

# REPUBLIC OF BELARUS

## LAW

4 January 2010, № 108-3

### **On Local Government and Self-Government in the Republic of Belarus**

Passed by the House of Representatives on December 11, 2009

Endorsed by the Council of the Republic on December 17, 2009

This Law determines the legal and organizational basis of local government and self-government in the Republic of Belarus.

#### **CHAPTER 1 GENERAL PROVISIONS**

##### **Article 1. Definition of Local Self-Government and System of Its Organs**

1. Local self-government is an organizational and operational form that residents of a particular territory (hereinafter referred to as citizens, if not indicated otherwise) use to independently resolve social, economic and political issues of local significance, either directly or through their elected organs, proceeding in making their decisions from common state interests and interests of citizens and considering relevant features in the development of respective administrative-territorial units, with the use of their own material and financial resources and those raised elsewhere.

Local self-government shall be exercised through local Councils of Deputies (hereinafter referred to as Councils), organs of territorial public self-government, local assemblies, local referenda, citizen initiatives to advocate Council decisions, citizen participation in funding and/or reimbursement of budget spending for particular goals defined by citizens or through any other forms of citizen participation in state and public affairs.

2. The system of local self-government organs shall include Councils and organs of territorial public self-government.

3. The system of Councils in the Republic of Belarus shall consist of three territorial levels – regional, basic, and primary – and comprise regional, city, district, town and village Councils.

The regional territorial level shall comprise regional Councils and Minsk

City Council (all hereinafter referred to as regional-level Councils, if not indicated otherwise). Regional-level Councils are superior with respect to the Councils of basic and territorial levels.

The basic territorial level shall comprise city Councils (for cities of regional subordination) and district Councils (all hereinafter referred to as basic-level Councils, if not indicated otherwise). Basic-level Councils are superior with respect to the Councils of primary territorial level.

Minsk City Council shall also enjoy the rights of a Council of basic territorial level.

The primary territorial level shall comprise village Councils, town Councils, and city Councils (for cities of district subordination) (all hereinafter referred to as primary-level Councils, if not indicated otherwise).

## **Article 2. Definition of Local Government and System of Its Organs**

1. Local government is an organizational and operational form that local executive and regulatory organs (hereinafter referred to as executive and regulatory organs) use to resolve issues of local significance, proceeding in making their decisions from common state interests and interests of citizens.

2. The system of local government shall consist of three territorial levels – regional, basic and primary – and comprise regional, city, district, town and village executive committees (hereinafter referred to as executive committees) and local administrations in city districts (hereinafter referred to as local administrations, if not indicated otherwise).

The regional territorial level shall comprise regional executive committees and Minsk City executive committee (all hereinafter referred to as regional-level executive committees, if not indicated otherwise). Regional-level executive committees are superior with respect to executive and regulatory organs of basic and territorial levels.

The basic territorial level shall comprise city executive committees (for cities of regional subordination) and district executive committees (all hereinafter referred to as basic-level executive committees, if not indicated otherwise). Basic-level executive committees are superior with respect to executive and regulatory organs of primary territorial level.

Minsk City executive committee shall also enjoy the rights of a basic-level executive committee.

The primary territorial level shall comprise village executive committees, town executive committees, city executive committees (for cities of district subordination) (all hereinafter referred to as primary-level executive committees, if not indicated otherwise), and local administrations.

### **Article 3. Fundamental Principles of Local Government and Self-Government**

Local government and self-government in the Republic of Belarus shall be exercised in accordance with the following fundamental principles:

- Legality;
- Social justice;
- Protection of rights and legitimate interests of citizens;
- Combination of common state interests and local interests, participation of local government and self-government in the resolution of issues affecting the rights and legitimate interests of citizens;
- Unity and cohesiveness of the system of local government and self-government;
- Cooperation of local government and local self-government;
- Division of authority between local government and local self-government;
- Electability of local self-government and its accountability to citizens;
- Transparency and appreciation of public opinion, constant provision of information to citizens about taken decisions on most significant issues of local significance;
- Responsibility of local government and self-government for the legality and relevance of their decisions;
- Obligation to fulfill the decisions of Councils and executive and regulatory organs in the respective territory if they are taken within their respective authority;
- Autonomy and independence of local self-government in resolving local issues within their authority, prohibition of limitations on the authority of local government and self-government, except for the cases provided for by this Law and other legislative acts.

### **Article 4. Legal Basis of Local Government and Self-Government**

Local government and self-government in the Republic of Belarus shall be organized and exercised on the basis of the Constitution of the Republic of Belarus, this Law and other legislative acts, including international agreements of the Republic of Belarus.

**Article 5. Role of Councils and Executive and Regulatory Organs in Improving the Organization of Work with Citizens and Legal Entities**

1. Councils shall be engaged in activities aimed at improving the organization of work with citizens and legal entities, including activities to introduce the principle of “one stop shop” into the operation of state organs and other state organizations; they shall also participate in exercising control over such activities in their respective territories.

2. In order to improve the organization of work with citizens and legal entities, Councils and executive and regulatory organs, within their authority and in accordance with procedures established by law, shall be entitled to as follows:

2.1. Review appeals of citizens, including sole proprietors, and legal entities (hereinafter referred to as appeals of citizens and legal entities), including trips to the places in question, and keep a record book of complaints and proposals;

2.2. Take necessary measures to ensure full, objective, all-sided and timely review of appeals of citizens and legal entities in the respective territory, including participation in exercising control over the timely and quality resolution of issues raised in appeals of citizens and legal entities by state organs and other state organizations;

2.3. Hold personal reception hours for citizens, including sole proprietors, and representatives of legal entities (hereinafter referred to as personal reception of citizens and representatives of legal entities);

2.4. Conduct administrative procedures, get engaged in regular activities aimed at their simplification, including through reducing the number of documents required for such procedures, shortening the duration of such procedures and by sending respective proposals to the relevant state organs and other organizations.

**Article 6. Role of Councils and Executive and Regulatory Organs in Social Protection of Citizens**

Councils and executive and regulatory organs, within their authority and in accordance with procedures established by law, shall take measures to ensure social protection of citizens in the respective territory, including through the provision of tax and duties (charges) concessions, through award and payment of retirement pensions, social benefits, targeted state social support and other types of social support.

**Article 7. Associations of Councils. National Association of Local Councils**

1. In order to exercise their authority effectively, protect common interests and provide mutual assistance in resolving local issues, Councils shall be entitled to establishing associations of Councils. Associations of Councils and Minsk City Council can establish National Association of Local Councils.

State registration of associations indicated in the previous paragraph shall be carried out in accordance with procedures applied to associations of non-profit organizations.

2. Associations indicated in Paragraph 1 of Part 1 of this Article are legal entities whose property is composed of membership fees and comes from other sources in accordance with the law.

Financing of the above-mentioned associations is done through their financial resources as well as from other resources, including those obtained from for-profit activities, gratuitous (sponsor) aid and from other sources which are not forbidden by the law.

The decision to enter such an association (union) shall be taken at a session of the respective Council.

**Article 8. Council for Cooperation of Local Self-Government Organs under the Council of the Republic of the National Assembly of the Republic of Belarus**

Council for Cooperation of Local Self-Government Organs can be established under the Council of the Republic of the National Assembly of the Republic of Belarus to ensure cooperation with local self-government organs. Respective regulations governing the work of this Council shall be approved by the Council of the Republic of the National Assembly of the Republic of Belarus.

**CHAPTER 2  
COUNCILS**

**Article 9. Councils**

1. Councils shall be representative state organs established in accordance with procedures defined by law in the territory of the respective administrative-territorial units and shall be the main element of the local self-government system.

2. Councils shall exercise their authority in accordance with the Constitution of the Republic of Belarus, this Law and other legislative acts.

3. In their activities Councils shall be accountable to citizens, responsible

before them.

4. Councils shall be legal entities.

#### **Article 10. Council Election. Council Term of Office**

1. Councils shall be elected by the citizens of the respective administrative-territorial units in general, free, equal and direct elections by secret ballot for the term of four years in accordance with procedures established by the Election Code of the Republic of Belarus.

2. Council authority shall be valid starting from the opening of the first session following the election of the respective Council and remain valid till the opening of the first session of the next elected Council, except for the cases provided for in Article 24 of this Law.

#### **Article 11. Council Activities**

1. In its activities aimed at resolving local issues, Councils shall proceed from common state interests and interests of citizens, participate in the discussion of nationally significant issues which affect the interests of the respective territories, submit their proposals on such issues to the relevant state organs and other organizations, and fulfill the decisions of upper-level state organs.

2. Councils shall carry out their activities in the form of sessions and through the activities of Council organs as well as through deputies who fulfill their authorities, including by establishing and operating groups of deputies and other associations of deputies.

3. Council organs shall consist of the Presidium and Standing and Temporary Commissions .

4. Councils shall organize their activities on the basis of rules of procedure which are approved by the Council and which define the procedures of preparing, submitting and considering issues for Council sessions and meetings of its organs, procedures for voting on proposed decisions, procedures for establishing and operating Council commissions, procedures for hearing their reports, procedures for considering inquiries of deputies and for resolving other issues related to the work of the Council and its organs; the rules of procedures shall also provide for responsibility that Council deputies have to take for failing to participate in the work of the Council without good reasons.

5. Upper-level Councils shall exercise coordination of the activities of lower-level Councils and their organs and provide organizational and methodological assistance to them.

6. Organizational, technical and other support for the work of the Council and its organs shall be provided by the Council's secretariat and by the executive committee at the cost of the respective local budget. The numerical composition of the Council's secretariat shall be established by the President of

the Republic of Belarus.

7. Issues that affect the interest of adjacent territories shall be resolved by the respective Councils together.

## **Article 12. Council Session**

1. Sessions shall be the main form of the Council's work. They shall be convened as often as necessary but at least once in three months. The first session of the newly elected Council shall be convened by the respective territorial election commission on the condition that more than one half of deputies of their total number for the respective Council are elected and not later than 30 days after the elections. Council sessions shall be conducted in the form of general meetings in accordance with procedures established by the Council's rules of procedure.

2. Before the chair of the Council is elected, the first session of the newly elected Council shall be presided by the chair of the respective territorial election commission, or in the event that the chair is absent, by the member of the above-mentioned commission who has been appointed to act as the chair.

3. Council sessions shall be convened and conducted in accordance with the Council's rules of procedure by the chair of the Council, or in the event that the chair is absent, by the vice chair designated by the chair. Council sessions can be convened by the Council's presidium or by the Council's chair:

3.1 At the initiative of at least one third of all elected deputies, at the initiative of the chair of the respective executive committee or at the initiative of at least 10 percent of eligible voters residing in the respective territory;

3.2 Upon the demand of the President of the Republic of Belarus or an upper-level Council if the local Council in question violates the rights and legitimate interests of citizens or in any other way violates the law.

4. Council sessions shall be conducted in an open and transparent way, except for the cases when the Council makes the decision to hold a closed session. A session shall be legally qualified if at least two thirds of elected deputies take part in it.

5. Proposals concerning the question to be considered at Council sessions can be submitted by the Council's chair, presidium and other Council organs, Council deputies, executive committee chair (head of local administration), executive committee (local administration), organs of territorial public self-government, local assemblies, and, in accordance with Article 35 of this Law, citizens.

## **Article 13. Council Decisions**

1. Councils shall take decisions on issues considered at their sessions.

2. Council decisions shall be taken at Council sessions by a simple majority of all elected deputies by secret or open ballot, including roll call vote.

The decision of the voluntary dissolution of the Council shall be taken by at least two thirds of elected deputies. The form of voting shall be determined in accordance with the procedure established the Council's rules of procedure.

#### **Article 14. Formation of Council Organs**

Councils shall form their organs not later than two months after the first session, determine their structure and authority, and set spending for their work independently and in accordance with this Law and other legislative acts.

#### **Article 15. Council Presidium**

1. Presidiums shall be established in regional and basic-level Councils.

Presidium shall include the Council's chair, vice chair (vice chairs), and chairs of the Council's standing commissions. Presidium may also include other deputies, if decided so by the Council.

2. Presidium meetings shall be convened as often as necessary but at least once in three months.

Presidium meetings shall be convened and led by the Council's chair or vice chair if the chair is absent. A presidium meeting shall be legally qualified if it is attended by at least two thirds of its full composition. Presidium decisions shall be taken by a simple majority of all its members by secret or open ballot, including roll call vote, in accordance with the procedure established the Council's rules of procedure.

