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**GENDER EQUALITY COMMISSION
(GEC)**

**REVISED DRAFT
STRUCTURE AND OPERATION REPORTS
ON LOCAL DEMOCRACY**

Introduction to revised reporting format

The revised Structure and Operations report framework has been redesigned and pre-written in order to facilitate comparisons of the functioning of local democracy across member states, while at the same time lightening the workload of civil servants tasked with completing the reports.

Rather than typing in significant amounts of text, the core text of the report is supplied. When completing the report, you are asked to retain, delete, adapt or insert additional text as appropriate.

A key to the new format and working examples are given below.

Key to the new format:

- **§§** marks the beginning of a new sentence to be edited, to make each sentence more readily identifiable.
- Text underlined is text to be modified :
 - o Local residents have the right / do not have the right to the organisation of referendums on local issues (draft report)
 - o Local residents do not have the right to the organisation of referendums on local issues (situation in XXX member state)
- An entire sentence underlined is optional text, to be kept, modified or discarded where necessary,
 - o The government may give financial assistance for boundary changes. A boundary change can only take place on the basis of a reasoned decision. §§ Reasons may include the following: improved services, improved living conditions, improved operating environment for businesses, efficiency gains, government policy, other - please specify. (draft report)
 - o ~~The government may give financial assistance for boundary changes. A boundary change can only take place on the basis of a reasoned decision. §§~~ Reasons may include the following: improved services, improved living conditions, improved operating environment for businesses, efficiency gains, government policy, other - please specify. (situation in YYY member state)
- (...) as with "other - please specify", it requires the member state to add a list of items not included in the text and specific to the member State:
 - o The main legislative texts are as follows: (...) (draft report)
 - o The main legislative texts are as follows:
 - Constitutional Law 1901
 - Local Democracy Act 1997 (situation in XXX member state)

Structure and Operation of Local Democracy

1. Legal Status

1.1 Constitutional Provisions

In (xxx country name) local self-government is / is not enshrined in the constitution.

Other aspects of local self-government enshrined in the Constitution include (...).

1.2 Main legislative texts

The main legislative texts are as follows:

(...)

The main legislative texts govern the local authority constitution, its membership and election of the members. §§

Local self-government in xxx (country name) operates on the basis of the general competence clause. §§ This clause means that the local authority may act in any matter, subject to its action meeting a local interest, complying with the law and not impinging on the powers of another central or sub-national authority. §§

2. Structure of local authorities

The legal basis for the structure of local authorities is provided by the following constitutional provisions / legislation.

2.1 Main Subdivisions

In (xxx country name) there are (xxx number) tiers of local government. §§ Xxx (country name) has (xxx number) LAU1s and (xxx number) of LAU2s. §§ These bodies are elected/appointed.

Table 3: Breakdown of municipalities according to the size of the population

Number of inhabitants	Number of municipalities	Percentage of total population
Under 2 000		
2 001-5 000		
5 001-10 000		
10 001-20 000		
20 001-100 000		
Over 100 001		
Total		

2.3 Special structures

In (xxx country name), special units exist / there are no special units with extra competences. §§ These extra competences are in the following fields: xxx (fields of competence). §§ The special units have legislative powers.

2.4 Boundary changes and amalgamation

2.4.1 Boundary change

In (xxx country name), §§ a boundary change may be proposed by a local authority, a minister, parliament, the regional parliament and by residents in a referendum. §§ Any proposal for a boundary change must take place in consultation with the local residents, and the Council if a proposal is by a minister. §§ The body having the final decision with regard to a boundary change is (xxx body name). §§ The government may give financial assistance for boundary changes.

A boundary change can only take place on the basis of a reasoned decision. §§ Reasons may include the following: improved services, improved living conditions, improved operating environment for businesses, efficiency gains, government policy, other - please specify. §§

2.4.2 Amalgamation

An amalgamation of 2 or more local authorities must be proposed by the local authorities / local authorities in consultation with the residents and/or by residents in a referendum, other – please specify. §§ Once the amalgamation has taken place, some administrative independence is reserved to the former local authority structures for the following (...). §§ By-laws and regulations continue to be applied to their former territorial scope after amalgamation.

2.5 General units of state administration and their relationship with local authorities

(xxx country name) has general units of state administration in every local authority. §§ The state administration units operate according to a (xxx number) level system. §§ The level of state administration dealing with local authorities is the (xxx level of state administration). §§ There is a unit of state administration for each ministry. §§ The state administration units are accountable to the (xxx ministry name). §§ The state administration units work closely with the local authorities. §§

The state administration units carry out tasks in the following areas: education, health, housing, environment, delegated powers, citizenship, police, prosecution, collection of state revenues, land registry, enforcement of judgements. §§

The state administration unit operates separately from local authorities, §§ but local authorities are represented in the state administration unit's working structures. §§ State administration units reduce the need for delegated powers. §§ They can / cannot adopt regulations, §§ which have the force of law. §§

The State administration unit is responsible for scrutinising the local authority. §§ They have /do not have the right to veto decisions taken by the local authority. §§ The local authority, in its turn, has the right of appeal against decisions taken by the state administration unit. §§

3. Organisation of local authorities

The legal basis for the organisation of local authorities is provided by the following constitutional provisions / legislation. (...)

