



REPUBLIC OF SLOVENIA

THE LAW

ON LOCAL SELF-GOVERNMENT

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Chapter I

GENERAL PROVISIONS

Article 1

This Law shall determine the principles for the regulation of self-governing local communities.

Article 2

Municipalities shall be the basic self-governing local communities.

A municipality shall, in accordance with the Constitution and laws, independently regulate and perform the matters, duties and functions vested in it by law.

The state may by law vest the performance of such duties and functions as fall within its jurisdiction in municipalities, subject to the prior consent of the municipality and to the provision of the means for such purpose.

Article 3

Municipalities shall independently take decisions on joining into wider self-governing local communities and into regions.

Regions shall regulate and perform local matters of wider interest which exceed the capacities of municipalities.

The state may, by law, vest the performance of individual functions as fall within its jurisdiction in a region, subject to the prior consent or agreement of the region and to the provision of means for such purpose.

Article 4

An urban municipality shall be established on the territory of a town or city in accordance with the procedure and under such conditions as are prescribed herein.

Article 5

In territories inhabited by members of Hungarian and Italian ethnic communities, municipalities shall be formed that give effect to the special rights of ethnic communities.

Article 6

Self-governing local communities shall voluntarily co-operate with each other for the purpose of joining forces to regulate and conduct local matters of public importance. For this purpose, they may merge their funds and, in accordance with the law, set up joint bodies and joint municipal administration bodies, establish and manage funds, public institutes, public companies and institutions, and link together to form communities, unions and associations.

Self-governing local communities, and their communities, unions and associations may also co-operate with local communities from other countries and with international organisations of local communities.

Article 7

Self-governing local communities shall be public legal persons with the right to possess, acquire and have at their disposal all types of assets.

Article 8

Self-governing local communities shall raise their own revenue.

The state shall provide municipalities unable to guarantee the full implementation of duties and functions determined by law, due to a lower level of economic development, with additional financial assistance.

Article 9

A municipality shall have its own name which shall be determined by law.

The seat of a municipality shall also be determined by law.

Over questions of the name and seat of the municipality the will of the residents of settlements included in the municipality shall be ensured by means of referendum.

The municipality shall take the name of the central or another settlement in the municipality or a regional name. The name of the municipality can be composed of the names of more than one settlement in the municipality. The name of the municipality must be distinguishable from the names of other municipalities. The central settlement shall as a rule be named the seat of the municipality.

In determining the name and seat of the municipality it shall be necessary to consider the historical and trade aspects and the established general characteristics of the region.

When due to a change in the extent of a municipality the settlement for which the municipality is named or which was the seat of the municipality is no longer in that municipality, a new name or seat for that municipality shall be determined in the procedure for changing the extent of the municipality.

Article 10

Self-governing local communities shall be entitled to use their own coat-of-arms and flag. The coat-of-arms and the flag must differ from the coats-of-arms and flags of other self-governing local communities.

Self-governing local communities shall use a seal which must include the sign and name of the self-governing local community.

Article 11

Persons who have permanent residence in the territory of a self-governing local community shall be the members of that self-governing local community (hereinafter members of the municipality).

Members of municipalities shall take decisions on matters of local self-government through councils consisting of members elected by free and secret ballot on the basis of direct, equal and universal franchise.

Members of municipalities shall also take decisions on matters of local self-government indirectly - at their assemblies, by referendum or by people's initiative.

Chapter II

TERRITORY AND PARTS OF A MUNICIPALITY

Article 12

The territory of a municipality shall encompass the territory of a community or several communities bound together by the common needs and interests of their inhabitants.

Article 13

A municipality must be capable of satisfying the needs and interests of its inhabitants and of fulfilling other tasks in accordance with the law.

A municipality shall be deemed capable of satisfying needs and fulfilling tasks in its territory as stated under the preceding paragraph if the following are assured:

- eight years of education (complete elementary schooling);
- primary citizens' health care (health centre);
- provision of essential goods (food shop and general store);
- provision of municipal services (drinking water supply, removal and purification of waste water, electricity supply);
- postal services;
- financial services of a savings bank or bank;
- library (general education or school);
- premises for local community administration.

Article 13a

A municipality shall have at least 5,000 inhabitants.

Upon its establishment a municipality may have fewer than 5,000 inhabitants if this involves the establishment of a new municipality by way of a merger of two or more municipalities.

As an exception, a municipality may have less than 5,000 inhabitants for geographic, border location, nationality, historical or economic reasons.

In the founding of municipalities, the criteria from Articles 13 and 13a must be taken into account as a whole.

Article 14

The municipality shall be established and its territory determined by law following a prior referendum to ascertain the will of the population of a certain area.

The procedure of establishing a municipality and determining its districts shall be subject to a special law.

Article 15

Two or more neighbouring municipalities may merge into a new municipality if so decided in a referendum by the majority of voters of each municipality.

The municipality may be divided into two or more new municipalities if the territory of each of the new municipalities fulfils the conditions set out in this Law and if the majority of voters in the territory of each of new municipalities so decides in a referendum.

Part of a municipality which includes a settlement or several neighbouring settlements may separate from the municipality and establish a new municipality if so decided in a referendum by the majority of voters of this part of the municipality and if both the parts of the municipality thus formed fulfil the conditions to become new municipalities.

Part of a municipality may separate from that municipality and join a neighbouring municipality if so decided in a referendum by the majority of the voters of that part of the municipality and the majority of the voters of the municipality which the said part wishes to join, and if the remaining part of the municipality fulfils the conditions to form a new municipality.

Article 15a

A town is a large urban settlement differentiated from other settlements by its size, economic structure, population density, populousness and historical development.

A town shall have more than 3,000 inhabitants.

A settlement shall acquire the status of a town by resolution of the National Assembly.

For those settlements already having acquired the status of a town in accordance with regulations valid at the time of such acquisition, the National Assembly shall merely establish that they already have the status of a town.

Article 16

To meet the requirements of integral land and city planning and to fulfil needs related to municipal services and development planning, the territory of a city or town shall be established as an urban municipality.

An urban municipality is a compact settlement or group of settlements linked in a unified spatial organism, with the surroundings of the town linked by the daily commuting of the population.

A town may acquire the status of an urban municipality if it has at least 20,000 inhabitants and at least 15,000 jobs, of which at least half must be in tertiary and quaternary activities, and if it is the geographic, economic and cultural centre of its gravitational area.

An urban municipality shall be founded by the National Assembly with a law. The law shall stipulate the territory and name of the urban municipality.

The name of an urban municipality shall take the name of the town in which the municipality is established.

Article 16a

In addition to the conditions stipulated under Article 13 hereof, an urban municipality must provide the following in its territory:

- vocational schools and colleges, and university college departments and faculties;
- a hospital;
- a network of public services;
- a telecommunications centre;
- university and special libraries, specialised information documentation centres;
- cultural activities (theatres, museums, archives);
- local radio and television stations and press;
- sport and recreation areas and facilities;
- scientific and research activities.

Article 17

The territory of a municipality may be demarcated by appropriate traffic and non-traffic signs.

Article 18

Narrower sections of the municipality may be established within municipalities (local, village or quarter communities). The name and extent of narrower sections of the municipality shall be determined in the municipal statute. In internal classification the municipal council must consider cartographic, historical, economic, administrative, cultural and other regional characteristics.

The municipal council may abolish or change the extent of a narrower section of a municipality through amendments to the statute. The amendment of the statute through which a narrower section of a municipality is abolished or its extent is changed may enter into force only after the completion of the mandate of the council of the narrower section of the municipality.

Initiatives for the establishing of narrower sections of a municipality or for changing their extent can be made by the assembly of local communities, or the number of residents in a section of the municipality can be determined by statute. The municipal council shall be obliged to discuss these initiatives.

Before the establishment of narrower sections of municipalities or before changes to their extent, the municipal council must guarantee in the assemblies of local communities or through a referendum that the interests of the residents of the individual areas of the municipality in which narrower sections of the municipality are to be established are being met. Guaranteeing that their interests are being met refers to the name and extent of the narrower section of the municipality.

Article 19

The body of the narrower section of the municipality shall be the council, which shall be elected by eligible voters who are permanent residents of the narrower section of the municipality. The method of electing members to the council of the narrower section of the municipality shall be determined by law.

It may be determined in the municipal statute that the narrower section of the municipality shall not have a body from the previous paragraph.

If no narrower section of the municipality is established in the municipal statute or if it is determined in the municipal statute that a narrower section of a municipality shall have no council, the municipal council may establish local, village or quarter committees in accordance with the third paragraph of Article 30 of this Law.

Article 19a

The number of members of the council of the narrower section of the municipality shall be determined by the municipal council. With regard to the decisions of the council the narrower section of the municipality shall reasonably apply the provision from the first paragraph of Article 35 of this Law. The council of the narrower section of the municipality shall have a president who the members of the council of the narrower section of the municipality shall elect from among themselves.

The council of the narrower section of the municipality may recommend decisions to the municipal council which refer to the narrower section of the municipality. If so determined by the municipal statute, the municipal council must obtain the opinion of the narrower section of the municipality before passing decisions which refer to the narrower section of the municipality.

The mayor shall have the right to be present and to take part in discussions at sessions of the council of the narrower section of the municipality, but shall not have the right to vote.

It may be determined in the municipal statute that individual decisions of the council of the narrower section of the municipality may enter into force when the municipal council gives their approval.

Article 19b

Narrower sections of municipalities which have councils shall perform duties which predominantly refer to their residents and which carry over to them in the implementation of the municipal statute. The municipal statute may transfer to the scope of operation of the narrower section of the municipality above all duties which refer to:

- local public services
- maintenance of local roads and other public surfaces
- administration of property intended for the needs of local residents
- promotion of cultural and other social activities

Duties which are transferred to the scope of operation of narrower sections of municipalities by decree shall be more detailed.