3. Within its authority and in accordance with procedures established by law and the Council's rules of procedure, the Council's presidium shall do the following:

3.1. Organize the work for the preparation of Council sessions, communicate to deputies and citizens the information concerning the time and place of Council sessions as well as concerning the issues placed on the agenda of Council sessions and decisions taken thereupon;

3.2. Ensure the necessary follow-up for the Council's decisions;

3.3. Submit to the Council proposals on establishing standing and temporary commissions, and coordinates the activities of standing and temporary commissions, groups of deputies and other forms of association of deputies;

3.4. Provide assistance to Council deputies in their Council-related work, including their personal reception of citizens and representatives of legal entities, preparation of reports to be delivered to voters, and provide them with all the necessary information;

3.5. Submit to Council sessions proposals concerning the exercise of authority by Council deputies, including relieving deputies from their regular jobs for periods when Council sessions and meetings of its organs are prepared

and conducted;

3.6. Organize cooperation between the Council and other Councils, executive and regulatory organs, other organizations and organs of territorial public self-government;

3.7. Make sure that the work of the Council is transparent;

3.8. Organize citizen discussions of draft Council decisions and other important local issues, make sure that there is wide participation of organizations and citizens in the development, adoption and implementation of Council decisions on local issues;

3.9. Submit for consideration to Council sessions the question of early termination of the mandate of Council deputies;

3.10. Accept for consideration inquiries lodged by Council deputies and provide answers to them within the period and in accordance with the procedures established by law;

3.11. Make sure that consideration is given to appeals of citizens and legal entities submitted to the Council. If need be, such appeals are submitted for consideration to Council sessions;

3.12. Inform the Council about its activities;

3.13. Act within its mandate as provided for by this Law and other legislative acts.

## **Article 16. Council's Standing Commissions**

1. To give preliminary consideration and preparation to the issues falling within the Council's terms of reference as well as to organize the implementation and supervision of the decisions of the Council and upper-level state organs, standing commissions shall be elected at Council sessions out of Council deputies.

Primary-level Councils may not form standing commissions, except for a credentials commission.

2. Standing commissions shall make decisions falling within their terms of reference in accordance with procedures established by the Council's rules of procedure.

3. Standing commissions shall be led by chairs of standing commissions.

4. A standing commission meeting can be attended with the right of deliberative voice by deputies who are in other standing commissions of the same Council, experts and other specialists invited by the chair of the commission as well as deputies of other Councils if taken decisions can affect the interests of citizens residing in the territory of the respective administrative-territorial unit.

5. Recommendations contained in the decisions of standing commissions shall be subject to consideration by the respective state organs and other organizations. Reports on the results of such consideration and measures taken

thereupon shall be submitted to standing commissions within one month.

## **Article 17. Council Authority**

1. Within their authority and in accordance with procedures established by law, Councils shall be entitled to the following:

1.1. Represent the interests of the respective administrative-territorial unit in its relations with other state organs, other organizations and citizens;

1.2. Endorse programs of socioeconomic development for the respective administrative-territorial unit, endorse local budgets and reports on their execution;

1.3. Endorse forecasts of socioeconomic development for the respective administrative-territorial unit;

1.4. Endorse regional programs and concepts (primary-level Councils endorse action plans) concerning housing construction, provision of public amenities, road construction, communal, consumer and social services, social support of children, young people, veterans, disabled people and the elderly, support for small business, improvement of labor conditions and labor safety, healthcare, education, sports and physical culture, environmental protection, rational use of natural resources, radiation safety, protection of historical and cultural heritage, and other issues of local significance, exercise supervision over the implementation of these programs and concepts (action plans) and endorse reports on their implementation;

1.5. Determine, within the scope established by law, procedures of managing and disposing of the property of the respective administrative-territorial unit (hereinafter referred to as communal property, if not indicated otherwise);

1.6. Dispose of natural resources in cases provided for by environmental legislation and legislation in the field of rational use of natural resources and exercise supervision over their use;

1.7. Establish local taxes and duties in accordance with the law;

1.8. Grant concessions on taxes and duties which are fully paid to local budgets in accordance with the procedures established by the President of the Republic of Belarus and by national legislation or provide the right to grant such concessions to executive and regulatory organs;

1.9. Determine rates of payments in cases provided for by legislative acts (including rates of payments collected from those who rent hunting and fishing areas, and water bodies);

1.10. Decide on issues related to administrative-territorial arrangement;

1.11. Call local referenda;

1.12. Coordinate the activities of organs of territorial public self-government;

1.13. Contribute to the development of industrial and agricultural production, and services sector, development of small and medium-scale

business and personal farming households;

1.14. Participate in activities intended to preserve and restore valuable historical and cultural heritage;

1.15. Participate in campaigns to prevent and manage emergencies, in civil defense, measures of fire, industrial, nuclear and radiation safety, and management of Chernobyl consequences;

1.16. Endorse the Council's rules of procedure and structure;

1.17. Endorse annual estimation of the Council's spending;

1.18. Decide on questions concerning mandates of Council deputies and early termination of their mandates;

1.19. Elect the Council's chair and vice chair (vice chairs) and decide on the early termination of their authority;

1.20. Endorse the chair of the executive committee;

1.21. Form and dissolve Council organs, endorse and change their composition, elect chairs and vice chairs of these organs (if they are formed) and relieve them of their authority;

1.22. Decide on the participation in the establishment of associations indicated in Paragraph 1 Part 1 of Article 7 of this Law, as well as on joining associations and cancellation of their membership;

1.23. Consider inquiries of Council deputies and make decisions thereupon;

1.24. Hear reports of Council chair and Council organs as well as officials who are elected, appointed or endorsed by them, hear reports and other information of the chair and other officials of the respective executive committee concerning questions falling within the authority of the Council;

1.25. Decide on questions concerning the re-distribution of authority between Councils of different levels, delegation of individual mandates to executive and regulatory organs, their chairs and organs of territorial public self-government;

1.26. Determine the terms and procedures for relieving Council deputies, who have jobs on the basis of labor contracts, from their regular jobs for periods of preparing and conducting Council sessions and meetings of its organs;

1.27. Abolish orders of the Council's chair and chair of the executive committee, decisions of the respective executive committee, decisions of an lower-level Council and decisions of its chair, if they are not in line with legislation;

1.28. Act as founders of local media;

1.29. Take decisions on voluntary dissolution;

1.30. Carry out international cooperation;

1.31. Exercise other activities as provided for by this Law and other legislative acts.

2. The authority envisaged by Sub-Paragraphs 1.2, 1.5, 1.7, 1.11 of

Paragraph 1 of this Article shall fall within exclusive authority of Councils. The authority defined as exclusive for Councils as well as the authority envisaged by Sub-Paragraphs 1.3, 1.4, 1.8-1.10, 1.16-1.30 of Paragraph 1 of this Article shall be exercised exclusively in the Council's sessions.

### **Article 18. Special Authority of Regional-Level Councils**

Within their authority and in accordance with procedures established by law, regional-level Councils shall be entitled to the following:

Make sure that budgets of administrative-territorial units in the respective territory are balanced;

Regulate the process of carrying out administrative procedures in the respective territory;

Provide state support to legal entities and sole proprietors on a case by case basis through introducing changes into the legislatively established terms of the payment of taxes collected entirely for local budgets and penalties for their late payments, through the provision of budgetary resources from local budgets, through relieving them from paying for the communal property that they get for their use on the conditions similar to those determined by the President of the Republic of Belarus;

Endorse the maximum level of debt of organs of local government and self-government for the coming financial year;

Identify measures of social support of children, young people, veterans, disabled people and the elderly;

Endorse a model regulation on organs of territorial public self-government;

Award the title of an Honorable Citizen of the respective region (or the City of Minsk), thereby also determining procedures for the award of this title and privileges of its holders;

Exercise other activities as provided for by this Law and other legislative acts.

### **Article 19. Special Authority of Basic-Level Councils**

1. Within their authority and in accordance with procedures established by law, basic-level Councils shall be entitled to the following:

1.1. Endorse territorial plans of district development, general plans of cities of district subordination and other inhabited localities of the respective territory;

1.2. Endorse the maximum level of debt of organs of local government and self-government for the coming financial year;

1.3. Award the title of an Honorable Citizen of the respective city or district, thereby also determining procedures for the award of this title and

privileges of its holders;

1.4. Exercise other activities as provided for by this Law and other legislative acts.

2. City councils (of cities divided into districts), apart from the authorities indicated in Part 1 of this Article, shall be entitled to the following:

2.1. Nominate candidates for collegial bodies of organs of territorial public self-government;

2.2. Exercise supervision over the activities of organs of territorial public self-government;

2.3. In cases provided in Paragraph 3 of Article 32 of this Law, make decisions concerning the abolition of the collegial organ of territorial public self-government.

## **Article 20. Special Authority of Primary-Level Councils**

Within their authority and in accordance with procedures established by law, primary-level Councils shall be entitled to the following:

Submit to the Council and the respective executive committee at the basic level their proposals concerning the social protection of citizens;

Submit to the basic-level Council and the respective executive committee proposals concerning the size of deductions from local taxes and duties, and concerning the size of subsidies into the primary-level budgets;

Nominate candidates for collegial organs of territorial public self-government;

Endorse regulations governing the sole organ of territorial public self-government;

Exercise supervision over the activities of organs of territorial public self-government;

In cases provided for in Paragraph 3 of Article 32 of this Law, make decisions concerning the abolition of the collegial organ of territorial public self-government;

Exercise other activities as provided for by this Law and other legislative acts.

## **Article 21. Council Chair**

1. The activities of the Council shall be led by the chair who is accountable to the Council which elected him.

The Council chair is a civil servant.

2. The Council chair shall be elected out of Council deputies at a session of the respective Council by secret ballot and fulfill his duties till the opening of the first session of the next Council.

3. Candidates for the Council chair at the regional level shall be nominated by the deputies of the respective Council; candidates for the Council chair at the basic level shall be nominated by the deputies of the respective

Council and the chair of the upper-level Council. Similar procedure shall be followed for the proposals for early termination of the Council chair's office.

The Council chair shall be considered elected, if his candidacy has more than one half of votes from the elected deputies of the respective Council.

4. The Council chair at the primary level shall at the same time serve as the chair of the respective executive committee. The procedure for electing chairs for primary-level Councils shall be determined by the President of the Republic of Belarus.

5. The authority of the Council Chair shall be terminated early on the grounds and in accordance with procedures established by laws of the Republic of Belarus, dated March 27, 1992, "On the Status of the Deputy of the Local Council" (Official Gazette of the Supreme Soviet of the Republic of Belarus, 1992, #13, p. 217; National Register of Legal Acts of the Republic of Belarus, 2006, #6, 2/1181), and dated June 14, 2003, "On Civil Service in the Republic of Belarus" (National Register of Legal Acts of the Republic of Belarus, 2003, #70, 2/953), and on other grounds in accordance with the law.

## **Article 22. Authority of Council Chair**

1. The Council Chair in his activities shall be guided by the Constitution of the Republic of Belarus, this Law and other laws of the Republic of Belarus, acts of the President of the Republic of Belarus, resolutions of the Council of Ministers of the Republic of Belarus, legal acts of national government organs and decisions of upper-level Councils, instructions of their chairs, decisions of the respective Council and other government organs adopted within the limits of their competence.

2. Within his authority and in accordance with procedures established by law, Council chair shall be entitled to the following:

2.1. Head the Council, lead its work, and ensure cooperation with the respective executive committee;

2.2. Represent the Council in all relations with other state organs, other organizations and citizens;

2.3. Endorse the organizational chart of the respective Council;

2.4. Convene Council sessions, organize preparations for the sessions and preside over them;

2.5. Organize supervision over the fulfillment of Council decisions;

2.6. Appoint members of Council staff and relieve them from their jobs, conclude (extend, terminate) labor contracts with them, and award them with incentives and disciplinary sanctions;

2.7. Invite representatives of other Councils, executive and regulatory organs, other organizations, organs of territorial public self-government and citizens for Council sessions;

2.8. Submit draft Council decisions to standing commissions for their opinion and give instructions to chairs of standing commissions;

- 2.9. Sign decisions, protocols of Council sessions and issue orders;
  - 2.10. Make sure inquiries of Council deputies are given consideration;
  - 2.11. Organize the Council's work related to the consideration of appeals by citizens and legal entities, keeping of a book for complaints and proposals and conduct of administrative procedures. If need be, submit proposals concerning such appeals to Council sessions;
  - 2.12. Personally receive citizens and representatives of legal entities;
  - 2.13. Report to the Council on the state of affairs in the respective territory and on other issues within his mandate, present to Council sessions reports on his activities as often as necessary but at least once a year, and inform citizens about the state of affairs in the respective territory;
  - 2.14. Exercise other activities as provided for by this Law and other legislative acts.
3. In addition to the authority indicated in Paragraph 1 of this Article, regional- and basic-level Council chairs shall be entitled to the following:
- 3.1. Submit for Council consideration proposals to cancel unlawful orders given by the chair of the respective executive committee, decisions taken by the executive committee or lower-level Council, and orders given by the chair of the lower-level Council;
  - 3.2 Head the Council presidium, organize preparations for its meetings, lead these meetings, sign decisions and minutes of presidium meetings;
  - 3.3 Submit to Council sessions reports about the activities of the presidium as often as necessary but at least once a year.
4. The primary-level Council chair, apart from the authority indicated in Paragraph 1 of this Article, shall also fulfill the functions which are designated by this Law and other legislative acts as falling within the authority of the Council presidium.

