



Tuvalu

**FALEKAUPULE (AUTHORISATION OF
BUDGET) AMENDMENT ACT 2014**



Tuvalu

FALEKAUPULE (AUTHORISATION OF BUDGET) AMENDMENT ACT 2014

Arrangement of Sections

Section

| | | |
|------|---------------------------------|---|
| 1 | Short Title | 5 |
| 2 | Commencement | 5 |
| 3 | Purpose..... | 5 |
| 4 | Amendments | 5 |
| s.54 | Method of making bye-laws | 6 |

SCHEDULE 1

6



Tuvalu

FALEKAUPULE (AUTHORISATION OF BUDGET) AMENDMENT ACT 2014

Act 3/2014

**AN ACT TO AMEND THE FALEKAUPULE ACT TO CONFER
EXCLUSIVE JURISDICTION ON THE FALEKAUPULE ASSEMBLY TO
AUTHORISE ANNUAL BUDGETS FOR THE FALEKAUPULE.**

ENACTED BY THE PARLIAMENT OF TUVALU

1 Short Title

This Act may be cited as the Falekaupule (Authorisation of Budget) Amendment Act 2014.

2 Commencement

This Act commences on a date that the Minister by notice appoints.

3 Purpose

The purpose of this Act is to provide amendments to the Falekaupule Act to ensure that the Falekaupule Assembly is the only body that authorises the annual budget for a Falekaupule Area.

4 Amendments

Schedule 1 amends the Falekaupule Act.

Schedule 1

s.2 Interpretation

(a) insert after 'Aganu' the following

'appropriation' means the action of setting aside money under the control of the Falekaupule, in accordance with law, for a specified purpose.

'appropriations bye-law' means a bye-law dealing only with the appropriations of money under the control of the Falekaupule and matters incidental to the appropriation of such money and includes a supplementary appropriation bye-law.

'Falekaupule Assembly' repeal and replace with 'means a meeting of the residents of a Falekaupule area age 18 years and above convened according to section 121.

s.54 Method of making bye-laws

(1) delete 'Bye-laws '

replace with 'Except for an appropriations bye-law, every bye-law'

s.54A Method of making an appropriations bye-law

Insert new section 54A after section 54.

- (1) Every appropriations bye-law shall be —
 - (a) in the Tuvalu language,
 - (b) made with the approval of the Falekaupule Assembly, and
 - (c) signed by the Pule o Kaupule under the common seal of the Kaupule.
- (2) The Pule o Kaupule shall, as soon as practicable after an appropriations bye-law is made, arrange for the bye-law to be presented and explained to the Falekaupule without making further amendments and transmit same copy of the bye-law to the Attorney-General.
- (3) The Attorney-General shall, subject to subsection (4), cause the bye-law to be published on the government notice-board and in the Gazette.
- (4) The Attorney-General may declare any appropriations bye-law invalid, in whole or in part, on the grounds that it is inconsistent with this Act or any other Act and shall advise the Pule o Kaupule accordingly.

s.64 Authorisation of budget

- (1) delete 'Falekaupule for approval at the annual Falekaupule Assembly'

replace with 'Ulu Aliko who shall cause the same to be discussed and approved by the members of the Falekaupule Assembly (residents 18 years and above) present at the annual Falekaupule Assembly.'

(2)(a) delete 'Kaupule present at the Assembly'

replace with 'Falekaupule Assembly present at that meeting'.

(3) repeal

replace with 'When the proposed Kaupule budget has received the approval of the Falekaupule Assembly, the Ulu Aliko shall attest his signature and the Kaupule shall cause an appropriations bye-law to be made for the ensuing financial year in accordance with section 54A.'