

# LAW ON LOCAL SELF-GOVERNMENT

## I. GENERAL PROVISIONS

### Article 1 (Content of the Law)

(1) This Law shall regulate: competencies of the municipality; direct participation of the citizens in the decision-making; the organization and the work of the organs of the municipality; municipal administration; the acts of the organs; the property – ownership of the municipality; supervision of the work of the municipal organs; dissolution of the council of the municipality; mechanisms of cooperation between the municipalities and the Government of the Republic of Macedonia; neighborhood self-government; the protection of local self-government; determining of official languages in the municipalities; and other issues of importance to the local self-government.

### Article 2 (Definitions)

- (1) Certain phrases used in this law shall have the following meaning:
1. “Municipality” is a community of inhabitants of certain territory determined by law, which through its organs and administration and organized public agencies enables the performance of the competencies defined by law;
  2. “Regulations” are mandatory general acts by which the council of the municipality regulates the performance of the competencies of the municipality;
  3. “International cooperation of municipalities” is every activity of municipalities from the Republic of Macedonia undertaken in accordance with law for the purpose of establishing cooperation between them and local communities or governments of one or more other countries, as well as the membership of their associations in international organizations of local communities or local governments;
  4. “Decision-making process” is a sum of activities of the council that include: defining and determining of issues that should be resolved; proposals and solutions; reviewing and adoption of regulations and measures; execution of the adopted regulations and measures; following and assessment of the executed regulations and measures;
  5. “Direct citizen participation” is individual or collective involving of inhabitants of the municipality at different levels of decision-making at local level;
  6. “Competency of the municipality” is a sum of activities of public interest of local importance that the municipality, in accordance with law, has the right to perform on its territory and is responsible for their performance;
  7. “Delegating of the performance” is transferring of the performance of certain activities from the competency of one organ to another, whereas the activity is performed on behalf of, in accordance with the directions and responsibility of the organ, which delegated the performance;
  8. “Agreement for the performance of activities of public interest of local importance” is an agreement by which the municipality authorizes certain legal or physical entity on behalf of and in the interest of the municipality, to perform activities of public interest of local importance;
  9. “Public agencies” are non-profit organizations for carrying out of public services such as: public enterprises for the performance of basic public services, (electric

energy supply, gas supply, water supply, waste, telephone); public institutions for the performance of public services in the sphere of education, culture, health, social welfare, child protection, care for the handicapped; as well as other types of public services determined by law.

10. "Public services" refer to the performance of the activities of public interest of local importance for the users;
11. "Public service user" is every physical or legal entity that uses services;
12. "Public servant" is a person defined as such in law, employed in the organs of public administration or municipal administration;
13. "Responsibility" is a liability of the municipality, that is, of the persons elected for public functions at the local level to compensate for the damage to third persons caused to third parties by the procedures or flaws during the performance of their competencies.

### **Article 3** (Municipalities)

- (1) Units of local self-government are the municipalities.
- (2) The municipalities are legal entities.
- (3) The municipalities shall perform their competencies through organs elected directly by their citizens.

### **Article 4** (The City of Skopje)

- (1) The provisions of this Law shall also apply to the City of Skopje, as a separate unit of local self-government, unless otherwise stipulated by the Law on the City of Skopje.
- (2) The City of Skopje is a separate unit of local self-government in which the common needs and interests of citizens are accomplished, which derive from the character of the City of Skopje as the capital of the Republic of Macedonia.

### **Article 5** (Exercising of the Right to Local Self-Government)

- (1) The citizens shall exercise their right to local self-government directly and through their representatives in the organs of the municipality.

### **Article 6** (Residency of the Municipality)

- (1) The citizens of the Republic of Macedonia who have permanent residence on the territory of the municipality are residents of the municipality.

### **Article 7** (Regulations of the Municipality)

- (1) The municipality shall regulate the performance of its competencies by its statute and other regulations.
- (2) The statute of the municipality shall regulate the following: the organization and operation of the municipal organs, organization and operation of the council committees; performance of the functions referred to in Article 18 of this Law; the way of informing the

citizens; the cases of excluding the public from the sessions of the council; the way and procedure for filing appeals and proposals regarding the work of the organs of the municipality and acting upon them; the way of organizing public hearings, carrying out of surveys and collecting citizens' proposals; the way of performance of obligations regarding defense; as well as other issues of importance for the local self-government.

(3) The regulations of the municipality shall be published before coming into force.

(4) The way of publishing the regulations shall be regulated by the statute.

### **Article 8**

(Informing the Public)

(1) The organs of the municipality, the council committees, and public agencies established by the municipality shall be obliged to inform the citizens about their work, as well as about the plans and programs which are of importance for the development of the municipality without any compensation, in a way determined by the statute.

(2) The municipality shall be obliged to enable access to the basic information about the services that it provides to its citizens, in a way and under conditions determined by the statute of the municipality.

### **Article 9**

(Territory and Name of the Municipality)

(1) The municipality shall have its territory and name determined by law.

### **Article 10**

(The Coat of Arms and Flag of the Municipality)

(1) The municipality may have its own coat of arms and flag.

(2) The coat of arms and the flag of the municipality (hereinafter referred to as: coat of arms and flag) shall differ from the coat of arms and the flag of the Republic of Macedonia and the coat of arms and flag of the other municipalities and the City of Skopje.

(3) The coat of arms and the flag shall differ from the coat of arms and flag of other states, units of local self-government of other states and of other international organizations.

(4) The way and procedure for determining the coat of arms and flag of the municipality shall be regulated by the statute of the municipality.

(5) The ministry responsible for matters relating to local self-government shall keep records of the coats of arms and flags of the municipalities in the Republic of Macedonia.

(6) The coat of arms and flag may be used upon their registration in the register from paragraph 5 of this Article.

(7) The minister responsible for matters relating to local self-government shall stipulate the contents and the ways of keeping the register from paragraph 5 of this Article.

### **Article 11**

(Financing of the Municipalities)

(1) In accordance with the economic policy of the state, the municipality shall be financed from its own and other sources of financing.

(2) Own sources of revenues of the municipality shall be: local taxes, charges and fees determined by law.

(3) The municipality, within the frameworks determined by law, shall define the height of the tax rate and the height of the charges and fees referred to in paragraph 2 of this Article.

- (4) The municipality shall be financed also by grants from the state and other sources of revenues.
- (5) The municipality shall have the right to borrow from the domestic and foreign capital markets, in accordance with law.
- (6) The municipality, within its competencies, shall independently dispose of its own sources of revenues.
- (7) The sources of revenues of the municipality should provide for the performance of its competencies determined by law.
- (8) The financing of the municipality shall be regulated by law.