### **Article 23. Council Vice Chair (Vice Chairs)**

- 1. Council vice chair (vice chairs) shall be elected at a session of the respective Council out of Council deputies upon recommendation from the Council chair for the period of the Council's tenure by secret or open ballot and shall fulfill his duties till the opening of the first session of the next Council.
- 2. Council vice chair (vice chairs) shall be considered elected if he gets more than one half of votes from the elected deputies of the respective Council.
- 3. Council vice chair (vice chairs) shall be responsible, within his authority defined in the rules of procedure of the Council, for organizing the activities of the Council and its organs, and fulfill the duties of the Council chair, if the latter is absent.
- 4. The mandate of Council vice chair (vice chairs) can be terminated early by the Council in accordance with the procedures used for his election.

**Article 24. Early Termination (Dissolution) of the Council**

1. The mandate of the Council can be terminated early by the Council of the Republic of the National Assembly of the Republic of Belarus in the following cases:

1.1 Systematic (more than twice) or flagrant violation of the legislation by the Council;

1.2 If the Council fails to convene a session at least three times due to the fact that Council deputies fail to attend it without good reasons;

1.3 If the Council fails to form its organs within two months after the first session.

2. The mandate of the Council can be terminated early:

2.1 By the decision of the same Council (self-dissolution);

2.2 By the decision of the upper-level Council or the President of the Republic of Belarus (in case of changes in administrative-territorial division in accordance with the legislation).

**CHAPTER 3  
TERRITORIAL PUBLIC SELF-GOVERNMENT****Article 25. Territorial Public Self-Government**

1. Territorial public self-government refers to voluntary activities of citizens in the area of their residence which is part of the territory of an administrative-territorial unit (urban neighborhoods, housing areas, blocks of buildings, streets, yards, agricultural towns, settlements, villages, etc.) to resolve issues of local significance directly or through organs of territorial public self-government.

Organs of territorial public self-government are the organizational form for the exercise of territorial public self-government by citizens.

2. One part of an administrative-territorial unit can have only one organ of territorial public self-government.

**Article 26. Goals and Objectives of Territorial Public Self-Government**

1. The main goal of territorial public self-government shall be the development and implementation of citizen initiatives on local issues in the respective part of the administrative-territorial unit.

2. The main objectives of territorial public self-government shall be as follows:

2.1. Support to the realization of rights, freedoms and legitimate interests of citizens;

2.2. Assistance to executive and regulatory organs and Councils in their work with citizens;

2.3. Study, analyze and consider opinions of citizens on issues of economic and social development, environmental protection and rational use of natural resources;

2.4. Engage citizens in activities to improve the condition, maintenance and repair of residential houses and adjacent territories;

2.5. Participate in activities to provide social support to families and different categories of citizens who need such support (children, young people, elderly people, disabled people and others);

2.6. Assist in organizing activities for spare time of citizens;

2.7. Participate in organizing activities involving dysfunctional families;

2.8. Support charitable activities;

2.9. Support the revival and preservation of cultural valuables, national customs and traditions, and development of artistic and technical creativity;

2.10. Support the relevant authorities in activities related to crime prevention;

2.11. Support the exercise of legislative initiative by citizens regarding issues of local significance;

2.12. Provide assistance in resolving other issues of local significance.

## **Article 27. Organs of Territorial Public Self-Government**

1. An organ of territorial public self-government can be a collegial organ or a sole organ.

2. A collegial organ of territorial public self-government can be established without the formation of a legal entity or as a legal entity.

3. A collegial organ of territorial public self-government established as a legal entity shall be a non-profit organization.

Procedures for the establishment, operation and termination of activities of a collegial organ of territorial public self-government set up as a legal entity shall be regulated by the legislation in force for the relevant legal entities but also taking into account the provisions of Article 26 of this Law.

4. A collegial organ of territorial public self-government set up without the formation of a legal entity shall be established and operated in accordance with this Law and regulations on the organ of territorial public self-government which are endorsed by the local assembly on the basis of a template approved by the respective regional-level Council with due regard to the provisions of this Law.

5. A sole organ of territorial public self-government (elder, headman, etc.) shall be established and act in accordance with this Law and respective regulations endorsed by the respective Council on the basis of a template approved by the respective regional-level Council with due regard to the

provisions of this Law. Sole organs of territorial public self-government shall be accounted for by the respective executive and regulatory organs of the primary level.

6. Organs of territorial public self-government shall be accountable to local assemblies and Councils for their activities.

Supervision over the activities of organs of territorial public self-government shall be exercised by the respective Council.

## **Article 28. Authority of Local Assemblies Called to Establish and Operate Organs of Territorial Public Self-Government**

1. With respect to collegial organs of territorial public self-government, local assemblies shall be entitled to do the following:

1.1 Make decisions to set up and terminate organs of territorial public self-government;

1.2 Endorse regulations governing the respective organ of territorial public self-government and amend them as necessary;

1.3 Elect members (with their consent) of organs of territorial public self-government out of members of local assemblies and make decisions concerning the termination of membership in organs of territorial public self-government. Procedures for electing members of organs of territorial public self-government by local assemblies shall be determined by the respective Council with due regard to the provisions of the Law of the Republic of Belarus, dated July 12, 2000, "On National and Local Assemblies" (Ref: National Register of Legal Acts of the Republic of Belarus, 2000, №67, 2/186);

1.4 Determine the organizational structure of organs of territorial public self-government;

1.5 Consider issues related to the authority of organs of territorial public self-government and put forward proposals to these organs of territorial public self-government.

2. Decisions of local assemblies taken within their mandates shall be obligatory for organs of territorial public self-government.

3. Decisions of local assemblies as well as other information about the activities of organs of territorial public self-government discussed by local assemblies shall be communicated to members of local assemblies, members of organs of territorial public self-government and other stakeholders within ten days after the respective local assembly by way of sending them the relevant materials.

## **Article 29. Membership in Collegial Organs of Territorial Public Self-Government**

1. Members of collegial organs of territorial public self-government can be citizens who reached at least 18 years of age and have registered residence in the part of the administrative-territorial unit where the collegial organ of territorial public self-government is established.

2. Candidates for members of collegial organs of territorial public self-government can be nominated by citizens as well as by city Councils (in cities divided into districts and in cities of district subordination), town and village Councils, and executive and regulatory organs of the primary level.

3. Members of collegial organs of territorial public self-government shall be elected by open voting or secret ballot by local assemblies. The exact type of voting shall be determined by local assemblies. The term of office of the members of collegial organs of territorial public self-government cannot exceed the term of office of the Council in the respective administrative-territorial unit.

4. The composition of collegial organs of territorial public self-government shall include a chair, a vice chair and other members.

5. The management of collegial organs of territorial public self-government shall be exercised by the chair of the respective organ of territorial public self-government or by the vice chair when the chair is absent. The chair and vice chair shall be elected and relieved from their duties at a session of the respective collegial organ of territorial public self-government out of its members and with approval from the respective Council.

6. The chair of the collegial organ of territorial public self-government shall be accountable on all his activities to the respective organ of territorial public self-government, local assembly and respective Council.

7. The chair of the collegial organ of territorial public self-government shall exercise leadership of the respective organ of territorial public self-government, make sure that the organ of territorial public self-government fulfills the decisions of the local assembly and bear responsibility for the activities of the respective organ of territorial public self-government.

8. The mandates of the chair and vice chair shall be terminated in the following cases:

8.1 By a decision of the respective organ of territorial public self-government taken at the request of the respective Council, members of the respective organ of territorial public self-government, local assembly or citizens who have permanent residence in the respective part of the administrative-territorial unit where the organ of territorial public self-government is established – in case they fail to fulfill their duties properly;

8.2 At their own request – on the basis of their written resignation note;

8.3 In case they lose membership in the respective organ of territorial public self-government.

9. Members of collegial organs of territorial public self-government shall be entitled to the following:

9.1 Participate in the management of affairs of the respective organ of territorial public self-government in accordance with procedures established by law and regulations on the respective organ of territorial public self-government;

9.2 Obtain information about the activities of the respective organ of territorial public self-government.

10. Members of collegial organs of territorial public self-government shall comply with the requirements of the regulations on the respective organ of territorial public self-government and decisions of local assemblies.

11. Membership in collegial organs of territorial public self-government shall be terminated in the following cases:

11.1 By a decision of the respective local assembly, if a member of the organ of territorial public self-government does not fulfill his duties systematically without good reasons;

11.2 At the own request of the member – on the basis of his written resignation note;

11.3 In case of the expiry of the mandate as a member of the organ of territorial public self-government;

11.4 In case of the movement of the member of the organ of territorial public self-government to a different location outside the borders of the part of the administrative-territorial unit where the organ of territorial public self-government is established;

11.5 In case if in accordance with the relevant procedures, the organ of territorial public self-government is declared incapable of fulfilling its duties;

11.6 In case of the death of the member of the organ of territorial public self-government, or if he is declared dead, or if he is declared missing.

### **Article 30. Registration of Collegial Organs of Territorial Public Self-Government**

1. For a collegial organ of territorial public self-government to be registered, the following documents shall be submitted to the respective executive and regulatory organs within one month after its establishment:

1.1 An application made in the form approved by the regional-level Council;

1.2 Regulations on the collegial organ of territorial public self-government;

1.3 Minutes of the local assembly providing information about the establishment of the organ of territorial public self-government, endorsement of the regulations on it and election of its members;

1.4 A list of local assembly participants with their first names,

patronymics, last names, years of birth, citizenship and place of residence;

1.5 A list of members of the organ of territorial public self-government with the indication of their first names, patronymics, last names, dates of birth, citizenship, place of residence, home (mobile) telephone number, place of work (study), office telephone number and position in the organ of territorial public self-government.

2. The registration of the collegial organ of territorial public self-government shall be done by the respective executive and regulatory organs within ten days after the submission of the documents indicated in Paragraph 1 of this Article.

Within five days after the registration of the collegial organ of territorial public self-government executive and regulatory organs shall inform the chair of the organ of territorial public self-government about it in the written form and issue a certificate on the registration of the collegial organ of territorial public self-government.

3. The application for registration of the collegial organ of territorial public self-government shall be rejected in the following cases:

3.1 When there is a contradiction between the submitted regulations on the organ of territorial public self-government and the relevant legislation or template of the regulations on the collegial organ of territorial public self-government approved by the regional-level Council;

3.2 When there is a discrepancy between the goals and objectives of the organ of territorial public self-government as laid out in the regulations on this organ and the goals and objectives of organs of territorial public self-government as defined by Article 26 of this Law;

3.3 When there is a violation of the established procedures for citizen nomination of representatives for local assemblies and norms of representation as well as procedures of citizen participation in such assemblies and election of members of the organ of territorial public self-government by local assemblies.

4. The collegial organ of territorial public self-government shall be regarded as established at the moment of its registration.

### **Article 31. Operational Procedures for Organs of Territorial Public Self-Government**

1. Sessions of the collegial organ of territorial public self-government shall be held as often as necessary but at least once in six months.

2. Sessions of the collegial organ of territorial public self-government shall be legally qualified if they are attended by at least two thirds of its members.

Citizens shall be entitled to have free access to sessions of the collegial organ of territorial public self-government as well as to participating in its work in a consultative capacity without the right to vote.

3. Decisions of the collegial organ of territorial public self-government shall be taken in an open vote by a simple majority of the members present at

the respective session.

4. Decisions of the territorial public self-government organ shall apply to citizens who have permanent residence in the respective part of the administrative-territorial unit where the territorial public self-government organ is established and shall be fulfilled by citizens on a voluntary basis.

### **Article 32. Abolition of the Collegial Organ of Territorial Public Self-Government**

The collegial organ of territorial public self-government can be abolished by the decision of the respective –

Local assembly or

Council in case of its systematic or flagrant violations of the legislation.