3.1 Deliberative body

The (xxx name of the deliberative body) §§ consists of between (xxx minimum no. of members) §§ and (xxx maximum no. of members). It meets (xxx no of meetings per period). §§ The meetings last (xxx length of meeting). §§

Table : number of members per population size

Population	Number of members
< 1 000	0
1 000-5 000	0
5 000-10 000	0
10 000-50 000	0
50 000-100 000	0
100 000-500 000	0
> 500 000	0

The members of the (xxx deliberative body) §§ are elected by secret ballot and by direct/indirect suffrage. §§ The length of the term of office is (xxx length of term of office). §§ Voting is / is not compulsory. §§

In order to stand for election, a candidate (nationals, EU nationals and/or non-nationals) §§ must be over the age of 18, a permanent resident in the member State, resident within the local authority, or employed within the local authority, an owner of property within the territory of the local authority, provided they satisfy a qualifying period of residence of (xxx time period), other - please specify. §§ The voting system used is proportional representation/first past the post. §§

A council may be dissolved by (xxx name of person or body who can dissolve the council). §§ A council may be dissolved for the following reasons: lack of quorum for a specified period of time, unable to approve the budget, other – please specify.

3.2 Executive body

The executive (xxx person/body/both) §§ is known as (xxx name of the executive body). §§ It, s/he, §§ is elected/appointed §§ by direct/indirect election, universal/restricted suffrage and by secret ballot./ It is appointed by the Council. §§ It/s/he §§ may be removed from office by the Council. §§ Its length of office is (xxx length of office in years/runs concurrently with the deliberative body's term of office). §§

Members of the (xxx name of executive body) must be: (xxx – criteria to be identified). Membership disqualification criteria include (xxx – criteria to be identified).

The (xxx name of the executive body) §§ is accountable to (xxx body/person accountable to). §§ Its tasks are in the following fields: general administration, budget preparation, budget administration, legal representation of the council, other – please specify. §§

Head of the executive body

The head of the executive board is (xxx title of head of executive board). §§ The (xxx title of head) §§ is elected by direct/indirect suffrage, universal suffrage, by secret ballot/appointed. §§ The executive members are appointed from among members of the council. §§ There are (xxx no. of members of the executive) members. §§ Membership of the (xxx executive body) §§ is directly proportionate to a local authority's population size.

Table : number of members on the Executive body per population size

Population	Number of members
< 1 000	0
1 000-5 000	0
5 000-10 000	0
10 000-50 000	0
50 000-100 000	0
100 000-500 000	0
> 500 000	0

3.3 Political head

The legal basis for the political head is provided by the following legislation:

(...)

The political head is known as the (xxx title of the political head). §§ S/he is an elected official. §§ S/he is elected by direct/indirect suffrage, universal suffrage, by secret ballot/appointed by (xxx eg government minister). §§ Her/his term of office is (xxx length of term of office: no. of years/runs concurrently with the elected officials' term of office). §§ The (xxx title of the political head) must be (xxx qualification criteria to be identified). Disqualification criteria include the following: (xxx disqualification criteria to be identified).

The political head has duties in the following fields: budget, administration, taxation, regulations, public works, municipal property, civil registers, appointment of administrative staff, represents the local authority, execution of council decisions, citizens' complaints, concluding contracts, legal action for the council, challenging council decisions, authorising expenditure, other – please specify. §§ The following tasks can be delegated (xxx list of tasks) §§ to (xxx body, person). §§

The (xxx political head title) attends council meetings. §§ S/he must report to (xxx body, person) §§ (no. of times) times per §§ (xxx time period). §§

Dismissal of the (xxx political head title) §§ is at the instigation of at least xxx (no. of) §§ council members, local residents. §§ Reasons for dismissal are: absenteeism, acting beyond her/his authority, permanent residence in a foreign country, a vote of no confidence, a criminal sentence, suspended, other - please specify. §§

3.4 Internal structures

The legal basis for internal structures is provided by the following legislation:

(...)

The municipality is entitled to determine its own internal structure.

4 Direct participation in decision making

The legal basis for participation by citizens is provided by the following constitutional provisions / legislation. (...)