#### **Article 12**

(Development of Underdeveloped Parts of Municipalities)

- (1) The Republic shall provide funds for development of underdeveloped parts of the municipality, in accordance with the criteria and in a way determined by law.

#### **Article 13**

(Budget of the Municipality)

- (1) The municipality shall have its own budget.
- (2) The issues related to the municipal budget shall be regulated by law.

#### **Article 14**

(Inter-Municipal Cooperation)

- (1) In the performance of their competencies, the municipalities may cooperate among themselves.
- (2) For the purpose of accomplishing common interests and performing common tasks that fall within the competency of the municipalities, they may join funds and establish shared public agencies, in accordance with law.
- (3) For the purpose of performing certain competencies, the municipalities may also establish shared administrative bodies in certain areas, in accordance with law.
- (4) The municipalities may cooperate with units of local self-government of other states, as well as international organizations of local communities, and may be members of international organizations of local governments.
- (5) The ministry responsible for the performance of functions related to local self-government shall keep records on the realized international cooperation of the municipalities, in accordance with law.

#### **Article 15**

(Right to Associating of the Municipalities)

- (1) For the purposes of protection and enhancement of the common interest the municipalities may form associations, in accordance with this and other laws.

## **II. ESTABLISHMENT AND TERRITORY OF THE MUNICIPALITIES**

#### **Article 16**

(Establishment)

- (1) A municipality shall be established for the territory of one or more populated places where the citizens are connected by common needs and interests, where there are

conditions for material and social development and for participation of the citizens in the decision-making process on their local needs and interests.

**Article 17**  
(Territory)

(1) The territory on which a municipality is established should represent a naturally, geographically and economically linked entity, with communication among populated places and gravitation towards the common center, and it should have infrastructure facilities as well as facilities of social standard build therein.

**Article 18**  
(Borders)

(1) In determining the territory of the municipalities, the borders of the cadastre municipalities should be taken into account, so that the borders of the municipalities do not intersect with those of the cadastre municipalities.

**Article 19**  
(Territorial Division)

(1) The territorial division of the Republic of Macedonia, determining of the territory, names, seats and borders of the municipalities, the procedure for establishing of municipalities (joining, division and change of borders) and other issues regarding the territorial division shall be regulated by law.

(2) The establishment of new municipalities, as well as the change of the seat of the municipalities shall be regulated by law.

### **III. COMPETENCIES OF THE MUNICIPALITIES**

**Article 20**  
(General Competency)

(1) Municipalities, within the legal framework, and in accordance with the principle of subsidiarity, shall have the right to perform activities of local importance at their territory that are not excluded from their competency or are not under the competency of the organs of the state administration.

**Article 21**  
(Competencies of the Municipalities)

(1) Municipalities, within the legal framework, shall independently regulate and perform activities of local importance, determined by this or other law and shall be responsible for their performance.

(2) The law that determines new competencies of the municipality shall also determine the financial means for the performance of those competencies.

(3) The competencies referred to in paragraph 1 of this Article are by rule comprehensive and exclusive and shall not be taken away or limited, except in cases determined by law.

**Article 22**  
(List of Competencies)

- (1) Municipalities shall be competent for the performance of the following activities:
1. Urban and rural planning - urban planning and issuing of technical documentation for construction and issuing of construction permits; regulation and maintenance of construction land;
  2. Protection of the environment, nature and space regulation - measures for protection and prevention of water, atmosphere and land pollution, protection of nature, protection against noise and ionizing radiation;
  3. Local economic development – local economic development planning; determining of development and structural priorities; running of local economic policy; support of the development of small and medium size enterprises and entrepreneurship at local level and in that context, participation in the establishment and development of local network of institutions and agencies; promotion of partnership;
  4. Communal activities - potable water supply; technological water supply; drainage and purification of waste waters; public illumination; drainage and treatment of precipitation; maintenance of public hygiene; collection, transport and treatment of communal solid and technological waste; regulation and organization of public local transportation of passengers; supply with natural gas and heating energy; maintenance of graves, cemeteries, crematoria and provision of burial services; construction, maintenance, reconstruction and protection of local roads, streets and other infrastructure facilities; regulation of traffic regime; construction and maintenance of street traffic signalization; construction and maintenance of public parking spaces; removal of improperly parked vehicles; removal of damaged vehicles from public spaces; construction and maintenance of markets; chimney sweeping; maintenance and use of parks, green spaces, park-forests and recreational spaces; regulation, maintenance and use of river beds in urbanized parts, determining of names of streets, squares, bridges and other infrastructure facilities, etc.;
  5. Culture - preserving of cultural heritage; celebration of events and persons of importance for the culture and history of the municipality;
  6. Sport and recreation - development of general sport and recreational activities of the citizens; organization of sport events; maintenance and construction of sport facilities of public interest for the municipality, support sport associations;
  7. Social welfare and child protection – kindergartens and homes for the elderly (ownership, financing, investments and maintenance); exercising of social care for disabled persons, children without parents and parental care, children with educational and social problems, children with special needs, children from single-parent families, deserted children, persons exposed to social risk, persons with drug and alcohol addiction problems; raising of citizens' awareness, housing of persons put to social risk, sheltering and education of pre-school children;. Performance of these competencies shall be in accordance with the National Program for Development of Social Care;
  8. Education – establishing, and financing, and administering of primary and secondary schools, in cooperation with the central government, in accordance with law; organizing of transportation of students and their accommodation in dormitories;
  9. Healthcare – governance of the network of public health organizations and primary care buildings to include representation of local government in all the boards of all

publicly owned healthcare organizations; health improvement; preventive activities; protection of health of workers and protection at work; health oversight over the environment; oversight over the contagious diseases; assistance to patients with special needs (mental health, child abuse, etc.); and other areas that will be determined by law;

10. Execution of preparations and undertaking of activities for protection and rescuing of citizens and goods at their territory against war destructions, natural and other disasters as well as against the consequences caused by them in the state of war;
11. Firefighting activities performed by the territorial firefighting brigades;
12. Supervision over the performance of activities from under municipal competency;
13. Other activities determined by law.

(2) Competencies referred to in paragraph 1 of this Article shall be performed in accordance with the standards and procedures determined by law.

(3) It shall be determined by law which of the activities of the municipality are mandatory.

### **Article 23**

(Delegated Competency)

(1) Public administration body may delegate the execution of certain tasks from its competency to the mayor, in accordance with law.

(2) In the cases referred to in paragraph 1 of this Article the funds from the budget of the Republic of Macedonia anticipated for the performance of these tasks shall also be transferred.

(3) The way of performing the tasks referred to in paragraph 1 of this Article may be adjusted to local conditions, respecting the standards determined by law.

(4) The body of public administration from paragraph 1 of this Article shall be subsidiarily responsible for the execution of the delegated tasks.