## **CHAPTER 4 LOCAL ASSEMBLY, LOCAL REFERENDUM AND OTHER FORMS OF LOCAL SELF-GOVERNMENT**

### **Article 33. Local Assembly**

1. Local assembly is the common presence of a group of citizens who convene to discuss issues of state and public life of national or local significance and the main form of direct citizen participation in the management of the affairs of the society and of the state.

2. Procedures for initiating, convening and holding local assemblies as well as their authority shall be determined by the Law of the Republic of Belarus “On National and Local Assemblies” and by this Law.

### **Article 34. Local Referendum**

1. Local referenda can be held to resolve issues which are of utmost importance for the population of the respective administrative-territorial units and which fall within the authority of the respective Councils and executive and regulatory organs.

2. Procedures for holding local referenda as well as a list of issues which cannot be put on a local referendum shall be determined by law.

### **Article 35. Citizen Initiative for Council Decisions**

1. Citizens shall be entitled to submit to the Council draft decisions on local issues in accordance with established procedures as well as to submit justified proposals on the need to adopt, change, amend, interpret, suspend, invalidate or abolish Council decisions or their individual provisions in accordance with legal procedures for such cases.

2. Draft decisions on local issues which are submitted by citizens to the

Council shall be subject to mandatory consideration at a Council session attended by representatives of the citizens and the results of such consideration shall be published in the local media.

**Article 36. Citizen Participation in Financing and/or Reimbursing Budget Spending for the Purposes Designated by Citizens**

1. When decided by the local assembly or by the territorial public self-government organ, collection of resources for financing and/or reimbursing the spending of the respective local budget for the purposes designated by the local assembly or territorial public self-government organ (hereinafter referred to as self-finance fund) can be organized in the territory of cities of district subordination, towns or villages.

2. Self-finance fund shall be included into the respective local budget and spent exclusively for the purposes designated by the local assembly or territorial public self-government organ.

3. Local assemblies or territorial public self-government organs shall set the size of contributions to the self-finance fund, determine the terms of their payment with due regard to Paragraph 4 of this Article, identify categories of citizens who will pay the contributions, and examine and approve the report of the primary level's executive committee on the use of self-finance resources.

4. The payment of contributions to the self-finance fund shall be voluntary and shall be conducted within the term determined by the local assembly or territorial public self-government organ but before the first of December of the current year at the latest. The payments shall be collected by the respective primary-level executive committee.

5. The primary-level executive committee shall make sure that the self-finance fund is spent for the execution of activities designated by the local assembly or territorial public self-government organ as well as shall report to the local assembly or territorial public self-government organ on the use of these resources.

6. The part of the self-finance fund which is not used in the current financial year shall remain on the account of the respective local budget and shall be spent the following financial year for the same or other purposes designated by the local assembly or territorial public self-government organ.

7. Supervision over the allocation and intended use of resources from the self-finance fund shall be exercised by basic-level executive committees.

**Article 37. Other Forms of Citizen Participation in State and Public Affairs**

In addition to the forms of direct citizen participation in state and public

affairs as provided for in this Law, local self-government can be also exercised in other forms which do not contradict the legislation.

## **CHAPTER 5 EXECUTIVE AND REGULATORY ORGANS**

### **Article 38. Executive and Regulatory Organs**

1. Executive and regulatory organs are state organs and exercise their mandate in accordance with the Constitution of the Republic of Belarus, this Law and other legislative acts.

2. Executive committee is the executive and regulatory organ in the territory of a region, city, district within a region, town and village, whereas local administration is the executive and regulatory organ in the territory of a district within a city.

3. Regional-level executive committees shall be accountable and subordinate to the President of the Republic of Belarus as well as to the Council of Ministers of the Republic of Belarus with regard to issues which fall within the authority of the Government of the Republic of Belarus.

Basic-level and primary-level executive committees and local administrations shall be accountable and subordinate to the President of the Republic of Belarus and upper-level executive committees.

Executive committees shall be accountable to respective Councils with regard to issues which fall within the authority of these Councils.

Upper-level executive and regulatory organs shall exercise coordination of activities of lower-level executive and regulatory organs and provide the necessary assistance to them, including organizational, methodological, material, technical and informational assistance.

4. Executive and regulatory organs shall be legal entities.

Structural units of executive and regulatory organs can be entitled to the rights of legal entities in accordance with the legislation.

5. Regional-level executive committees and basic-level executive committees shall be composed of executive committee chair, vice chairs, chief administrator and other executive committee members.

6. Primary-level executive committees shall be composed of executive committee chair, vice chair (vice chairs) (in case this position is available for the composition of the primary-level executive committee), chief administrator and other executive committee members.

7. Local administrations shall be composed of head of local administration, vice heads, chief administrator and other local administration members.

8. The standard structure of regional executive committees, Minsk City executive committee, city executive committees (for cities of regional subordination), district executive committees, local administrations as well as

the number of staff in executive and regulatory organs (excluding the staff for the guarding and maintenance of the respective buildings) in regions and in the City of Minsk, including the number of staff in structural units of executive and regulatory organs, shall be determined by the President of the Republic of Belarus.

9. Structural units of executive and regulatory organs which exercise their state power mandate in a specific sector (area of activity) in the territory of respective administrative-territorial units shall be subordinate to these organs and at the same time to the respective –

9.1 National government organs – when it comes to structural units of regional-level executive committees;

9.2 Structural units of regional executive committees – when it comes to structural units of basic-level executive committees;

9.3 Structural units of city executive committees (for cities of regional subordination) and Minsk City executive committee – when it comes to structural units of local administrations.

10. Regulations on structural units of regional-level executive committees which exercise their state power mandate in a specific sector (area of activity) shall be passed by these executive committees following the endorsement from the respective national government organs.

Regulations on structural units of basic-level executive committees which exercise their state power mandate in a specific sector (area of activity) shall be passed by these executive committees following the endorsement from the respective structural units of regional executive committees.

Regulations on structural units of local administrations which exercise their state power mandate in a specific sector (area of activity) shall be passed by these local administrations following the endorsement from the respective structural units of city executive committees (for cities of regional subordination) and Minsk City executive committee.

### **Article 39. Sessions of Executive and Regulatory Organs**

1. Sessions of executive and regulatory organs shall be convened and held by executive committee chairs (heads of local administration) in accordance with the rules of procedure endorsed by the executive committee (local administration) as often as needed but at least once a month and shall be legally qualified if they are attended by at least two thirds of their full membership.

2. Sessions of executive and regulatory organs shall be attended by the executive committee chair (head of local administration), his vice chairs, chief administrator and other members of executive and regulatory organs.

Representatives of other state organs and other organizations, organs of territorial public self-government and citizens can also attend sessions of

executive and regulatory organs in accordance with the established procedures.

#### **Article 40. Decisions of Executive and Regulatory Organs**

1. Executive and regulatory organs shall take decisions within the limits of their authority.

2. Decisions of executive and regulatory organs shall be taken at their sessions by a simple majority of full membership by secret ballot or in an open vote, including through roll-call. The form of voting shall be determined in accordance with procedures established by the rules of procedure of the respective executive and regulatory organ.

On some issues requiring immediate action and if allowed by the chair of the executive committee, decisions of executive and regulatory organs can be taken through individual consultations with the members of the executive and regulatory organ on the text of a draft decision and obtaining of their written approval of it.

3. Decisions of executive and regulatory organs shall be signed by the chair of the executive committee (head of local administration) and its chief administrator. In case the chief administrator of the executive committee (local administration) is not available, decisions of executive and regulatory organs shall be signed by the acting chief administrator.

4. If need be, executive and regulatory organs can take joint decisions on issues which fall within their authority.

#### **Article 41. Authority of Executive Committees**

Executive committees, within the limits of their authority and in accordance with procedures established by law, shall be entitled to the following:

Represent interests of the respective administrative-territorial unit in relations with other state organs, other organizations and citizens;

Develop draft programs of socioeconomic development for the respective administrative-territorial unit, submit these drafts to Councils for their endorsement and make sure that the respective programs are implemented;

Develop draft forecasts of socioeconomic development for the respective administrative-territorial unit and submit them to Councils for their endorsement;

Develop draft regional programs and concepts (or plans of activities when it comes to primary-level executive committees) on issues related to housing construction, territorial improvement, road construction, communal and social services, social support of children, young people, veterans, disabled people and elderly people, support to business development, healthcare, education, physical

culture, sports, environmental protection and rational use of natural resources, improvement of labor safety, radiation safety, protection of historical and cultural heritage and other issues of local significance, submit them to Councils for their endorsement and make sure that they are implemented;

Put together local budget estimates and prepare budget execution reports;

Ensure the execution of the local budget, collection of planned revenues and use of budgetary resources in accordance with their intended purposes;

Provide concessions on taxes and duties fully paid to local budgets in accordance with procedures established by the President of the Republic of Belarus and the respective laws, when instructed by Councils;

Manage communal property in accordance with procedures established by Councils as well as exercise supervision over its use in the respective territory;

Manage natural resources in cases and in accordance with procedures as provided for by environmental legislation;

Take decisions on establishing, re-organizing and closing organizations whose property is owned communally;

Endorse operational schedules for organizations whose property is owned communally and provide their opinion on the operations of other organizations, sole proprietors active in the respective territory, if law does not provide otherwise;

Submit to respective Councils and their organs proposals related to local issues and take part in the consideration of these proposals by the Councils;

Organize discussions of important local and national issues in the respective territory;

Inform citizens and organizations about the state of affairs in the respective territory with regard to issues of local significance;

Ensure the fulfillment of state-set minimum social standards in the field of social support and social services, labor remuneration, elderly care and in other fields;

Make sure the availability of natural gas, electricity, heat and water supply, sewage services, access to drinking water and provision of fuel to citizens;

Keep stockpiles of goods for administrative-territorial units in order to ensure uninterrupted trade;

Take measures for the development of industrial and agricultural production, services sector, small- and medium-scale business and private farm households;

Take decisions to allot land plots to be managed, leased or used on the condition of lifetime ownership with hereditary succession, transfer titles to land plots and withdraw land plots (this does not apply to city executive committees for cities of district subordination);

Organize activities related to the improvement of neighborhoods, maintenance of proper sanitary conditions and planting of trees in the respective

territory;

Take measures to ensure environmental protection and rational use of natural resources;

Ensure the development of urban development projects;

Provide support to the uninhibited development of cultures of ethnic communities residing in the respective territory, protect the rights of citizens of different ethnic origins in the fields of education, information support and other fields;

Deal with issues related to demographic security and improvement of socioeconomic conditions of families;

Deal with issues related to the location of construction sites in the respective territory;

Ensure the development of housing and its maintenance, create conditions to provide citizens with housing, including the construction of social housing and provision of such housing to citizens;

Create conditions for the provision of communication services, public catering, trade and personal consumer services to citizens;

Create conditions for the provision of transport services to citizens and organize public transport in the respective territory;

Create conditions in which citizens could realize their right to education;

Ensure the dissemination of cultural values, organize cultural activities and encourage the cultural activities of citizens and organize activities aimed at the protection of cultural and historical heritage;

Engage citizens in activities in the field of physical culture and sports, maintain and repair communally owned sports facilities, and ensure the appropriate availability of sports facilities to citizens;

Provide for health rehabilitation of citizens in health centers and resorts;

Contribute to the development of trade unions, youth organizations, women's organizations, veteran organizations and other non-governmental organizations;

Carry out activities to implement the state youth policy;

Organize the construction, reconstruction, repair and maintenance of local automotive roads, and manage road activities related to automotive roads of non-public use;

Exercise supervision in the fields of housing construction, territorial improvement, road construction, communal and social services, social support of children, young people, veterans, disable people and elderly people, support to business development, healthcare, education, physical culture, sports, environmental protection and rational use of natural resources, improvement of labor safety, radiation safety, protection of historical and cultural heritage and other issues of local significance;

Take measures aimed at the protection of consumer rights, including consumers of housing maintenance services;

Work together with law-enforcement agencies to protect law and order;

Conduct crime prevention activities;

Take part in the fight against corruption and extremism, including terrorism;

Take part in the prevention and management of emergencies, in activities related to civil defense, in the protection of fire, industrial, nuclear and radiation safety as well as in the work related to the handling of Chernobyl aftermath;

Ensure the implementation of supervision over the fulfillment of legislation in the respective territory, provide explanations of issues related to the implementation of law within the limits of the authority of local government and self-government organs;

Organize celebrations of state holidays, special days and memorable dates;

Act as co-founders of organizations whose property is privately owned;

Act as founders of local media;

Deal with issues related to labor safety;

Take part in international cooperation;

Exercise other activities as provided for by this Law and other legislative acts.

