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Draft law for public discussion

Law of the Republic of Belarus On local self-governance in the Republic of Belarus



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Law of the Republic of Belarus

On Local Self-Governance in the Republic of Belarus

This Law defines the organizational and legal framework for the functioning of local self-government in the Republic of Belarus in accordance with the Constitution of the Republic of Belarus.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Main Terms Used in this Law

1. Participatory budgeting – methods and forms of citizen participation in the allocation of expenditures from part of the Hramada's budget through the funding of projects (civil initiatives) proposed by the residents of the Hramada and aimed at addressing local issues.
2. Auxiliary structural unit of the Hramada – a socio-territorial structure responsible for implementing and facilitating the execution of certain public tasks in part of the Hramada's territory. They may be granted the rights of a legal entity. Auxiliary structural units of the Hramada include, in particular, district administrations and starosta districts.
3. Hramada – a territorial community of residents of one or several settlements with a single administrative centre, united by common socio-economic and cultural interests, and having the right to self-governance, also being the basic administrative-territorial unit of self-governance in the Republic of Belarus.
4. Delegated competence – the powers of state administration bodies transferred to local self-government bodies by law.
5. Deputy of the Rada or Soimik – a person elected to the representative body of local self-government.
6. Communal property – assets, including financial resources, land, and other natural resources, owned by the Hramada or Pawet and managed by their established bodies, communal enterprises, and institutions. Communal property consists of the local treasury and assets assigned to communal legal entities in accordance with legislative acts.
7. Intercommunal cooperation of Hramadas and Pawets – relations between two or more territorial communities, exercised on a contractual basis in the forms defined by this Law.
8. Local self-government – the right and ability of local communities to independently resolve issues of local significance, within the framework of the law and under their own responsibility, based on the interests of the population, taking into account nationwide needs, and historical and cultural traditions.



9. Local assembly – a joint gathering of a group of citizens to discuss issues of state and public life of republican or local significance.

10. Local self-government bodies – bodies elected directly by the population and/or formed by the representative body of the Hramada and Pawet, vested with their own powers to resolve issues of local significance. Local self-government bodies are not part of the system of state authorities.

11. Pawet – an administrative-territorial unit at the regional level, representing the common interests of the Hramadas within its territory.

12. Rada – the representative self-government body of the Hramada, elected in accordance with the legislation of the Republic of Belarus.

13. District administration – an auxiliary unit of the Hramada in the district territory of cities with district divisions.

14. Own competence of local self-government bodies – powers granted to local self-government bodies by the Constitution of the Republic of Belarus, this Law, and other laws.

15. Soimik – the representative self-government body of the Pawet, elected in accordance with the legislation of the Republic of Belarus.

16. Starosta district – an auxiliary unit of the Hramada, part of its territory that does not include the administrative centre of the Hramada, where one or more settlements are located, created to improve the representation of the residents' interests in the district, headed by a starosta.

17. Territorial public self-government – bodies established by citizens on a voluntary basis in their place of residence within part of the Hramada's territory (territories of microdistricts, residential complexes, blocks, streets, courtyards, townships, villages, etc.) to resolve issues of local significance, functioning in accordance with the law.

18. Uprava – the executive and administrative body of the Rada or Soimik, accountable to the respective Rada or Soimik, and operating on a professional basis. Executive and administrative bodies are legal entities.

Article 2. Scope of this Law

1. This Law shall apply to:

1.1. territorial communities of citizens - Hramadas and Pawets - in their activities on resolving issues of local significance carried out directly, by means of direct democracy or through representative bodies of local self-government elected by citizens;

1.2. representative bodies of local self-government, the executive and administrative bodies formed by them, communal enterprises and institutions, as well as elected and appointed representatives of local self-government bodies in their activities related to resolving issues of local significance.

1.3. bodies of state power and state administration as well as their representatives where they cooperate with local self-government bodies in resolving issues of local significance.



Article 3. Main Principles of Local Self-Government

Local self-government is one of the foundations of the constitutional system of the Republic of Belarus; it is recognized and guaranteed throughout the entire territory of the Republic of Belarus and is implemented based on the following principles:

people's sovereignty,

rule of law,

subsidiarity,

transparency and consideration of public opinion,

collegiality,

a balance between local and state interests,

electability,

legal, organizational, material and financial independence within the powers defined by this and other laws,

accountability and responsibility of their bodies and officials to the territorial community,

state support and guarantees for local self-government,

judicial protection of local self-government rights.

Article 4. Legal Basis of Local Self-Government

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

Article 5. System and Forms of Local Self-Government

1. The system of local self-government consists of two territorial levels: basic (local) – Hramada, and regional – Pawet.

2. Hramada can be a rural, rural-urban or urban community and has its own representative and executive bodies.

3. Pawet is a territorial association of rural, rural-urban and urban Hramadas, represents their common interests and has its own representative and executive bodies.

4. The system of local self-government includes:

4.1. At the basic level:

- Territorial Hramada;
- Rada;
- Uprava of the Hramada;



- Auxiliary structural units of the Hramada;
- Bodies of territorial public self-government.

4.2. At the regional (Pawet) level:

- Soimik;
- Uprava of the Pawet.

Article 6. Associations (Unions) of Territorial Hramadas and Pawets

1. Local self-government bodies may unite into associations (unions) in order to exercise their powers and protect the rights and interests of territorial Hramadas and Pawets in a more efficient way.

2. Local self-government bodies and associations thereof may join respective international associations and other voluntary unions of local self-government bodies.

3. The powers of local self-government bodies may not be transferred to voluntary associations and unions of local self-government bodies.

Article 7. Organizational and Legal Basis for Local Self-Government

1. Local self-government bodies are legal entities, have their own powers, within the scope of which act independently and bear responsibility for their activities in accordance with the law.

2. Communal property of Hramadas and Pawets forms the material and financial basis of local self-government.

3. The rights of communal property owners on behalf and in the interests of territorial Hramadas and Pawets are exercised by respective Radas and Soimiks. Upravas and their structural subdivisions carry out the operational management of communal property within the scope of their powers.

4. Local budgets are independent; they do not form part of the State budget of the Republic of Belarus or local budgets of any other levels.

5. In accordance with the legislation, Radas may delegate part of their powers to the bodies of territorial public self-government, provide these bodies with appropriate funds, as well as material, technical and other resources necessary for the exercise of delegated powers, and control the execution of delegated powers.

6. Radas and Soimiks have official seals with a depiction of the State Coat of Arms of the Republic of Belarus (or a local coat of arms) and their names, as well as current accounts in the banking institutions of the Republic of Belarus.

7. Territorial Hramadas may have their own symbols (coat of arms, flag, etc.), which reflect their historical, cultural, socio-economic, and other local features and traditions.

8. With the agreement of the territorial Hramadas, the Soimik may approve the symbols of the respective Pawet.



9. The content, description, and rules for the use of symbols of territorial Hramadas and Pawets are determined by the law of the Republic of Belarus “On Symbols of the Republic of Belarus” and their Charters.

Article 8. Relations between Local Self-Government Bodies and Enterprises, Institutions, and Organizations Located on the Territory of Hramadas

1. Relations between local self-government bodies and enterprises, institutions, and organizations that are in communal ownership of respective territorial Hramadas are based on the principles of subordination, controllability and accountability of such enterprises, institutions and organizations to self-government bodies.

2. Enterprises, institutions and organizations that are not in communal ownership of respective territorial Hramadas abide by the decisions of local self-government bodies on issues falling within their jurisdiction and provide them with relevant information.

Article 9. Charter of Territorial Hramada or Pawet

1. A representative body of local self-government adopts the Charter of the territorial Hramada or Pawet in accordance with the Constitution of the Republic of Belarus and within the limits of this Law in order to protect the legitimate interests of citizens with due account for historical, national-cultural, socio-economic, organizational, legal and other special aspects of local self-governance implementation.

2. Charter of the territorial Hramada or Pawet is subject to state registration.

3. Inconsistency with the Constitution and the laws of the Republic of Belarus may give grounds for refusal to register the Charter of a territorial Hramada or Pawet. The decision on refusal to register the Charter of the territorial Hramada or Pawet may be appealed in accordance with judicial procedure.