### **Article 24**

(Ways of Performing Competencies)

(1) For the purposes of performance of their competencies, the municipalities may establish public agencies, in accordance with law.

(2) The municipality may delegate the performance of certain activities of public interest to other legal or physical entities, on the basis of an agreement for the performance of activities of public interest, according to law.

(3) The municipality, as a legal entity, shall be subsidiarily responsible for the performance of activities of public interest referred to in paragraphs 1 and 2 of this Article.

## **IV. DIRECT PARTICIPATION OF THE CITIZENS IN THE DECISION-MAKING PROCESS IN THE MUNICIPALITIES**

### **Article 25**

(Forms of Citizens' Participation)

(1) The citizens shall directly participate in the decision-making process on issues of local importance through civil initiative, citizens' gatherings and referendum, in a manner and procedure determined by law.

(2) The expenses for execution of the direct participation of the citizens in the decision-making process shall be covered from the municipal budget.

**Article 26**  
(Civil Initiative)

- (1) The citizens shall have the right to propose to the council to enact a certain act or to decide upon a certain issue within its authority.
- (2) Civil initiative shall not be raised for personnel and financial issues.
- (3) Upon the proposal from paragraph 1 of this Article, the council shall be obliged to discuss if it is supported by at least 10% of the voters in the municipality, that is of the neighbourhood self-government to which a certain issue refers.
- (4) The council shall be obliged to hold the discussion from paragraph 3 of this Article at the latest 90 days after the raising of the initiative and to inform the citizens on its decision.

**Article 27**  
(Citizens' Gatherings)

- (1) Citizens' gathering may be convened for the territory of the entire municipality or for the territory of the neighborhood self-government.
- (2) The citizens' gathering shall be convened by the mayor of the municipality upon his/her own initiative, at the request of the council or at the request of at least 10% of the voters in the municipality, that is in the neighborhood self-government that a certain issue relates to.
- (3) The municipality organs shall be obliged within 90 days to review the conclusions made at the citizens' gathering and to take them into account when making decisions and determining measures on issues they relate to, and to inform the citizens on their decisions.

**Article 28**  
(Referendum)

- (1) Through a referendum the citizens may decide on issues from under the competency of the municipality, as well as other issues of local importance.
- (2) The council shall be obliged to issue a notice of a referendum at the request of at least 20% of the voters of the municipality.
- (3) The council may issue a notice of a referendum on issues within its authority, at its own initiative.
- (4) The decision adopted on the referendum shall be binding for the council.

**Article 29**  
(Appeals and Proposals)

- (1) Every citizen shall have the right, individually or together with others, to submit appeals and proposals regarding the work of the organs of the municipality and the municipal administration.
- (2) The Mayor shall be obliged:
  - to create conditions for submission of appeals and proposals;
  - to provide detailed reply for the appellant at the latest within 60 days after the receipt of the appeal, i.e. proposal;
  - to submit the appeals and proposals that refer to the authority of the municipal organs to the responsible organ and to inform the appellant about it.

### **Article 30**

(Public Hearings, Surveys and Proposals)

(1) In the course of preparation of the regulations of the municipality, the council, that is, the mayor may previously organize public hearings or surveys or ask for citizens' proposals.

## **V. ORGANIZATION AND WORK OF THE MUNICIPAL ORGANS**

### **Article 31**

(Municipal Organs)

(1) Organs of the municipality shall be: the council and the mayor.

### **Article 32**

(Way of Working of the Municipal Council)

(1) The council shall be a representative organ of the citizens, which shall make decisions within the framework of the competencies of the municipality.

(2) For the purpose of reviewing issues and defining proposals from a certain sphere, the council may set up standing and temporary committees.

(3) The composition and manner of election of the members of the committees from paragraph 2 of this Article shall be determined by the statute.

(4) The composition of the committees from paragraph 2 of this Article shall correspond to the proportional representation of the political parties in the council.

### **Article 33**

(Election of Council Members)

(1) The council shall be composed of representatives of citizens elected on general, direct and free election by secret ballot.

(2) The election of the council members shall be regulated by law.

### **Article 34**

(Number of Council Members)

(1) The number of council members shall be determined depending on the number of inhabitants of the municipality and shall not be less than 9 nor more than 33 members, and in the municipalities as follows:

<i>Inhabitants</i>	<i>Council members</i>
up to 5000	9
from 5001 to 10000	11
from 10001 to 20000	15
from 20001 to 40000	19
from 40001 to 60000	23
from 60001 to 80000	27
from 80001 to 100000	31
over 100000	33

**Article 35**  
(Status of the Council Members)

- (1) The council members shall be elected for a term of four years.
- (2) The council members shall represent the citizens and shall make decisions in the council according to their own conviction.
- (3) The council member may not be recalled.

**Article 36**  
(Competency of the Council)

- (1) The Council shall:
1. enact the statute of the municipality and other regulations;
  2. adopt the municipal budget and the annual balance sheet of the municipality;
  3. determine the amount of the own sources of revenues for financing the municipality, within the frameworks determined by law;
  4. establish public agencies within the competency of the municipality and supervise their work;
  5. appoint members of the managing boards of the public agencies established by it;
  6. adopt programs for the work and financial programs for financing of public agencies established by the municipality;
  7. adopt reports on execution of the budget and the annual balance sheet of the municipality;
  8. decide on issuing permits for the performance of an activity of public interest, in accordance with law;
  9. adopt the reports on the operation and the annual balance sheet of public agencies, established by the municipality;
  10. dispose of the municipal property;
  11. elect the head of the regional unit of the Ministry of Interior Affairs in the municipality, in accordance with law;
  12. review and adopt the annual report on public safety on the territory of the municipality, which is submitted to the Minister of Interior Affairs and the Public Attorney;
  13. may give recommendations to the head of the regional unit of the Ministry of Interior Affairs in the sphere of public safety and traffic safety; and
  14. perform other activities determined by law.
- (2) If the council does not adopt the reports referred to in paragraph 1, items 7 and 9 of this Article, a proceeding for executing supervision of the financial operations before the responsible supervising organ from Article 70, paragraph 3 of this Law may be initiated.
- (3) The official referred to in paragraph 1, item 12 of this Article shall be elected, if the majority of all municipal councils covered by the regional unit of the Ministry of Interior Affairs have voted for him/her.

**Article 37**  
(Constitution of the Council)

- (1) The first session of the newly elected council shall be convened by the chairperson of the council from the previous term, not later than 20 days following the day of completion of the elections.

(2) If the council is not convened within the period of time referred to in paragraph 1 of this Article, the members of the council shall assemble themselves, and at the session chaired by the oldest member of the council they shall constitute the council within 10 days upon the expiration of the period of time referred to in paragraph 1 of this Article.