#### **Article 42. Special Authority of Regional-Level Executive Committees**

Regional-level executive committees, within the limits of their authority and in accordance with procedures established by law, shall be entitled to the following:

Regulate administrative procedures in the respective territory;

Support the employment of citizens;

Exercise supervision over the operation of healthcare establishments and quality of medical assistance to citizens, deal with issues related to the supply of pharmaceuticals and medical equipment, and ensure the operation of state sanitary inspection;

Together with the Ministry of Architecture and Construction of the Republic of Belarus, submit general plans of regional centers and the City of Minsk to the Council of Ministers of the Republic of Belarus for the subsequent presentation to the President of the Republic of Belarus;

Together with the Ministry of Architecture and Construction of the Republic of Belarus, submit general plans of cities of regional subordination (except for regional centers) to the Council of Ministers of the Republic of Belarus for its endorsement (this applies to regional executive committees only);

Ensure the issuance of low-interest loans and subsidies to citizens who are

officially registered as requiring support in the improvement of their housing conditions;

Conduct state registration and dissolution of legal entities;

Issue licenses for certain types of activities;

Ensure the examination of business plans of investment projects to be implemented in the territory of the respective administrative-territorial unit;

Set prices (tariffs) and mark-ups (discounts) for goods, works and services;

Together with the Ministry of Justice of the Republic of Belarus, provide methodological guidance for the offices doing the registration of instruments of civil status in district and city executive committees and local administrations, for the Houses (Palaces) of Civil Registration under city executive committees, and similar offices in town and village executive committees, and exercise supervision over the registration of instruments of civil status;

Submit proposals on the dismissal of heads of state organizations which are located in the respective territory and whose property is not owned communally in the respective administrative-territorial unit to their employers, if they fail to fulfill the decisions of the regional-level Council or executive committee which have been taken within the limits of their authority or if they fail to fulfill other legislative acts, unless otherwise provided by the President of the Republic of Belarus;

Submit proposals on the dismissal of heads of organizations which are located in the respective territory and whose property is not owned communally in the respective administrative-territorial unit to the state organs under which jurisdiction they fall or to the management organs of these organizations, if they fail to fulfill the decisions of the regional-level Council or executive committee which have been taken within the limits of their authority or if they fail to fulfill other legislative acts;

Submit to the relevant state organs proposals to hold accountable organizations, their staff and other citizens who operate in the respective territory and to demand compensation of the damage caused by their decisions, action or inaction to the interests of citizens, local economy and environment as a result of their failure to fulfill the decisions of the regional-level Council and executive committee which have been taken within the limits of their authority or their failure to fulfill other legislative acts;

Adopt annual regional staff programs to ensure human resources support to primary- and basic-level executive committees on the basis of proposals from primary-level executive committees about the number, composition and training needs of their staff (this applies to regional executive committees only);

Cancel decisions of lower-level executive and regulatory organs, decisions of their heads, if they run counter to the decisions of the regional-level Council and executive committee or other legislative acts;

Exercise other activities as provided for by this Law and other legislative

acts.

### **Article 43. Special Authority of Basic-Level Executive Committees**

Basic-level executive committees, within the limits of their authority and in accordance with procedures established by law, shall be entitled to the following:

Support the employment of citizens, organize paid public work, assign and pay unemployment benefits, and deal with other issues related to employment;

Ensure the issuance of low-interest loans and subsidies to citizens who are officially registered as requiring support in the improvement of their housing conditions;

Organize library services for citizens and make sure library stock is well-supplied and safe;

Provide amenities and territorial improvement, maintain proper sanitary condition in the respective territory, including in agrotowns, and invite citizens and organizations to take part in such activities;

Organize the lighting of streets and installation of indicators with street names and building numbers;

Organize garbage collection;

Conduct registration of instruments of civil status;

Ensure road traffic safety;

Conduct state registration and dissolution of economic entities (this applies to Brest, Vitebsk, Gomel, Grodno and Mogilyov City Executive Committees only)

Issue licenses for certain types of activities;

Submit proposals on the dismissal of heads of state organizations which are located in the respective territory and whose property is not owned communally in the respective administrative-territorial unit to their employers, if they fail to fulfill the decisions of the basic-level Council or executive committee or the regional-level Council or executive committee which have been taken within the limits of their authority or if they fail to fulfill other legislative acts, unless otherwise provided by the President of the Republic of Belarus;

Submit proposals on the dismissal of heads of organizations which are located in the respective territory and whose property is not owned communally in the respective administrative-territorial unit to the state organs under which jurisdiction they fall or to the management organs of these organizations, if they fail to fulfill the decisions of the regional- or basic-level Councils or executive committees which have been taken within the limits of their authority or if they fail to fulfill other legislative acts;

Submit to the relevant state organs proposals to hold accountable organizations, their staff and other citizens who operate in the respective territory and to demand compensation of the damage caused by their decisions, action or inaction to the interests of citizens, local economy and environment as a result of their failure to fulfill the decisions of the regional- and basic-level Councils and executive committees which have been taken within the limits of their authority or their failure to fulfill other legislative acts;

Cancel decisions of lower-level executive and regulatory organs, decisions of their heads, if they run counter to the decisions of the regional- and basic-level Councils and executive committees or other legislative acts;

Exercise other activities as provided for by this Law and other legislative acts.

#### **Article 44. Special Authority of Primary-Level Executive Committees**

Primary-level executive committees, within the limits of their authority and in accordance with procedures established by law, shall be entitled to the following:

Submit proposals on social protection of citizens to the Council and respective basic-level executive committee;

Organize the work of territorial public self-government organs, convene local assemblies, provide assistance in the implementation of their decisions, nominate candidates for collegial organs of territorial public self-government, and encourage organs of territorial public self-government to be actively involved in resolving local issues;

Provide amenities and territorial improvement, maintain proper sanitary condition in the respective territory, including in agrotowns, and invite citizens and organization to take part in such activities;

Organize the lighting of streets and installation of indicators with street names and building numbers;

Organize garbage collection;

Conduct registration of instruments of civil status;

Conduct notary actions (in those localities where state notary offices and notary bureaus are not available);

Register citizens at the place of their residence and stay;

Conduct primary military registration of conscripts and those liable for military service in rural areas as well as in those towns where military commissariats are not available;

Take measures to encourage the development of personal farming households;

Keep records of personal farming households;

Conduct administrative process (village and town executive committees only);

Set up communal unitary enterprises (with advisory offices and leasing offices for agricultural equipment, carts and other vehicles) to provide services to citizens who have personal farming households and help them with their agricultural work, including harvesting, procurement of fodder, marketing of produce, supply of fuel, land cultivation and other services;

Discuss the need to dismiss heads of organizations which are located in the respective territory and whose property is not owned communally in the respective administrative-territorial unit, if they fail to fulfill the decisions of the regional-, basic- and primary-level Councils or executive committees which have been taken within the limits of their authority or if they fail to fulfill other legislative acts; submit these proposals on dismissals to the respective basic-level executive committee;

Discuss the need to bring to responsibility organizations, their staff and other citizens who operate in the respective territory and to demand compensation of the damage caused by their decisions, action or inaction to the interests of citizens, local economy and environment as a result of their failure to fulfill the decisions of the regional-, basic- and primary-level Councils or executive committees which have been taken within the limits of their authority or their failure to fulfill other legislative acts; submit these proposals to the respective basic-level executive committee;

Exercise other activities as provided for by this Law and other legislative acts.

#### **Article 45. Authority of Local Administrations**

Local administrations, within the limits of their authority and in accordance with procedures established by law, shall be entitled to the following:

Represent interests of the respective district of the city in relations with other state organs, other organizations and citizens;

Take part in the development and execution of respective local budgets (budget estimates when it comes to district administrations in the city of Minsk);

Manage communal property in accordance with procedures established by the city Council as well as exercise supervision over its use in the respective territory;

Ensure the fulfillment of state-set minimum social standards in the field of social support and social services, labor remuneration, elderly care and in other fields;

Submit proposals on all local issues to the city executive committee, Council and its organs and take part in their consideration;

Organize discussions of important local and national issues in its respective territory;

Inform citizens and organizations about the state of affairs in the respective territory with regard to issues of local significance;

Organize the work of territorial public self-government organs, convene local assemblies, provide assistance in the implementation of their decisions, and encourage organs of territorial public self-government to be actively involved in resolving local issues;

Deal with issues related to demographic security and improvement of socioeconomic conditions of families;

Deal with issues related to the location of construction sites in the respective territory;

Ensure the development of housing and its maintenance, create conditions to provide citizens with housing, including the construction of social housing and provision of such housing to citizens;

Ensure the issuance of low-interest loans and subsidies to citizens who are officially registered as requiring support in the improvement of their housing conditions;

Create conditions for the provision of communication services, public catering, trade and personal consumer services to citizens;

Create conditions for the provision of transport services to citizens and organize public transport in the respective territory (this applies to district administrations in the city of Minsk only);

Ensure the dissemination of cultural values, organize cultural activities and encourage the cultural activities of citizens and organize activities aimed at the protection of cultural and historical heritage;

Engage citizens in activities in the field of physical culture and sports, maintain and repair sports facilities owned communally, and ensure the appropriate availability of sports facilities to citizens;

Provide for health rehabilitation of citizens in health centers and resorts;

Contribute to the development of trade unions, youth organizations, women's organizations, veteran organizations and other non-governmental organizations;

Carry out activities to implement the state youth policy;

Work together with law-enforcement agencies to protect law and order;

Conduct crime prevention activities;

Take part in the fight against extremism, including terrorism;

Take part in the prevention and management of emergencies, in activities related to civil defense, in the protection of fire, industrial, nuclear and radiation safety as well as in the work related to the handling of Chernobyl aftermath;

Ensure road traffic safety;

Conduct registration of instruments of civil status;

Organize library services for citizens and make sure library stock is well-

supplied and safe;

Provide amenities and territorial improvement, maintain proper sanitary condition in the respective territory, and invite citizens and organizations to take part in such activities;

Organize the lighting of streets and installation of indicators with street names and building numbers;

Organize garbage collection;

Take measures aimed at the protection of the environment and rational use of natural resources;

Ensure the implementation of supervision over the fulfillment of legislation in the respective territory, provide explanations of issues related to the implementation of law within the limits of the authority of local government and self-government organs;

Organize celebrations of state holidays, special days and memorable dates;

Act as founders of local media;

Deal with issues related to the safety of labor;

Nominate candidates for collegial organs of territorial public self-government;

Discuss the need to dismiss heads of organizations which are located in the respective territory, if they fail to fulfill the decisions of local administrations, regional- and basic-level Councils or executive committees which have been taken within the limits of their authority or if they fail to fulfill other legislative acts; submit these proposals on dismissals to the respective city executive committee;

Discuss the need to bring to responsibility organizations, their staff and other citizens who operate in the respective territory and to demand compensation of the damage caused by their decisions, action or inaction to the interests of citizens, local economy and environment as a result of their failure to fulfill the decisions of local administrations, regional- and basic-level Councils or executive committees which have been taken within the limits of their authority or their failure to fulfill other legislative acts; submit these proposals to the respective city executive committee;

Exercise other activities as provided for by this Law and other legislative acts.

#### **Article 46. Executive Committee Chair**

1. The chair of the regional-level executive committee shall be the head of the executive authority in the territory of the respective region or the City of Minsk.

The chair of the basic-level executive committee shall be the head of the

executive authority in the territory of the respective city of regional subordination or district.

The chair of the primary-level executive committee shall be the head of executive authority in the territory of the respective village, town or city of district subordination.

2. The chair of the executive committee shall bear personal responsibility for the fulfillment of the executive committee's objectives and functions and for the state of affairs in the respective territory.

3. Procedures for appointments and dismissals of executive committee chairs shall be determined by the President of the Republic of Belarus. Executive committee chairs shall be endorsed by the respective Councils.

4. In case the executive committee chair is not available, his functions shall be performed by the first vice chair, in case the first vice chair is not available, these functions shall be performed by one of the vice chairs in accordance with the established division of functions, unless otherwise stipulated by the President of the Republic of Belarus.

In case the position of the primary-level executive committee chair is vacant, the chair of the respective basic-level executive committee shall appoint a person to temporarily act as the chair of the primary-level executive committee until the chair of the respective Council is elected in accordance with the established procedures. The above-mentioned person shall be entitled to keep his previous job and to be paid at the level of the chair of the respective Council but not less than the average pay at the previous job.