Article 19c

The municipal statute may stipulate that the narrower section of the municipality is a legal person under public law.

In the case that the narrower section of the municipality is a legal person, it shall appear in legal matters in the framework of duties which are determined in the municipal statute or by a decree from the second paragraph of the preceding article.

In the case that the narrower section of the municipality is a legal person, it shall be represented by its council. The municipal statute may stipulate that the narrower section of the municipality shall be represented by the president of its council. The municipal statute may also stipulate that legal business above a certain value, which shall be determined by the narrower section of the municipality, shall be valid only with the approval of the mayor.

In the case that the narrower section of the municipality is a legal person, it shall be liable for its obligations with all of its property. The municipality shall be subsidiarily liable for the obligations of the narrower section of the municipality.

If the narrower section of the municipality, which is a legal person in accordance with the municipal statute, ceases to exist or if it loses its legal subjectivity, its rights and obligations shall be transferred to the municipality or to the new narrower section of the municipality with the status of a legal person which arises with the formation or dissolution of the former narrower section of the municipality.

In the case that the narrower section of the municipality is not a legal person, the municipal statute may stipulate in the framework of the duties of the narrower section of the municipality and in the framework of the budget for certain funds for the performance of these duties, that the municipality in implementing the decisions of the council of the narrower section of the municipality shall be represented by the council of the narrower section of the municipality or by its president. The municipal statute may in this case also stipulate that legal business above a certain value shall be valid only with the approval of the mayor.

Article 19d

If the narrower section of the municipality is a legal person in accordance with the municipal statute, it shall finance its operations from the municipal budget, with voluntary contributions from physical or legal persons, with payments for services, with self-imposed contributions and with income from the property of the narrower section of the municipality. The narrower section of the municipality may not incur debts. Income and expenditures of the narrower section of the municipality must be included in its financial plan, which shall be an integral part of the municipal budget.

If the narrower section of the municipality is not a legal person, the methods of financing its operations shall be determined in the municipal statute. Funds for performing the duties of the narrower section of the municipality shall be ensured in the municipal budget.

Chapter III

DUTIES AND FUNCTIONS OF A MUNICIPALITY

Article 20

A municipality may, in accordance with laws, possess, acquire or have at its disposal all types of assets, establish and manage public enterprises and determine its budget within the system of public finances.

Article 21

Local matters of public interest (of the original tasks) determined by law or by the general act of a municipality shall be independently performed by the municipality.

In order to satisfy the needs of its inhabitants, a municipality shall perform primarily the following duties and functions:

- manage the assets of the municipality;
- provide the conditions for the economic development of the municipality and in accordance with the law carry out tasks in the areas of catering, tourism and agriculture;
- plan spatial development, carry out tasks in the areas of encroachments in physical space and the construction of facilities in accordance with the law, and shall ensure the public service of the management of building land;
- create the conditions for the construction of housing and provide for an increase in the rent/social welfare housing fund;

- regulate, manage and provide for local public services within its jurisdiction;
- promote the services of social welfare for pre-school institutions, for the basic welfare of children and the family, and for socially threatened, disabled and elderly people;
- provide for protection of the air, soil and water sources, for protection against noise and for collection and disposal of waste, and perform other activities related to protection of the environment;
- regulate and maintain water supply and power supply facilities;
- create conditions for adult education, important for the development of the municipality and for the quality of life of its population;
- promote activities related to upbringing and education, information and documentation, associations and other activities on its territory;
- promote cultural/artistic creativity, ensure accessibility to cultural programmes, ensure library activity for general education purposes, and shall be responsible for preserving cultural heritage in its territory in accordance with the law;
- promote the development of sports and recreation;
- construct, maintain and regulate local public roads, public ways, recreational and other public areas; regulate traffic in the municipality and perform tasks of municipal public order;
- exercise supervision of local events;
- organise municipal services and local police, and ensure order in the municipality;
- provide for fire safety and organise rescue services;
- guarantee extrajudicial settlement of disputes;
- organise the performance of funeral and burial services;
- determine offences and fines for offences violating municipal regulations and inspect and supervise the implementation of municipal regulations and other acts, which it shall adopt to regulate matters falling under its jurisdiction, unless otherwise determined by law;
- adopt the statute of the municipality and other general acts;
- organise municipal administration;
- regulate other local matters of public interest.

Article 21 a

The municipality shall perform statistical, registry and analytical services for its needs and acquire statistical and registered data, from authorised bodies for collecting statistical and registered data, on the basis of a written claim in order to meet these needs.

To fulfil the needs stated in the previous paragraph, on the basis of a written claim, the municipality shall acquire, from the registry administration, information on private individuals with permanent or temporary residence in the municipality and private individuals who own premises in the municipality and information on legal entities based in or with property or a part of their property in the municipality.

A municipality may obtain the following personal information from the Manager of the Central Register for the purpose of carrying out its tasks:

- personal identification number;
- first name and last name;
- place of birth;
- citizenship;
- permanent and temporary residence;
- marital status.

Personal information referred to in the previous paragraph may be obtained by the municipality in writing, magnetic media or by electronic mail. If the information pertains to a natural person with a permanent or temporary residence within the municipality, the information may be obtained directly by way of a computer connection.

A permission issued by the competent Minister shall be required in order to obtain personal information referred to in the third paragraph of this Article by using a direct computer connection. The competent Minister shall allow a direct computer connection after the

municipality meets all technical and other requirements for the protection of personal information.

Article 22

In addition to local matters of public importance, on the basis of and in accordance with the laws governing individual areas, city municipalities shall also perform specific tasks which, in accordance with the law, fall under national jurisdiction and which apply to the development of towns. With respect to this, city municipalities shall, in particular:

- regulate local public transport;
- regulate the opening hours of catering facilities in their territories;
- perform tasks in the areas of encroachments in physical space and the construction of facilities in their territories;
- perform tasks in the area of the geodesic service;
- ensure a public network of grammar schools, and secondary, vocational and higher schools in their territories;
- ensure a secondary-level public health service in their territories.

Article 23

An urban municipality forming part of a region may perform the administrative functions of the region if so determined by the municipalities.

Article 24

The state may by law vest in a municipality the performance of individual duties and functions from state jurisdiction (transferred tasks) subject to the prior consent of the municipality.

Individual tasks which fall under national jurisdiction and which may be carried out more economically and more efficiently within municipalities may be transferred to municipal jurisdiction, especially in the areas of the regulation of local public transport, the opening hours of catering facilities, the implementation of tasks in the fields of encroachments in physical space, the construction of facilities and geodesic services, and the ensuring of a public network of grammar schools, secondary and vocational schools, as well as secondary-level public health services.

It shall also be possible to legally determine that the implementation of individual tasks be transferred from national jurisdiction to all municipalities, city municipalities, municipalities located in a specific region, or individual municipalities. The reasons and conditions for transferring the implementation of individual tasks from national to municipal jurisdiction shall be prescribed by law.

The implementation of individual tasks may be legally transferred from national to municipal jurisdiction on condition that the consent of all municipalities, all city municipalities or all municipalities located in a specific region to which the tasks are to be transferred be obtained. It shall be deemed that a municipality gives its prior consent if it submits an initiative for the performance of individual tasks that fall under national jurisdiction to the National Assembly.

Before it adopts a law with which individual tasks are transferred from national to municipal jurisdiction, the National Assembly must obtain the prior consent of the relevant municipality.

The state shall provide the municipality with appropriate means for the performance of duties and functions vested in it.

Article 25

A municipality may initiate a dispute before an arbitration committee with regard to the amount of the means from the preceding article.

The arbitration committee shall be comprised of an equal number of representatives of the municipality and the government.

If the dispute cannot be settled in the manner determined in the preceding paragraph, the Supreme Court shall decide on the matter in an administrative dispute.

General regulations on proceedings shall be applied to the proceedings before the arbitration committee.

Article 26

If the state expresses a special interest in the preservation of a settlement and development of individual areas, the National Assembly shall grant special status to municipalities in these areas.

Conditions for acquiring such special status are defined in a special law.

Article 27

The state shall provide special means for the development of municipalities with special status.

Chapter IV

MUNICIPAL BODIES

Article 28

The bodies of a municipality shall be a municipal council, a mayor and a supervisory board.

Article 28a

Municipal bodies shall, at the request of a deputy, be obliged to provide him with all the explanations required for work in his electoral constituency.

Article 29

The municipal council shall be the highest decision-making body on all matters concerning the rights and duties of the municipality.

Within its jurisdiction the municipal council shall:

- adopt the statute of the municipality;
- adopt decrees and other municipal acts;
- adopt land and other development plans of the municipality;
- adopt the budget and final account of the municipality;
- give consent when the state vests duties and functions from its jurisdiction in the municipality;
- appoint or dismiss members of the supervisory committee and members of commissions and committees of the municipal council;
- supervise the activities of the mayor, deputy mayor and municipal administration regarding the implementation of the decisions of the municipal council;
- express its opinion on the appointment of deputies of state administrative units;
- appoint and dismiss the representatives of the municipality in the deputy council of a state administrative unit;
- decide on the acquisition and disposal of municipal property, if not otherwise stipulated by this Law;
- appoint and dismiss the members of the board for the protection of consumers;
- decide on other matters determined by law and the statute of the municipality.

The municipal council shall also decide on matters vested from state jurisdiction in the municipality by law, unless the law determines that these matters shall be decided on by another municipal body.

Article 30

The municipal council shall include a commission for mandate issues, elections and appointments, which shall consist of the members of the municipal council.

The municipal council may establish other commissions and committees as its working bodies. The members of commissions and committees shall be appointed from among the members of the municipal council and other inhabitants of the municipality, but no more than half the members. The head of the working body of a municipal council shall be a member of the municipal council. Membership of the commission or committee of the municipal council shall not be compatible with membership of the municipal supervisory committee or with work in the municipal administration.