(3) If the session is not held within the period of time set forth in paragraph 2 of this Article, new elections of members of the council shall be announced, in a way determined by law.

### **Article 38**

#### **(Oath)**

(1) Newly elected council members shall take and sign a solemn oath that reads:

"I (name and surname) solemnly declare that I shall perform the rights and duties of a member of the council diligently and in doing so I shall respect the Constitution, the law, the statute and the decisions of the council, and I shall defend the constitutional order of the Republic of Macedonia."

### **Article 39**

#### **(Convening Council Sessions)**

(1) The sessions of the council shall be convened according to the need, but not less than once every three months.

(2) The sessions shall be convened by the chairperson of the council at his/her own initiative, at the request of the mayor or at the request of at least 1/4 of the members of the council, not later than 15 days from the submission of such a request.

(3) If the chairperson of the council does not convene the session within the period determined in paragraph 2 of this Article, the members of the council shall assemble themselves and elect the chairperson for that session.

(4) The day, time and place of the council session to be held, as well as the proposed agenda shall be obligatorily published at the latest 7 days before the session is held, in ways determined by the statute.

### **Article 40**

#### **(Convening Emergency Council Sessions)**

(1) The chairperson of the council shall convene an emergency council session, upon his/her own initiative or at the request of at least 1/3 of the members of the council, in cases and ways determined by the statute.

(2) In the notice for convening the emergency session, the time, place and the agenda of the session to be held shall be stated.

(3) The council shall not change the agenda of the emergency session.

(4) Before the beginning of the session, it shall be obligatory to vote for the justifiability of the reasons for convening the emergency session.

### **Article 41**

#### **(Work at the Council Sessions)**

(1) The council may work if the majority of the total council members are present at the session.

(2) The council shall make decisions with the majority votes by the present members, unless otherwise determined by law and the statute.

- (3) The regulations referring to culture, use of the languages and alphabets spoken by less than 20% of the citizens in the municipality, determining and use of the coat of arms and flag of the municipality, shall be adopted by the majority of votes of the present council members, within which there must be a majority of votes of the present council members belonging to the communities which are not the majority of population in the municipality.
- (4) The voting at the sessions of the council, by rule, shall be public.
- (5) Minutes shall be taken at each session of the council.

#### **Article 42**

##### **(Transparency in the Work of the Council)**

- (1) The council shall work in sessions.
- (2) The council sessions shall be public.
- (3) A decision to exclude the public shall be made by a two-third-majority vote of the total number of council members, if there are justifiable reasons determined by the statute.
- (4) The presence of the public shall not be excluded at the debate on the municipal budget, annual balance sheet to the budget and the urban plans.

#### **Article 43**

##### **(Rights and Duties of Council Members)**

- (1) The members of the council shall have the right and duty to attend and to participate in the work of the council and its standing or temporary committees.
- (2) The members shall have the right to submit initiatives and proposals on the sessions of the council and to pose questions to the mayor.
- (3) Criminal charges shall not be brought against a council member, nor he/she shall be detained for expressing his or her opinion or for voting in the council.
- (4) The employer shall be obliged to allow absence from work to the member of the council for his/her presence at the council sessions or committees that he/she is a member of.
- (5) The members of the council shall also have other rights and duties determined by the statute and by other regulations, in accordance with this Law.

#### **Article 44**

##### **(Conflict of Interests of Council Members)**

- (1) A council member shall not participate in the decision-making process on issues in which he/she, his/her spouse, his/her children, i.e. relatives to the second level of the side relative line has financial or other personal interest.
- (2) A council member shall be obliged to inform the council on the issues in which he/she has financial or other personal interest.
- (3) A council member shall not be an employee of the municipal administration in the municipality he/she is being elected.
- (4) From the day of the establishing of the working relation referred to in paragraph 3 of this Article, it shall be considered that the council member resigned.
- (5) A council member employed in public agencies established by the municipality shall not participate in decision-making process on issues that refer to the public agency he/she works at.

#### **Article 45**

##### **(Compensation of Expenses of a Council Member)**

(1) The council members shall have the right to compensation for attendance at sessions, as well as travel allowance and daily expenses, within the framework determined by law.

**Article 46**  
(Termination of Mandate)

(1) The mandate of a council member shall terminate before the expiry of the period for which he/she is elected if:

- he/she resigns;
- he/she dies;
- he/she is convicted with an absolute decree for criminal offence and sentenced to more than six months of imprisonment;
- in case of incompatibility with his/her function as a council member in accordance with the Law on Local Elections;
- in case of an irrevocable resolution by which he/she is deprived of working ability;
- in case he/she ceases to be a resident of the municipality.

(2) On the first next session, the council shall conclude the reason and the day of the termination of the mandate of the council member, as follows:

- in cases referred to in paragraph 1, line 1, from the day the session is held;
- in cases referred to in paragraph 1, lines 2, 3, 4, 5 and 6, on the day the conditions occur.

(3) The council member shall be taken away the mandate if he/she is unjustifiably absent from three council sessions in a row.

(4) The council shall decide on the justifiability of the absence referred to in paragraph 3 of this Article, with a majority vote of the total number of council members.

**Article 47**  
(Election of the Council Chairperson)

(1) The council chairperson shall be elected from among the council members for a four-year mandate.

(2) The candidate who shall receive the majority of votes of the total number of council members shall be elected the chairperson of the council.

(3) If none of the candidates for chairperson wins the required number of votes in the first round, a second round of voting shall proceed for the two candidates who won the biggest number of votes in the first round.

(4) The member of the council who won bigger number of votes in the second round of voting shall be elected the chairperson.

(5) The oldest member of the council shall convene and chair the council until the election of the chairperson.

**Article 48**  
(Duties of the Council Chairperson)

(1) The chairperson of the council shall:

- convene and chair the sessions of the council;
- take care about the organization and work of the council and
- sign the regulations adopted by the council and within 3 days from their adoption submit them to the mayor for publishing.

**Article 49**  
(Election of a Mayor)

- (1) A mayor shall be elected on general, direct and free elections by means of secret ballot in accordance with the law that regulates the local elections.

**Article 50**  
(Competencies of the Mayor)

- (1) The mayor shall:
1. represent and act as an agent of the municipality;
  2. control the legality of the regulations of the council;
  3. publish the regulations of the council in the official gazette of the municipality;
  4. ensure the enforcement of the decisions of the council;
  5. ensure the performance of activities delegated to the municipality by law;
  6. initiate and propose adoption of regulations that fall within the competency of the council;
  7. propose the annual budget and the annual balance sheet to the budget of the municipality;
  8. execute the budget of the municipality;
  9. elect managers of public agencies, established by the municipality, on the basis of a public job announcement
  10. regularly inform the council on the performance of his/her competencies in accordance with the statute;
  11. resolve the administrative matters in accordance with law, statute, i.e. other regulation of the council;
  12. adopt a Personnel Manual for the municipal administration;
  13. manage the municipal administration;
  14. decide on hiring, rights, duties and responsibilities of the employees of the municipal administration, unless otherwise stipulated by law;
  15. ensure the regular and legal use, maintenance and protection of the municipal property, in accordance with law and statute; and
  16. perform other activities determined by law and the statute.
- (2) The mayor may authorize a responsible official of the municipality to make decisions in administrative matters and to sign acts.