(xxx country name) has ratified / will ratify / does not intend to ratify the Additional Protocol to the European Charter on Local Self-Government, on the right to participate in the affairs of a local authority (CETS No. 207). §§

4.1 Informing residents

In (xxx country name), §§ there is an obligation to inform residents of the authority's decisions. §§ The residents are informed through publications, journals, the internet, television or public meetings. §§ The communication mediums for informing residents are continually evaluated for their efficacy. §§

Council meetings are open to the public. §§ Local residents may take the floor during council meetings, §§ and they may also submit draft decisions. §§ Residents have a right to petition, §§ and they also have the right to initiate local law. §§

4.2 Referendum

Local residents have the right / do not have the right to the organisation of referendums on local issues. §§ A referendum may be initiated by local residents §§ or by (xxx other – please specify). §§ If initiated by local residents, at least xx% of the local residents must agree to the proposed referendum §§ and / but the Council is obliged / not obliged to organise it. §§ The results of a referendum are binding / are not binding / may be ignored. §§ **(if you answered not binding:)** but the council must thereafter organise public consultations on the subject matter/other obligation – please specify. §§

4.3 Rate of participation

At the last local elections, the average rate of participation was: xx%. §§ The average rate of participation for the last local referendum was xx%. §§

5 Status of local elected representatives

The legal basis for the status of local elected representatives is provided by the following constitutional provisions / legislation. (...)

5.1 Conditions of eligibility for local elections

The following may vote in local elections: national and non-national §§ permanent residents in the territory of the local authority, owners of property in the territory of the local authority. §§

The following may not vote: non-nationals, persons serving a prison sentence, persons found guilty of corrupt or illegal election practices, persons detained under mental health legislation, persons deemed unfit under mental health legislation, judge, prosecutor, investigator for the prosecutor's office, local government officers, members of parliament, prison officials, municipality auditors, senators, ministers of state, government members. §§

The following may stand as candidate: nationals, EU nationals and/or non-nationals, permanent residents in the territory of the local authority, provided they satisfy a qualifying period of residence of (xxx time period), owners of property in the territory of the local authority provided they satisfy a qualifying period of residence of (xxx time period), people whose main job is in the territory of the local authority, people eligible to vote in national elections. §§

5.2 Financing election campaigns

The financing of election campaigns is governed by the following legislation: (...)

Election campaigns are part financed by the State. §§ State contributions are calculated in ratio to the political support enjoyed by the parties §§ as evaluated by objective criteria, eg the number of votes cast §§ or council seats won. §§ In addition to the financial contributions, the state contributes indirectly to financing political parties, for example by covering the costs of postage and of meeting rooms, -other - please specify, §§ by supporting party media, youth organisations and research institutes; §§ and also by granting tax incentives.

The following (xxx bodies, persons) may also contribute to campaign funding: (...)§§

Together with state funding, private funding is an essential source of finance for political parties. §§ Since private financing, in particular donations, creates opportunities for influence and corruption, the following rules apply:

- a ban on donations from state enterprises, enterprises under state control, or firms which provide goods or services to the public administration sector;
- a ban on donations from companies domiciled in offshore centres;
- strict limitations on donations from legal entities;
- a legal limit on the maximum sum of donations;
- a ban on donations by religious institutions. §§

Other (xxx bodies, persons) that may not contribute are : non-nationals, non-residents, other – please specify. §§

The law ensures / does not ensure §§ candidates are given equal access to the media. §§ The municipality is obliged / is not obliged to allocate billboard space for posters, §§ which is allocated equally between parties and independent candidates. §§ or according to specific criteria (...).

5.3 Functions or activities, offices or positions incompatible with the elected office

Before taking office, elected officials must declare in a register any function, activity, office or position that is incompatible with their elected office. §§

The following activities are considered incompatible with elected office: representing the municipality on commercial companies, holding more than one elected office, holding a position in the municipal administration, holding a position on the governing or supervisory board of commercial companies owned or partially owned by the municipality, acting as a commercial agent of a company owned / partially owned by the municipality, taking part in discussions on council business of personal interest or of interest to a close family member. §§ In certain circumstances, a dispensation to speak or to vote may be awarded, eg: (...).

5.4 Conditions relating to their employment

An elected official's place of employment is kept open / is not kept open for the duration of the term of office. §§

Employment contracts

Holders of the following positions have their employment contract suspended for the duration of their term of office: mayor, deputy mayor, chairperson and vice-chairperson of councils on public bodies, independent public corporations and business companies where the state is a majority holder. §§

Remuneration and compensation

Elected officials are / are not entitled to an annual salary. §§ The salary is subject to tax, health contributions and pension scheme contributions. §§ They are entitled to compensation for lost income. §§ Compensation is dependent on the type of work carried out. §§ They are also entitled / are not entitled §§ to a fixed and other allowances for travel, other –please specify §§ The fixed allowance and other allowances are subject to tax, health insurance contributions and pension scheme contributions. §§ Elected officials are / are not entitled to unemployment benefit if they are unemployed when the term of office expires. §§ They are / are not entitled to annual leave. §§

Elected officials are /are not entitled to allowances for child care. §§ This type of allowance is / is not available for full-time workers. §§

They are / are not entitled to compensation for child care when the need for this arises because of their duties. §§ This compensation is only available for full-time workers / is available for both part-time and full-time workers. §§

Mayor's salary

The mayor is entitled to a salary. §§ The mayor's salary is subject to the following: tax, health insurance contributions and pension scheme contributions. §§ The mayor's salary is related / is not related to the size of the municipality. §§

Training

Elected officials are/are not entitled to training. §§ Mayors are also / are not entitled to training. §§ Training is organised in the following areas: leadership, performance management, human resources, local finance, other – please specify.