The municipal council may found by decree local, village or quarter committees to serve as advisory bodies. Members of these committees shall be appointed and dismissed by the municipal council. They shall be appointed from among the residents of the narrower sections of the municipalities; if no narrower sections have been established in the municipality, they shall be appointed from among the residents of individual areas within the municipality, determined by decree. It can be determined in the municipal statute or by decree that members of these committees can be appointed to and dismissed from their committees by the residents of the narrower sections of the municipalities or within individual areas of the municipality determined by decree. It can be determined in the municipal statute or by decree that the local, village or quarter committees shall have the right to recommend to the municipal council decisions which refer to the narrower section of the municipality. If so determined in the municipal statute or by decree, the municipal council must obtain the opinion of the local, village or quarter committee before making any decision which refers to the narrower section of the municipality.

Article 31

Commissions and committees of the municipal council shall as a part of their duties and in accordance with the municipal statute and standing orders of the municipal council discuss issues pertaining to the jurisdiction of the municipal council and communicate their opinions and proposals to the municipal council.

The commissions and committees of the municipal council and members of the municipal committee may propose that the municipal council adopt decrees and other acts within the council's competence, excluding the budget and the final account of the budget and other acts with reference to which the law or municipal statute determines that they be adopted by the municipal council at the proposal of the mayor.

Article 32

The supervisory committee is the highest organ of supervision of public expenditure in the municipality. In the framework of their competency the supervisory committee shall:

- perform supervision of the disposal of municipal property;
- oversee the purposefulness and sense of the use of budgetary funds;
- supervise the financial operations of the users of budgetary funds.

If within its competence the supervisory committee determines a more severe violation of regulations or irregularities in the municipality's operations, where these violations and irregularities shall be set out in their standing orders, it must notify the competent ministry and the Court of Auditors of the Republic of Slovenia of these violations within fifteen days.

All members of the supervisory committee shall have the right to request and obtain data from the municipality if this data has not been requested by the supervisory committee at the proposal of an individual member.

Supervision includes the ensuring of the legality and correctness of the business operations of competent bodies, bodies and organisations of users of the municipal budget and authorised personnel with municipal public funds and municipal public property and assessing the efficiency and effectiveness of the use of municipal budgetary funds.

The work of the supervisory committee shall be public. In its work, the supervisory committee shall be obliged to protect personal data and national, official and business secrets which are defined by law, by other regulations or by acts of the municipal council and organisations of users of budgetary funds and to respect the dignity, good name and integrity of individuals.

The supervisory committee shall issue reports with recommendations and proposals on its findings, estimates and opinions. The municipal council, the mayor and organs of users of municipal budgetary funds shall be

obliged to discuss the reports of the supervisory committee and to take into account their recommendations and proposals in accordance with their competence.

The duties, processes and work methods of the supervisory committee, the form of the supervisory committee, the principles of work organisation and presentation of the supervisory committee, obligations and rights of municipal bodies with regard to work and the recommendations and proposals of the supervisory committee, and the public nature of the work of the supervisory committee shall be determined in the municipal statute. The supervisory committee shall pass their own rules in accordance with the municipal statute.

Article 32 a

The municipal council shall appoint members to the supervisory committee. The municipal council shall appoint members of the supervisory committee no more than 45 days following its first session.

Members of the supervisory committee shall perform their duties voluntarily.

Members of the municipal council, the mayor, the deputy mayor, members of the councils of narrower sections of the municipality, the secretary of the municipality, municipal civil servants, members of the management of organisations which are users of budgetary funds may not be members of the supervisory committee.

Professional and administrative assistance in the work of the supervisory committee shall be ensured by the mayor and the municipal administration. Individual special professional supervisory duties may be performed by an executor who is appointed by the municipal council on the proposal of the supervisory committee.

With regard to dismissal of members of the supervisory council the reasons from the provision from the first paragraph of Article 37a of this Law shall be reasonably applied. Dismissals shall be performed by the municipal council on the proposal of the supervisory committee. Membership in the supervisory committee shall cease on the day of dismissal or parallel to the expiry of the term in office of the members of the municipal council.

Article 33

The mayor shall represent and act on behalf of the municipality.

The mayor shall represent the municipal committee and shall convene and chair the sessions of the municipal council, but shall not have the right to vote.

The mayor shall propose that the municipal council adopt the municipal budget and the final account of the budget, decrees and other acts within the competence of the municipal council, and shall be responsible for the implementation of decisions passed by the municipal council.

The mayor shall be responsible for the publication of the statute, decrees and other municipal general acts.

The mayor shall withhold the publication of a municipal general act if he believes that this act is unconstitutional or illegal, and shall propose that the municipal council adopt a new decision on this act at the next session; at this session the mayor must state his reasons for withholding the act. If the municipal council insists on its decision, the general act shall be published, while the mayor may file a request for an assessment of the act's compliance with the Constitution and with the law at the Constitutional Court.

The mayor shall withhold the implementation of a decision by the municipal council if he believes that this decision is illegal or in conflict with the statute or other municipal general acts, and shall propose that the municipal council adopt a new decision at the next session; at this session the mayor must state his reasons for withholding the implementation of this decision. Once he withholds the implementation of the decision by the municipal council, the mayor must notify the competent ministry of the allegedly illegal decision. If the municipal council adopts the same decision again, the mayor may file a procedure at the administrative court.

If the decision by the municipal council refers to a matter which has been transferred to municipal jurisdiction by law, the mayor shall notify the competent ministry of the allegedly illegal or inappropriate decision.

Article 33 a

Municipalities shall have at least one vice-mayor. A vice-mayor shall be appointed and removed by the municipal council at the proposal of the mayor, and shall be selected from the municipal council.

By adopting an act on the appointment of a vice-mayor, the municipal council shall, at the proposal of the mayor, appoint a vice-mayor who, in the event of an early cessation of the mayor's term of office, shall perform the function of mayor from the adoption of a resolution on the early cessation of the mayor's mandate to the announcement of early elections and the election of a new mayor.

The vice-mayor may decide to perform this function professionally at the proposal of the mayor. The final decision on whether the vice-mayor shall perform his function on a professional basis shall be made by the municipal council.

The vice-mayor shall assist the mayor in his work, and shall carry out individual tasks that fall under the competence of the mayor, for which he must be authorised by the mayor.

The vice-mayor shall be a deputy mayor in the event of the absence or non-availability of the mayor. If there is more than one vice-mayor, the mayor shall appoint his deputy mayor; if the mayor does not appoint a deputy, the deputy mayor shall be the oldest vice-mayor. During the time of his appointment as a deputy mayor the deputy mayor shall carry out the regular tasks of a mayor and the tasks which the mayor authorised him to carry out.

In the event that there are reasons for which both the mayor and deputy mayor cannot perform their functions, the function of mayor shall be performed by a member of the municipal council appointed by the mayor; if the mayor does not appoint his deputy from the municipal council, the function of mayor shall be performed by the oldest member of the municipal council. During the time of his appointment as deputy mayor, the member of the municipal council shall carry out the regular tasks of mayor and the tasks which the mayor authorised him to carry out.

Article 34

When the lives and assets of citizens may be endangered to a greater extent and the municipal council cannot assemble in due time, the mayor may adopt temporary emergency measures. These shall be submitted to the municipal council for adoption immediately it is in a position to assemble.

Article 34a

Members of the municipal council, the mayor and the vice-mayor shall be deemed to be municipal functionaries.

Municipal functionaries shall perform their functions on a non-professional basis. The mayor may decide to perform his functions on a professional basis. On condition that he obtains consent from the mayor, the vice-mayor may also decide to perform his functions on a professional basis.

Article 35

The municipal council shall adopt decisions at its sessions with a majority of votes cast by those in attendance. The council may adopt valid decisions if the majority of members of the municipal council are in attendance.

Municipal council sessions shall be convened and chaired by the mayor. The mayor may authorise a vice-mayor or other members of the municipal council to chair individual sessions. If there are reasons for which the mayor cannot chair an already-convened session of the municipal council, the session shall be chaired by the vice-mayor; if the vice-mayor is not available either, the session shall be chaired by the oldest member of the municipal council.

The mayor shall convene municipal council sessions in accordance with the provisions of the municipal statute and municipal standing orders; sessions must be convened at least four times a year. The mayor must convene a municipal council session if this is requested by at least one-quarter of the members of the municipal council; the session must take place within fifteen days of the day a written request for convening a session is submitted. If the mayor does not convene a municipal council session within seven days of the day a written request is received, the session may be convened by those members of the municipal council who have put forward the

request. The request for convening a municipal council session must be accompanied by an agenda. The mayor must use this agenda at the session, and may only supplement the proposed agenda with new points.

Professional and administrative work for the needs of the municipal council shall be carried out by the municipal administration.

Article 36

The work of the municipal council shall be regulated by standing orders, which shall be adopted with a two-thirds majority of all members present.

The manner of guaranteeing that the work of municipal bodies is public shall be determined by the statute of the municipality.

Article 37

The municipal council shall be elected on the basis of universal and equal franchise by direct and secret ballot.

All citizens who have permanent residence in a municipality shall be entitled to vote.

Elections to the municipal council shall be regulated in detail by a special law.

Article 37a

The mandate of a member of the municipal council, the mayor and the vice-mayor shall be terminated if he or she:

- loses the right to vote,
- becomes permanently incapable of performing the duties;
- is sentenced in a final ruling to a prison sentence without remission for a term longer than six months;
- does not cease the performance of an activity which is incompatible with the duties of a member of the municipal council, the mayor and the vice-mayor within three months of the confirmation of the mandate,
- accepts duties or starts an activity which is incompatible with the duties of a member of the municipal council, the mayor and the vice-mayor;
- resigns.

The terms of office of a member of the municipal council, the mayor and the vice-mayor shall cease on the day the reasons specified in the preceding paragraph applying to the cessation of a term of office exist.