5. Executive committee chair shall be liable for disciplinary, administrative, criminal and other types of responsibility in accordance with relevant legislative acts for the failure to fulfill his duties or for the failure to fulfill them properly as well as for the failure to follow the restrictions set for civil servants in accordance with relevant legislative acts.

#### **Article 47. Authority of Executive Committee Chairs**

1. Executive committee chair shall be guided in his activities by the Constitution of the Republic of Belarus, this Law and other laws of the Republic of Belarus, acts of the President of the Republic of Belarus, regulations of the Council of Ministers of the Republic of Belarus, orders of the Prime Minister of the Republic of Belarus, regulatory acts of national government organs, decisions of upper-level executive committees, orders of their chairs, decisions of upper-level Councils, decisions of the respective executive committees, Council and other government bodies as far as they cover the issues which fall within their authority.

2. Executive committee chair, within the limits of his authority and in accordance with the procedures established by law, shall be entitled to the

following:

2.1. Head the executive committee, steer its work and ensures its cooperation with the respective Council;

2.2. Represent the executive committee in relations with other state organs, other organizations and citizens;

2.3. Endorse the structure and staff of the executive committee and its structural units;

2.4. Appoint and dismiss staff members of the respective executive committee, conclude (extend, terminate) labor contracts with executive committee staff members for whom the executive committee acts as the employer, including the personnel to guard and maintain the respective premises, and award incentives and disciplinary sanctions;

2.5. Exercise general management of the organizations whose property is owned communally in the respective administrative-territorial unit, appoint and dismiss their heads, conclude (extend, terminate) labor contracts with them, and award incentives and disciplinary sanctions to them;

2.6. Appoint representatives of the state in management boards of companies whose shares are owned communally in the respective administrative-territorial unit;

2.7. Manage the property of the respective executive committee;

2.8. Submit proposals concerning local issues to the executive committee, Council and its organs and take part in their consideration;

2.9. Organize the work of the executive committee with regard to considering appeals of citizens and legal entities, giving personal reception to citizens and representatives of legal entities, keeping a book of complains and proposals, and conducting administrative procedures;

2.10. Receive citizens and representatives of legal entities personally;

2.11. Conclude contracts with legal and physical persons, including sole proprietors, on behalf of the executive committee;

2.12. Conclude agreements in the framework of the labor legislation on behalf of the executive committee;

2.13. Set up standing and temporary commissions of the executive committee, assign mandates and coordinate their work;

2.14. Delegate part of its mandate to vice chairs, chief administrator, and heads of structural units who have the rights of a legal entity;

2.15. Organize the work related to preparations for executive committee sessions, preside over the sessions, and exercise supervision over the fulfillment of the decisions of the executive committee;

2.16. Allow for taking executive committee decisions on some issues requiring immediate action through individual consultations with the members of the executive committee on the text of a draft decision and obtaining their written approval of it;

2.17. Invite representatives of other executive and regulatory organs,

Councils, national government organs, other organizations, organs of territorial public self-government, and citizens to executive committee sessions;

2.18. Sign executive committee decisions and minutes of its sessions;

2.19. Be in charge of civil defense in the respective territory, exercise supervision over the planning and implementation of territorial defense measures, and can lead a commission to manage emergencies;

2.20. Coordinate activities to maintain public order and protect the rights of citizens in the respective territory;

2.21. Submit executive committee activity reports to Council sessions with regard to issues which fall within the authority of the Council at least once a year;

2.22. Exercise other activities as provided for by this Law and other legislative acts.

#### **Article 48. Special Authority of Regional-Level Executive Committee Chairs**

1. Regional-level executive committee chairs shall be accountable and subordinate to the President of the Republic of Belarus as well as to the Council of Ministers of the Republic of Belarus with regard to issues which fall within the authority of the Government of the Republic of Belarus, and shall be accountable to the respective Council with regard to issues which fall within the authority of the regional or Minsk City executive committee.

2. Regional-level executive committee chairs, within the limits of their authority and in accordance with the procedures established by law, shall be entitled to the following:

2.1. Subject to prior approval by the respective national government organs, appoint and dismiss heads of the regional-level executive committee's structural units which exercise the state power mandate in a specific sector (area of activity);

2.2. Give approvals for nominees for the following positions:

Heads of interior departments in regional-level executive committees, regional (Minsk City) inspectorates of the Ministry of Taxes and Duties of the Republic of Belarus, heads of regional (Minsk City) departments for the management of emergency situations of the Ministry for Emergencies of the Republic of Belarus, deputy heads of department of internal affairs in regional-level executive committees, heads of road police divisions in the departments of internal affairs of regional-level (Minsk City) executive committees, heads of regional (Minsk City) military commissariat offices, and also give approval for the extension or termination of labor contracts with these persons;

Heads of organizations which are located in the respective territory and whose property is owned communally in other administrative-territorial units as

well as heads of organizations which are located in the respective territory and whose property is owned nationally when their heads are appointed by executive and regulatory organs (their chairs) of other administrative-territorial units or national government organs, and also give approval for the extension or termination of labor contracts with these persons;

Heads of companies which are located in the respective territory and whose shares are owned by the state, and also give approval for the extension or termination of labor contracts with these persons;

2.3. Submit to the regional-level executive committee proposals to dismiss heads of organizations which are located in the respective territory and whose property is not owned communally in the respective administrative-territorial unit, if they fail to fulfill decisions of regional-level Council or executive committee which have been taken within the limits of their authority or if they fail to fulfill other legislative acts;

2.4. Submit proposals on the dismissal of heads of organizations which are located in the respective territory and whose property is not owned communally in the respective administrative-territorial unit to the state organs whose jurisdiction covers these organizations or to management boards of these organizations, if they fail to fulfill decisions of regional-level Council or executive committee which have been taken within the limits of their authority or if they fail to fulfill other legislative acts;

2.5. Together with councils of sole proprietors, conduct preliminary consideration of conflicts between sole proprietors and lessors concerning the rent of space, lease fees and other issues until the conflicts are solved by economic courts;

2.6. Suspend the operation of organizations and construction of any objects in case there are violations of legislation until the violations are properly addressed;

2.7. Cancel decisions of organizations subordinate to the regional-level executive committee if they are not in line with the law;

2.8. Cancel orders of lower-level executive committee chairs (or instructions of district administrations of the city of Minsk when it comes to the chair of the Minsk City executive committee), submit to regional-level executive committees proposals to cancel decisions of lower-level executive and regulatory organs if they are not in line with decisions of regional-level Council or executive committee or other legislative acts;

2.9. Apply incentives and disciplinary sanctions to chairs of lower-level executive committees (to heads of district administrations when it comes to the chair of the Minsk City executive committee) in accordance with the law;

2.10. Exercise other activities as provided for by this Law and other legislative acts.

## **Article 49. Special Authority of Basic-Level Executive Committee Chairs**

1. Basic-level executive committee chairs shall be accountable and subordinate to the President of the Republic of Belarus as well as to the respective regional-level executive committee, and shall be accountable to the respective Council with regard to issues which fall within the authority of the city (for cities of regional subordination) or district Council.

2. Basic-level executive committee chairs, within the limits of their authority and in accordance with the procedures established by law, shall be entitled to the following:

2.1. Subject to prior approval by the respective structural units of the regional-level executive committee and, in cases provided for by relevant legislative acts, by the respective national government organs, appoint and dismiss heads of the basic-level executive committee's structural units which exercise the state power mandate in a specific sector (area of activity);

2.2. Give approvals for nominees for the following positions:

Heads of interior departments in basic-level executive committees, heads of city and district military commissariat offices, heads of city, district and city district inspectorates of the Ministry of Taxes and Duties of the Republic of Belarus, heads of city and district departments for the management of emergency situations and for these positions also give endorsement for the extension or termination of their labor contracts;

Heads of organizations which are located in the respective territory and whose property is owned communally by the region or by the state, when they are appointed by the chair of the regional-level executive committee or national government organs and give approval for the extension or termination of labor contracts with these persons;

Heads of companies which are located in the respective territory and whose shares are owned communally, and give approval for the extension or termination of labor contracts with these persons;

2.3. Give approval to plans and programs for the location, development and specialization of organizations which are located in the respective territory – on the basis of the decision of the respective basic-level executive committee and, if need be, also submit relevant proposals to the respective management boards of such organizations;

2.4. Submit to the basic-level executive committee proposals to dismiss heads of state organizations which are located in the respective territory and whose property is not owned communally in this administrative-territorial unit, if they fail to fulfill decision of the basic- or regional-level Council or executive committee which have been taken within the limits of their authority or if they fail to fulfill other legislative acts;

2.5. Submit proposals to dismiss heads of organizations which are located in the respective territory and whose property is not owned communally in this

administrative-territorial unit to the state organizations whose jurisdiction covers these organizations or to management boards of these organizations if they fail to fulfill decisions of the regional- and basic-level Council or executive committee which have been taken within the limits of their authority or if they fail to fulfill other legislative acts;

2.6. Conclude (extend, terminate) labor contracts with heads of agricultural cooperatives after their election (dismissal) by a general meeting of the members of such organizations or by other authorized organs of such organizations (this applies to the chair of the district executive committee only);

2.7. Suspend the operation of organizations or construction of any objects in case there are violations of legislation until the violations are properly addressed;

2.8. Cancel decisions of organizations subordinate to the basic-level executive committee if they are not in line with the law;

2.9. Cancel orders of lower-level executive committee chairs (heads of local administrations), submit to basic-level executive committees proposals to cancel decisions of lower-level executive and regulatory organs if they are not in line with decisions of regional- or basic-level Councils or executive committees or other legislative acts;

2.10. Apply incentives and disciplinary sanctions to chairs of lower-level executive committees (heads of local administrations) in accordance with the law;

2.11. Exercise other activities as provided for by this Law and other legislative acts.

## **Article 50. Special Authority of Primary-Level Executive Committee Chairs**

1. Primary-level executive committee chairs shall be accountable and subordinate to the President of the Republic of Belarus as well as to the upper-level executive committees, and shall be accountable to the respective Council with regard to issues which fall within the authority of the city (for cities of district subordination), town or village Council.

2. Primary-level executive committee chairs, within the limits of their authority and in accordance with the procedures established by law, shall be entitled to the following:

2.1. Give approval for the following nominations and contracts:

Nominated candidates for the positions of heads of organizations which are located in the respective territory and whose property is owned communally in the respective district or region;

Nominated candidates for the positions of heads of companies which are located in the respective territory and whose shares are owned communally, and also give approval for the extension or termination of labor contracts with these

persons;

Conclusion (extension, termination) of labor contracts with heads of agricultural cooperatives which are located in the territory covered by the respective village council after their election (dismissal) by a general assembly or by other authorized organs of these organizations;

2.2. Submit for consideration to the executive committee and in case of approval to the basic-level executive committee proposals on the dismissal of heads of organizations which are located in the respective territory and whose property is not owned communally by this administrative-territorial unit if they fail to fulfill decisions of regional-, basic- or primary-level Councils or executive committees which have been taken within the limits of their authority or if they fail to fulfill other legislative acts;

2.3. Submit for consideration to the executive committee and, in case of approval, to the basic-level executive committee proposals to hold accountable organizations, their staff and other citizens who operate in the respective territory and to demand compensation of the damage caused by their decisions, action or inaction to the interests of citizens, local economy and environment as a result of their failure to fulfill the decisions of the regional-, basic- or primary-level Councils and executive committees which have been taken within the limits of their authority or their failure to fulfill other legislative acts;

2.4. Exercise other activities as provided for by this Law and other legislative acts.

## **Article 51. Heads of Local Administrations**

1. Heads of local administrations shall be the heads of executive authority in the territory of the respective district in a city.

2. Heads of local administration shall be accountable and subordinate to the President of the Republic of Belarus and upper-level executive committees.

3. Heads of local administrations shall bear personal responsibility for the fulfillment of the local administration's objectives and functions and for the state of affairs in the respective territory.

4. Procedures for appointments and dismissals of heads of local administrations shall be determined by the President of the Republic of Belarus.

5. In case the head of local administration is not available, his functions shall be performed by the first vice head, in case the first vice head is not available, these functions shall be performed by one of the vice heads in accordance with the established division of functions, unless otherwise stipulated by the President of the Republic of Belarus.

6. Heads of local administrations shall be liable for disciplinary, administrative, criminal and other types of responsibility in accordance with legislative acts for the failure to fulfill their duties or for the failure to fulfill

them properly as well as for the failure to follow the restrictions set for civil servants in accordance with relevant legislative acts.