**Article 51**  
(Control of the Legality of the Regulations Before their Publication)

- (1) In case the mayor considers a certain regulation of the council not to be in accordance with the Constitution and the laws, he/she shall be obliged within 7 days upon its submission to withhold its publishing by a resolution that shall include the explanation of the reasons for withholding.
- (2) The council shall be obliged to review the resolution referred to in paragraph 1 of this Article and to make a decision regarding it within 15 days from the day of the passing of the resolution.

(3) If the council confirms the regulation, then the mayor shall be obliged to publish it and, at the same time, initiate the proceeding for assessing the constitutionality and legality of the disputed regulation before the Constitutional Court of the Republic of Macedonia.

(4) Regarding the initiative referred to in paragraph 3 of this Article, the mayor shall be obliged to inform the ministry responsible for the local self-government about it.

#### **Article 52**

(Performance of the Function of a Mayor)

(1) The newly elected mayor shall take over the function from the previous mayor within 7 days from the day of election.

(2) The mayor shall perform his/her function in a professional manner.

(3) While performing the function of a mayor, he/she shall not perform other professional activity.

(4) The mayor shall not be held criminally liable or imprisoned for opinion expressed before the council.

(5) The mayor shall determine who from the council members shall replace him/her in cases of his/her inability or absence.

(6) The function of the council member replacing the mayor shall be suspended while he/she is replacing the mayor.

(7) The council chairperson shall not replace the mayor.

(8) The salary and the benefits of the mayor, as well as the compensation of the council member replacing the mayor shall be regulated by law.

#### **Article 53**

(Conflict of Interests of the Mayor)

(1) The mayor shall not be appointed a member of supervisory, administrative and control organs of trade associations, public enterprises and public institutions.

(2) The mayor shall not participate in the decision making process on issues in which he/she, his/her spouse, children or relative to the second level of the side relative line has financial or other personal interest.

(3) The mayor shall be obliged to inform the council about the interest referred to in paragraph 2 of this Article.

(4) In cases referred to in paragraph 2 of this Article, the decision shall be made by one of the council members elected in the way in which the council chairperson is elected.

#### **Article 54**

(Termination of the Mandate of the Mayor)

(1) The mandate of the mayor shall be terminated by the force of law if:

- he/she resigns;
- he/she dies;
- he/she is convicted with an absolute decree for a criminal offense and sentenced to more than 6 months of imprisonment;
- in case of an irrevocable resolution with which he/she is deprived of working ability;
- in case of incompatibility with his/her function in according with the Law on Local Elections;
- in case of unjustified absence longer than six months;
- in case he/she ceases to be resident of the municipality.

(2) The justifiability of the absence referred to in paragraph 1 line 6 of this Article shall be decided by the council, with two-third majority of votes of the total number of council members.

(3) The council member replacing the mayor shall be obliged to inform the ministry responsible for matters relating to local self-government on the occurrence of either of the cases referred to in paragraph 1 of this Article within 15 days from its occurrence.

(4) The ministry responsible for matters related to local self-government, within 15 days from the day of receiving the information referred to in paragraph 3 of this Article, shall inform the Government of the Republic of Macedonia, which within one month from the receipt of the information shall conclude the occurrence of either of the cases referred to in paragraph 1 of this Article and at the same time initiate the procedure for announcing new elections for mayor, in accordance with law.

(5) Within 30 days from the announcement of the decision of the Government referred to in paragraph 4 of this Article, the council shall elect one of the council members who shall perform the function of a Mayor for the period until a new mayor is elected, in a way in which the chairperson of the council is elected.

(6) The council member function of the council member shall be under moratorium during the period of performing the function of the mayor pursuant paragraph 5 of this Article.

(6) The elections referred to in paragraph 5 of this Article shall not be performed if there is less than six months until the new election period.

#### **Article 55**

##### **(Committee for Inter-Community Relations)**

(1) In the municipality in which more than 20% of the total number of inhabitants of the municipality determined at the last census are members of a certain community, a Committee for Inter-Community Relations shall be established.

(2) The Committee from paragraph 1 of this Article shall be composed of an equal number of representatives of each community represented in the municipality.

(3) The manner of election of the members of the Committee shall be regulated by the statute.

(4) The Committee shall review issues that refer to the relations among the communities represented in the municipality and shall give opinions and propose ways for their resolving.

(5) The municipal council shall be obliged to review the opinions and proposals from paragraph 4 of this Article and to make a decision with regards to them.

#### **Article 56**

##### **(Consumers' Council)**

(1) The municipality council may establish a council for the protection of consumers, consisted of representatives of larger groups of users of public services for reviewing issues and determining proposals regarding the work of the public services of the municipality.

(2) The composition, the way of election of the members and the scope of work of the council referred to in paragraph 5 of this Article shall be regulated by the statute.

## **VI. MUNICIPAL ADMINISTRATION**

### **Article 57**

(Municipal Administration Organizing)

- (1) Municipal administration shall be organized for the performance of the activities that fall within the competency of the organs of the municipality.
- (2) Municipal administration shall be organized in sectors and departments.
- (3) The municipality may organize municipal inspection department for the purposes of carrying out inspection supervision of the performance of activities that fall within its competency.
- (4) The organization, scope and way of performing of the tasks of the municipal administration shall be determined by the council, on the basis of the mayor's proposal.

### **Article 58**

(Status of the Employees in the Municipal Administration)

- (1) The employees of the municipal administration who perform professional, normative-legal, executive, administrative, supervisory tasks and decide on administrative issues shall have a status of public servants.
- (2) Regarding the hiring, rights and duties, the system of payment of salaries and compensations to the salaries, responsibility, evaluation and termination of the employment in the municipality referred to in paragraph 1 of this Article, the provisions of the Law on Public Servants shall be applied.
- (3) For the employees in the municipal administration who perform administrative-technical and additional tasks the provisions of the working legislation shall be applied.

### **Article 59**

(Representation of the Communities in the Hiring Process)

- (1) In the hiring process in the municipal administration and the public enterprises and the public institutions established by the municipality attention will be paid to the appropriate and rightful representation of the citizens that are members of all communities represented in the municipality at all the levels of employment, as well as respecting the criteria of professionalism and competence.

