



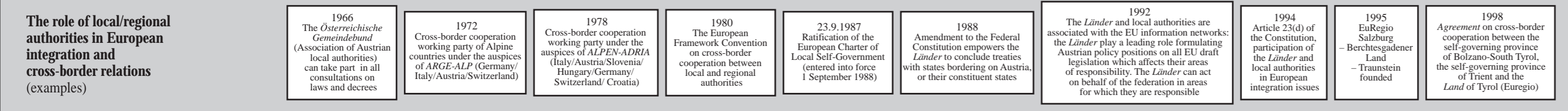
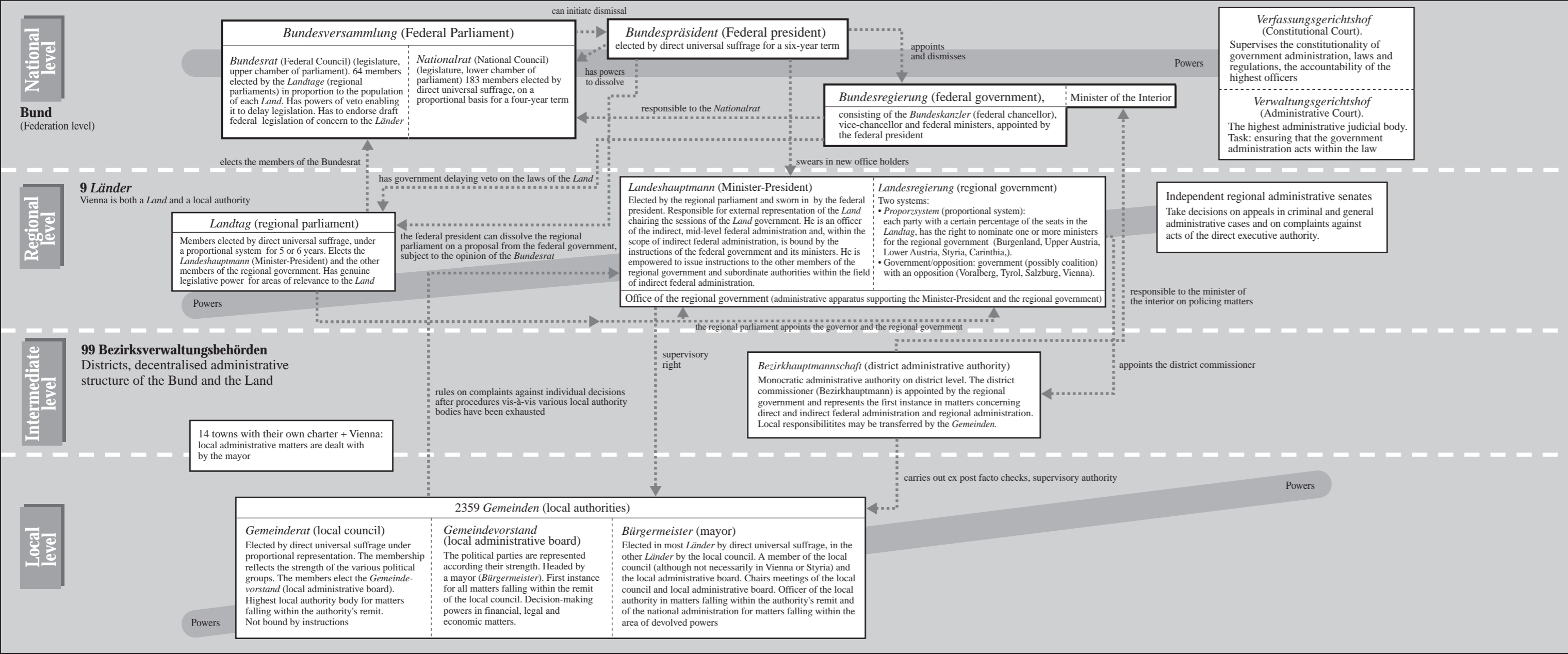
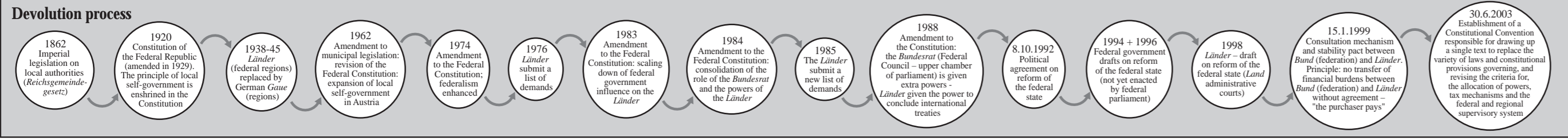
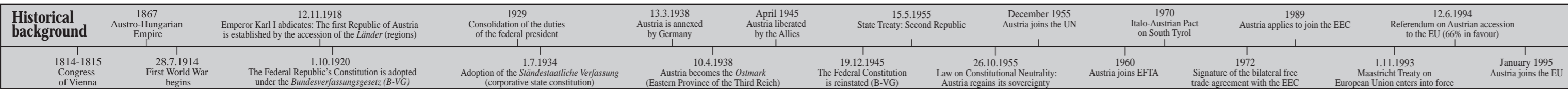
# Devolution in Austria