Expiry or dissolution of the term of office, or resignation

An elected official's term of office may be terminated for the following reasons: death, resignation, disqualification, change of address if the new address is outside the territory, unjustified absences over a specified period of time, inability to perform duties over a specified period of time, conviction for electoral fraud, a prison sentence, certification under the mental health legislation. §§

Once the term of office has expired, an elected official who is not re-elected is given / is not given §§ assistance in finding employment. §§ There are / are no restrictions as to the type of activity that may be carried out once the term of office has expired. §§ **(if you answered that there are restrictions: The restrictions include: (...)**

Resignation

Elected officials may / may not tender their resignation at any time. §§ The resignation must / does not have to be in writing. §§ The procedure for resignation is as follows: (...) §§

Following an elected official’s resignation, there are no restrictions / restrictions are placed on the type of activity they may carry out afterwards. §§ **(if you answered that there are restrictions: These restrictions include the following (...).**

Gender representation

Central government has implemented the following / has not implemented any mandatory provisions to encourage women to stand for local election. §§

[If you answered in the affirmative:]

Table: mandatory provisions to encourage women to stand for elections **[please fill in and list own examples]**

Mandatory provisions from Central Government
<u>Changes to the electoral system to enhance women’s political representation</u>
<u>Quotas</u>
<u>Parity requirement for candidates (in party lists or otherwise)</u>
<u>Provisions to ensure women candidates greater visibility during elections, such as obligatory placement of women in high rankings on party lists</u>
<u>Financial incentives / disincentives for respecting / failing to respect parity guidelines</u>
<u>[Other examples]</u>

§§

The legislative quota for women candidates is set at XX% / Legislation does not impose a quota to ensure a percentage of candidates for the local elections are women. §§

In 2012, XX% of local councillors were women. §§

Table: percentage of elected women on the local council in a small, medium and large size local authority according to the number of inhabitants [please fill in]

Number of inhabitants	Number of municipalities	Percentage of elected women
Under 2 000		
2 001-5 000		
5 001-10 000		
10 001-20 000		
20 001-100 000		
Over 100 001		
Total		

§§

Participation

Central government has / has not adopted specific policies / measures to encourage an increase in participation of women in public life at local level. §§

[If you answered in the affirmative:]

Table: measures to increase women participation [please fill in and list own examples, specify if measures are mandatory or recommended only]

Central Government Measures
<u>Gender equality indicators and indexes</u>
<u>Family friendly work structures eg (subsidised/free) child care facilities</u>
<u>Family-friendly working hours</u>
<u>Women development programmes</u>
<u>Promotion of women's activities and concerns in decision-making</u>
<u>[Other examples] (please list)</u>

§§

Some local authorities have / have not undertaken frontline initiatives to promote greater participation by women in local government. §§

Table: Frontline initiatives for promoting greater participation of women [please list]

Local authority	Frontline initiatives

6 Distribution of powers between local, regional and central authorities

The legal basis for the distribution of powers between local, regional and central authorities is provided by the following constitutional provisions / legislation. (...)

6.1 Principles for governing the distribution of powers

The powers distributed between the different levels of local self-government function according to the following principles:

- the right and the ability of local authorities, within the limits of the law, to regulate and manage a substantial share of public affairs under their own responsibility and in the interests of the local population. §§

The relevant legislation for this principle is (...) §§

- the basic powers and responsibilities of local authorities are prescribed by the constitution or by statute. §§

The relevant legislation for this principle is (...) §§

- Local authorities shall, within the limits of the law, have full discretion to exercise their initiative with regard to any matter which is not excluded from their competence nor assigned to any other authority. §§

The relevant legislation for this principle is (...)§§

- Public responsibilities shall generally be exercised, in preference, by those authorities which are closest to the citizen. Allocation of responsibility to another authority should weigh up the extent and nature of the task and requirements of efficiency and economy. §§

-

The relevant legislation for this principle is (...)§§

- Powers given to local authorities shall normally be full and exclusive and may not be undermined or limited by another central or regional authority except as provided for by the law. §§

-

The relevant legislation for this principle is (...)§§

6.2 Division of competences

Function	Competent authority			Type of competence				Exercise of the competence				National standards (for mandatory powers, or no national standards)	Managerial	Decision making	Regulatory	Minimal involvement	Remarks*
	State	Intermediate	Municipality	Exclusive	Shared	Compulsory	Discretionary	Direct	Indirect	In own right	For another						
Police / Public Order																	
General administration																	
Security, police	●			●		●		●		●							
Fire protection			●	●		●		●		●							(1)
Civil protection	●	●	●	●	●	●		●		●							(2)
Justice	●			●		●		●		●							
Civil status register	●		●		●	●		●	●	●	●						
Statistical office	●	●	●	●	●	●	●	●	●	●	●						
Electoral register			●	●		●		●		●							
Social																	
Education**																	
Pre-school education			●	●		●		●		●							(3)