Article 10. Legal Acts of Local Self-Government Bodies

1. Local self-government bodies and officials, within the powers granted by the legislation of the Republic of Belarus, issue appropriate legal acts.

2. The legal acts of local self-government bodies and officials are:

a) a decision of the Rada or Soimik;

b) an order of the Chairperson of the Rada or Soimik;

c) an order of the Chairperson of the Uprava.

3. The procedure for preparing, adopting, publishing, enforcing, registering, and systematizing normative legal acts of local self-government bodies is determined by this Law, the Law of the Republic of Belarus “On Normative Legal Acts in the Republic of Belarus”, the Charter of the Hramada and Pawet, the Regulations of the Rada (Soimik), and other normative acts.

4. In cases not regulated by specific legislative acts, the Rada (Soimik) may adopt decisions necessary for protecting the life or health of citizens and ensuring order,



peace, and public safety. A fine may be imposed for violations of these decisions in accordance with the Code of the Republic of Belarus on Administrative Offenses.

5. In exceptional cases, the Chairperson of the Uprava of the Hramada or Pawet may issue a legal act in the form of an order. The order is subject to approval at the next session of the Rada. The order loses its binding force if the Rada refuses to approve it or if it is not submitted for approval at the next session. In case of non-submission or refusal to approve the order, the Rada determines the date when it loses its binding force.

6. Normative legal acts of local self-government bodies may only be amended by the body or official that adopted them.

7. A decision of the Rada or Soimik may be annulled through judicial proceedings.

8. State authorities that have delegated certain powers to local self-government bodies may suspend or annul decisions made by local self-government bodies within the scope of the delegated powers.

9. The Rada and Soimik have the right to suspend or annul legal acts of the Uprava of the Hramada and Pawet, respectively, in case of their inconsistency with decisions of the Rada and Soimik; the court has the right to suspend or annul legal acts of the Uprava of the Hramada and Pawet in accordance with the legislation of the Republic of Belarus.

Article 11. Restriction of territorial Hramadas and Pawets' rights to local self-governance

According to the Constitution and the laws of the Republic of Belarus, restriction of territorial Hramadas and Pawets' rights to local self-governance shall be allowed only in the case of martial law or a state of emergency.

CHAPTER 2. FORMING OF REPRESENTATIVE BODIES OF LOCAL SELF-GOVENMENT

Article 12. Radas and Soimiks – representative bodies of Hramadas and Pawets

1. Radas and Soimiks are representative bodies of local self-government of territorial communities, exercising the functions and powers of local self-government on their behalf and in their interests, as defined by the Constitution of the Republic of Belarus, this and other laws.

2. Radas and Soimiks operate in accordance with the division of powers in the manner and within the limits defined by this and other laws.

3. The procedure for forming and organizing the activities of Radas and Soimiks is determined by the Constitution of the Republic of Belarus, this and other laws, as well as by the Charters of Hramadas and Pawets.



4. Radas and Soimiks are authorized to consider and resolve issues assigned to their jurisdiction and competence by the Constitution of the Republic of Belarus, this and other laws.

5. Radas and Soimiks are accountable to citizens in their activities and are responsible to them.

Article 13. Forming of Radas and Soimiks

1. Radas and Soimiks are composed of deputies elected by the population of respective territory on the basis of universal, equal and direct suffrage by secret ballot.

2. Election of deputies of a Rada is carried out according to a majoritarian system

3. The process of election of deputies of Soimiks is carried out as follows:

- 50% of deputies are elected in majoritarian districts established in accordance with the law;

- 50% of deputies are elected from political party lists.

4. The procedure for organizing and conducting the election of deputies is determined by law.

5. The quantitative composition of a Rada is determined in accordance with the Electoral Code of the Republic of Belarus.

6. The term of a Rada or Soimik is four years (except for the case stipulated in article 16 of this Law)

7. The powers of a Rada or Soimik start from the day on which the first session after the election opens and last until the opening of the first session of new convocation of the Rada or Soimik, except in cases of early termination of powers in accordance with the legislation of the Republic of Belarus.

Article 14. Deputies of Radas and Soimiks

1. The powers of a deputy begin from the moment the respective territorial election commission officially announces the election results at a session of the Rada or Soimik and cease at the opening of the first session of the new convocation of the Rada or Soimik. The powers of a deputy may be terminated early in cases stipulated by law.

2. A deputy of the Rada or Soimik represents the interests of the entire territorial Hramada or Pawet, and has the full range of rights ensuring active participation in the activities of the Rada, Soimik, and the bodies they form. The deputy bears responsibilities to the voters, the Rada, Soimik, and their bodies, and fulfils their assignments. A deputy must be a member of at least one of the permanent commissions of the Rada or Soimik.

3. The chairman and other deputies of the Rada or Soimik may be allowed to work on a professional basis by the decision of the respective Rada or Soimik.

4. A deputy is obliged to participate in the sessions of the Rada or Soimik and permanent and other commissions of the Rada or Soimik to which they were elected.



5. A deputy has the right to speak on any issues falling within the competence of the respective Rada or Soimik as established by the Rules of Procedure.

6. A deputy has the right to cast a vote on all issues proposed for consideration at the sessions of the Rada or Soimik and at the meetings of permanent and other commissions of the Rada or Soimik to which he or she was elected.

7. A deputy has the right to submit a written request to the Chairman and Presidium of the Rada or Soimik, officials of the respective Uprava, and management of communal companies and other companies located on the territory of administrative-territorial unit on issues falling within the competence of the Rada or Soimik.

8. A deputy has the right to familiarize themselves with official documents stored at the premises of local self-government bodies as well as make extracts and copies of these documents as provided by law.

9. The powers of deputies, procedure for organizing the activities of deputies and guarantees thereof are determined by the Constitution of the Republic of Belarus, this Law, the law on the status of the deputy, and other legislative acts.

Article 15. Bodies of Hramada Radas and Soimiks

The bodies of the Rada or Soimik include the Chairperson of the Rada or Soimik, the Presidium, permanent and temporary deputy commissions, and the administration of the Rada or Soimik. The Rada or Soimik forms its permanent bodies no later than two months from the date of the first session's convocation, determines their structure and powers, and establishes the expenses for their maintenance in accordance with this Law and other legislative acts.

Article 16. Early Termination of Powers of the Hramada Rada or Soimik

1. The powers of the Hramada Rada or Soimik are terminated early in the following cases:

1.1. where the Hramada or Pawet is dissolved as a result of changes in the administrative-territorial division of the Republic of Belarus;

1.2. where the number of members of the Rada or Soimik is less than two-thirds of the number established by law;

1.3. where the Rada or Soimik fails to approve the Hramada or Pawet budget, prepared in accordance with the legislation of the Republic of Belarus, within 3 months after the state budget is adopted;

1.4. where the Rada or Soimik fails to elect a leader or appoint the Chairperson of the Uprava within 2 months;

1.5. where the Rada or Soimik has not made any decisions for more than 6 months.

2. If the Rada or Soimik is dissolved for the reasons indicated in paragraph 1, the Government of the Republic of Belarus submits a proposal to the Soim to hold early elections for the respective representative bodies within three months from the date of the Rada's dissolution.



3. The Rada or Soimik elected in extraordinary elections, appointed in accordance with paragraph 1.4 of this Article, shall be dissolved if they fail to elect a leader or appoint the Chairperson of the Uprava within six months. In this case, no early elections are scheduled. If necessary, until the day of the next Rada or Soimik elections, the management of the Uprava is carried out by an Authorized Representative of the Government of the Republic of Belarus.

4. In case of violation of the Constitution or repeated violations of the laws of the Republic of Belarus by a Rada or Soimik, or if the actions of a local self-government body pose a threat to the sovereignty, territorial integrity, or the exercise of constitutional powers by state authorities of the Republic of Belarus, the Soim of the Republic of Belarus, upon the proposal of the Government, in accordance with the procedure established by the Constitution, may decide to hold early elections for the Rada or Soimik.