EUROPEAN UNION

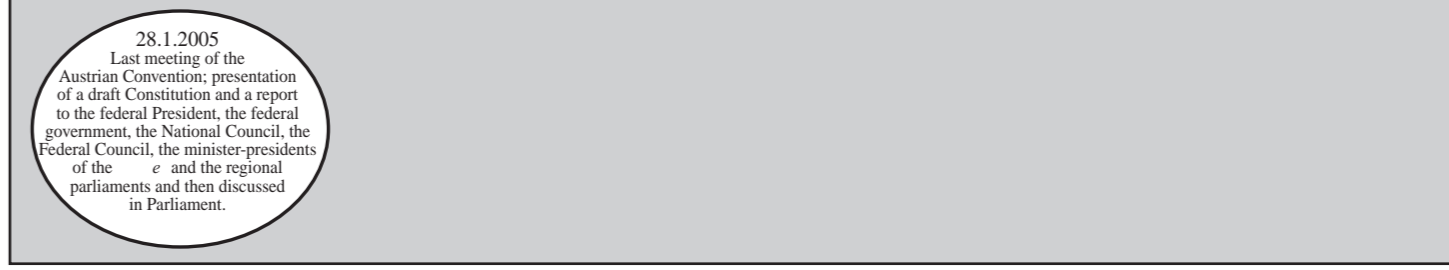
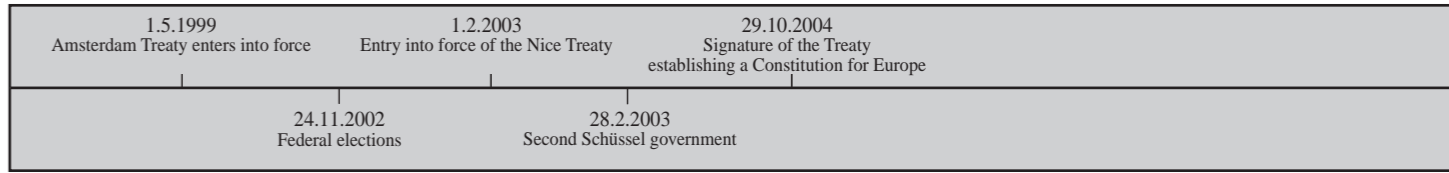


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# Devolution in Austria



Current situation as of January 2005, updated by Studies Service of the Committee of the Regions with the acceptance of National Delegation



**Responsibilities**

Article 10 of the Federal Constitution lists the reserved legislative powers of the federation; foreign policy, finances, trade policy, public safety, transport, labour law etc.

**National level**

Sole legislative power and administrative authority on these areas.

Article 11 of the Constitution: legislation (Federation) – implementation *Land* (e.g. road traffic, citizenship, environmental impact assessments)

Article 12 of the Constitution lists the Federation's legislative powers (framework laws) which each *Land* is empowered to implement via implementing laws (services for the needy, young people, the public at large, land reform).

(Federation level) The overwhelming majority of legislative acts are carried out at federal level.

**Regional level**

Article 11 of the Constitution: The *Länder* are responsible for the implementation of certain federal laws.

Article 12 of the Constitution: Adoption and enforcement of implementing laws for federal framework laws.