Function	Competent authority			Type of competence				Exercise of the competence				National standards (for mandatory powers, or no national standards)	Managerial	Decision making	Regulatory	Minimal involvement	Remarks*
	State	Intermediate	Municipality	Exclusive	Shared	Compulsory	Discretionary	Direct	Indirect	In own right	For another						
Primary education			●	●		●		●		●							(3)
Secondary education	●			●		●		●		●							(3)
Vocational and technical	●			●		●			●	●							
Higher education	●			●		●		●		●							
Adult education	●			●		●		●		●							
Other																	
Public Health																	
Hospitals		●		●		●		●		●							
Health protection	●	●	●	●		●	●	●		●							
Social Welfare																	
Kindergarten and nursery			●	●		●		●		●							
Family welfare services			●	●		●		●		●							
Welfare homes		●	●	●		●	●	●		●							

Function	Competent authority			Type of competence				Exercise of the competence				National standards (for mandatory powers, or no national standards)					Remarks*
	State	Intermediate	Municipality	Exclusive	Shared	Compulsory	Discretionary	Direct	Indirect	In own right	For another		Managerial	Decision making	Regulatory	Minimal involvement	
Gas			•	•			•	•		•							
District heating			•	•		•		•	•	•							(6)
Water supply			•	•		•		•	•	•							(6)
Agriculture, forests, fishing	•		•	•		•		•		•							
Electricity			•	•		•		•	•	•		(6)					
Economic promotion	•	•	•	•			•	•		•							
Trade & industry												(7)					
Tourism	•	•	•	•	•		•	•		•							
Other economic services												(7)					
Traffic, transport**																	
Roads	•		•	•		•		•		•							
Transport	•	•	•	•	•	•		•	•	•							
Urban road		•	•	•	•	•		•	•	•							

Function	Competent authority			Type of competence				Exercise of the competence				National standards (for mandatory powers, or no national standards)	Managerial	Decision making	Regulatory	Minimal involvement	Remarks*
	State	Intermediate	Municipality	Exclusive	Shared	Compulsory	Discretionary	Direct	Indirect	In own right	For another						
transport																	
Urban transport rail	●			●			●	●		●							
Ports	●		●	●		●	●	●		●							
Airports	●		●	●		●	●	●		●							
Other traffic & transport	●		●	●		●	●	●		●							
Town planning / environment																	
Housing and town planning																	
Housing	●		●	●	●	●	●	●	●	●							
Town planning			●	●		●		●		●							
Regional/spatial planning		●	●	●		●		●		●							
Environment, public sanitation																	
Water & sewage			●	●		●		●		●							

Function	Competent authority			Type of competence				Exercise of the competence				National standards (for mandatory powers, or no national standards)					Remarks*
	State	Intermediate	Municipality	Exclusive	Shared	Compulsory	Discretionary	Direct	Indirect	In own right	For another		Managerial	Decision making	Regulatory	Minimal involvement	
Refuse collection & disposal			●	●		●		●		●							
Cemeteries & crematoria			●		●		●	●		●							(4)
Slaughterhouses																	
Environmental protection	●	●	●	●		●		●		●							
Consumer protection	●		●	●		●		●		●							
Other functions																	
Employment	●		●	●	●	●		●		●							

(*) for any remarks see last page in this country's table

(**) the competence refers to both infrastructures and the management

Remarks:

- (1) (...)
- (2) (...)
- (3) (...)
- (4) (...)
- (5) (...)
- (6) (...)
- (7) (...)

Specific powers

Local authorities have the following powers: decision-making, the power to enact legislation and regulatory power.

6.3 Participation of local authorities in national economic spatial planning

Local authorities participate /do not participate §§ in decisions on spatial planning for matters within their own competence, or within central government's competence. §§

The matters within their own competences with regard to spatial planning are as follows: (...) §§0

The matters within central government's competences with regard to spatial planning are as follows: (...) §§

Local authorities are entitled / are not entitled to draw up plans, §§ they may also create / they are not entitled to create specialist bodies for drawing up plans. §§

Local authorities may also participate / may not participate in decisions on national economic planning on matters within their own competence and within central government's competence. §§ The matters within their own competence include the following: (...) §§ The matters within central government's competence include the following: (...) §§

6.4 Tasks delegated to local authorities as agents of state

Local authorities are /are not §§ delegated tasks by law as agents of state. §§ The delegated tasks include the following (...) §§

7 Co-operation and other types of linkage between local authorities

The legal basis for co-operation and other types of linkage between local authorities is provided by the following constitutional provisions / legislation. (...)