CHAPTER 3. ACTIVITY OF REPRESENTATIVE BODIES OF LOCAL SELF-GOVERNMENT

Article 17. Activity of Radas and Soimiks

1. In their activities aimed at resolving issues of local significance, Radas and Soimiks act in the best interests of citizens and make decisions within the scope of their powers and competence.

2. Decisions of state authorities on issues of national significance affecting the interests of one or more Hramadas shall be made with due consideration to the opinion of the latter.

3. Radas and Soimiks carry out their activities in the form of sessions, through the activities of their bodies and by Rada or Soimik deputies exercising their powers, including by means of forming deputy groups and factions and activities thereof.

4. For the purpose of organizing its activities, a Rada or Soimik adopts its Rules of Procedure establishing the procedures for preparing, proposing for consideration and considering issues at the sessions of the respective Rada or Soimik and the meetings of its bodies.

5. Issues affecting the interests of adjacent territories shall be resolved jointly by respective Radas.

Article 18. Chairperson of the Rada or Soimik

1. The Chairperson leads the activities of the Rada or Soimik and is accountable to the Rada or Soimik that elected them.

2. The Chairperson of the Rada or Soimik is elected from among the deputies at a session of the corresponding Rada or Soimik through a secret ballot.



3. Candidates for the position of Chairperson of the Rada or Soimik are proposed by deputies, groups of deputies, or deputy factions of the respective Rada or Soimik. The Chairperson of the Rada or Soimik is considered elected if more than half of the elected deputies vote in favour of their candidacy.

4. The powers of the Chairperson of the Rada or Soimik end on the day of the opening of the first session of the respective Rada or Soimik elected in the next scheduled local elections, except in cases of early termination of their powers in accordance with Article 16 of this Law.

5. In case of dismissal due to the early termination of the Chairperson's powers, and until the powers of the Chairperson elected in an extraordinary election according to the law begin or until the day of the first session of the respective Rada or Soimik, the Chairperson's duties are carried out by the deputy chairperson.

Article 19. Early Termination of the Powers of the Chairperson of the Rada or Soimik

1. The powers of the Chairperson of the Hramada Rada or Soimik are considered to be terminated early in the following cases:

1.1. Submission of a personal statement to the respective Rada or Soimik requesting resignation from the position of the Chairperson;

1.2. Loss of citizenship;

1.3. The entry into force of a court verdict involving restriction or deprivation of liberty;

1.4. The entry into force of a court decision holding the Chairperson accountable for an offense related to corruption, which imposes a penalty of disqualification from holding positions or engaging in activities related to performing the functions of the state or local self-government;

1.5. By decision of the Rada or Soimik;

1.6. Being declared legally incompetent, missing, or deceased by a court ruling;

1.7. In the event of death.

2. Early termination of the Chairperson's powers results in their removal from office.

Article 20. Competence of the Chairperson of the Rada or Soimik

1. Chairperson of the Rada or Soimik:

1.1. leads the Rada or Soimik, carry out management of its activities, and ensure cooperation with the respective Uprava;

1.2. represents the Rada or Soimik in relations with other the Radas, Soimiks, state bodies, other organizations and citizens;

1.3. approves the staffing table of the respective Rada or Soimik;



- 1.4. convenes sessions of the Rada or Soimik, arranges preparations for the sessions of the Rada or Soimik, and chairs the sessions of the Rada or Soimik;
 - 1.5. ensures control over implementation of the Rada's or Soimik's decisions;
 - 1.6. appoints and dismisses employees of the Rada's or Soimik's administration, conclude (extend or terminate) employment agreements (contracts) with them, apply incentive measures and disciplinary sanctions against them;
 - 1.7. invite interested legal entities and private individuals to the sessions of the Rada or Soimik;
 - 1.8. send draft decisions of the Rada or Soimik to permanent commissions, requesting an opinion from them; charge the chairpersons of permanent commissions with assignments;
 - 1.9. sign decisions of the Rada or Soimik and protocols of Rada or Soimik sessions, and issue directives;
 - 1.10. organize consideration of requests from deputies of the Rada or Soimik;
 - 1.11. organize the activities of the Rada or Soimik regarding the consideration of requests submitted by citizens and legal entities, maintaining of the book of comments and suggestions, and implementation of administrative procedures. Submit proposals relating to such requests for consideration at a Rada or Soimik session, if necessary;
 - 1.12. conduct personal receptions of citizens and representatives of legal entities;
 - 1.13. report to the Rada or Soimik on the state of affairs in the territory of the Hramada or Pawet, deliver a report on the results of his or her activities at the Rada or Soimik session at least once a year, and inform citizens about the state of affairs in the territory of the respective Hramada or Pawet;
 - 1.14. exercise other powers provided for in this Law and other legislative acts.
2. The Chairperson of the Rada or Soimik may not engage in any other activities except for the scientific and teaching activities.

Article 21. Presidium of the Rada or Soimik

1. The Rada or Soimik may establish a presidium. The presidium of the Rada or Soimik is an advisory body of the Rada or Soimik that prepares preliminarily coordinated proposals and recommendations on issues to be submitted for consideration by the Rada or Soimik. The presidium of the Rada or Soimik may make decisions of an advisory nature.
2. The presidium includes the Chairperson of the Rada or Soimik, deputy chairpersons, chairpersons of the standing commissions of the Rada or Soimik, and authorized representatives of deputies' groups and factions.
3. The presidium of the Rada or Soimik operates based on its Regulations approved by the Rada or Soimik.



4. The presidium sets the dates of the Rada's or Soimik's sessions and forms the draft agenda for the session.

Article 22. Standing Commissions of the Rada or Soimik

1. To preliminarily consider and prepare decisions on matters within the competence of the Rada or Soimik, as well as to organize and monitor the implementation of decisions made during Rada's or Soimik's sessions, standing commissions of the Rada or Soimik are formed from among the deputies.

2. The procedure for forming and operating the standing commissions of the Rada or Soimik, as well as their list, is determined by the Regulations of the Rada or Soimik. A standing budget commission is mandatory.

3. The work of the standing commissions is organized by their chairpersons, who are elected at a Rada or Soimik session.

4. Other deputies, as well as deputies from other Radas or Soimiks, experts and other specialists, and deputies of the Soim invited by the commission's chairperson, may participate in standing commission meetings of the Rada or Soimik with an advisory vote.

Article 23. Competence of the Representative Bodies of Local Self-Government

1. The competence of local self-government bodies is divided into their own competence and delegated competence.

2. Own competence covers matters of local significance and is carried out solely by local self-government bodies:

- organization and regulation of urban development;
- road and street maintenance;
- urban area improvement;
- preschool education and school education;
- social assistance and protection of children, people with disabilities, and pensioners;
- healthcare and primary medical care, etc.

3. Delegation of competencies is carried out in accordance with the law, with the transfer of financial and other resources necessary for their implementation.

4. The competence of the Rada and Soimik is established by law.

Article 24. Decisions of the Rada and Soimik

1. On issues considered during sessions, the Rada and Soimik make decisions.

2. A session is considered valid if the majority of the elected deputies are present.



3. Decisions of the Rada and Soimik are made at sessions by a simple majority vote of the elected deputies, through secret or open voting, including roll-call votes.

4. The form of voting is determined in accordance with the procedure established by the regulations of the Rada and Soimik.

Article 25. Competence of the Soimik

The competence of the Soimik includes the following matters:

1. Regional Development

1.1. Ensuring balanced economic and social development of the respective territory, effective use of natural, labour, and financial resources.

1.2. Preparing proposals for the social, economic, and cultural development programs of the Pawet.

1.3. Preparing proposals for nationwide programs of economic, scientific, technical, social, and cultural development of the Republic of Belarus.

1.4. Preparing and submitting financial indicators and proposals for the draft State Budget of the Republic of Belarus to the relevant executive authorities.

1.5. Promoting investment activities within the Pawet.

1.6. Preparing conclusions on local urban planning programs for respective administrative-territorial units approved by rural, settlement, and city Radas.

1.7. Issuing urban planning conditions and restrictions for building on land plots within territorial communities where authorized urban planning and architectural bodies have not been established, in accordance with legislation.