Article 15 of the Constitution: general clauses: the *Land* is responsible for any area of legislation or implementation which is not specifically within the purview of the (Federation), e.g. spatial planning, environmental protection, planning law, transport. Indirect federal administration: Federal laws are implemented by the Minister-President and the authorities subordinate to him. The Minister-President acts as an officer of the federal government and is bound by the instructions of the federal government or minister.

**Intermediate level**

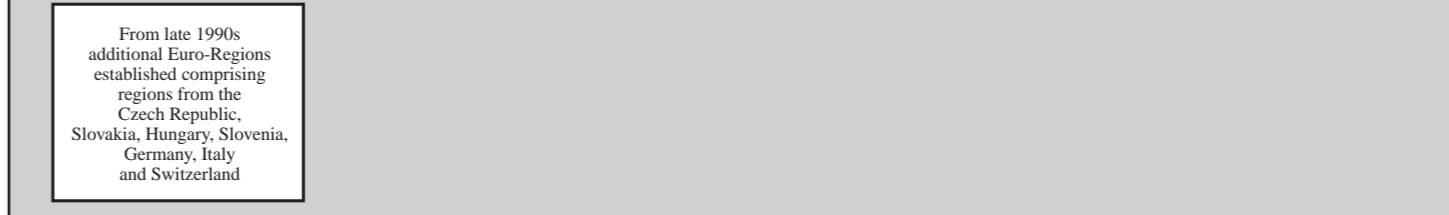
- Implementing powers. May issue decisions

**Local level**

**Own powers:** general clause. The local authorities have general responsibility for issues which are exclusively or predominantly local. Their main tasks are:

- the appointment of local officers and public servants
- local police
- local traffic management
- supervision of local planning regulations
- local health regulations
- local spatial planning
- measures to promote and support community activity: theatre, social services
- regulations on public events

**Devolved powers:** the local authorities carry out the duties delegated to them by the federations and the *Land*. The local authority implements state administrative tasks. The mayor is responsible for their implementation to the federal authorities or the *Land*.