7.1 National co-operation

Local authorities are /are not §§ entitled to co-operate with other municipalities, public law bodies and private law bodies. §§

Co-operation at local level may be undertaken to pursue social and economic progress, to settle common issues, to defend local interests, to support local self-government by creating national and regional associations, to support both local and central government concerns. §§

The types of co-operation relationships are vertical and horizontal. §§ They may be either single or multipurpose, §§ and can be for a fixed / an indefinite term. §§ Intermunicipal co-operation may / may not be commercial in nature. §§ Co-operation bodies may / may not have legal personality. §§ Co-operation bodies may incur limited and individual liability/ joint and several liability. §§

By law, co-operation bodies have a Board of Directors, General Assembly, Supervisory board. §§ Elected representatives, the mayor and aldermen may sit on the board of directors. §§ The voting rights of members are weighted according to a municipality's social shares / by statutory criteria. §§

A supervisory body is set up to scrutinise the following: the intermunicipal co-operation articles of association, the legal regulations on the status of staff members, other please specify, (...)§§§§

The following types of public bodies for co-operation may be formed: public limited company, non-profit organisations, co-operative bodies, social enterprises. §§ The following types of private bodies may be formed: partnerships, limited companies, other – please specify. §§

7.2 Transfrontier co-operation

(xxx country name) §§ has ratified the following treaties: §§ Madrid outline Convention, the additional Protocol, Protocol no. 2, Protocol no. 3, other treaties – please specify. §§ Local authorities are entitled / not entitled §§ to set up public bodies to co-operate across international borders. §§ These are subject to the approval of the Ministry / Supervisory body. §§ Local authorities may conclude twinning arrangements. §§ (Xxx number) §§ of municipalities have twinning arrangements with local authorities from the following countries (...).§§ Twinning arrangements are subject to the approval of the Ministry / supervisory body. §§

In (xxx, EU country name), §§ (xxx number) EGCTs §§ have been set up under EC regulation 1082/2006, which enables local authorities to form groupings §§ with public law bodies and private bodies of a limited nature. / there are currently no EGCTs, §§ There are / are no §§ future plans to set up EGCTs. §§ The EGCTs set up to date have been for the following purposes: social welfare, establishment and management of social services, public health, education, culture and heritage, leisure facilities and sport, utilities, energy, roads, public lighting, public transport, low-cost housing (construction and management), economic development measures, town planning, other planning documents, land use permits, design and planning of housing areas, design and planning of economic activity areas, design, maintenance, protection and public access planning of green areas and natural areas, punitive and prosecuting powers, fire fighting and emergency services, public hygiene (regulation and supervision), other – please specify. §§

8 Finance

The legal basis for finance at the local level is provided by the following legislation (...).

8.1 Local revenues

Local revenue composition

taxes	expressed as % of total income
specific grants	expressed as % of total income
general grants	expressed as % of total income
fees and charges	expressed as % of total income
rents	expressed as % of total income
other income	expressed as % of total income

Local revenue is subject to capping. §§ The excess revenue earned by the municipality is – please specify.

8.2 Own taxes

The following taxes are collected as own taxes: income tax, business tax, property tax, conveyancing tax, inheritance tax, gift tax and capital gains tax. §§

The local authority is entitled to collect : income tax, business tax, property tax, conveyancing tax, inheritance tax, gift tax and capital gains tax, other – please specify. Central government collects: income tax, business tax, property tax, conveyancing tax, inheritance tax, gift tax and capital gains tax. §§

In addition, local authorities receive a share of taxes, the percentage of which does not depend on the amount collected locally. §§ These taxes include the following: income tax, business tax, property tax, conveyancing tax, inheritance tax, gift tax, capital gains tax, value added tax, road tax, other – please specify. §§

Local authorities are entitled to levy their own taxes on the following: (...). §§ Local authorities are free / not free to introduce new taxes. §§ No upper limits are set by central government on taxes levied by local authorities / Central government sets upper limits on taxes levied by local authorities. §§

Local authorities may set the rate or percentage of the following taxes: income tax, business tax, property tax, conveyancing tax, inheritance tax, gift tax and capital gains tax, other – please specify. §§

Areas exempt from taxation are: (...). §§

The procedure for raising taxes is as follows: (open question) §§

Municipalities may / may not §§ apply their own fees and charges for certain services, §§ subject to upper limits set by central government. / These are not subject to upper limits set by central government. §§ The fees and charges, §§ including upper limits set by central government §§ are as follows: (...). §§

8.3 Grants

A local authority's revenue comprises xx% grants §§ awarded by either central or regional government. §§ xx% of the grants is for current expenditure, §§ xx% of grants is for investment expenditure. §§ xx% of the grants are ring fenced for specific purposes. §§

§§ Grants are awarded to (xxx types of purpose). §§ Specific grants may be awarded for compensation for refugees, compensation for medical subsidies to households, tourism, sports, environment, culture, energy, health care, social security, family, capital spending, housing construction, other – please specify. §§ The following specific grants are conditional upon a contribution by the local authority itself (... conditional specific grants). §§