Irrespective of the provision of Article 30 of the Law on Local Elections, a member of the municipal council whose mandate has been terminated for reasons stated in indents one to five shall be replaced by the next candidate on the appropriate list of the highest number of remaining votes in a constituency in respect of the quotient in this constituency.

Article 37b

The function of mayor shall not be compatible with the function of municipal council member, the function of vice-mayor, membership of the supervisory committee and work at the municipal administration, as well as with other functions if so determined by law.

The function of member of the municipal council and of vice-mayor shall not be compatible with the function of mayor, membership of the supervisory committee and work at the municipal administration, as well as with other functions if so determined by law.

Neither shall the duties of a member of the municipal council be compatible with the duties of the deputy of an administrative unit or the head of the internal organisation unit within the administrative unit, nor with the activities of the national administration pertaining to positions of employees who carry out the authorisations concerning the supervision of the legitimacy or suitability and professionalism of services performed by the municipal bodies.

Article 38

The municipal council shall have between 7 and 45 members.

Article 39

In the ethnically mixed areas inhabited by the Italian or Hungarian ethnic communities and determined by law, each area shall have at least one representative in the municipal council. Direct representation of ethnic communities in other municipal bodies shall be regulated by the statute of the municipality.

Within their jurisdiction, municipalities shall, with special acts, regulate issues related to the implementation of the rights of ethnic communities and the provision of financial means for them.

Regulations from the preceding paragraph shall be agreed to by the Council of the Ethnic Community through representatives of ethnic communities in municipal councils. If municipal bodies decide on other issues related to the implementation of the special rights of ethnic communities, they must acquire the prior opinion of the self-governing ethnic community.

In ethnically mixed municipalities a commission on ethnic issues shall be established. Members of the ethnic community shall constitute one half of the commission's members.

In areas autochthonously inhabited by the Gypsy community, the Gypsies shall have at least one representative in the municipal council.

Article 40

In municipalities where ethnic Slovenes are in the minority, the provisions of this law relating to the representation of the Italian and Hungarian ethnic communities in municipal bodies shall apply accordingly to them.

Article 41

The members of a municipal council shall be elected for a four-year term of office. The term of office of the members of the municipal council shall begin with the expiry of the term of office of the outgoing members of the council and shall last until the first session of a newly elected council.

Article 42

The mayor shall be elected by citizens having permanent residence in the municipality by direct and secret ballot.

The mandate of the mayor shall last for four years.

Article 43

This article shall be omitted.

Article 44

Members of a municipality shall directly participate in decision-making in the municipality through their assembly, referendum and people's initiative.

Article 45

Citizens shall discuss individual matters, form standpoints, give proposals, initiatives and opinions, and make decisions at municipal meetings in accordance with the law or with the municipal statute.

Citizens' meetings may be convened for the entire municipality or for individual parts of the municipality.

The mayor must convene a citizens' meeting if so determined by law or by the municipal statute, or if the convening of a meeting is requested by at least 5% of voters in the municipality or in individual parts of the

municipality; the mayor may also convene a meeting at his own initiative, at the initiative of the municipal council, or at the initiative of the council of narrower parts of the municipality.

The municipal statute shall set out:

- the matters which are to be discussed by citizens at meetings, and about which citizens shall form standpoints, give proposals, initiatives and opinions, and make decisions;
- the method of submitting a request for and the procedure of decision-making on convening citizens' meetings, if voters request the convening of a meeting;
- the method of convening citizens' meetings;
- the number of voters who must attend a meeting for the standpoints, proposals, initiatives, opinions and decisions to be valid when accepted;
- in what way the adopted standpoints, proposals, initiatives, opinions and decisions bind the municipal bodies; and
- other issues important for the implementation of citizens' meetings and for the realisation of citizens' standpoints, proposals, initiatives, opinions and decisions.

Article 46

Citizens may, with a referendum, decide on issues which are included in municipal general acts, except for the budget and the final account of the municipal budget, and on general acts which, in accordance with the law, set out municipal taxation and other contributions. A referendum shall be carried out as subsequent referendums at which citizens shall confirm or reject an adopted municipal general act or separate provisions of a municipal general act.

The municipal council may call a referendum at the proposal of the mayor or of a member of the municipal council. The municipal council must call a referendum if requested by a minimum of 5% of the municipal electoral body, and if so determined by law or the municipal statute.

The proposal to call a referendum or its notification must be submitted in writing to the municipal council, along with the initiative for the voters to file a request to call a referendum, within fifteen days of the adoption of the general act. If the proposal to call a referendum or the initiative for the voters to file a request to call a referendum is submitted, the mayor shall withhold the publication of the general act until a decision is adopted on the proposal or initiative, i.e. until a decision is made on the referendum.

If the adopted general act or its individual provisions are confirmed at the referendum, the mayor must publish the act along with the results of the referendum. If the adopted general act or its individual provisions are rejected at the referendum, the general act shall not be published until it is changed in accordance with the will of the voters. The decision adopted by the voters at a referendum shall bind the municipal council until the expiry of its term of office.

Article 46a

Citizens may decide at a referendum on contributions and other issues, if so determined by law.

The referendum referred to in the preceding paragraph shall be carried out in accordance with the provisions of the Law on Local Self-Government and the Law on Referendums and on the People's Initiative, unless otherwise determined by the law regulating and governing referendums.

Article 46b

In order to determine the will of citizens prior to the adoption of decisions on individual issues that fall under its jurisdiction, the municipal council shall call a consultative referendum. A consultative referendum may be called for the entire municipality or for parts of it. The decision of voters at consultative referendums shall not be binding on municipal bodies.

Article 47

A voters' initiative for submitting a request to call a referendum may be put forward by any voter, any political party in the municipality, or the council of a narrower part of the municipality. The initiative must include a request to call a referendum, which must contain a clear description of the issue which is to be the subject of the referendum, and an explanation. The municipal statute may stipulate that an initiative be supported by the signatures of a specific number of voters included in a list, which must contain the following personal data of the persons who signed the initiative: name and surname, date of birth, address of permanent residence.

The initiator of the voters' initiative to submit a request to call a referendum must send written notification of this to the municipal council, and submit the initiative to the mayor. If the mayor believes that the initiative and the request have not been drafted in accordance with the preceding paragraph or are in conflict with the law and municipal statute, he must notify the initiator of this within eight days and request from the initiator that he eliminate the determined discrepancies within eight days. If the initiator fails to comply with this, it shall be deemed that the initiative has not been submitted. The mayor shall immediately inform the initiator and the municipal council of this.

The initiator may, within eight days of the receipt of the notification, request that the mayor's decision be tried by the administrative court. If the administrative court determines that the mayor's decision is not justified, it shall annul this decision. The court shall adopt a decision on this issue within thirty days.

Voters may give their support to the request to call a referendum by signing the list or by signing personally. The method of giving support shall be prescribed by the mayor with an act, which shall set out the forms for the list of signatures or for support by personal signature, as well as the deadline for collecting signatures. The forms must contain a clear definition of the request to call a referendum. Personal signing shall be carried out before the national body responsible for keeping records of the voting right. In addition, the national body responsible for keeping records of the voting right shall verify voters' signatures included in the list.

A request to call a referendum shall be deemed to have been submitted if it has been supported by a sufficient number of voters by the prescribed deadline.

Article 47a

The municipal council shall call a referendum within fifteen days of the receipt of the decision on the proposal or of the voters' submission of a request to call a referendum. The municipal council shall, with an act on the calling of a referendum, set out the contents of the issue to be decided upon at the referendum, and shall set the date that shall be deemed to be the date for calling the referendum, the area covered by the referendum, and the day of voting.

The act on the calling of a referendum shall be published according to the method prescribed by the municipal statute and by the municipal general acts governing the publication of acts.

Article 47b

All citizens who have the right to vote for members of the municipal council shall have the right to vote at a referendum, unless otherwise determined by law. The procedure for the implementation of a referendum shall be carried out by the bodies responsible for conducting local elections. Objections regarding irregularities in the work of the election committee shall be decided upon by the municipal electoral commission. The procedure applying to the implementation of a referendum shall be set out in detail by the municipal statute, in accordance with the law.

It shall be deemed that a referendum decision has been adopted if it is voted for by a majority of voters taking part in the referendum. A decision on the introduction of a contribution shall be deemed to have been adopted if it has been voted for by a majority of voters taking part in the municipality or in the part of the municipality in which the contribution is to be introduced.

The municipal electoral commission shall send a report on the results of the referendum vote to the municipal council, and shall publish the report according to the method prescribed by the municipal statute for the publication of municipal general acts.

Article 48

At least five percent of the voters in a municipality may request that a general act or other decision from the jurisdiction of the municipal council or other municipal body be issued or invalidated.

The provisions of Article 47 of this Law shall apply to the voters' initiative for submitting the request specified in the preceding paragraph and to the procedure for the initiative.

The body to which the matter from the first paragraph of this article is addressed shall be obliged to make a decision on the request within the period determined by the statute of the municipality, but at the latest within three months.

Chapter V

MUNICIPAL ADMINISTRATION

Article 49

The municipal administration shall be composed of one or more bodies of municipal administration, which shall be founded and for which the internal organisation and field of work shall be determined by the municipal council on the proposal of the mayor by a general act.

The mayor shall be the head of the municipal administration, and the operation of the municipal administration shall be led directly by the secretary of the municipality, who shall be appointed and dismissed by the mayor.

When there are multiple bodies of the municipal administration founded within the municipality, the secretary shall authorise the heads of these bodies for individual duties in connection with their leadership, and they shall be appointed and dismissed by the mayor.

All disputes about competency among the bodies of the municipal administration shall be resolved by the mayor.

The secretary of the municipality shall decide on the dismissal of the heads of bodies of the municipal administration or employees of the municipal administration, and in the case of dismissal of the head of the municipal administration shall also decide on matters, if the head is authorised to make decisions on administrative matters.