# Devolution in Belgium



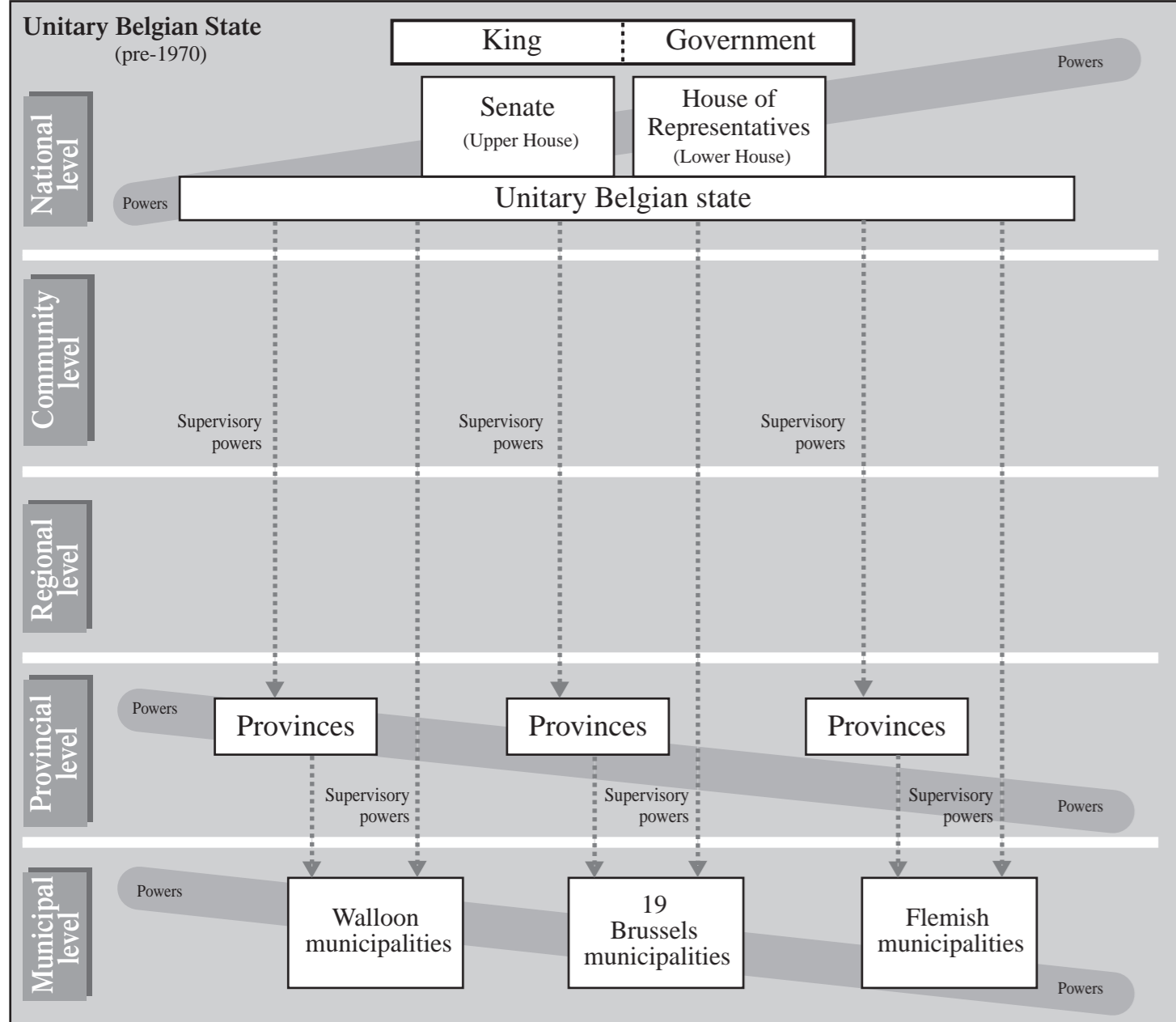
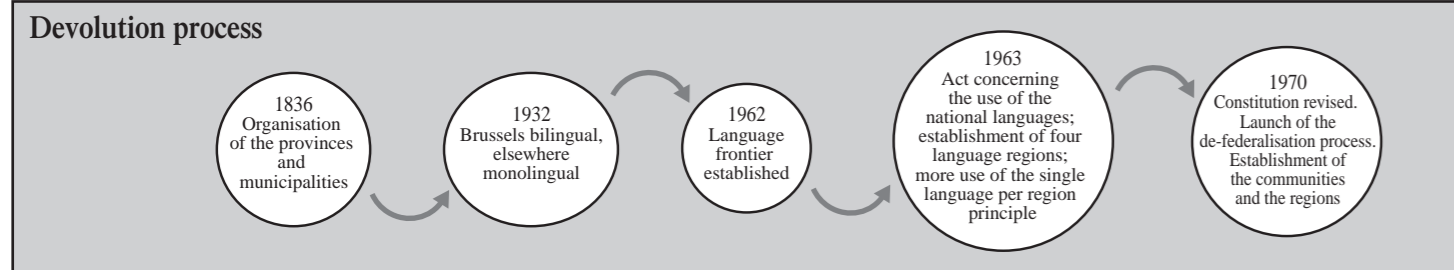
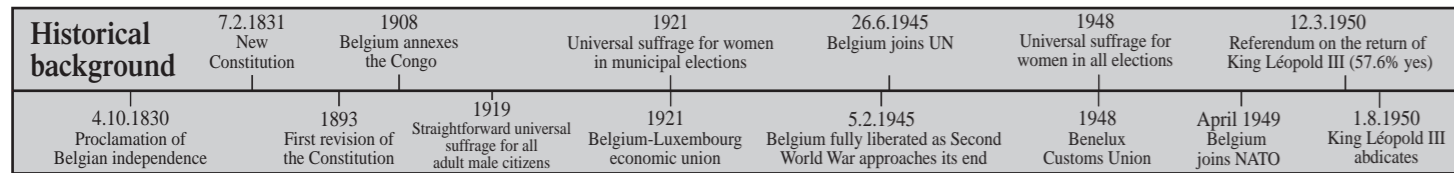
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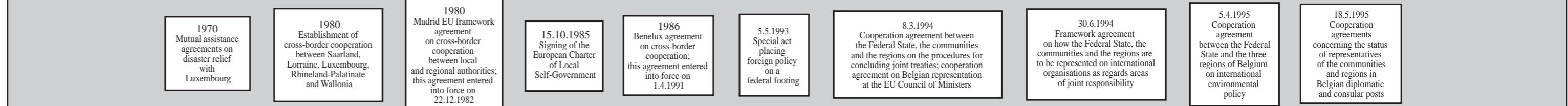