### **Article 60**

(Responsibilities of the Municipal Administration)

- (1) The municipal administration shall:
  - Prepare acts for the council and the mayor;
  - Prepare sessions of the council, as well as sessions of its standing and temporary committees;
  - Perform professional tasks for the council and the mayor;
  - Collect own revenues of the municipalities;
  - Run the accounting of the municipality;
  - Follow the situation in areas under the competency of the municipality, conduct analysis of the situation and raise initiatives and give proposals for their resolution;
  - Present information and data regarding the activities of the municipality upon a request of the responsible organs or in accordance with law;

- Manage the documents of the municipality and keep them until they are destroyed or handed to the State Archive of the Republic of Macedonia; and
- Perform other tasks determined by the council and the mayor.

### **Article 61**

(Establishing and Abolishing of the Shared Administration)

(1) Shared administration bodies for the performance of certain competencies shall be established or abolished on the basis of a decision adopted with majority vote of the total number of members of each municipal council.

(2) Based upon the decisions referred to in paragraph 1 of this Article a written agreement shall be signed and it shall define: the municipalities that establish the shared administration body; seat of the shared administration body; the type, scope and way of the performance of the activities; usage of the facilities and equipment; financing; the manner of its abolishing; and control over the operation of the shared administration body.

(3) The agreement referred to in paragraph 2 of this Article shall be published in the "Official Gazette of the Republic of Macedonia".

## **VII. ACTS OF THE MUNICIPAL ORGANS**

### **Article 62**

(Regulations of the Council)

(1) In the performance of the activities under its competency, the council shall adopt regulations such as: statute, programs, plans, decrees and other regulations determined by law.

(2) The regulations shall be passed with the majority vote of the total number of council members, unless otherwise stipulated by this or other law.

(3) Regulations for the implementation of which financial means are needed must also contain provisions that determine the sources and the amount of funds for their implementation.

(4) The regulations shall be published in the official gazette of the municipality the latest within 7 days from the day of their adoption.

(5) The regulations referred to in paragraph 1 of this Article shall come into force on the eighth day after their publishing unless otherwise stipulated by the statute.

(6) The municipality shall keep the collection of the published regulations that will be generally accessible.

### **Article 63**

(Mayor's Acts)

(1) For the purposes of solving the individual rights of the citizens and employees of the municipal administration, the mayor shall pass resolutions.

## **VIII. OWNERSHIP OF THE MUNICIPALITY**

### **Article 64**

(Ownership of the Municipality)

(1) The municipality shall have the right to ownership over things, funds and appertaining rights.

(2) The value of the ownership of the municipality shall be evaluated and shown in the annual balance sheet.

(3) The ownership of the municipality shall be disposed and managed in the best public interest and in good faith, in a way determined by law.

#### **Article 65**

(Ownership of Public Agencies)

(1) The entire ownership of the public agencies established by the municipality shall be ownership of the municipality.

#### **Article 66**

(Selling of the Things that are in the Ownership of the Municipality)

(1) The municipality may sell the things that are ownership of the municipality only through public bidding, in accordance with law.

(2) The selling price of the things referred to in paragraph 1 of this Article may not be smaller than their market value.

(3) Financial means acquired by selling of the things that are ownership of the municipality may be reinvested only for acquiring new or reconstruction of the existing things that are ownership of the municipality.

#### **Article 67**

(Giving for Use of Things that are in the Ownership of the Municipality)

(1) The things that are ownership of the municipality may be given for use to other entities, whereas the authorized beneficiaries as well as the type and scope of the right to use shall be defined in the decision for granting for use.

#### **Article 68**

(Things in General Use)

(1) The municipality shall take care of the legal and rightful use of the things in general use.

### **IX. SUPERVISION OVER THE OPERATION OF THE MUNICIPAL ORGANS**

#### **Article 69**

(Types and Ways of Performing Supervision)

(1) Supervision over the operation of the municipal organs in the performance of their competencies shall include supervision of the legality and control of the financial operations.

(2) Supervision over the performance of the municipal organs of delegated functions under competency of the organs of the public administration shall include supervision of the legality and supervision of the efficiency.

(3) In cases determined by law, there shall be previous supervision, which shall include previous accordance of the regulations of the municipality.

(4) The manner and the procedure of performing supervision over the work of the municipal organs shall be determined by law.

(5) The municipal organs shall be obliged to cooperate with the supervising organs.

**Article 70**  
(Supervising Organs)

- (1) Supervision of the legality of the municipal regulations shall be performed by the ministry responsible for the performance of functions related to local self-government.
- (2) Audit of the financial operations of the municipality shall be performed by the State Audit Bureau in accordance with the Law on State Audit.
- (3) Supervision of the delegated competencies shall be performed by the organ of the state administration whose competencies are delegated to the municipality.

**Article 71**  
(Supervision over the Legality of the Municipal Regulations)

- (1) The Mayor shall be obliged, within 10 days from the day of their publishing, to submit the municipal regulations to the ministry responsible for the performance of functions related to local self-government.
- (2) In case the organ referred to in paragraph 1 of this Article considers that the regulation is not in accordance with the Constitution and law, within 45 days from the day of submission, it shall adopt a resolution for withholding the implementation of the regulation, giving explanation for the reasons for the withholding.
- (3) The resolution referred to in paragraph 2 of this Article shall be published in the "Official Gazette of the Republic of Macedonia".
- (4) The organ referred to in paragraph 1 of this Article shall be obliged to raise an initiative before the Constitutional Court of the Republic of Macedonia for the assessment of the constitutionality and legality of the withheld regulation, within 30 days from the day of the publication of the resolution referred to in paragraph 1 of this Article.
- (5) If the procedure is not initiated within the determined deadline referred to in paragraph 3 of this Article, the validity of the resolution for withholding of the application of the regulation from paragraph 1 from this Article, and the withheld regulation shall become valid.

**Article 72**  
(Audit of the Material and Financial Operation)

- (1) The State Audit Bureau shall perform regular audit of the financial accounts of the municipalities, in accordance with law.
- (2) The mayor shall be obliged, within 30 days of the day of their passing, to submit the reports for execution of the budget and the annual balance sheet of the municipality to the State Audit Bureau.
- (3) The final report on the performed audit shall be submitted to the municipal organs and to the minister responsible for matters of local self-government.

**Article 73**  
(Prior Consent)

- (1) In case when for adoption of a regulation of the municipality, prior consent from other organ is required, that organ shall issue the same the latest within 60 days from the day when the draft regulation was submitted.
- (2) In case the prior consent is not obtained within the deadline from paragraph 1 of this Article the regulation shall be considered acceptable in the form proposed by the municipality.