2. Environmental Protection

2.1. Planning and implementing environmental protection measures.

2.2. Coordinating, where required by law, with representative bodies of the Hramadas on the allocation of funds from natural resource usage fees to environmental protection funds.

2.3. Preparing decisions on forest classification for protection purposes and dividing forests into categories, in cases and procedures provided by law.

2.4. Making decisions, in accordance with the law, on prohibiting the use of certain common-use natural resources.

2.5. Determining the regime of usage for recreational zone territories in accordance with legislation.

2.6. Approving limits for emissions, waste disposal, and pollution for enterprises, institutions, and organizations located in the respective territory, in cases provided by



law.

3. Development of Regional Infrastructure, primarily roads (excluding those in communal ownership) and public passenger transportation networks (excluding intra-community networks).

3.1. Building, reconstructing, repairing, and maintaining social and industrial infrastructure, including roads of regional (Pawet) importance.

3.2. Approving routes and schedules for local passenger transport, regardless of ownership, and coordinating transit transport.

3.3. Determining the share of road maintenance contributions from enterprises, institutions, and organizations, in accordance with the law, for common-use roads in the Pawet.

4. Development of Culture, Sports, and Tourism

4.1. Organizing the protection, restoration, and use of historical, cultural, architectural and urban-building monuments, palace and park complexes, and nature reserves of Pawet importance;

4.2. Ensuring the development of science, all types of education, healthcare, culture, physical culture, sports, and tourism, in accordance with the law; supporting the revival of traditional folk art, national cultural traditions, and crafts, and the work of creative unions, national cultural associations, and other non-profit organizations in education, healthcare, culture, sports, family, and youth spheres.

4.3. Preparing and submitting for Soimik's approval proposals regarding the organization of territories and objects of the natural reserve fund of local importance and other areas that are subject to special protection; submitting proposals to the relevant state bodies on declaring objects with environmental, historical, cultural, or scientific value monuments of history and culture protected by law.

5. Coordination of activities of Hramadas aimed at disaster management within the Pawet limits;

5.1. Taking necessary measures to address the consequences of emergencies, in accordance with the law, informing the population, and involving enterprises, institutions, organizations, and the public in such efforts.

6. Management of professional, secondary, and higher education institutions, in accordance with the law.

7. Provision of specialized and emergency medical care.

8. Other powers, as provided by law.

Article 26. Exclusive Competence of the Rada and Soimik

1. The following matters are addressed exclusively in plenary sessions of the Rada:



- 1.1. Election and dismissal of the chairperson of the Rada and Soimik and deputies thereof.
- 1.2. Establishment and dissolution of permanent and other commissions of the Rada and Soimik, changes to their composition, and election of chairpersons of the commissions.
- 1.3. Establishment of the Rada and Soimik presidium and approval of the regulations on the presidium.
- 1.4. Approval, upon proposal of the chairperson, of the Rada and Soimik's staff structure, number of employees in accordance with a typical staff table approved by the Government of the Republic of Belarus, as well as Rada and Soimik's maintenance costs;
- 1.5. Approval, upon proposal of the chairperson of the Rada and Soimik, of the chairperson of the Hramada or Pawet Uprava, heads of divisions or departments (if no divisions exist) of the Uprava.
- 1.6. Approval, upon proposal of the chairperson of the Uprava of the respective Rada or Soimik, of the structure and administration of the Uprava, its staff number established in accordance with the typical staff table approved by the Government of the Republic of Belarus and Uprava expenses;
- 1.7. Approval of the Rada's and Soimik's regulations;
- 1.8. Approval of Rada's and Soimik's work plans and hearing the chairperson's report on the work plan implementation;
- 1.9. Hearing reports from permanent and other commissions, heads of executive bodies of the Rada and Soimik and officials appointed or approved by them;
- 1.10. Deciding on the early termination of the powers of the Rada chairperson and deputy chairperson or the Soimik chairperson and deputy chairperson in the cases provided by this Law;
- 1.11. Review of deputies' inquiries and making decisions on them;
- 1.12. Deciding on the early termination of a Rada or Soimik deputy's mandate in accordance with the law;
- 1.13. Decision-making on administrative-territorial matters within the limits and under the procedure provided by the law;
- 1.14. Adopting decisions in accordance with the law regarding the organization and conduct of referendums and elections for state authorities and local self-government bodies;



- 1.15. Annulment of acts of executive bodies that do not comply with the Constitution or laws of the Republic of Belarus, other legislative acts, or decisions of the respective Rada or Soimik made within its powers.
- 1.16. Approval of programs for the socio-economic and cultural development of the respective administrative-territorial units, as well as target programs on other local self-government issues.
- 1.17. Consideration of the forecast for the local budget, approval of the local budget, making amendments to it; approval of the report on the execution of the respective budget;
- 1.18. Establishment of targeted funds and approval of regulations regarding these funds.
- 1.19. Resolution of land relations issues in accordance with the law.
- 1.20. Hearing information from prosecutors and heads of the bodies of the Ministry of Internal Affairs about the state of affairs in combating crime, maintaining public safety and order, and the results of their activities in the respective territory.
- 1.21. Approval in accordance with the law of the Regulations on the content, description, and procedure for the use of the symbols of the Hramada and Pawet.
- 1.22. Establishment of electronic public information media of the respective Rada or Soimik, as well as the appointment and dismissal of their heads.
- 1.23. Adoption of decisions on local borrowing.

Article 27. Peculiarities of the Exclusive Powers of the Rada

1. The following matters are addressed exclusively in plenary sessions of the Rada:
 - 1.1. Approval of the charter of the territorial community;
 - 1.2. Establishment of local taxes and fees in accordance with the Tax Code of the Republic of Belarus;
 - 1.3. Decision-making regarding the conduct of a local referendum;
 - 1.4. Decisions on granting territorial self-governance bodies specific powers of local government bodies, as well as transferring the necessary funds, material-technical, and other resources required for their execution;
 - 1.5. Decision-making on the early termination of powers of territorial self-governance bodies in cases provided for by law;
 - 1.6. Formation of starosta districts, approval of the Regulation on the Starosta, appointment to and dismissal from the position of starosta in accordance with the law;
 - 1.7. Decisions on unification into associations or entry into associations and other forms of voluntary unions of local self-government bodies, and exit from them;



- 1.8. Decisions on the creation of Euroregional cooperation associations, joining such an association or leaving it, approval of the charter of the Euroregional cooperation association, and amendments thereto;
- 1.9. Establishment of the portion of profit to be transferred to the local budget from enterprises, institutions, and organizations belonging to the communal property of the relevant territorial communities;
- 1.10. Approval of land tax rates in accordance with the Tax Code of the Republic of Belarus;
- 1.11. Decisions on providing local tax and fee exemptions, as well as land tax benefits in accordance with current legislation;
- 1.12. Decisions on the disposal of communal property in accordance with the law;
- 1.13. Approval of local privatization programs, as well as lists of communal property objects that are not subject to privatization;
- 1.14. Determining the expediency, procedure, and conditions for the privatization of communal property objects;
- 1.15. Undertaking other actions related to communal property in accordance with the law;
- 1.16. Creation, reorganization, or liquidation of educational institutions of communal ownership;
- 1.17. Actions related to enterprises in which more than 50% of the shares (stakes) in the authorized capital belong to the territorial community, in accordance with the law;
- 1.18. Decisions on transferring specific powers to other bodies and organizations for managing property that is communal property of the relevant territorial community, determining the scope of these powers and the conditions for their implementation;
- 1.19. Decisions regarding the establishment of joint ventures, including those with foreign investment, by communal ownership enterprises;
- 1.20. Decisions on the organization of territories and objects of the local nature reserve fund and other territories subject to special protection; submission of proposals to relevant state bodies for the designation of natural and other objects of ecological, historical, cultural, or scientific value as nature, history, or culture monuments protected by law;
- 1.21. Providing consent, in accordance with legislation, for the placement of new objects, including sites for waste disposal, on the territory of a village, township, or city, whose environmental impact extends to the relevant territory according to current regulations;



1.22. Approval of local urban planning programs, master plans for the development of relevant settlements, and other urban planning documentation in the established manner;

1.23. Imposition of a ban on the sale of alcoholic, low-alcohol beverages, and table wines by business entities (except for restaurant establishments) during specific hours within the territory of the relevant administrative-territorial unit;

1.24. Establishment, in accordance with the law, of rules on issues of territory improvement, cleanliness, and order, and market trade within a settlement, for violations of which administrative liability is provided;

1.25. Decision-making on issues of combating natural disasters, epidemics, epizootics, within the limits defined by law, for violations of which administrative liability is provided;

1.26. Consent for the transfer of objects from state ownership to communal ownership and decisions on the transfer of objects from communal ownership to state ownership, as well as the acquisition of state-owned objects;

1.27. Decisions on hazardous waste management issues in accordance with legislation.

2. During plenary sessions, the Radas may also consider and decide other matters attributed to their competence by this and other laws.