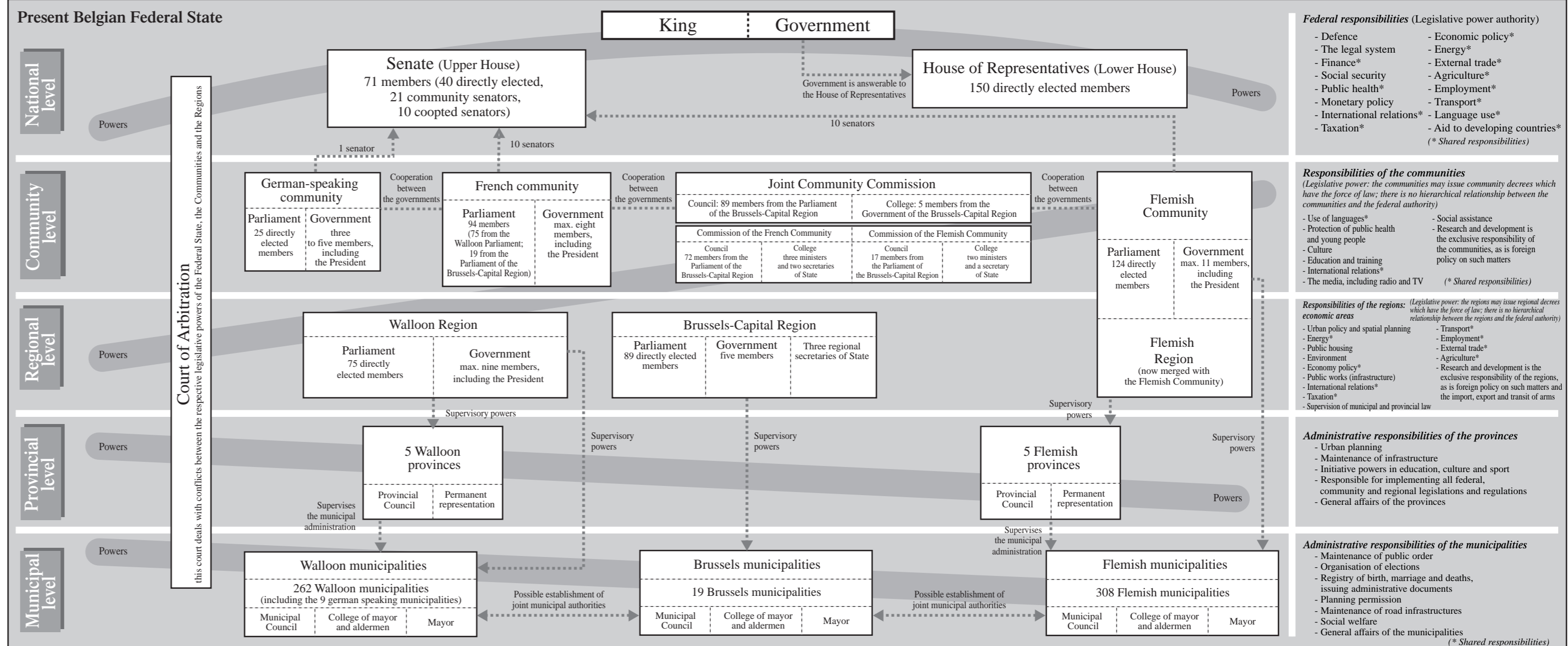
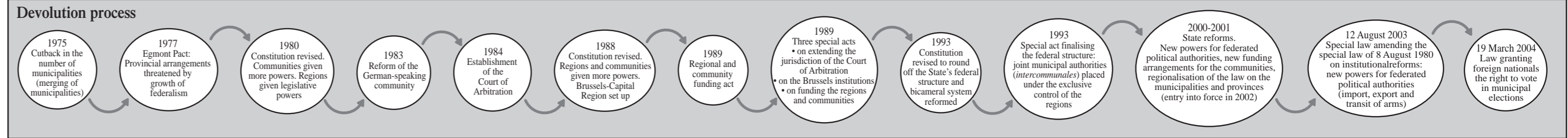
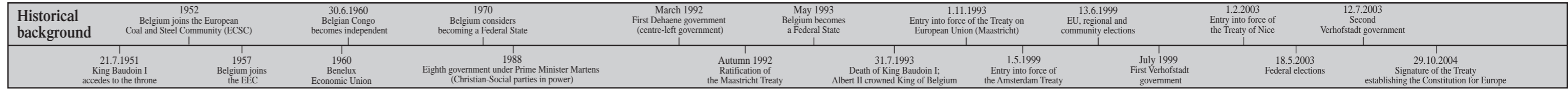
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# Devolution in Belgium