Grants are / are not subject to certain restrictions: (...). §§

8.4 Financial equalisation

Financial equalisation may be full or partial, vertical or horizontal. §§ Equalisation is used to equalise revenues, spending needs and unit costs of service delivery, other – please specify. §§

Payments are made through matching grants or lump sum grants. §§ The type of grants used are general and specific. §§ A large / small no. of equalisation factors are taken into consideration; these include (...). §§

8.5 Borrowing

Municipalities are entitled / are not entitled to raise loans, §§ subject to certain restrictions: (...). / These are not subject to any restrictions. §§ Loans may / may not be raised to finance salaries, operating expenses or for financial difficulties. §§ Loans are subject to the approval of (xxx higher body or person's name). §§ Local authorities may also raise / are not entitled to raise bonds. §§

The following are permissible sources of borrowing for local authorities: money markets, commercial banks, capital markets, special local/regional credit institutions, central government, foreign public agencies, foreign semi-public bodies (non-departmental public bodies, and not para public bodies), foreign capital markets, European bodies, eg European Investment Bank, other – please specify. §§

Foreign loans are subject to approval of (xxx approving body). §§ They are further subject to the following conditions (...).§§

8.6 Financial scrutiny

Local authorities are / are not subject to financial scrutiny. §§ Only the use of specific and general grants from the State are subject to financial scrutiny. §§

Scrutiny is carry out by the ministry of finance, the ministry of the interior, regional government / a body set up by the local authority, local authority association, regional government / an independent body (xxx name) / citizens. §§

Scrutiny covers the draft budget, expenditure expediency (including expenditure cost-effectiveness, expenditure purpose, expenditure effectiveness, expenditure type), expenditure registration and payment, legal compliance, statutory dates, budget balancing, final accounts, generally accepted accounting principles are being used, local authority financial liabilities, local authority debt, other – please specify. §§

Other controls are the inclusion of local authority finances in the national financial and economic planning, restrictions imposed on local authority expenditure, and the use of ear marked grants. §§

9 Supervision of local authorities

The legal basis for supervision of local authorities is provided by the following constitutional provision / legislation /: (...).§§

9.1 Supervisory body and forms of control

The (xxx name of authority) §§ is responsible for general administrative supervision of decisions of local authorities. §§ Supervision is carried out both internally and externally. §§ A distinction is made, in the supervision process, between own and delegated competences, §§ and this entails two different supervision bodies/. §§ as well as two different supervision procedures. §§ Supervision is carried out by the same body. §§

When the circumstances give rise, the following may initiate action: supervisory authority, private individuals, state department, other – please specify. §§

Table on supervision (please specify fields for each case, where necessary)

Case	a priori supervision	a posteriori supervision	delegated competence	own competence	mandatory	discretionary
local authority fulfils its tasks	<i>Please specify fields</i>					
local authority fulfils its tasks in a particular field						
legality of all decisions						
legality of specific decisions						
expediency of all decisions						
expediency of specific decisions						
compliance with the public interest of all decisions						
compliance with the public interest of specific decisions						

omission of a local authority duty						
compliance with human rights obligations						

When the supervisory authority considers a decision illegal, the following measures are available: right to investigate any municipal matter and access all necessary information, right to summon and examine witnesses, right to inspect buildings and relevant contents, right to convene meetings with staff of the body being questioned, right to ask staff of the body being questioned for oral or written statements, right to seek assistance from experts and specialists, right to issue a formal notification as appropriate, suggest appropriate solutions, request that the local authority amend the decision to comply with the law, suspension of the decision, retrospective annulment of the decision in part, retrospective annulment of the decision in full, prospective annulment of a decision in part, prospective annulment of a decision in full, amendment of the decision, refer the decision to a court of law, refer the decision to central government, impose fines, awarding damages to affected parties, imposing other measures (please specify), substituting a decision of the supervisory body for that of the local authority, suspension of all local authority organs, appointing an entity to carry out the municipality's duties, dissolution of the local authority council, dissolution of the local authority administrative body. §§

The time limit for review of the decision by the supervisory authority is (xxx time limit). §§

Decisions on budget, local authority accounts, taxation, loans, delegation of management to outside bodies (public and private law), acquisition of holdings in public/private law company are subject to the approval of a higher authority. §§

Remedies available to local authorities for the improper exercise of administrative controls or restrictions on their autonomy by the supervisory authority are as follows: right to submit its point of view, request an assessment of the constitutionality and legality of the decision, right of appeal before a court of law (administrative court, constitutional court). §§ If a local authority appeals against the supervisory body's decision, there is a right to a stay of execution of the challenged decision. §§

9.2 Other forms of control

Local authorities must report to the (xxx higher authority) §§ on the following matters: budget, investment expenditure, auditor's report, economic outlook, local authority cooperation projects, management decisions, measures to increase citizen participation, local property (acquisitions and transfers), other – please specify. §§

Some local authority decisions are subject to ratification. §§ These include: budget, fees and charges, adoption of final accounts, other – please specify. §§

Restrictions may /may not be imposed §§ on local authority decision-making. §§ These restrictions may be budgetary or task-related, other – please specify. §§