Article 28. Peculiarities of the Exclusive Powers of the Soimik

1. The exclusive powers of the Soimik include:

1.1. Deciding on the sale, lease, and pledge of municipal property, or adopting decisions on implementing public-private partnerships regarding municipal property, including under concession terms, to meet the general needs of territorial communities and managed by the Soimiks, as well as acquiring such properties in accordance with the law;

1.2. Deciding on issues related to managing objects of communal ownership of territorial communities of villages, towns, cities, and districts within cities, managed by the Soimik; appointing and dismissing their heads, in accordance with the law;

1.3. Establishing rules for the use of water intake facilities intended to meet the drinking, household, and other needs of the population, sanitary protection zones of water supply sources, and limiting or prohibiting the use of drinking water by enterprises for industrial purposes;

1.4. Submitting proposals to relevant state bodies to declare natural and other objects with ecological, historical, cultural, or scientific value as monuments of history or culture, protected by law;



1.5. Adopting decisions, in accordance with the law and on the proposal of the respective Rada, regarding the creation of special free and other zones, changing the status of these zones, and submitting proposals to relevant authorities on these issues;

1.6. Adopting decisions to appeal to the court for the recognition of the acts of Pawet state authorities, enterprises, institutions, and organizations that limit the rights of territorial communities in the sphere of their general interests and the powers of the Soimik and its bodies as illegal;

1.7. Giving consent for the transfer of objects from state ownership to the communal ownership of territorial communities and adopting decisions on the transfer of objects under the management of the Soimik to state ownership, as well as acquiring state-owned objects;

1.8. Adopting decisions on holding a consultative poll on issues concerning the general interests of the population of Pawet;

1.9. Approving, in accordance with the law, the Regulations on the content, description, and procedure for the use of the symbols of Pawet;

1.10. Adopting decisions on joining associations, entering into associations and other forms of voluntary unions of regional self-government bodies, as well as leaving them;

1.11. Adopting decisions on the creation of Euroregional cooperation unions, joining such unions, or leaving them, approving the charters of Euroregional cooperation unions, and making amendments to them;

1.12. Setting tariffs for housing and communal services provided by enterprises jointly owned by territorial communities, whose interests are represented by the respective Soimik;

1.13. Adopting decisions, within the limits defined by laws, on issues of combating natural disasters, epidemics, and epizootics, which include administrative responsibility for violations;

1.14. Adopting decisions on local borrowing and providing local guarantees in accordance with the requirements established by the [law](#);

1.15. Adopting decisions on the organization of territories and objects of natural reserve funds of local significance and other areas subject to special protection.

2. Soimiks may also consider and resolve other issues at plenary sessions that fall within their jurisdiction as per this and other laws.

Article 29. Uprava of the Hramada and Pawet, and Its Chairperson

1. The executive bodies of the Rada and Soimik are the respective Upravas created by them.

2. The Uprava is headed by the Chairperson, who is elected by a majority of the elected deputies of the respective Rada (Soimik) at an open session for a term of four years, in the manner provided by law, and performs their duties on a full-time



professional basis. The Chairperson of the Uprava cannot engage in entrepreneurial or other paid activities.

3. The executive bodies of the Rada and Soimik are accountable and report to the respective Radas (Soimiks) in their activities.

4. The Rada may prematurely terminate the powers of the Chairperson of the Uprava. The grounds for terminating powers and the procedure are regulated by the Charter.

5. By the authority of the Rada or Soimik, the Uprava resolves local self-government issues, except for competencies assigned by law to the Rada (Soimik) or their Presidium.

6. The activities of the Uprava and its Chairperson are governed by this law, the Charter, and the Regulations of the Rada or Soimik.

7. The legal status of the employees of the Uprava and its structural subdivisions is regulated by the special law of the Republic of Belarus “On the Legal Status of Civil Servants and Employees of Local Self-Government Bodies.”

Article 30. Formation of the Uprava of the Hramada and Pawet

1. The Rada elects the Chairperson of the Uprava by a majority vote of the full composition through a secret ballot.

2. If none of the candidates receives the required number of votes, a second round of voting is held between the two candidates who received the most votes.

3. A relative majority is sufficient to win in the second round.

4. Based on the proposal of the Chairperson of the Uprava, the Rada approves the structure of the Uprava, the deputy (deputies) Chairperson, and the heads of divisions or departments (in the absence of divisions).

5. The Uprava forms a Magistrate, consisting of deputy chairpersons, the head of affairs, and the heads of divisions (departments), with advisory voting rights.

6. The procedure for hiring and dismissing employees of the Uprava is determined by the Charter of the Hramada and Pawet.

7. The divisions (departments) of the Uprava are considered structural subdivisions of the Uprava and may be granted legal entity status by decision of the Rada or Soimik.

Article 31. Powers of the Uprava of the Hramada and Pawet

1. On the instruction of the Rada or Soimik, the Uprava resolves local self-government issues, except for those competencies assigned by law to the Rada or its Presidium.

2. The Uprava, on the instruction of the Rada or Soimik, prepares draft decisions for the Rada and Soimik.

3. The Uprava determines the methods for implementing the decisions of the Rada and Soimik.

4. The Uprava ensures the operational management of the municipal property.



5. The Uprava executes the budget adopted by the Rada or Soimik.
6. In the implementation of its own powers and tasks of the Hramada or Pawet, the Uprava is accountable only to the Radas and Soimiks.
7. It participates in the implementation of powers delegated by the state to the Hramada and Pawet.

Article 32. Powers of the Chairperson of the Uprava of the Hramada and Pawet

1. The Chairperson of the Uprava:
 - 1.1. Organizes the work of the Uprava;
 - 1.2. Manages its current affairs;
 - 1.3. Coordinates the work of the structural subdivisions of the Uprava and auxiliary units of the Hramada;
 - 1.4. Hires and dismisses employees of the Uprava (except for the individuals listed in paragraph 4 of Article 30 of this Law);
 - 1.5. Represents the Hramada or Pawet outside its jurisdiction;
 - 1.6. In exceptional cases, involving an immediate threat to public interests, makes decisions that fall under the competence of the structural subdivisions of the Uprava and auxiliary structural subdivisions of the Hramada. These decisions must be approved by the Rada (Soimik) at the nearest session.

Article 33. Starosta Districts and Starostas

1. A starosta district is established by the respective Rada and consists of one or more populated areas (excluding the administrative centre of the territorial Hramada), where generally at least 500 residents live. When creating starosta districts, historical, natural, ethnic, cultural, and other factors influencing the socio-economic development of such starosta districts and the respective territorial Hramada are taken into account.
2. The starosta is approved by the Rada for the duration of their term of office, based on the proposal of the respective Uprava, which is submitted following public discussion (public hearings, citizen assemblies, or other forms of public consultations) held within the boundaries of the respective starosta district.
3. The candidacy of the starosta is submitted for public discussion (public hearings, citizen assemblies, or other forms of public consultations) by the Uprava of the Hramada and is considered agreed upon with the residents of the respective starosta district if, as a result of the public discussion, it receives support within the starosta district.
4. The procedure for conducting public discussions (public hearings, citizen assemblies, or other forms of public consultations) regarding the candidacy of the starosta is approved by the Rada.