## **Article 52. Authority of Heads of Local Administrations**

1. Heads of local administrations shall be guided in their activities by the Constitution of the Republic of Belarus, this Law and other laws of the Republic of Belarus, acts of the President of the Republic of Belarus, regulations of the Council of Ministers of the Republic of Belarus, orders of the Prime Minister of the Republic of Belarus, regulatory acts of national government organs, decisions of upper-level executive committees, orders of their chairs, decisions of upper-level Councils, decisions of the upper-level Councils, respective local administration and other government bodies as far as they cover the issues which fall within their authority.

2. Heads of local administrations, within the limits of their authority and in accordance with the procedures established by law, shall be entitled to the following:

2.1. Head the local administration, steer its work and ensure its cooperation with the respective city executive committee and city Council;

2.2. Represent the local administration in relations with other state organs, other organizations and citizens;

2.3. Endorse the structure and staff of the local administration and its structural units;

2.4. Appoint and dismiss staff members of the respective executive committee, conclude (extend, terminate) labor contracts with executive committee staff members for whom the executive committee acts as an employer, including the personnel to guard and maintain the respective premises, and award incentives and disciplinary sanctions;

2.5. Exercise general management of the organizations whose property is owned communally in the respective administrative-territorial unit, appoint and dismiss their heads, conclude (extend, terminate) labor contracts with them, and award incentives and disciplinary sanctions to them;

2.6. Appoint representatives of the state in management boards of companies whose shares are owned communally in the respective administrative-territorial unit;

2.4. Following the approval of relevant structural units of the city executive committee and, in cases determined by relevant legislative acts, following the approval of relevant national government organs, appoint and dismiss heads of structural units of the local administration which exercise the state power mandate in a specific sector (area of activity), appoint and dismiss other members of the local administration, conclude (extend, terminate) labor contracts with the staff of the local administration for whom the local administration acts as the employer, including the personnel to guard and

maintain the respective premises, and award incentives and disciplinary sanctions;

2.5. Give approval for the following nominations:

Heads of the local administration's interior department, military commissariat office of the respective city district, and give approval for the extension or termination of labor contracts with these persons;

Heads of organizations which are located in the respective territory and whose property is owned nationally or communally, when they are appointed by the national government organs or the regional-level executive committee chair or the city executive committee chair, and also give approval for the extension or termination of labor contracts with these persons;

Heads of companies which are located in the respective territory and whose share are owned communally and also give approval for the extension or termination of labor contracts with these persons;

2.6. Dispose of the property of the local administration;

2.7. Submit to the local administration, city Council or its organs proposals on local issues and take part in their discussion;

2.8. Organize the work of the local administration to consider the appeals of citizens and legal entities, organize the personal reception of citizens and representatives of legal entities, keep a book of complaints and proposals, and conduct administrative procedures;

2.9. Receive citizens and representatives of legal entities personally;

2.10. Conclude civil law contracts with physical and legal entities, including sole proprietors, on behalf of the local administration;

2.11. Conclude agreements under the labor legislation on behalf of the local administration;

2.12. Set up standing and temporary commissions, determine their mandate and coordinate their work;

2.13. Delegate part of authority to vice heads and chief administrator of the local administration;

2.14. Organize the work related to sessions of the local administration, preside over the sessions and supervise the fulfillment of the decisions taken;

2.15. Allow for taking local administration decisions on some issues requiring immediate action through individual consultations with the members of the local administration on the text of a draft decision and obtaining of their written approval of it;

2.16. Invite representatives of other executive and regulatory organs, Councils, national government organs, other organizations, organs of territorial public self-government, and citizens to local administration sessions;

2.17. Sign local administration decisions and minutes of its sessions;

2.18. Be in charge of civil defense in the respective territory and lead a commission to manage emergencies;

2.19. Together with the chair of the basic-level executive committee, suspend the operation of the organizations and construction sites in the

respective territory in case there are violation of the relevant legislation until the violations are properly addressed;

2.20. Submit to the local administration for consideration and, in case of approval, to the city executive committee proposals to dismiss heads of organizations which are located in the respective territory if they fail to fulfill decisions of the basic- and regional-level Councils or executive committees or if they fail to fulfill other legislative acts;

2.21. Submit for consideration to the local administration and, in case of approval, to the city executive committee proposals to hold accountable organizations, their staff and other citizens who operate in the respective territory and to demand compensation of the damage caused by their decisions, action or inaction to the interests of citizens, local economy and environment as a result of their failure to fulfill the decisions of the basic- or regional-level Councils and executive committees which have been taken within the limits of their authority or their failure to fulfill other legislative acts;

2.22. Submit to the city executive committee a local administration activity report at least once a year;

2.23. Exercise other activities as provided for by this Law and other legislative acts.

### **Article 53. Orders of Executive Committee Chairs (Heads of Local Administrations)**

1. Executive committee chairs (heads of local administration), within the limits of their authority, shall issue orders for the prompt resolution of issues which do not require collegial consideration and adoption of normative and regulatory acts.

2. Orders of executive committee chairs, if taken within the limits of their authority, shall be mandatory for the staff of the respective executive committee, subordinate executive and regulatory organs, and organizations which are located in the respective territory, their staff and other citizens to whom they are addressed.

Orders of heads of local administrations, if taken within the limits of their authority, shall be mandatory for the staff of the respective local administration and organizations which are located in the respective territory, their staff and other citizens to whom they are addressed.

**CHAPTER 6**  
**ECONOMIC BASIS OF LOCAL GOVERNMENT AND SELF-  
GOVERNMENT**

**Article 54. Definition of the Economic Basis of Local  
Government and Self-Government**

The economic basis of local government and self-government shall be comprised of communal property, income from the use of natural resources and other sources of income of local government and self-government in accordance with the legislation on environmental protection and rational use of natural resources as well as in accordance with civil, tax and budget laws.

**Article 55. Communal Property**

1. Communal property shall be comprised of the treasury of the respective administrative-territorial unit and property assigned to communal legal entities in accordance with relevant legislative acts. The resources of the local budget and the other communal property which is not assigned to communal legal entities shall comprise the treasury of the respective administrative-territorial unit.

2. The procedure of managing and administering communal property shall be determined by the respective Councils within the limits established by law.

3. Executive and regulatory organs, their structural units with the status of the legal entity, and organizations whose property is owned communally shall be entitled to transfer and alienate communally owned objects, in accordance with the established procedures, for the use and possession by organizations, individual citizens and their associations.

4. Councils and, by their mandate, executive committees and local administrations shall have the priority right in acquiring real property objects in the respective territory to be used for the local needs. The procedure of realizing the above-mentioned right as well as the list of categories of real property objects to which this priority right applies shall be determined by relevant legislative acts.

5. In case of disputes between Councils of different territorial levels regarding communal property objects, such disputes shall be resolved by the upper-level Council or, by its mandate, executive committee within one month.

6. In case of disagreement with the decision of the upper-level Council or executive committee, the dispute shall be resolved in court.

7. In order to protect the interests of citizens, Councils can set the terms for using and possessing communal property objects alienated to other owners, including at an auction or on a competitive basis, with these terms being mandatory for these owners.

**Article 56. Relations of Councils, executive and regulatory organs with other organizations in the economic field**

1. Civil relations of Councils and executive and regulatory organs with other organizations shall be built on a contractual basis.

2. Executive and regulatory organs shall coordinate the activities of organizations whose property is owned communally, ensure comprehensive economic and social development of the respective territory, support the establishment of state associations and unions, economic groups, commercial organizations, and support their economic activities with material and technical resources from the local funds.

3. Communal unitary enterprises which are set up by primary-level executive committees and whose income from selling their services related to agricultural work, including during sowing and harvesting campaigns in spring and autumn, to organizations and citizens in the territory of villages, towns, and cities of district subordination is not less than 70 percent of their income from all types of their activities shall be entitled to acquiring domestically made agricultural equipment for the provision of such services as well as fertilizers and petroleum products for the prices determined in accordance with the legislation for agricultural companies and to obtain loans for the purchase of tractors, agricultural machines and equipment, including on the terms of long-term leasing, on the conditions which are applicable to agricultural companies.

**Article 57. Participation of Councils and Executive and Regulatory Organs in Foreign Economic Activities**

1. Councils and executive and regulatory organs shall participate in foreign economic activities in accordance with the legislation, shall also contribute to the expansion of foreign economic activities of organizations which are located in the respective territory and to the increase in the production of goods and services which are competitive in foreign markets.

2. Councils and executive and regulatory organs shall be entitled, within the limits of their authority and in accordance with the procedures established by law, to undertake the following:

2.1 Conclude contracts to sell or purchase products with foreign citizens, stateless persons, and foreign and international legal entities (organizations which are not legal entities);

2.2 Participate together with foreign citizens, stateless persons, and foreign and international legal entities (organizations which are not legal entities) in setting up profit and non-profit organizations in the Republic of Belarus and beyond its borders;

2.3 Take part, on a profit basis, in the conduct of international fairs, exhibitions and other events as well as in advertising activities.

- 2.4 Organize trade activities in pre-border areas;
- 2.5 Submit to the Council of Ministers of the Republic of Belarus proposals regarding the establishment of free economic zones.

## **CHAPTER 7**

### **GUARANTEES, SUPERVISION AND RESPONSIBILITY IN THE FIELD OF LOCAL GOVERNMENT AND SELF- GOVERNMENT**

#### **Article 58. Participation of Local Government and Self-Government Organs in Inter-Departmental Commissions**

1. Councils and executive and regulatory organs shall send their representatives to participate in the work of commissions which are set up by state organs or other state organizations in case such commissions consider issues of local significance.

2. State organs and other state organizations, when setting up inter-departmental commissions which will consider issues of local significance, shall include representatives of respective Councils and executive and regulatory organs into such commissions.

#### **Article 59. Legality**

1. Decisions of Councils and executive and regulatory organs, orders of their heads as well as decisions of organs of territorial public self-government, local referenda and local assemblies shall be in accordance with the legislation.

2. Regulatory acts which are drafted or adopted by Councils and executive and regulatory organs shall be subject to mandatory legal examination in accordance with the procedures established by law.

3. Decisions of Councils which are not in accordance with the law shall be cancelled by upper-level Councils, the Council of the Republic of the National Assembly of the Republic of Belarus as well as suspended by the President of the Republic of Belarus. In case of the suspension of such a Council decision, the President of the Republic of Belarus shall submit a request to cancel the decision to the Council at the upper-level with regard to the one that made the decision or to the Council of the Republic of the National Assembly of the Republic of Belarus.

Orders of Council chairs which are not in accordance with the law shall be cancelled by the same or upper-level Councils as well as suspended by the President of the Republic of Belarus. In case of the suspension of such a Council chair decision, the President of the Republic of Belarus shall submit a

request to cancel the decision to the same Council or to the Council at the upper-level with regard to the one whose chair made the decision in question.

4. Decisions of executive committees which are not in accordance with the law shall be cancelled by the respective Councils, upper-level executive committees or the President of the Republic of Belarus.

Decisions of local administrations which are not in accordance with the law shall be cancelled by upper-level executive committees or the President of the Republic of Belarus.

Decisions of executive committee chairs which are not in accordance with the law shall be cancelled by the respective Councils, upper-level executive committees, chairs of upper-level executive committees or the President of the Republic of Belarus.

Decisions of heads of local administrations which are not in accordance with the law shall be cancelled by upper-level executive committees, chairs of upper-level executive committees or the President of the Republic of Belarus.

5. Decisions of organs of territorial public self-government which are not in accordance with the law or the charters of these organs of territorial public self-government, or the decisions of local assemblies shall be cancelled by the local assembly or respective Council.

6. Decisions of Councils and executive and regulatory organs which restrict or violate the rights, freedoms or legitimate interests of citizens as well as in other cases which are stipulated by the legislations can be appealed in court in accordance with the civil and economic procedures law.

7. Councils are entitled to go to court in accordance with established procedures to seek protection of the violated or contested rights or legitimate interests in order to make sure they freely exercise their authorities stipulated by this Law and other legal acts.

## **Article 60. Obligation of Decisions and Protection of Rights of Organs of Local Government and Self-Government**

1. Decisions of Councils and executive and regulatory organs which are taken within the limits of their authority, and decisions of local referenda which are declared mandatory by the Councils which called these referenda shall be obligatory for lower-level Councils, executive and regulatory organs, and all other organizations and citizens in the respective territory. Having failed to fulfill these decisions, organizations, their staff and other citizens shall bear civil, administration, criminal and other responsibility in accordance with the law.