## **X. DISSOLUTION OF THE COUNCIL OF THE MUNICIPALITY**

### **Article 74**

(Self-initiated Council Dissolution)

(1) The council of the municipality shall be dismissed if a majority of the total number of its members support the same.

### **Article 75**

(Conditions for Dissolution of the Council)

(1) The Council shall be dismissed if:

1. it adopts again the regulation that was previously annulled or abolished by the decision of the Constitutional Court of the Republic of Macedonia;
2. it adopts a decision that endangers the sovereignty and territorial integrity of the Republic of Macedonia;
3. it does not have a session during the period longer than 6 months;
4. it does not adopt the Budget and the annual balance sheet until 31 March in the current year.

(2) In case of the occurrence of one of the conditions referred to in paragraph 1 of this Article, the mayor shall be obliged immediately to inform the ministry responsible for performance of functions in the sphere of local self-government.

### **Article 76**

(Procedure for Council Dissolution)

(1) The ministry responsible for performance of functions in the sphere of local self-government within seven days from the day of the receipt of the information referred to in Article 75 paragraph 2 of this Law, shall submit a proposal to the Government of the Republic of Macedonia to dismiss the council.

(2) The Government of the Republic of Macedonia within a month from the day of the receipt of the proposal referred to paragraph 1 of this Article shall make a resolution for dismissal of the council by force of law, which shall be published in the "Official Gazette of the Republic of Macedonia".

(3) For the remaining election period new elections for the council shall be announced, in accordance with the Law on Local Elections.

(4) If the period prior to the new elections is shorter than 6 months, the elections from paragraph 3 of this Article shall not be carried out.

### **Article 77**

(Performance of the Council's Functions)

(1) Until the election of the new council, the functions of the council shall be performed by the mayor of the municipality.

(2) In performing the functions from paragraph 1 of this Article the Mayor shall not:

- decide on issues in relation to disposing with the property of the municipality;
- decide on issues from which he or his/her spouse, children or relatives to the second level of the side relative line have financial or other personal interest; and
- adopt regulations stipulated in Article 35 of this Law.

## **XI. MECHANISMS FOR COOPERATION BETWEEN THE MUNICIPALITIES AND THE GOVERNMENT OF THE REPUBLIC OF MACEDONIA**

### **Article 78**

(Consultations with the Municipalities)

- (1) The municipalities shall be consulted on time and adequately in the procedure of planning and decision-making on issues, which refer to them.
- (2) The municipalities shall be consulted for the planning of the public matters in the preparation of the spatial plan of the Republic.
- (3) The manner of the consultations referred to in paragraph 1 and 2 of this Article shall be determined by laws of the relevant sphere.

### **Article 79**

(Agreements for Cooperation between the State and the Municipalities)

- (1) For coordination during the planning, programming and implementation of the policies in particular spheres or group of spheres, the Government may sign agreements for cooperation with one or more municipalities in the spheres or sectors of mutual interest.
- (2) The Parliament of the Republic of Macedonia shall be informed about the agreements from paragraph 1 of this Article.

### **Article 80**

(Cooperation between the Government and the Municipalities)

- (1) The Government shall cooperate with the municipalities on the issues that are of their interest, such as:
  - the laws that refer to the municipalities;
  - the amount of general subsidy that shall be allocated to the municipalities during a current calendar year;
  - the sources of financing of competencies.
- (2) For the cooperation regarding issues referred to in paragraph 1 of this Article, a report shall be prepared which shall include issues that consent is reached for and issues for which there is no consent.
- (3) Along with the law on the issues referred to in paragraph 1 of this Article, the report referred to in paragraph 2 of this Article shall be submitted to the Parliament of the Republic of Macedonia as well.

### **Article 81**

(Association of Municipalities of the Republic of Macedonia)

- (1) The association of municipalities which more than 2/3 of the municipalities from the whole territory of the Republic of Macedonia have joined for protection and improvement of their mutual interests, shall have the right to:
  - cooperate with the Government regarding the issues of importance for the municipalities in the Republic of Macedonia;
  - initiate adopting of the laws that refer to the improvement of the local self-government;
  - participate with its proposals in the procedure for projection of the draft Budget of the Republic of Macedonia in the part that refers to allocation of funds to the municipalities for the performance of competencies determined by law;

- cooperate with similar organizations from other countries and represent the Republic of Macedonia in international organizations of local authorities.

(2) The Association referred to in paragraph 1 of this Article shall be established, organized, shall function and shall be registered under conditions and manner determined by law.

## **XII. NEIGHBORHOOD SELF-GOVERNMENT**

### **Article 82**

(Establishing of Neighborhood Self-Government Forms)

(1) Forms of neighborhood self-government may be established in the municipalities, such as:

- in cities – urban communities;
- in other populated places – neighborhood communities.

(2) The territory for which urban communities are established shall be within the borders of the urban units, according to the city urban plan.

(3) The territory for which neighborhood communities are established shall be within the borders of the cadastre municipalities of the populated places.

(4) The following shall be closely regulated by the statute of the municipality: the forms of neighborhood self-government established on the territory of the municipality according to paragraph 1 of this Article; the relations with the municipal organs; the activities in the competency of the mayor whose performance may be delegated to the president of the council of the neighborhood self-government; the manner of providing funds for the delegated activities; and other issues of importance for the neighborhood self-government.

### **Article 83**

(Competencies of the Urban i.e. Neighborhood Communities)

(1) The citizens, in the urban i.e. neighborhood communities, at citizens' gatherings:

- shall review issues, take positions and prepare proposals for issues of direct and everyday importance for the life and work of the inhabitants of that territory;
- may elect a council of the urban i.e. neighborhood community in a way and procedure determined by the statute of the municipality.

### **Article 84**

(Election of the Council of the Urban i.e. Neighborhood Community)

(1) The council of the urban i.e. neighborhood community shall be elected through a secret vote, in a manner and procedure determined by the statute of the municipality.

(2) The election referred to in paragraph 1 of this Article shall be conducted at the same time with the election of the council of the municipality.

### **Article 85**

(Election of President of the Council of the Urban i.e. Neighborhood Community)

(1) The council of the urban i.e. the neighborhood community shall elect a president from its membership, with a four-year mandate.

(2) For the election and the obligations of the president of the council of the urban i.e. neighborhood community the provisions from Articles 46 and 47 of this Law shall accordingly be applied.

### **Article 86**

(Delegating of Activities to the Forms of Neighborhood Self-Government)

(1) The mayor may delegate the performance of certain activities of direct interest and everyday importance for the life and work of the inhabitants to the president of the council of the urban i.e. neighborhood community, in a way determined by the statute of the municipality.

(2) The resolution referred to in paragraph 1 of this Article shall also determine funds for the performance of activities from paragraph 1 of this Article as well as the way of carrying out the supervision over the performance.