5. The starosta works on a full-time basis within the administration of the respective Uprava.

6. The starosta is not allowed to engage in any other paid activity, except for scientific or teaching work.

7. The procedure for organizing the work of the starosta is determined by this Law and other laws of the Republic of Belarus, as well as the Regulations on the Starosta.

8. Starosta:

8.1. Represents the interests of the residents of the respective starosta district in the executive bodies of the Rada;

8.2. Participates in the plenary sessions of the Rada and in the meetings of its standing committees with an advisory vote. Participates in the meetings of the Uprava of the Rada;

8.3. Has the right to guaranteed speaking time at plenary sessions of the Rada and its standing committees on issues concerning the interests of the residents of the respective starosta district;

8.4. Assists the residents of the respective starosta district in preparing documents submitted to local self-government bodies and local executive authorities, as well as in submitting these documents to the aforementioned bodies. Upon decision of the respective Rada, provides administrative services and/or performs certain tasks as the administrator of the administrative services centre (if such a centre is established);

8.5. Participates in the organization of the execution of decisions of the Rada, its Uprava, and directives of the Chairperson of the Uprava within the territory of the respective starosta district and monitors their implementation;

8.6. Participates in preparing proposals for the local budget project regarding the financing of programs implemented within the territory of the respective starosta district;

8.7. Submits proposals to the Uprava of the Hramada on matters concerning the activities of enterprises, institutions, and organizations of communal ownership and their officials within the territory of the respective starosta district of the Uprava of the Hramada;

8.8. Participates in preparing draft decisions of the Rada regarding the property of the territorial community located within the territory of the respective starosta district;

8.9. Participates in controlling the use of communal property objects located within the territory of the respective starosta district;

8.10. Participates in monitoring the state of public amenities in the respective starosta district and informs the Uprava of the Hramada about the results of such monitoring;

8.11. Receives from the Uprava of the Hramada, enterprises, institutions, and organizations of communal ownership and their officials the information, documents, and materials necessary to exercise the powers granted to the starosta;



8.12. Facilitates the establishment and activities of public self-government bodies, organizing and conducting general meetings, public hearings, and other forms of direct citizen participation in addressing local issues within the respective starosta district;

8.13. Exercises other powers defined by this Law and other laws of the Republic of Belarus.

9. In exercising the powers granted to them, the starosta is responsible to and accountable to the Rada and is under the control of the Uprava of the Hramada. The starosta reports on their work to the Rada and the residents of the starosta district at least once a year, during the first quarter of the year following the reporting year, and upon the request of no less than one-third of the deputies - within a timeframe determined by the Rada of the Hramada. The report by the starosta to the residents of the starosta district is heard at an open meeting, allowing residents of the starosta district to ask questions, make comments, and propose suggestions. Information about the relevant meeting, as well as the written report of the starosta, is published on the official website of the Rada of the Hramada and posted in the Rada's premises no later than seven calendar days before the date of the meeting. The reporting procedure for the starosta is determined by the Regulations on the Starosta.

CHAPTER 4. MATERIAL AND FINANCIAL BASIS OF LOCAL SELF-GOVERNMENT

Article 34. Communal Property

1. The Hramadas and Pawets have the right of communal property over movable and immovable property, revenues of local budgets, extrabudgetary funds, land and natural resources, and, in accordance with the law, over communal enterprises, institutions, and organizations, shares in the property of enterprises, institutions of culture, education, sports, health care, science, social services, other property and property rights, movable and immovable objects, including the housing stock and non-residential premises designated by law as objects of communal property rights, as well as funds obtained from their alienation.

2. The basis for acquiring the right of communal property is the gratuitous transfer of property, as well as property rights to the Hramadas and Pawets by the state and other subjects of property rights, the creation, and acquisition of property by the Hramadas and Pawets under the procedure established by law.

3. Hramadas and Pawets can, directly or through local self-government bodies, join, on a contractual basis under the right of common ownership, objects of communal property rights, as well as funds from local budgets, for the implementation of joint projects or for the joint financing (maintenance) of communal enterprises, institutions, and organizations, and create appropriate bodies and services for this purpose.

4. Soimiks, on behalf of Hramadas, manage the objects of their joint ownership that meet the common needs of the territorial Hramada.



5. Local self-government bodies, within their powers, on behalf of and in the interests of Hramadas, exercise the powers regarding owning, using, disposing of, and managing objects of communal property rights in accordance with the law.

6. The expediency, procedure, and conditions for the alienation of objects of communal property rights are determined by the Rada of Hramada and the Soimik of Pawet in accordance with legislation.

7. Property transactions carried out by local self-government bodies with objects of communal property rights must not weaken the economic foundations of local self-government, reduce the volume, or worsen the conditions for providing services to the population.

8. The right of communal property of the territorial Hramada and Pawet is protected by law on equal terms with the property rights of other entities. Objects of communal property rights cannot be withdrawn from territorial Hramadas and Pawets and transferred to entities of other property rights without the consent of the territorial Hramada or Pawet, or the relevant decision of the Rada, Soimik, or authorized body, except in cases provided by law.

9. Radas have the right to:

9.1. submit proposals for the transfer or sale of enterprises, institutions, and organizations, their structural subdivisions, and other objects belonging to state and other forms of ownership into communal ownership of corresponding territorial Hramadas, where they are of significant importance for meeting the communal and social-cultural needs of the territorial Hramadas;

9.2. acquire, in the priority order, premises, constructions, and other objects located in the corresponding territory for communal ownership, where they can be used to meet the communal and social-cultural needs of the territorial Hramadas;

9.3. have objects of communal ownership beyond the corresponding administrative-territorial units.

Article 35. Local Budgets

1. Local self-government bodies independently develop, approve, and execute the corresponding local budgets in accordance with this Law and the law on the budget system.

2. The independence of local budgets is guaranteed by their own and state revenues assigned to them on a stable basis, as well as the right to independently determine the directions for the use of local budget funds in accordance with the law.

3. Interference by state bodies in the process of drafting, approving, and executing local budgets is not permitted, except in cases provided for by this and other laws.

Article 36. State Participation in the Formation of Local Budget Revenues

1. The state financially supports local self-government, participates in the formation of local budget revenues, exercises oversight over the lawful and efficient expenditure of funds, and ensures their proper accounting. It guarantees local self-government bodies



a revenue base sufficient to provide the population with services that meet minimum social needs. To ensure social standards, a system of financial equalization for Hramadas is applied, the procedure of which is regulated by legislation.

2. The minimum sizes of local budgets are determined in accordance with the law based on the budgetary provision standards per capita, taking into account the economic, social, natural, and ecological conditions of the relevant territories, based on the level of minimum social needs established by law.

Article 37. Revenues of Local Budgets

1. Revenues of local budgets are formed from their own sources defined by law, as well as from state and local taxes, fees, and other mandatory payments established by law.

2. Revenues of local budgets consist of tax revenues defined by law, income from the use of communal property, donations and grants from individuals and organizations, local fees, and other mandatory payments, as well as state subsidies.

3. The procedure for crediting revenues to local budgets is determined by the law on the budgetary system and other laws.

4. Within the revenue section of the local budget, income necessary for the execution of local self-government bodies' own powers and income necessary for ensuring the execution of delegated powers of state administration bodies are separately allocated.

5. Funds from the state budget, transferred in the form of subsidies, grants, and subventions, are distributed among the budgets of territorial Hramadas in accordance with the procedure established by law.

Article 38. Use of Spare Budget Funds

Revenues additionally received during the execution of local budgets, as well as amounts of revenues exceeding expenditures resulting from increased budget receipts or savings in expenses, are not subject to withdrawal, except in cases provided for by law. The decision on the use of such funds is made by the Rada.

Article 39. Balancing Revenues and Expenditures of Local Budgets

1. Local budgets must be sufficient to ensure the execution of the powers granted to local self-government bodies by law and to provide the population with services at least at the level of minimum social standards.

2. In ensuring the balance of revenues and expenditures of local budgets, spare balances of budget funds, the use of which is provided for by Article 38 of this Law, are not taken into account.