2. Organizations which are located in the respective territory, their staff and other citizens shall fully compensate the damage caused by their decisions as well as action or inaction to the interests of the population, local economy

and environment as a result of their failure to fulfill the decisions of Councils or executive and regulatory organs which have been taken within the limits of their authority or their lack of compliance with other legislative acts, including the ones regulating technical norms.

3. Staff members of executive and regulatory organs can be dismissed from their jobs, in accordance with the established procedures, in case they fail to fulfill decisions of upper-level state organs which have been taken within the limits of their authority or if they fail to fulfill the requirements of other legislative acts.

### **Article 61. Delegation of Authority by Organs of Local Government and Self-Government**

1. The authority of executive and regulatory organs can be delegated to their staff members or structural units of these executive and regulatory organs as well as to other state organs and other organizations, except for the cases stipulated in the second part of this paragraph and except for the authority which, in accordance with this Law and other legislative acts, require respective decisions by these executive and regulatory organs, unless otherwise stipulated by Paragraph 2 of this Article.

State power authority cannot be delegated by executive and regulatory organs to the organizations which have been established by them.

2. Upper-level executive and regulatory organs can delegate part of their authority to lower-level executive and regulatory organs.

3. Councils shall be entitled to undertake the following unless stipulated otherwise by legal acts:

3.1 When mutually agreed, Councils of different territorial levels can delegate authority to each other along with the resources required for the exercise of this authority;

3.2 Delegate their authority to executive and regulatory organs, their chairs, organs of territorial public self-government at the request or with the consent of these organs, except for the authority that can only be exercised at the sessions of the Council.

4. The authorities of executive and regulatory organs and Councils shall be delegated by a decision of the relevant executive and regulatory organs and Councils which indicates which government body (or other organization, official, organ of territorial public self-government) and for which period of time is delegated the authority and which also indicates the content of the authority.

**Article 62. Proposals of Organs of Local Government and Self-Government**

State organs of the Republic of Belarus and other organizations and their staff members shall consider proposals of organs of local government and self-government in accordance with the procedures established by the legislation regulating the treatment of appeals by citizens and legal entities, except for the cases when the legislation stipulates a different procedure for the consideration of such proposals.

**Article 63. Supervision over Implementation of Legislation in the Field of Local Government and Self-Government**

The supervision to make sure that the legislation in the field of local government and self-government is implemented in a correct and uniform way shall be exercised by the Prosecutor General of the Republic of Belarus and prosecutors who are subordinate to him.

**Article 64. Responsibility of Local Government and Self-Government Organs**

1. Organs of local government and self-government shall bear responsibility for the legality of their decisions.

2. The damage inflicted on organizations or citizens as a result of unlawful decisions, action or inaction of local government and self-government organs or their officials shall be reimbursed by them to the respective administrative-territorial unit in accordance with civil legislation.

**CHAPTER 8  
CONCLUDING PROVISIONS**

**Article 65. Loss of Force of Some Legislative Acts and Individual Provisions of Some Laws**

The following acts shall be deemed to have lost force:

1. Law of the Republic of Belarus dated March 28, 1985 “On the Endorsement of the Edict of the Presidium of the Supreme Council of the Republic of Belarus ‘On the Endorsement of Regulations Regarding the Procedure of Establishing and Awarding the Title of the Honorable Citizen of the City or District in the Republic of Belarus’” (Compilation of Laws of the Byelorussian SSR, Edicts of the Presidium of the Supreme Soviet of the Byelorussian SSR, Regulations of the Council of Ministers of the Byelorussian SSR, 1985, №10, p. 148).

2. Law of the Republic of Belarus dated February 20, 1991 “On Local

Government and Self-Government in the Republic of Belarus” (Official Gazette of the Supreme Soviet of the Byelorussian SSR, 1991, №11 (13), p. 122; Official Gazette of the Supreme Soviet of the Republic of Belarus, 1995, №15-16, p. 169).

3. Chapter IV of the Law of the Republic of Belarus dated June 11, 1993 “On Amendments and Addenda to Some Legislative Acts of the Republic of Belarus” (Official Gazette of the Supreme Soviet of the Republic of Belarus, 1993, №26, p. 317).

4. Law of the Republic of Belarus dated June 17, 1993 “On Amendments and Addenda to the Law of the Republic of Belarus ‘On Local Government and Local Economy in the Republic of Belarus’” (Official Gazette of the Supreme Soviet of the Republic of Belarus, 1993, №26, p. 324).

5. Paragraph 7 of Section “B” of the Law of the Republic of Belarus dated December 10, 1993 “On Amendments and Addenda to Legislative Acts of the Republic of Belarus on Taxation Issues” (Official Gazette of the Supreme Soviet of the Republic of Belarus, 1994, №3, p. 24).

6. Law of the Republic of Belarus dated February 24, 1994 “On Amendments and Addenda to the Law of the Republic of Belarus ‘On Local Government and Local Economy in the Republic of Belarus’” (Official Gazette of the Supreme Soviet of the Republic of Belarus, 1994, №11, p. 150).

7. Law of the Republic of Belarus dated March 30, 1994 “On Amendments and Addenda to Article 10 of the Law of the Republic of Belarus ‘On Local Government and Local Economy in the Republic of Belarus’” (Official Gazette of the Supreme Soviet of the Republic of Belarus, 1994, №14, p. 188).

8. Law of the Republic of Belarus dated October 6, 1994 “On Amendments and Addenda to the Law of the Republic of Belarus ‘On Local Government and Local Economy in the Republic of Belarus’” (Official Gazette of the Supreme Soviet of the Republic of Belarus, 1994, №30, p. 511).

9. Law of the Republic of Belarus dated February 9, 1995 “On Amendments and Addenda to the Law of the Republic of Belarus ‘On Local Government and Self-Government in the Republic of Belarus’” (Official Gazette of the Supreme Soviet of the Republic of Belarus, 1995, №15-16, p. 167).

10. Law of the Republic of Belarus dated March 20, 1995 “On Addenda to the Law of the Republic of Belarus ‘On Amendments and Addenda to the Law of the Republic of Belarus ‘On Local Government and Self-Government in the Republic of Belarus’” (Official Gazette of the Supreme Soviet of the Republic of Belarus, 1995, №15-16, p. 170).

11. Law of the Republic of Belarus dated April 13, 1995 “On Addenda to the Law of the Republic of Belarus ‘On Local Government and Self-Government in the Republic of Belarus’” (Official Gazette of the Supreme Soviet of the Republic of Belarus, 1995, №22-23, p. 306).

12. Law of the Republic of Belarus dated February 22, 1996 года “On Amendments to the Law of the Republic of Belarus ‘On Local Government and Self-Government in the Republic of Belarus’” (Official Gazette of the Supreme Soviet of the Republic of Belarus, 1996, №7, p. 85).

13. Law of the Republic of Belarus dated May 12, 1997 “On Addenda to the Law of the Republic of Belarus ‘On Local Government and Self-Government in the Republic of Belarus’” (Official Gazette of the National Assembly of the Republic of Belarus, 1997, №15, p. 261).

14. Law of the Republic of Belarus dated December 28, 1998 “On Amendments to the Law of the Republic of Belarus ‘On Local Government and Self-Government in the Republic of Belarus’” (Official Gazette of the National Assembly of the Republic of Belarus, 1999, №3, p. 34).

15. Law of the Republic of Belarus dated January 10, 2000 “On Amendments and Addenda to the Law of the Republic of Belarus ‘On Local Government and Self-Government in the Republic of Belarus’” (National Register of Legal Acts of the Republic of Belarus, 2000, №8, 2/137).

16. Law of the Republic of Belarus dated June 16, 2000 “On Addenda to the Law of the Republic of Belarus ‘On Local Government and Self-Government in the Republic of Belarus’” (National Register of Legal Acts of the Republic of Belarus, 2000, №59, 2/174).

17. Article 4 of the Law of the Republic of Belarus dated October 9, 2000 “On Amendments and Addenda to Some Legislative Acts of the Republic of Belarus” (National Register of Legal Acts of the Republic of Belarus, 2000, №100, 2/203).

18. Law of the Republic of Belarus dated May 16, 2001 “On Amendments in and Invalidation of Some Legislative Acts of the Republic of Belarus Following the Adoption of the Law of the Republic of Belarus ‘On National and Local Assemblies’” (National Register of Legal Acts of the Republic of Belarus, 2001, №50, 2/765).

19. Article 1 of the Law of the Republic of Belarus dated January 5, 2004 “On Amendments to Some Legislative Acts of the Republic of Belarus” (National Register of Legal Acts of the Republic of Belarus, 2004, №4, 2/1012).

20. Article 2 of the Law of the Republic of Belarus dated November 1, 2004 “On Amendments and Addenda to Some Laws of the Republic of Belarus Regarding the Treatment of Citizen Complaints” (National Register of Legal Acts of the Republic of Belarus, 2004, №189, 2/1089).

21. Point 68 of Article 1 of the Law of the Republic of Belarus dated November 27, 2006 “On Invalidation of Several Legal Acts of the Republic of Belarus and Several Provisions of Legal Acts of the Republic of Belarus Due to the Formation of the Corpus of Laws of the Republic of Belarus” (National Register of Legal Acts of the Republic of Belarus, 2006, № 202, 2/1279)

22. Article 1 of the Law of the Republic of Belarus dated May 7, 2007

“On Amendments and Addenda to Some Laws of the Republic of Belarus and Invalidation of the Resolution of the Presidium of the Supreme Council of the Republic of Belarus ‘On the Reorganization of the Protection of Historical and Cultural Heritage in the Republic of Belarus’” (National Register of Legal Acts of the Republic of Belarus, 2007, № 118, 2/1309).

23. Article 1 of the Law of the Republic of Belarus dated May 18, 2007 “On Amendments and Addenda to Some Laws of the Republic of Belarus Following the Improvements in the Regulation of Business Activities” (National Register of Legal Acts of the Republic of Belarus, 2007, №132, 2/1330).

24. Article 1 of the Law of the Republic of Belarus dated January 5, 2008 “On Amendments and Addenda to Some Laws of the Republic of Belarus and Invalidation of Some Legislative Acts and Several Provisions of Legislative Acts of the Republic of Belarus Regarding Administrative Responsibility” (National Register of Legal Acts of the Republic of Belarus, 2008, №14, 2/1414).

25. Resolution of the Supreme Council of the Republic of Belarus dated February 22, 1991 “On the Procedure of the Enactment of the Law of the Republic of Belarus ‘On Local Government and Local Economy in the Republic of Belarus’” (Official Gazette of the Supreme Soviet of the Byelorussian SSR, 1991, №11 (13), p. 123).

26. Resolution of the Supreme Council of the Republic of Belarus dated June 17, 1993 года “On Amendments and Addenda to the Resolution of the Supreme Council of the Republic of Belarus ‘On the Procedure of the Enactment of the Law of the Republic of Belarus ‘On Local Government and Local Economy in the Republic of Belarus’” (Official Gazette of the Supreme Soviet of the Republic of Belarus, 1993, №26, p. 330).

27. Edict of the Presidium of the Supreme Soviet of the Republic of Belarus dated December 10, 1984 “On the Endorsement of the Resolution Regarding the Procedure of Establishing and Awarding the Title of the Honorable Citizen of the City or District in the Republic of Belarus” (Compilation of Laws of the Byelorussian SSR, Edicts of the Presidium of the Supreme Soviet of the Byelorussian SSR, Regulations of the Council of Ministers of the Byelorussian SSR, 1984, №35, p. 513).

## **Article 66. Implementation of This Law**

1. The Council of Ministers of the Republic of Belarus shall undertake the following within six months:

Submit to the Head of State for consideration a draft legislative act which determines the procedure for realizing the priority right of Councils, or by their mandate executive committees and local administrations, in acquiring real property objects which can be used for the local needs as well as a draft list of

categories of real property objects which are covered by the above-mentioned priority right;

Together with the National Center of Legislation and Legal Studies of the Republic of Belarus, develop and submit proposals to bring other legislative acts of the Republic of Belarus into line with this Law;

Bring decisions of the Government of the Republic of Belarus into line with this Law;

Make sure that national government organs subordinate to the Government of the Republic of Belarus bring their regulations into line with this Law;

Take other measures necessary for the implementation of the provisions of this Law.

2. Councils and executive and regulatory organs shall bring their decisions in line with this Law within six months and take other measures necessary for the implementation of the provisions of this Law.

#### **Article 67. Entry into Force**

This Law shall enter into force six months after its official publication, except for this Article and Article 66, both of which shall enter into force on the day when this Law is officially published.

President of the Republic of Belarus

A. Lukashenko