10 Remedies for individuals against decisions of local authorities

The legal basis for remedies for individuals challenging local authority decisions is provided by the following constitutional provision / legislation (...). §§

Complaints against local authority decision-making can be heard by: mayor, ombudsman, the local authority, regional authority, public prosecutor, Ministry, supervisory authority, administrative tribunal, court, supreme court, other – please specify. §§ The time limit for complaining is (xxx time limit). §§

Complaints against the mayor made by a private person may be heard by: mayor, ombudsman, the local authority, regional authority, public prosecutor, Ministry, supervisory authority, administrative tribunal, court, supreme court, other – please specify. §§ The time limit for complaining is (xxx time limit). §§

Claims are limited to the procedural accuracy, the legality and the expediency of a local authority decision. §§

Claims can be made for the following: planning, simple negligence, loss of property or damage to goods only, clinical negligence, simple personal injury, professional negligence, malicious prosecution (evidence of assault malice needed), rape, property intentionally lost/destroyed, sexual assault, significant breach of Human Rights, serious wrongdoing, false imprisonment, serious abuse of power or position, interference with goods, wrongful arrest, personal injury, trespass to property/land, a loved one has died in custody, discrimination, dealt with dishonestly, illegally; malicious reporting or with bad faith (misfeasance), mistakes made relating to Data Protection. §§

If a private person's complaint is deemed founded, the remedies available are : right to an opinion by the body in question, suspension of the decision, retrospective annulment of the decision in part, retrospective annulment of the decision in full, prospective annulment of a decision in part, prospective annulment of a decision in full, suspension of the decision, amendment of the decision, referral of the decision to a court of law, referral of the decision to central government, imposition of fines, the award of damages to affected parties, imposition of other measures (please specify). §§ If the remedy is limited to an opinion, the opinion is / is not legally enforceable. §§

Legal action by a private person(s) against a local authority may be found groundless on the basis of public policy. §§

11 Local administrative personnel

The legal status of local administrative personnel is provided by the following constitutional provisions / legislation: (...) §§ Employment regulations are drawn up by the municipality, the state authority. §§

Entry to local government is by competitive examination §§ for permanent, temporary or fixed-term contracts. §§ The mayor, local authority, regional authority, central government, outside body, other - please specify - is responsible for recruitment. §§ There is a national staffing structure, / Local authorities are free to set up their own staffing structures. §§ Staff are employed by the local authority, regional authority, state, other – please specify. §§ The conditions of service are the same as those for the civil service §§ and staff are divided by categories according to their level of education. §§ Salary rates are fixed by the local authority, mayor, state body. §§ Local authority staff have the right / do not have the right to join trade unions. §§ Staff are trained on a regular basis in areas such as leadership, finance, performance management, human rights at local level. §§

(xxx no.) people are currently employed by local government, §§ which constitutes xx% of all public sector employees. §§

Gender equality in top and middle management

Local authorities are bound by law to facilitate the employment of women in middle (co-ordination) and top (planning, directing, controlling and organising) management posts./ Central government has not enacted any legislative provisions to facilitate the employment of women in middle (co-ordination) and top (planning, directing, controlling and organising) management posts. §§

Local authorities implement / do not implement specific policies / measures to facilitate the employment of women in middle and top management posts in the local authority. §§

[If you answered the above in the affirmative:]

Table: Legislative provisions to facilitate the employment of women in middle and top management posts in the local authority **[please fill in and list own examples]**:

Central government legislative provisions	Local authority measures
Requirement to eliminate all discrimination	Gender mainstreaming awareness raising
Management quotas	Recruitment quotas
Recruitment quotas	Management quotas
Mentoring programmes for local authority female employees	Mentoring programmes for local authority female employees
Equal pay duties	Equal pay audits
Equal pay audits	<i>[Other examples]</i>
<i>[Other examples]</i>	

§§**Compliance with equal opportunity legislation**

Local authorities are bound to respect the provisions of the [title of law on equal opportunities]/are not bound by equal opportunity legislation. §§ Local authority obligations under this law are set out in the table below. §§ Data on local authority compliance with this law is/is not collected by the [xxxMinistry/Department name]. §§

[If you answered in the affirmative:]

Table: Local authority measures for creating equal opportunities **[please fill in and list own examples]**

Local authority measures
Affirmative action to offset gender disparities
Guaranteed equal pay
Gender equality and mainstreaming training
Establishment of a gender equality unit
Use of sex disaggregated data for local decision making
Employment/consultation of gender expert for legal and other advice
<i>[Other examples]</i>

12 - Reforms envisaged or in progress

The current / envisaged reforms concern: (please specify) §§

They were intended to bring the following improvements: / They will bring the following improvements: §§

The reform led to new laws being enacted / will lead to new laws being enacted: §§

The reform only led to / will only lead to amendments to existing law: §§

The reforms were / will be based on existing CoE standards: §§

The reforms were / will be enacted: §§