3. In cases where the possibilities for balancing revenues and expenditures of local budgets are exhausted and the expenditures necessary for the execution of the powers granted to local self-government bodies by law are not covered, the state ensures the balancing of local budgets by transferring the necessary funds to the corresponding local budgets in accordance with the law.



Article 40. Local Taxes and Fees

1. Local self-government bodies may establish local taxes and fees in accordance with the law. Local taxes and fees are credited to the corresponding local budgets.
2. By decision of the citizens' assembly at their place of residence, local fees may be introduced on the principles of voluntary self-taxation.

Article 41. Participation of Local Self-Government Bodies in Financial and Credit Relations

1. The Rada, or other local self-government bodies at its decision, may issue local loans, lotteries, and securities in accordance with the legislation, obtain loans from higher budgets to cover temporary cash shortfalls with repayment by the end of the budget year, as well as receive loans from banking institutions up to 40% of the revenue part of the annual budget of the Hramada.
2. Local self-government bodies may, within the framework of legislation, establish communal banks and other financial and credit institutions, act as guarantors for loans to enterprises, institutions, and organizations that are part of the communal property of the corresponding territorial Hramadas, place their funds in other banks regardless of ownership type, and receive interest in accordance with the contract, credited to the revenue part of the corresponding local budget.

CHAPTER 5. TERRITORIAL PUBLIC SELF-GOVERNMENT

Article 42. Goals and Objectives of Territorial Public Self-Government

1. The goals of territorial public self-government are expressing the opinions of the territorial community of citizens on local issues and establishing partnership relationships with local authorities for the effective development of the corresponding territory and the realization of local civic initiatives.
2. The main objectives of territorial public self-government are:
 - 2.1. To assist in the realization of the rights, freedoms, and legitimate interests of citizens;
 - 2.3. To study, analyse, and take into account the opinions of citizens on issues of economic and social development, environmental protection, and rational use of natural resources;
 - 2.4. To involve citizens in solving issues related to the preservation, operation, repair, and improvement of residential buildings and adjacent territories;
 - 2.5. To participate in social support activities for families and various categories of citizens in need of such support (children, youth, elderly people, disabled individuals, and others);
 - 2.6. To promote organizing leisure activities for citizens;



2.7. To promote charity;

2.8. To contribute to the revival and preservation of cultural values, national customs and traditions, and the development of artistic and technical creativity;

2.9. To assist in solving other local issues.

Article 43. Bodies of Territorial Public Self-Government

1. Only one body of territorial public self-government can be established in the corresponding part of an administrative-territorial unit.

2. The body of territorial public self-government may be collegial or individual.

3. A collegial body of territorial public self-government can be established without creating a legal entity or in the form of a legal entity.

4. A collegial body of territorial public self-government established in the form of a legal entity is a non-profit organization.

5. A collegial body of territorial public self-government without creating a legal entity and an individual body are established and operate in accordance with this Law and the regulation on the body of territorial public self-government, adopted by the local assembly based on a model provision approved by the Soimik, considering the requirements of this Law.

6. The body of territorial public self-government is accountable in its activities to the local assembly and the corresponding Rada within the scope of the delegated powers, financial and other resources.

7. The bodies of territorial public self-government carry out their activities on a non-commercial basis.

8. The procedure for the creation, organization of activities, termination of powers, and liquidation of bodies of territorial public self-government is determined by a separate law.

CHAPTER 6. FORMS OF DIRECT DEMOCRACY

Article 44. Citizens' Right to Participate in Local Self-Government

1. Citizens have equal rights to exercise local self-government regardless of gender, race, nationality, language, origin, property and official status, attitude toward religion, political beliefs, or affiliation with public associations.

2. Citizens of the Republic of Belarus exercise their right to participate in local self-government by belonging to the respective territorial communities of citizens (Hramadas), based on registration at their place of residence.



Article 45. Citizen Participation in the Implementation of Local Self-Government

Local self-government is carried out by citizens through representative and executive bodies of local self-government, as well as directly through local referendums, bodies of territorial public self-government, local assemblies, petitions, public discussions, and other forms of direct participation in addressing issues of local importance.

Article 46. Local Assembly

1. The local assembly is the primary form of direct citizen participation in the management of societal and state affairs.
2. The procedure for initiating, convening, and conducting local assemblies, as well as their competence, are determined by the legislation of the Republic of Belarus.

Article 47. Local Referendum

1. Local referendums may be held to address issues of significant importance to the population of the respective administrative-territorial units, which fall under the competence of the respective Radas of local self-government.
2. The procedure for conducting local referendums, as well as the list of issues that cannot be submitted to a local referendum, is determined by law.

Article 48. Citizen Initiative for Decisions by the Rada or Soimik

1. Residents of the Hramada and Pawet have the right to initiate decisions by the local self-government body concerning matters of local significance. This right is exercised by submitting, in the prescribed manner, to the Rada draft decisions or motivated proposals regarding the necessity of adopting, amending, supplementing, interpreting, suspending, invalidating, or annulling Rada decisions or specific provisions thereof.
2. The initiative to propose decisions by the local self-government body may be submitted by a group of residents of the Hramada and Pawet in the form of an appeal or petition, including in electronic digital form. The required number of signatures to place an appeal or petition on the agenda is established by the Charter of the Hramada (Pawet).
3. A draft decision submitted under a group initiative shall be discussed by the Rada or Soimik no later than three months from the date of its submission.
4. Draft decisions on matters of local significance, submitted as part of an individual or group initiative to the Rada, must comply with the requirements of the Charter, which specifies the detailed rules for submitting group initiatives, the rules for creating group initiative committees, the rules for promoting initiatives, as well as the formal requirements for submitted projects.



Article 49. Citizen Participation in Financing and/or Reimbursing Budget Expenses for Specific Purposes

1. By decision of the local assembly or the territorial public self-government body, a fundraising effort may be conducted within the relevant territory to finance and/or reimburse expenses of the corresponding local budget for purposes determined by the local assembly or the territorial public self-government body (hereinafter referred to as “self-imposed contributions”).
2. Self-imposed contributions are credited to a separate account and are used exclusively for purposes defined by the local assembly or the territorial public self-government body.
3. The local assembly or the territorial public self-government body establishes the amount of self-imposed contributions, sets deadlines for payment in accordance with the requirements of point 4 of this article, identifies categories of citizens participating in these contributions, and reviews and approves the report on the use of self-imposed contributions.
4. Self-imposed contributions are voluntary and made by citizens within the deadlines established by the local assembly or the territorial public self-government body.
5. The authorized body ensures that events defined by the local assembly or the territorial public self-government body are carried out using self-imposed contributions, and reports on the expenditure of these funds to the local assembly or the territorial public self-government body.
6. Self-imposed contributions that are not used within the current fiscal year remain in the corresponding account and are used in the next fiscal year for the same or other purposes as determined by the local assembly or the territorial public self-government body.

Article 50. Public Hearings

1. Residents of the Hramada have the right to hold public hearings with the participation of deputies and local government officials to discuss environmental issues, budget formation, spatial planning, and other matters under the jurisdiction of local self-government. Public hearings may also be initiated by the Radas and Upravas of Hramadas and Pawets.
2. Proposals submitted as a result of public hearings must be considered by local self-government bodies.
3. The procedure for organizing public hearings is determined by the legislation of the Republic of Belarus and the Charters of the Hramadas and Pawets.

Article 51. Participatory Budgeting

1. The decision to implement Participatory Budgeting is made by the Rada. The Rada defines the model, develops, and approves the Regulation on Participatory Budgeting.



2. The funding for Participatory Budgeting is provided from the budgetary funds of the Hramada and other sources in accordance with current legislation. Within the framework of Participatory Budgeting, only those projects that can be implemented within one budget period are financed.

Article 52. Other Forms of Citizen Participation in Local Self-Government

Direct citizen participation in local self-government may be carried out in other forms that do not contradict the legislation.

CHAPTER 7. INTERCOMMUNAL COOPERATION

Article 53. Intercommunal Cooperation of Territorial Hramadas and Pawets

Intercommunal cooperation is carried out with the aim of ensuring the socio-economic and cultural development of territories, improving the quality of services provided to the population based on shared interests, and effective execution by local self-government bodies of their powers, as defined by law.