The municipal council shall decide on the dismissal of the secretary or the mayor, and in the case of dismissal shall also decide on matters.

Article 49a

The municipality may not perform duties for another municipality which are by law or according to other regulations the duties of the municipal administration.

Municipalities may decide to establish one or more bodies of joint municipal administration.

A body of joint municipal administration shall be established when a general act on its founding is passed by the municipal councils on the joint proposal of the mayors of the municipalities.

Article 49b

A body of joint municipal administration shall be led by a head who shall be appointed and dismissed by the mayors of the municipalities who founded the body of joint municipal administration.

The head of a body of joint municipal administration shall determine the systematisation of jobs within the body and decide on the determination and cessation of work relations of employees in that body.

Article 49c

A body of joint municipal administration shall appear in the execution of administrative duties as the body of the municipality to which the local competence for the matter pertains.

In performing administrative duties, a body of joint municipal administration must harmonise these duties in accordance with the orientations of the mayor and the duties of the secretary of the municipality in which the local competence for the matter pertains, with regard to the general issues of organisation and operation of organs of joint municipal organisation as well as with the collective orientation of all the mayors of the municipalities which established the body of joint municipal administration.

The head of a body of joint municipal administration shall be responsible for the execution of administrative duties which pertain to the local competence of individual municipalities and the mayors and secretaries of these municipalities, and all of the mayors of the municipalities which established the body of joint municipal administration shall collectively be responsible for the operation of the body of joint municipal administration as a whole.

The secretary of the municipality to which the local competence for the matter pertains shall decide on the dismissal of the head of a body of joint municipal administration or employees in the municipal administration, and in the case of the dismissal of the head shall also decide on matters.

Article 49č

The level of education required for the positions of municipal secretary and director of the joint municipal administration body shall be prescribed by the general act on the organisation and scope of work of the municipal administration, the general act on the founding of a joint municipal administration, and the act on the systemisation of work posts.

In determining the level of education required for the positions of municipal secretary and director of the joint municipal administration body in the acts referred to in the preceding paragraph, the fact must be taken into account that only those who fulfil the legally prescribed conditions may be authorised to adopt decisions on administrative issues.

Article 49 d

Funds for the operation of a body of joint municipal administration shall be ensured by the municipalities which establish a body of joint municipal administration, in the proportion of the number of residents of individual municipalities to the number of residents of all the municipalities.

The municipalities which establish a body of joint municipal administration shall be collectively responsible for any damages caused by the unlawful operation of employees in the body of joint municipal administration.

Article 50

The systematisation of jobs in the municipal administration shall be determined by the mayor.

The appointment or employment of staff in the municipal administration shall be decided upon by the mayor or secretary of the municipality.

Article 50a

The municipal administration shall carry out supervision of the implementation of municipal regulations and other acts with which the municipality regulates matters within its responsibility.

For the performance of supervision under the preceding paragraph a municipal inspectorate may be established within the municipal administration.

Inspection shall be carried out directly by municipal inspectors as workers with special authorisations who must fulfil the conditions prescribed in the Law on Administration.

Municipal inspectors shall have the same authorisations, duties and responsibilities as inspectors under the Law on Administration.

Chapter VI

ASSETS AND FINANCING OF A MUNICIPALITY

Article 51

The assets of a municipality shall be composed of the intangible and tangible property owned by the municipality, financial means and rights.

A municipality must manage its assets with good economic sense.

The release of individual parts of municipal assets shall only be permitted against payment of their full value, which shall become a part of the municipal assets unless the part of the assets is donated for humanitarian, educational, scientific or research purposes or for other purposes of this kind. The decision to release individual parts of the assets shall be adopted by the municipal council. Pursuant to Article 29 of this Law, the mayor may be authorised to decide on the acquisition or disposal of moveable property and on the acquisition of immovable property in the municipal statute or by a decree of the municipal council.

Unless otherwise determined by law, the provisions that govern the resale and exchange of state-owned property shall duly apply to the resale or exchange of property owned by municipalities.

A municipality shall state the value of its assets in the balance sheet of assets in accordance with the law.

Article 51a

If two or more neighbouring municipalities merge into a single new municipality, the property of these municipalities shall become the property of the new municipality on the day the new municipality is established.

The new municipality shall also assume all liabilities relating to the property allocated to it.

Article 51b

The property of a municipality which is divided into two or more new municipalities, or if a part of this municipality secedes and a new municipality is established or if this part joins another municipality, shall be divided by agreement. The decision on the method of dividing the property by agreement shall be adopted by the municipal councils within six months of consulting each other. The agreement on the division of the property shall be concluded by the mayors within three months. The agreement shall serve as the basis for entering the ownership rights of the municipality in the land register.

Individual municipalities shall assume all liabilities relating to the property allocated to them.

Until the mayors conclude the agreement referred to in the first paragraph of this Article, regular management of the yet undivided common property shall be carried out by the bodies of the municipality of the territory in which the property is located, with the consent of all municipalities established in the territory of the previous municipalities. Founding rights in public institutions, public companies and funds shall be carried out by the bodies of that municipality in whose territory their head office is located, with the consent of bodies of the other municipalities for the territory of which the public institution, public company or fund

had been founded. Consent may be general and issued in advance. If a municipality does not revoke its consent within fifteen days of the day of receipt of the written proposal it shall be deemed that consent was given.

The Administrative Court shall issue a decision and divide the property in accordance with the method of division by agreement if the agreement is signed by more than a half of the mayors on the basis of the method of property division by agreement adopted by all municipal councils. The proposal must be submitted by at least one municipality within thirty days of the time-limit expiration for reaching an agreement referred to in the first paragraph of this Article.

Article 51c

If the municipalities fail to reach an agreement on the division of their property in accordance with the preceding Article, on the day of establishment of a new municipality or the incorporation of a seceded part of a municipality into a neighbouring municipality, the property shall be divided according to the following method:

- immovable assets, built public goods and public infrastructure shall become the property of the municipality in whose territory they are located, unless their purpose is to serve exclusively the compulsory economic public services of another municipality, in which case they shall become the property of that municipality;
- immovable assets that have become the property of local communities or their legal successors in accordance with the regulations on privatisation of public property, shall become the property of the municipality in whose territory they are located, or the property of the municipality's smaller parts pursuant to the charter of the municipality;
- movable assets intended for the use of immovable assets or for the performance of an activity closely related to immovable assets shall become the property of the municipality in whose territory they are located.

Individual municipalities shall assume all liabilities related to the property allocated to them.

The municipal council shall adopt an act by which the property of the municipality is determined on the basis of a balance of assets and inventory. The act issued by the municipal council shall serve as the basis for the entry of ownership rights in the land register.

Other property rights, funds and securities, and liabilities which do not arise from the construction or acquisition of the property referred to in the first paragraph of this Article shall be allocated in proportion to the number of inhabitants in the areas of individual municipalities, or in proportion to the number of inhabitants in the rest of the municipality and the number of inhabitants in the seceded part of the municipality. The mayors shall adopt and execute the resolution on the division.

Founding rights and obligations, and capital rights in public institutions, public companies and funds, and obligations arising from concessions or other contractual relationships shall be arranged according to the following method:

- every municipality shall become the founder of public institutions and shall assume the rights and obligations to public institutions and contractors carrying out, in accordance with the public service network, activities that the municipality must provide, only on the territory of this municipality and only for its inhabitants;
- municipalities shall become co-founders of public institutions and shall together assume the rights and obligations to public institutions and contractors carrying out, in accordance with the public service network, activities that the municipality must provide in the entire territory and for all inhabitants of the previous municipality. Each founder shall have the right and obligation to provide, by common public institution, concession contract or another contract, the execution of activities in its territory and to take part in the management and responsibilities toward the public institution, concessionaire or contractor in proportion to the number of its inhabitants or the inhabitants of the territory that joined this municipality in the entire number of inhabitants of the previous municipality for whose territory the public institution had been founded, or for which a concession or another type of a contract had been concluded;

- every municipality shall become the founder and owner of public capital in public companies, public funds and agencies that was the property of the previous municipality, or enters a concession or another contract as the only contracting party if the public company, public fund, agency, concessionaire or another contractor carries out a public service and other tasks in accordance with an act or regulation of the previous municipality exclusively for this new municipality's inhabitants or exclusively in the territory of this municipality;
- municipalities shall become co-founders of public companies, public funds and agencies that were founded in order to carry out public services and other tasks in accordance with an act or regulation of the previous municipality for the territory of the previous municipality, and enter in concessions or other contracts and jointly assume the rights and obligations toward public companies, public funds and agencies, concessionaires and other contractors. Each founder shall have the right and obligation to ensure the carrying out of activities in its territory by way of a joint public company, public fund, agency, concession or another contract and to co-operate in the management and responsibilities toward a public company, public fund, agency, concessionaire or contractor in proportion to the number of its inhabitants or the number of inhabitants of the area that joined the municipality in entire number of inhabitants of the previous municipality for whose territory the public company, public fund or agency was founded, or a concession or another type of a contract was concluded. The same proportions shall be used as the municipalities shall become the owners of ideal shares of public capital of a public company, public fund or agency that was the property of the previous municipality.

For the exercise of municipalities' founding rights in common public institutions, public companies, public funds and agencies referred to in the preceding paragraph and for the purpose of harmonisation of municipalities' decisions with regard to ensuring public services, the municipal councils of the municipalities in question shall found a joint body consisting of mayors in accordance with provisions of the fourth and fifth paragraph of Article 61 of this Law.

It shall not be possible to physically divide immovable and movable property intended for the performance of activities and managed by a public institution or public company.«

Article 52

Local matters of public interest shall be financed by the municipality from its own sources, national means and from loans.

The municipality's own sources shall be:

1. taxes and other obligatory contributions;
2. revenue from the assets of the municipality.

The state shall ensure additional funds for municipalities which cannot adequately finance local affairs of public importance from their own resources. The amount of and method of ensuring additional funds shall be determined by law.