**Role played by territorial authorities in promoting European integration and cross-border relations (for information)**



A stylized map of Bulgaria is centered on the page. The map is composed of several overlapping, semi-transparent shapes in shades of gray, creating a layered effect. Above the map, there are several white five-pointed stars of varying sizes, arranged in a pattern reminiscent of the European Union flag. The background is a light gray gradient.

# Devolution in Bulgaria

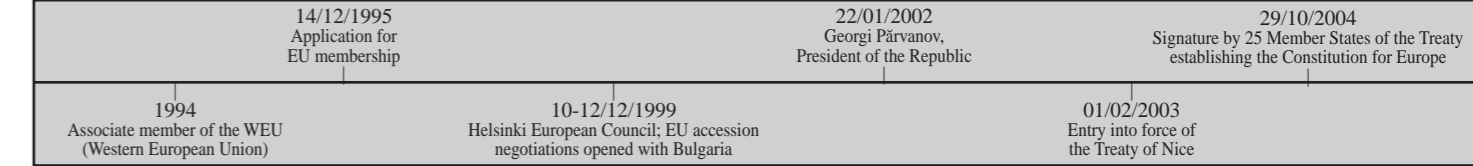
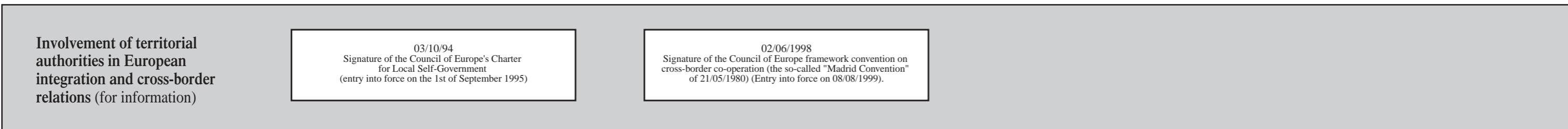
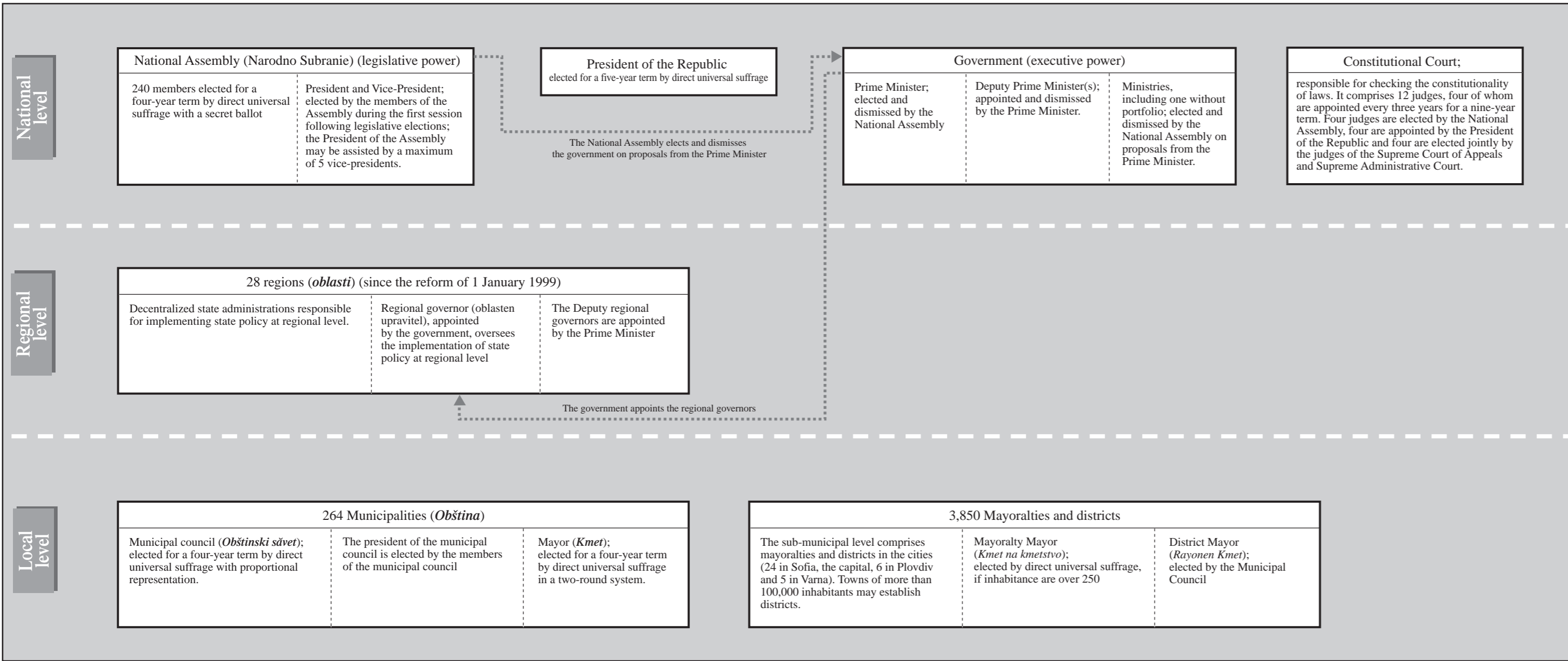
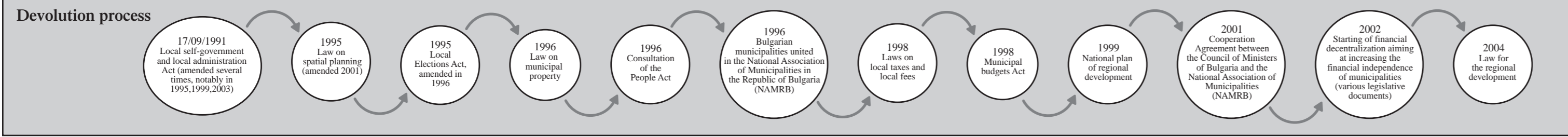
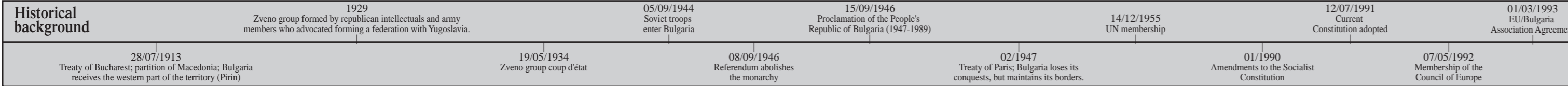
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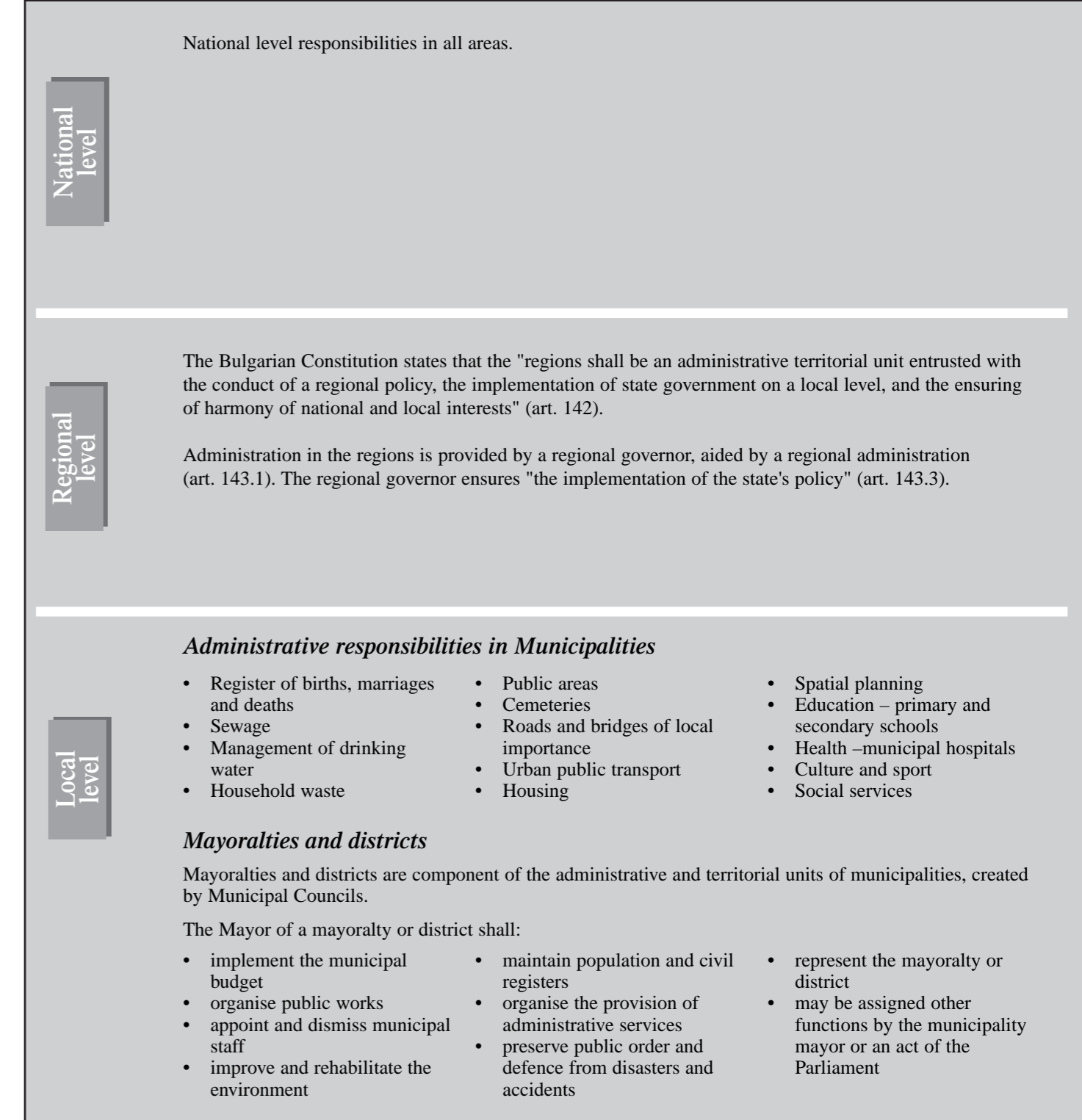