Article 54. Subjects and Areas of Cooperation

1. The subjects of cooperation are the Hramadas and Pawets, which cooperate through their respective Radas and Soimiks.
2. Cooperation takes place in areas of shared interest for territorial Hramadas and Pawets within the powers of the relevant local self-government bodies, unless otherwise provided by law.

Article 55. Forms of Cooperation

1. Cooperation is carried out in the following forms:
 - 1.1. Delegation of the execution of one or more tasks to one of the subjects of cooperation by other subjects of cooperation, with the transfer of the necessary resources to the former subject;
 - 1.2. Implementation of joint projects that provide for the coordination of activities by subjects of cooperation and the pooling of their resources over a specified period to jointly carry out the relevant activities;
 - 1.3. Joint financing (maintenance) of enterprises, institutions, and organizations of communal ownership, as well as infrastructure facilities by subjects of cooperation;
 - 1.4. Establishment of joint communal enterprises, institutions, organizations, or shared infrastructure facilities by subjects of cooperation;
 - 1.5. Creation of a joint management body by subjects of cooperation for the joint execution of powers as determined by law.



2. Cooperation may be carried out in one form or may combine elements of several forms (a contract combining multiple forms of cooperation).

3. Cooperation is terminated in cases and under procedures provided by the contract or by a court decision on the termination of cooperation.

4. Disputes arising in connection with the termination of cooperation are resolved by local self-government bodies of the cooperating subjects through negotiations.

Article 56. State Incentives for Cooperation

1. State incentives for cooperation are provided through:

1.1. Offering subventions to the local budgets of subjects of cooperation in priority areas of state policy;

1.2. Transferring state-owned property to the communal ownership of subjects of cooperation;

1.3. Providing methodological, organizational, and other support for the activities of subjects of cooperation.

2. The state incentivizes cooperation where:

2.1. It enhances the ability of the subjects of cooperation to fulfill legally defined powers of the territorial Hramadas;

2.2. Additional resources, including financial, are attracted for cooperation;

2.3. Cooperation involves three or more subjects of cooperation;

2.4. There is broad public participation in the cooperation process.

3. The procedure for state incentives for cooperation is determined by the Government.

CHAPTER 8. GUARANTEES OF LOCAL SELF-GOVERNMENT. LIABILITY OF LOCAL SELF-GOVERNMENT BODIES AND OFFICIALS

Article 57. Guarantees of Local Self-Government, its Bodies, and Officials

1. Territorial Hramadas, local self-government bodies, and officials independently exercise the powers granted to them.

2. State administration bodies and their officials do not have the right to interfere in the lawful activities of local self-government bodies and officials, nor to resolve issues assigned by the Constitution of the Republic of Belarus, this law, and other laws to the competence of local self-government bodies and officials.



3. Local self-government bodies have the right to participate in the consideration of matters by state bodies that affect the interests of local self-government.

4. Local self-government bodies and officials have the right to appeal to the appropriate court regarding the invalidation of acts by state bodies, other local self-government bodies, enterprises, institutions, and organizations that infringe upon the rights of territorial Hramadas, or the powers of local self-government bodies and officials.

Article 58. Liability of Local Self-Government Bodies

1. Local self-government bodies are liable under the law for the legality of their decisions.

2. Damage caused to organizations and citizens as a result of unlawful decisions, actions (inaction) of local self-government bodies and their officials is subject to compensation by the respective administrative-territorial unit under the procedure provided in civil legislation.

CHAPTER 9. SUPERVISION AND CONTROL OVER THE ACTIVITIES AND DECISIONS OF LOCAL SELF-GOVERNMENT BODIES AND OFFICIALS

Article 59. Principles of State Supervision (Control)

State supervision (control) is based on the following principles:

- a) The inadmissibility of restricting the right of local self-government bodies to handle matters within their own competence in accordance with the law.
- b) Observance of the principle of proportionality (adequacy) between the level of intervention by the supervisory body and the importance of the interests it seeks to protect.
- c) Supervision is conducted exclusively in the manner and in cases provided for by current legislation.

Article 60. Forms of Supervision and Control over the Activities of Local Self-Government Bodies and Officials.

The forms of supervision and control over the activities of local self-government bodies and officials include:

- a) State supervision and control;
- b) Financial control;
- c) Internal control.



Article 61. State Supervision and Control

The procedure for state supervision and control over the activities of local self-government bodies and officials is defined in Chapter 10 of this Law.

Article 62. Financial Control

1. The audit is the form of financial control.
2. The audit is conducted annually before the submission of the budget execution report.
3. For the audit, a contract is concluded with a certified specialist at the discretion of the presidium of the Rada or Soimik.
4. Upon the request of one-third of the full composition of deputies, an unscheduled full or partial audit may be conducted.
5. Specialists from the Association of Local Self-Government Bodies (if available) may be involved in conducting a scheduled audit.

Article 63. Internal Control.

1. Internal control includes control over compliance by local self-government bodies, their officials, and employees with the Law on Local Self-Government, the Charter, Regulations, instructions, and other normative acts.
2. Internal control is carried out by the audit commission of the Rada or Soimik.

CHAPTER 10. STATE SUPERVISION OF THE ACTIVITIES OF LOCAL SELF-GOVERNMENT BODIES AND OFFICIALS

Article 64. General Provisions.

1. State supervision of the activities of local self-government bodies and officials may be carried out only based on the principles outlined in Article 59 of this Law, within the scope of authority, and in the manner provided by the Constitution and laws of the Republic of Belarus.
2. The Government's Authorized Representatives in the Pawets are the supervisory authority over the local self-government bodies under the Constitution and laws of the Republic of Belarus.
3. Control over the implementation of state-delegated powers is carried out by the Government of the Republic of Belarus and ministries within their respective competencies.
4. The regional Audit Chamber is the supervisory authority over the finances of local self-government.



5. Supervision carried out by government representatives through reasoned recommendations and demands, as well as through court appeals, is the preferred method compared to any other supervisory actions.

6. The revision of a local self-government body's decision is conducted based on a court ruling, a recommendation from the supervisory body, or on the initiative of the local self-government body itself.

Article 65. Approval of Decisions of Local Self-Government Bodies.

Where the decision of a local self-government body requires the approval or conclusion of another body according to the law, the position of that other body must be provided no later than within 30 days from the day the decision was submitted by the local self-government body, otherwise, the decision is considered adopted in the version presented by the local self-government body.

Article 66. Submission of Decisions of Local Self-Government Bodies to Supervisory Authorities.

1. All representative and executive bodies of local self-government must publish their decisions by posting them on the relevant portal on the Internet within 7 days of their adoption.

2. Supervisory authorities have the right to request additional information necessary for the exercise of their supervisory powers.

3. The forms of presenting information to supervisory authorities are regulated by legislation on document circulation.

Article 67. Invalidating a Decision of a Local Self-Government Body.

1. A decision of a local self-government body can be declared invalid only through a judicial process.

2. If a supervisory authority concludes, based on its own analysis, that a decision of a local self-government body is unlawful, it is obligated to file a lawsuit in court to have the decision declared invalid.

3. If necessary, the implementation of the respective decision may be suspended by a court ruling until the claim is reviewed on its merits.

4. Prior to filing a lawsuit, the supervisory authority must take measures for pre-trial settlement of disputed issues.

5. If the violation concerns the decision-making process and the supervisory authority deems the violation minor, it may limit its response to issuing a warning regarding the inadmissibility of such violations.



Article 68. Supervision of Inter-Communal Cooperation of Territorial Hramadas.

1. The provisions for supervising local self-government bodies also apply to inter-municipal associations.
 2. Supervision of inter-communal cooperation is carried out by supervisory authorities at the location of the joint governing bodies, except in cases where supervisory powers are vested in the Government of the Republic of Belarus by law.
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CHAPTER 11. FINAL PROVISIONS

Article 69. Entry of the Law into Force

The given Law enters into force six months after its official publication.

Article 70. Continuation of the Previous Version of the Law

The provisions of the existing legislation of the Republic of Belarus on local self-government, which do not contradict this Law, remain in force until its full implementation.