The law shall determine the method of promoting association and co-operation between municipalities and the establishment of municipalities by means of a merger of two or more municipalities with fewer than 5,000 inhabitants, or the merger of such municipalities with larger municipalities.

Article 53

For financing local matters of public interest the following revenues shall belong to the municipality:

1. tax on assets;
2. inheritance and gift taxes;
3. tax on profit from gambling;
4. tax on trading in intangible property;
5. other taxes stipulated by law.

The municipality may impose taxes from the preceding paragraph under conditions determined by law.

For financing local matters of public interest revenues from income tax and tax on trading in intangible property shall belong to the municipality.

The proportions for the allocation of revenues from the preceding paragraph shall be determined by a special act of the National Assembly.

Article 54

Revenues from the assets of a municipality shall primarily be:

1. revenue from leases and rent for land and buildings owned by the municipality;
2. income from investments of capital;
3. revenue from securities and other rights purchased by the municipality;
4. income from investments in intangible property or securities, and from the profit of public enterprises and concessions.

Article 55

A municipality may raise loans under conditions determined by law.

Article 56

The state must provide a municipality with additional means:

- for the performance of urgent municipal duties and functions;
- for financing the performance of duties and functions vested in the municipality by the state;
- for co-financing local matters of public interest when of special interest for its development;
- for adjustment with investment input in accordance with the programme in municipalities with the lowest standard of municipal services.

Using the state budget and by taking into consideration the most equal regional development for each fiscal year, an amount of financial means shall be determined and allocated to an individual municipality for the undisturbed performance of local matters of public interest from the third indent of the first paragraph of this article.

The amount of means from the second paragraph of this article shall, for an individual municipality, be determined primarily with respect to:

- the number of inhabitants and population density of the municipality;
- geographic characteristics;
- the status of the municipality with respect to the special interests of the state in its development.

Article 57

The municipal budget shall comprise all revenues and expenses for individual purposes of financing the public expenditure of a municipality and shall be adopted in accordance with the law.

A municipality may have at its disposal those revenues paid into the budget by the end of the fiscal year.

The prior consent of the municipal council shall be required for expenses which are not planned in the budget of the municipality for the current year.

The municipal budget shall be adopted for a fiscal year that shall begin and end simultaneously with the fiscal year of the budget of the republic.

If a municipal budget is not adopted on time, the public expenditure of the municipality shall be temporarily financed according to the budget of the previous year.

Article 58

The Article shall be omitted.

Article 59

The Court of Accounts shall review the operating of a self-governing local community and legal persons established by the self-governing local community or their proprietor.

The spending of means from the first paragraph of Article 55 and the first and second paragraphs of Article 56 shall be supervised by the ministry competent for finances.

Article 60

The manner of financing the duties and functions of a region shall be determined by the municipalities that established it, with the exception of authorisations vested in it for which the state provides means.

Chapter VII

MUNICIPAL PUBLIC SERVICES

Article 61

A municipality shall guarantee the performance of local public services which it has determined by itself and public services determined by law (local public services).

The provision of local public services shall be ensured by municipalities:

- directly within the framework of municipal administrations;
- by setting up public institutions and public companies;
- by granting concessions;
- by investing their own capital in activities performed by persons in private law.”

For the purpose of ensuring public services more economically and efficiently, two or more municipalities may jointly set up a public institution or public company.

For the exercise of municipalities’ founding rights in accordance with the founding acts and statutes of the municipal institutions or public companies referred to in the preceding paragraph, and for the co-ordination of decisions adopted by municipalities in relation to the provision of public services, the municipal councils of participating municipalities set up a joint body consisting of mayors. The act on founding a joint body must set out the body’s tasks, organisation of work and method of adopting decisions, financing, and the division of costs between municipalities.

The joint body shall carry out its tasks in the name and for the account of the municipalities which have founded the body. The head office of the joint body shall be located in the municipality in which the head office of the public institution or public company is located. Professional tasks shall be performed for the joint body by the municipal administration of the municipality in which the head office of the joint body is located.

Municipalities may set up their own municipal attorney’s offices. Two or more municipalities may set up a joint municipal attorney’s office. Municipal attorney’s offices shall represent municipalities, their bodies and their narrower parts which have the status of legal persons before courts and other national bodies. If it acquires a suitable authorisation, a municipal attorney’s office may also represent other legal persons set up by municipalities. The provisions of the law governing public attorney issues shall duly apply to municipal attorney’s offices.

Article 62

The manner of and conditions for performing local public services shall be determined by the municipality unless specified otherwise by law.

Article 63

The provisions of this chapter shall apply accordingly to a region and shall be regulated in the agreement on integration, unless individual issues are determined otherwise by special law.

Chapter VIII

GENERAL AND INDIVIDUAL ACTS OF A MUNICIPALITY

Article 64

A municipality shall adopt a statute.

The statute of a municipality shall determine the basic principles for the organisation and operation of the municipality, for the establishment and competence of municipal bodies except with regard to bodies of municipal administration, for the manner of participation of members of the municipality in adopting decisions in the municipality, and for other issues of common interest in the municipality as determined by law.

The council shall adopt the statute with a two-thirds majority of all members.

Article 65

A municipality shall regulate matters from its jurisdiction by decrees, ordinances, rules and instructions.

Matters from vested jurisdiction shall be regulated by a municipality with decrees and other regulations determined by law.

Article 66

The statute and other regulations of a municipality must be promulgated and shall enter into force fifteen days after their promulgation, unless otherwise determined therein.

The statute and other regulations of a municipality shall be published in the official journal.

Article 67

The municipality shall decide upon administrative issues under its jurisdiction and transferred national jurisdiction with individual acts.

Administrative issues under municipal jurisdiction shall on the first level be decided upon by the municipal administration, and on the second level by the mayor, unless otherwise determined by law.

The mayor of the municipality to which local competence pertains shall decide on complaints against decisions of the body of joint municipal administration, if not otherwise stipulated by law.

Article 68

The bodies of a municipality and holders of public office shall decide on administrative matters and other rights, duties and legal benefits of individuals and organisations, in administrative proceedings.

Decisions on complaints against individual acts issued for administrative matters arising from vested jurisdiction and on the basis of public authorisations shall be taken by the competent state body determined by law.

Article 69

The competent court shall decide in an administrative dispute on the legality of final individual acts of municipal bodies.

Article 70

Material acts and acts concerning management of the municipality must be based on law and other legal regulations.

Article 71

The provisions of this chapter shall also apply accordingly to the general and individual acts of a region and to other forms of integration of local communities, unless determined otherwise for vested duties and functions and for the performance of public authorisations by a special law.

Chapter IX

REGION

Article 72

A region shall be established, changed or terminated by law on the basis of decisions passed by a two-thirds majority of the members of municipal councils. A referendum may be carried out concerning the decision of the municipal council. The decision to incorporate the municipality in a region shall be confirmed in the referendum if the majority of the participants in the referendum vote accordingly.

Municipalities may integrate into regions to regulate and exercise local matters of wider interest.

A region shall be established in a wider geographically integrated area where an important part of the social, economic and cultural relations of the inhabitants of that area take place, and in which it shall be possible, with regard to the extent of the territory, number of inhabitants and the existing and potential economic capacities, to plan such development as would promote the economic, cultural and social balance of the region and the republic.

The territory of a region shall comprise the entire territories of individual municipalities.

Ethnically mixed municipalities and municipalities which are interested in integration among themselves shall integrate into a region where wider issues related to the implementation of certain rights and the status of ethnic communities determined by the Constitution shall be addressed.

A region shall be a public legal person.

Article 73

A region shall be established, changed or terminated by law on the basis of a decision passed by a two-third majority of the members of municipal councils. A referendum may be carried out concerning the decision of the municipal council. The decision to incorporate the municipality in a region shall be confirmed in the referendum if the majority of the participants in the referendum vote accordingly.

A municipality may withdraw from a region by decision of the municipal council. A referendum may be conducted in a municipality on the decision of the municipal council. The decision to withdraw must be adopted at the latest six months before the termination of the fiscal year. Prior to the initiation of the procedure for the withdrawal of a municipality from a region, the region and the municipality must draw up a balance sheet of assets, personnel and payments distribution. The provisions on the establishment of a region shall be applied accordingly with regard to the withdrawal procedure.

A region shall perform local duties and functions of wider interest related to municipal services, economic, cultural and social development, to the fulfilment of the common needs of the inhabitants and the economy in that area, to the strengthening of local self-government in municipalities and to the adjustment of their development.

With the statute of a region, municipalities shall define local matters of wider interest which the region shall perform under its own jurisdiction, regional bodies and the manner of financing the region.

Municipalities may give consent to the administration of such vested local matters of wider interest for which it is so determined by the regional statute.

Article 74

Pursuant to Article 73 of this law a region shall, on the basis of its programmes, primarily:

- provide for the construction and maintenance of municipal services, energy supply, transport and other infrastructural buildings, and for the operation of appropriate activities of wider interest;
- provide for the construction and maintenance of buildings and for the operation of services in the field of social activities (schooling, culture, health service, social security etc.), which are important for the development of the region and do not fall under the obligatory duties and functions of the republic in these areas;
- provide for the removal of household and other waste, the supervision and management of sewage as well as other forms of environmental protection with equipment for regional capacity;
- promote the development of the economy, especially agriculture, small business and tourism in the region concerned;
- organise and maintain activities, services and equipment that can provide assistance to municipalities in the performance of their duties and functions and assistance in the strengthening of local self-government in municipalities.

Article 75

Vested matters from state jurisdiction shall be regulated and performed by a region as its original jurisdiction, if the state provides means for this.

Article 76

When vesting jurisdiction from the preceding article the following principles and criteria must be taken into consideration:

- the assurance of an appropriate and uniform economic, cultural and social welfare development of regions;
- the interests of the republic in relation to regions and municipalities;
- that the state facilitates the accessibility and decentralisation of administrative decision-making and provides for the efficiency of administrative operation.

