service providers;
- (e) conduct follow-ups to ensure adherence to rulings or

determinations.

4. **Provision of social development services at household and community level**
 - (a) create public awareness on vulnerability issues;
 - (b) identify and facilitate temporary placement of people at risk to places of safety;
 - (c) receive requests for social services and facilitate provision of such services;
 - (d) provide counselling services to individuals and groups on issues of vulnerability (health, abuse, care, etc).

D. ENERGY

1. Inspection and licensing of petroleum products.
2. Registration of electricity schemes.

E. FORESTRY

1. Forestry Development and Outreach
 - (a) establishment of nursery networks;
establishment and management of forests;
 - (b) establishment and management of orchards and vineyards;
 - (c) utilization of forest and forest products;
 - (d) establishment of forest based cottage industries.
2. Land Management and Water Conservation
 - (a) planning of soil and water conservation operational areas;

- (b) survey and design of soil and water conservation works;
 - (c) construction of soil and water conservation structures;
 - (d) rehabilitation of marginal lands.
3. Management of Rangeland resource and utilization
- (a) promotion of community-based natural resources management;
 - (b) adjudication of cattle-post;
 - (c) management and protection of wetland areas.