## **XIII. PROTECTION OF LOCAL SELF-GOVERNMENT**

### **Article 87**

(Protection of the Constitutional Position of Municipalities)

(1) The council, as well as the mayor, may raise an initiative with the Constitutional Court of the Republic of Macedonia for assessment of the constitutionality of the laws and the constitutionality and legality of the general acts of the ministries and the other organs of state administration with which the constitutional position and the rights of the municipality determined by the Constitution is infringed.

### **Article 88**

(Judicial Protection of Municipalities)

(1) The municipalities shall be guaranteed judicial protection before competent courts with regard to the acts and activities of the organs of state administration and the Government of the Republic of Macedonia that impede the performance of competencies of the municipalities determined by the Constitution and law.

## **XIV. OFFICIAL LANGUAGES IN THE MUNICIPALITY**

### **Article 89**

(Official Language)

(1) Macedonian language with its Cyrillic alphabet shall be official language in the municipalities.

### **Article 90**

(Official Languages in the Municipality)

(1) Besides the Macedonian language and its Cyrillic alphabet, the language and the alphabet used by at least 20% of the inhabitants of the municipality shall be official language in the municipality.

(2) The council of the municipality shall decide on the use of the languages and alphabets spoken by less than 20% of the inhabitants of the municipality.

## **XV. TRANSITIONAL AND FINAL PROVISIONS**

### **Article 91**

(1) The current statutes of the municipalities, the acts for organization and work and the acts for jobs systematization in the municipalities shall be adjusted to the provisions of this Law at the latest within six months from the day of its coming into force.

(2) The existing managing and administrative organs of the municipality shall be organized into the municipal administration in accordance with this Law, within three months from the day of the adoption of the acts referred to in paragraph 1 of this Article.

### **Article 92**

(1) The minister responsible for performance of activities that refer to the local self-government shall adopt the regulation referred to in Article 10, paragraph 7 of this Law within three months from the day this Law comes into force.

### **Article 93**

(1) The employees in the municipalities who before the day this Law came into force started working in accordance with the provisions of the Law on Local Self-Government ("Official Gazette of the RM" No. 52/95) shall continue to work on the positions they were deployed and continue to receive the salaries they were receiving before this Law came into force until they gain the status public servants and until the beginning of the implementation of the salary payment system, in accordance with the provisions of the Law on Public Servants ("Official Gazette of the RM" No. 59/00; 112/00; 34/01).

(2) The employees referred to in paragraph 1 of this Article shall be obliged, the latest within two weeks from the day of this Law's coming into force to pass an exam for checking of their knowledge for gaining the status of a public servant according to the provisions of the Law on Public Servants and shall be deployed in accordance with the act for systematization of their jobs to a position appropriate to the acquired title.

### **Article 94**

(1) Within three months from the adoption of this Law, the mayor of the municipality, at the proposal of the Agency, shall confirm the appropriateness of the existing positions in the municipality with the groups and positions determined by the Law on Civil Servants by means of decision.

(2) Persons employed in the managing and administrative organs of the municipality who by the day this Law comes into force have more than 5 years of working experience, pursuant to the acts on systematization of jobs shall be assigned to the positions appropriate to the acquired title without taking the exam referred to in paragraph 1 of this Article.

### **Article 95**

(1) Secretaries of the councils, elected pursuant to the provisions of Article 29, paragraph 1, item 13 and main city architects appointed pursuant to the provisions of Article 53 of the Law on Local Self-Government ("Official Gazette of RM", No. 52/95), shall proceed performing their function and receiving salaries as they did until the termination of the mandate they have been elected or appointed for.

### **Article 96**

(1) Provisions in the current laws that regulate issues that in accordance with this Law fall under the competency of the municipalities, shall continue to be applied until their harmonization with the provisions of this Law, but not later than 31 December 2003.

(2) Provisions in Articles 17 and 18 of the Law on Local Self-Government ("Official Gazette of RM", No. 52/95) shall continue to be applied until the harmonization of the separate laws referred to in paragraph 1 of this Article.

(3) The employees, the equipment, the working means, the archive, the documentation from the regional units whose competencies according to this Law shall become competencies of the municipality shall be taken over by the municipality in a manner and under conditions determined by the harmonized separate laws referred to in paragraph 1 of this Article.

### **Article 97**

(1) Until the law which shall regulate the issues on municipal financing is adopted, the financing of the municipalities shall continue to be done in accordance with the provisions of the Law on Local Self-Government ("Official Gazette of RM" NO. 52/95) and the Law on Budgets ("Official Gazette of the RM" No. 79/93; 3/94; 71/96; 46/00).

### **Article 98**

(1) The status of public enterprises and public institutions and trade companies owned by the state that perform activities of public interest whose competency pursuant to the provisions of this Law shall become municipal competency, as well as the time frame and the way of executing the personnel and property division balance between the Republic and relevant municipalities shall be determined by laws that shall regulate the harmonization referred to in Article 96, paragraph 1 of this Law.

### **Article 99**

(1) Provisions of Article 34, 50 paragraph 1 item 9, 52 paragraphs 2, 82, 83, 84 and 85 shall come into force on the next local elections.

### **Article 100**

(1) Until the Law referred to in Article 45 of this Law is adopted the members of the council shall receive compensation for presence at sessions of the council, regardless of its duration, the most in the amount of 30% of the average net salary in the Republic of Macedonia, and the compensations for travel allowance and per diems shall be paid according to the regulations which refer to the public servants.

### **Article 101**

(1) Until the law which shall regulate the supervision of resolutions passed by the mayor regarding administrative matters which are in the competency of the municipality is adopted, the supervision shall be performed by the committee for resolving of issues in administrative procedure of second degree for certain administrative spheres at the Government of the Republic of Macedonia.

### **Article 102**

(1) From the day this Law comes into force, the Association of the Units of Local Self-Government of the Republic of Macedonia established according to the provisions of Article 10 paragraph 5 of the Law on Local Self-Government ("Official Gazette RM" No. 52/95) shall continue to work and perform the same competencies until the registration of the Association of Municipalities of the Republic of Macedonia.

(2) Along with the registration of the Association of the Municipalities of the Republic of Macedonia, the equipment, the working means, the archive and the documentation of the Association of the Units of the Local Self-Government shall be taken over.

### **Article 103**

(1) The existing neighborhood communities, i.e. their organs, shall continue with their work having the same competencies until the next local elections.

### **Article 104**

(1) On the day this law comes into force, the Law on Local Self-Government shall cease to be in force ("Official Gazette of RM" No. 52/95, 60/95).

### **Article 105**

This Law shall come into force on the eighth day upon its publication in the "Official Gazette of the Republic of Macedonia".