Article 77

The state may, with a law, vest certain matters in the original jurisdiction of a region, especially from the following fields:

- environmental protection (protection of soil, air, water sources, sea, disposal sites, hydrogeological protection, waste water etc.);
- land planning (land planning documentation on regional and lower levels);
- natural and cultural heritage;
- social policies;
- transport and communications (roads, railways, transportation, telecommunications etc.);
- energy supply;
- services for the wider area in the fields of health, social security, education and professional training;
- agriculture and fishery;
- supply, tourism and catering.

Article 78

Within principles determined by law, a region shall regulate the fields from the preceding article, perform administrative duties and functions, and issue concrete administrative acts.

Article 79

A region shall be authorised by the republic to issue individual regulations so that it may also participate in proposing and executing other matters from state jurisdiction.

Article 80

The state may, with a law, vest in a region the execution of individual matters from state jurisdiction.

A region shall execute matters from the preceding paragraph as state matters according to state instructions and with state means.

Article 81

The bodies of a region shall be a regional council, a president and regional boards if so required.

Article 82

The regional council shall be the highest decision-making body on all matters concerning the rights and duties of the region.

Article 83

Each municipality shall have an equal number of representatives in the regional council.

Representatives of municipalities in the regional council shall be elected by the municipal councils.

In ethnically mixed areas inhabited by the Italian or Hungarian ethnic community and determined by law, each shall have at least one representative in the regional council.

Article 84

The president shall represent and act on behalf of the region.

The president shall be elected by the regional council from among its members.

The president shall attend to and be responsible for the implementation of decisions taken by the regional council and regional boards.

Article 85

In a region encompassing ethnically mixed municipalities, the provisions from Article 39 of this Law shall be applied accordingly.

Article 86

For the purposes of regulating individual local affairs of wider importance, exercising common interests and protecting the position of self-governing local communities, municipalities may set up communities, unions or associations of municipalities.

The acts on founding a community, union or association shall set out its tasks, bodies and financing.

An association of municipalities may acquire the status of a national association. This status shall be granted by the Government once it has been determined that the association consists of more than half the municipalities, whose population must total no fewer than half of the population of the country, and that the association, in accordance with the founding act, performs tasks relating to representation and co-operation between the association's municipalities and national bodies, international organisations of self-governing communities, and other international organisations.

The association referred to in the preceding paragraph shall have the status of a legal person in public law operating in the public interest. Funds required for the operation of a national association of municipalities within international associations of local communities and for special projects, which at the proposal of competent ministries shall be set out by the Government, shall be ensured from the national budget.

Article 87

The organisation of regions shall be regulated by a special law.

Chapter X

SUPERVISION BY STATE BODIES

Article 88

State bodies shall supervise the lawfulness of the work of municipal bodies.

In matters vested in municipalities by the state, state bodies shall also supervise the appropriateness and expertise of their work.

The state supervision of the work of a local community body shall be exercised by the government and ministries.

Article 88a

Supervision of the legal implementation of general acts and individual municipal acts relating to matters that fall under their jurisdiction shall be carried out by the ministries, each in the area of their competence.

For the purpose of supervising the legal operation of municipal bodies, the ministries must ensure suitable co-operation, the mutual supply of information and professional assistance for municipal bodies.

Ministries must warn the municipal body which they believe has issued an act which does not comply with the Constitution and the law, and shall propose suitable solutions. In addition, ministries must warn competent municipal bodies if they determine that the municipal administration is not acting in accordance with the law or other regulations, and shall propose suitable measures.

At the proposal of a ministry, the Government shall propose that the Constitutional Court withhold the execution of a municipal general act which the ministry or the Government believes may cause major disturbances in the implementation of municipal tasks, have harmful effects on the health or life of people, or cause major economic damage, or whose implementation would represent a violation of the Constitution or other legally guaranteed rights and freedoms of citizens.

Article 89

The mayor must submit to the government or the competent ministry decrees with which the municipality shall immediately regulate matters vested in it from state jurisdiction or at the latest simultaneously with their promulgation.

The government or ministry may block the implementation of those decrees which it considers to be illegal, and may submit them to the Constitutional Court.

Article 90

If a municipality does not perform vested duties and functions or duties and functions on the basis of public authorisations, the competent ministry shall order the performance of these duties and functions by decree.

If a municipality does not perform the duties and functions ordered by decree in the determined period, the ministry shall adopt the required measures at the expense of the municipality.

Article 90a

If a municipality does not carry out the tasks that fall under its jurisdiction in accordance with the law, the competent ministry shall warn it and call for the tasks to be implemented. If the municipality fails to carry out the tasks by the set deadline, the ministry must directly carry out the tasks that fall under the jurisdiction of the municipality, where the costs for this must be covered by the municipality, if the failure to carry out the tasks could have harmful effects on the life and health of people, the natural and living environment, or property.

Article 90b

The National Assembly may, at the proposal of the Government, dissolve a municipal council:

- if a municipal council adopts acts that are in conflict with the Constitution or the law, if it fails to implement the decisions passed by competent courts, if it does not carry out the tasks with which it is legally charged, or if it adopts decisions which violate laws in any other way and if, despite being warned by ministries, they fail to rectify their illegal action;
- if in the year for which the budget has not yet been adopted the municipal council fails to adopt the budget which could enter into force at the beginning of the year; or
- if despite the convening of the municipal council for three times in six months, the municipal council fails to hold a quorate session.

The National Assembly may, at the proposal of the Government, remove a mayor if the mayor fails to implement legal decisions issued by the municipal council or any other legal tasks, or if the mayor adopts decisions which violate laws and, despite being warned by ministries, fails to rectify the illegal action. In the event of the removal of a mayor, the legal provisions governing the early termination of the term of office of a mayor shall apply.

In the event of the dissolution of a municipal council, the National Assembly may, at the proposal of the Government, also remove the mayor if it determines that the reasons specified in the preceding paragraph are in place. In the event of the dismissal of both the municipal council and the mayor, the National Assembly shall appoint a temporary manager. The temporary manager shall perform the tasks which, in accordance with the law, are performed by the mayor, until the election of new municipal bodies.

In the event of the dissolution of a municipal council, the National Assembly shall call early elections for the municipal council and also, in the event of the simultaneous removal of the mayor, elections to fill the position of mayor.

Chapter XI

PROTECTION OF LOCAL SELF-GOVERNMENT AND THE RIGHTS OF INDIVIDUALS AND ORGANISATIONS

Article 91

A municipality or a region may lodge a request at the Constitutional Court for consideration of the constitutional and legal character of state regulations which encroach upon the constitutional status and rights of a local community.

Article 92

A municipality or a region may impugn concrete administrative acts and measures with which state bodies perform authoritative supervision in an administrative dispute.

Article 93

During proceedings in which the rights and duties of individuals and organisations are being decided, a municipality shall have the status of the injured party before state bodies, if its rights and benefits as determined by the Constitution and law are directly affected by these acts.

Article 94

The National Assembly must, prior to its adoption of laws and other regulations which in accordance with the Constitution are concerned with the interests of self-governing local communities, obtain the opinion of these communities. If a regulation refers to an individual self-governing local community and affects its interests, this local community must be notified of the purpose of this regulation prior to its adoption.

Chapter XII

TRANSITIONAL AND FINAL PROVISIONS

Article 95

This article shall be omitted..

Article 96

This article shall be omitted..

Article 97

This article shall be omitted..

Article 98

This article shall be omitted..

Article 99

Municipal councils shall pass municipal statutes by 30 April 1995.

The municipal council shall pass standing orders and acts on the organisation of activities of the municipal administration within one month of the passing of the municipal statute. The mayor shall issue an act on the systematisation of jobs in the municipal administration within one month of the passing of the act on the organisation of activities of the municipal administration.

Article 99a

Regulations of former municipalities governing local affairs determined in Article 21 and 22 of this Law shall be valid from 1 January 1995 as municipal regulations and shall be implemented and substituted by their own regulations by the municipal bodies.

Article 100

The municipalities founded before the Act Amending the Local Government Act (LSG-K) entered into force shall divide their collective property in accordance with the provisions referred to in the first and second paragraph of Article 51b of this Act within six months of the day the Act Amending the Local Government Act (LSG-K) enters into force.

Until the time the municipalities reach the agreement referred to in the preceding paragraph, the regular tasks of the management of undivided collective property shall be carried out by the municipal bodies of the municipality in which the property is located, with the consent of all municipalities formed in the territory of the previous individual municipalities. Founding rights to common public institutions, public companies and funds shall be exercised by the municipal bodies of the municipality in which the head office is located, with the consent of municipal bodies of other municipalities for whose territory a public institution, public company or fund was founded. The consent may be general and issued in advance. If a municipality does not revoke its consent within fifteen days from the day of receipt of the written proposal it shall be deemed that consent was given.

The basis for the distribution of assets shall primarily be:

- the number of inhabitants;
- the participation of individual parts of a municipality in the assurance of the assets of the municipality;
- the participation of individual parts of a municipality in the accumulation or formation of the assets of the municipality;
- the existing obligations of municipalities and claims due in future years.

»If the municipalities do not reach an agreement within six months of the day the Act Amending the Local Government Act (LSG-K) enters into force, they must establish arbitration. For the establishment, composition, procedure and decision-making, provisions of the Civil Procedure Act shall be observed unless this Act stipulates otherwise. Arbitration shall be established by mayors with an arbitration contract within thirty days of expiry of the time-limit stipulated in the first paragraph of this Article. Within the arbitration contract the mayors shall specify the matter in dispute and determine the arbitration's competence, the method of specifying the arbitration procedure, place of the arbitration's meeting, the commencement of arbitration, and the rights and obligations of the parties in the arbitration procedure. Every municipality shall appoint one arbitrator to the board of arbitration. One arbitrator who shall also be the president of the board of arbitration shall be appointed by the Government. The following persons may not be appointed as arbitrators: any official of the municipality, employee of the municipal administration, executive or employee of a public fund, public institution, public company or another organisation that uses municipal budgetary funds of the municipality that is a party in the arbitration, or a person who is in a permanent business relationship or is dependant on the municipality, or another person whom the reasons for exclusion stipulated in Article 70 of the Civil Procedure Act (Official Gazette of the Republic of Slovenia, No. 26/99) exclude from acting as a judge. Municipalities shall appoint arbitrators within thirty days of expiry of the time-limit set in the first paragraph of this Article. The board of arbitration shall reach its decisions in the procedure adopted by itself in accordance with the arbitration contract and equability. The board of arbitration shall reach the decision by voting. The individual arbitrator's number of votes shall be determined by the proportion of the number of inhabitants in the municipality that appointed the arbitrator and the number of all inhabitants in the areas of the municipalities that established the arbitration. The arbitration award shall be passed if the majority of all arbitrators cast their votes in its favour and if it is voted for by arbitrators who carry at least a half of the votes, and if the arbitrator appointed by the Government does not object to it. The arbitration procedure must be finished within six months of the expiry of the time-limit set in the first paragraph of this Article.«

* manjka stavek Če spora tudi z arbitražo »Municipalities shall be bound to submit a proposal to the administrative court. If they fail to do so within thirty days of the expiry of the time-limit for the arbitration procedure, a state attorney shall submit a proposal on the Government's request. Any disputes with regard to the arrangement of mutual property-law relationships and municipal property division shall be decided by the administrative court quickly and on a primary basis.«

A new, sixth paragraph shall be added to Article 100 so as to read:

»The administrative court shall issue a decision and divide the property in accordance with the method of division by agreement if the agreement is signed by more than a half of the mayors on the basis of the method of property division by agreement adopted by all municipal councils. The proposal must be submitted by at least one municipality within thirty days of the time-limit expiration for reaching an agreement referred to in the first paragraph of this Article.«

In accordance with this Law, sales tax shall not be calculated and charged for the regulation of mutual property law relations and the division of property between municipalities.

Article 100a

This article shall be omitted.

Article 100b

Unless otherwise determined by this Law, until the completion of the systemic regulation of wages and labour relations for municipal functionaries the provisions of the Law on Functionaries Employed in National Bodies (Official Gazette of the Socialist Republic of Slovenia, no. 30/90, 18/91/, 22/91, and Official Gazette of the Republic of Slovenia, no. 2/91-I and 4/93) and the provisions of the Law on Wage Relations in Public

Institutions, National Bodies and Local Community Bodies (Official Gazette of the Republic of Slovenia, no. 18/94 and 36/96) shall duly apply to municipal functionaries.

Municipal functionaries shall be entitled to receive wages for the performance of municipal functions if they perform their functions on a professional basis, or partial wages if they perform their functions on a non-professional basis. The most highly remunerated function in a municipality shall be the function of mayor.

Municipalities shall be classified into groups with respect to the number of inhabitants. The following quotients shall apply for the most highly remunerated functions with respect to individual groups:

- Group 1, covering municipalities with a population of over 100,000	9.0
- Group 2, covering municipalities with a population of 30,001 to 100,000	8.5
- Group 3, covering municipalities with a population of 15,001 to 30,000	8.0
- Group 4, covering municipalities with a population of 10,001 to 15,000	7.5
- Group 5, covering municipalities with a population of 5,001 to 10,000	7.0
- Group 6, covering municipalities with a population of 3,001 to 5,000	5.0
- Group 7, covering municipalities with a population of up to 3,000	3.5

Municipal functionaries shall be entitled to an allowance for performing their functions (functionary allowance).

The allowance for performing the function of mayor (functionary allowance) shall be 90% for the City Municipality of Ljubljana, 75% for the City Municipality of Maribor, 60% for municipalities covered by Group 2, and 50% for municipalities covered by Groups 3 to 7 for the most highly remunerated function in the municipality. Mayors who perform their functions on a non-professional basis shall be entitled to wages in the amount of 50% of the wages they would have received had they performed this function on a professional basis.

Municipal functionaries shall not be entitled to any special allowances stipulated by the Law on Wage Relations in Public Institutions, National Bodies and Local Community Bodies and by the Decree on the Quotients for Determining Wages and Allowances in the Services of the Government of the Republic of Slovenia and Administrative Bodies (Official Gazette of the Republic of Slovenia, no. 35/96 and 5/98), with the exception of the allowance for the number of years of active employment.

The wages or partial wages of a vice-mayor shall amount to maximum of 80% of the wages or partial wages of the mayor, and the partial wages of members of the municipal council shall amount to maximum of 15% of the wages of the mayor. The level of wages or partial wages and the partial wages of members of the municipal council shall be stipulated in a municipal council act.

For municipal administration employees and those employed in narrower parts of a municipality (local, village or ward communities), which shall have the status of legal persons and in accordance with the municipal statute shall have the right to employ workers, the provisions governing labour relations and the wages of workers employed in state administration shall duly apply. For the position of municipal secretary and director of the joint municipal administration body, the provisions governing labour relations and the wages of directors of administrative units shall apply, unless otherwise determined by this Law.

With respect to the level of education required for a municipal secretary and a director of the joint municipal administration body, stipulated in the act issued by the municipal council in accordance with Article 49d of this Law, the quotient for determining the basic wages of a municipal secretary and a director of the joint municipal administration body who have completed university or higher education shall be 6.4, the quotient for a secretary of a municipality with a population of up to 5,000 who has completed university or higher education shall be 6.00, and the quotient for a municipal secretary who has completed two-year professional higher education shall be 5.3. The quotient for determining the basic wages of a municipal secretary who has completed secondary education shall be 3.00.

FROM THE LAW ON LOCAL SELF-GOVERNMENT, INCLUDING THE AMENDMENTS AND CHANGES

Article 100c¹

Municipalities shall bring their general acts passed prior to the enforcement of this law into line with the provisions of this Law within 30 days of this Law entering into force.

Article 101²

Employees of municipal administrative bodies, with the exception of employees who perform state functions assumed by the state and secretaries and others employed in local community bodies, shall enjoy, in the reorganisation of local communities pursuant to this law, the rights guaranteed by law to employees in state bodies in the case of reorganisation or modified jurisdiction of administrative bodies.

Article 102³

This law shall enter into force fifteen days after its publication in the Official Gazette of the Republic of Slovenia.

FROM THE LAW ON AMENDMENTS AND SUPPLEMENTS TO THE LAW ON LOCAL SELF-GOVERNMENT (LSG –H) (Official Gazette of the Republic of Slovenia, no. 70/97)

Article 18

Municipal councils must harmonise their statutes with this Law within six months of its coming into force.

Narrower sections of municipalities which are legal persons and whose organisation, operation and legal status are not in harmony with the provisions of this Law shall lose their legal subjectivity and shall in keeping with their official obligations close their gyro accounts on 31 December 1998.

The provision from the second paragraph of Article 12 of this Law shall begin to be applied with the constituting of new municipal bodies after the regular local elections in 1998.

Article 19

This Law shall enter into force on the day after its publication in the Official Gazette of the Republic of Slovenia.

FROM THE LAW ON AMENDMENTS AND SUPPLEMENTS TO THE LAW ON LOCAL SELF-GOVERNMENT (LSG – J) (Official Gazette of the Republic of Slovenia, no. 74/98)

Article 43

The laws governing tasks relating to town planning must be adjusted to this Law by 1 January 2000.

Article 44

Municipal councils must co-ordinate their statutes and other municipal general acts with this Law by 31 March 1999.

The provisions of this Law on the basis of which:

- mayors represent municipal councils, and convene and chair municipal councils;
- vice-mayors are appointed;
- the working bodies of municipal councils are set up;

¹ (Official Gazette of the Republic of Slovenia, no. 14/95)

² (Official Gazette of the Republic of Slovenia, no. 72/93)

³ (Official Gazette of the Republic of Slovenia, no. 72/93)

- the non-professional performance of municipal functions and the rights of mayors and vice-mayors to opt to perform their functions on a professional basis are set out;
 - the wages of municipal functionaries are formed and paid out;
- shall begin to apply when new municipal bodies are formed and functions assumed by municipal functionaries following the regular local elections in 1998.

Article 45

Municipal secretaries whose function shall cease on the day this Law enters into force shall continue to manage municipal administrations if they agree to do so. With an act on appointment the functions which have ceased shall be stated and the vacancy of municipal secretary filled, for which the title of director of the municipal administration can also be used.

If a municipal secretary does not continue with his work, he shall have the right, within thirty days of the cessation of the function, to return to a work post which corresponds with his education and which he held before he was appointed municipal secretary, or the right to be appointed to a work post within the municipal administration which corresponds with his education, knowledge and potentials, in accordance with the law.

If a municipal secretary does not return to his previous work post, does not accept another position or cannot be appointed to another position because there are no vacancies, he shall have the right to remuneration in the amount he would have received had he performed the function of municipal secretary, but for no more than three months after he receives the resolution on removal.

On the day this Law enters into force the work posts of current secretaries of municipal councils shall be abolished. If a secretary of the municipal council is a municipal administration worker, that worker shall be appointed to another work post within the municipal administration which corresponds with his education, knowledge and potentials, in accordance with the law.

Article 46

This Law shall enter into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia.

FROM THE LAW ON AMENDMENTS AND SUPPLEMENTS TO THE LAW ON LOCAL SELF-GOVERNMENT (LSG-K) (Official Gazette of the Republic of Slovenia, no70/00)

Article 10

Municipal councils must coordinate their statutes with this Act within six months of the day the Act enters into force.

Article 11

This Act shall enter into force on the day after its publication in the Official Gazette of the Republic of Slovenia.