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# Devolution in Bulgaria



## Responsibilities



A stylized map of Cyprus is centered on the page. The map is rendered in shades of gray, with a darker central area. Above the map, several white five-pointed stars are arranged in a semi-circular pattern, reminiscent of the European Union flag. The background is a light gray gradient.

# Devolution in Cyprus

A small, dark gray silhouette of the island of Cyprus is centered below the main map.

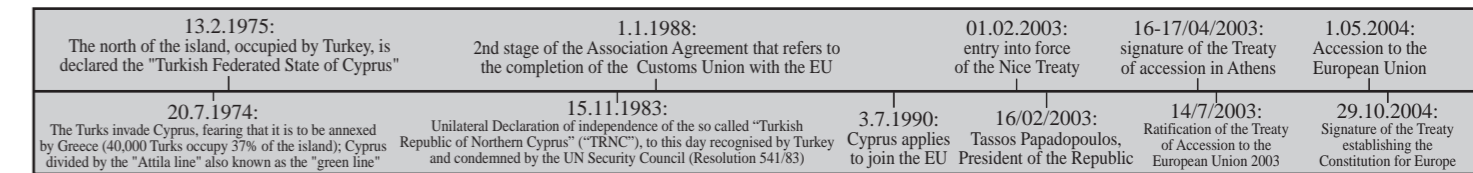
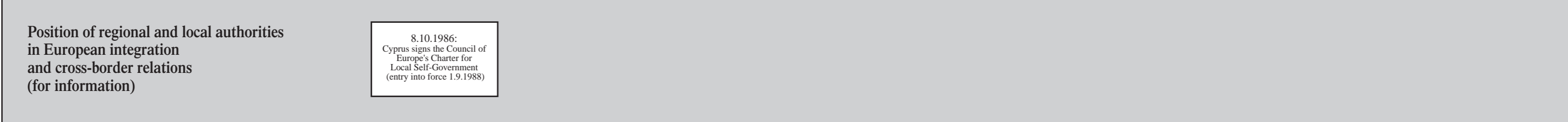
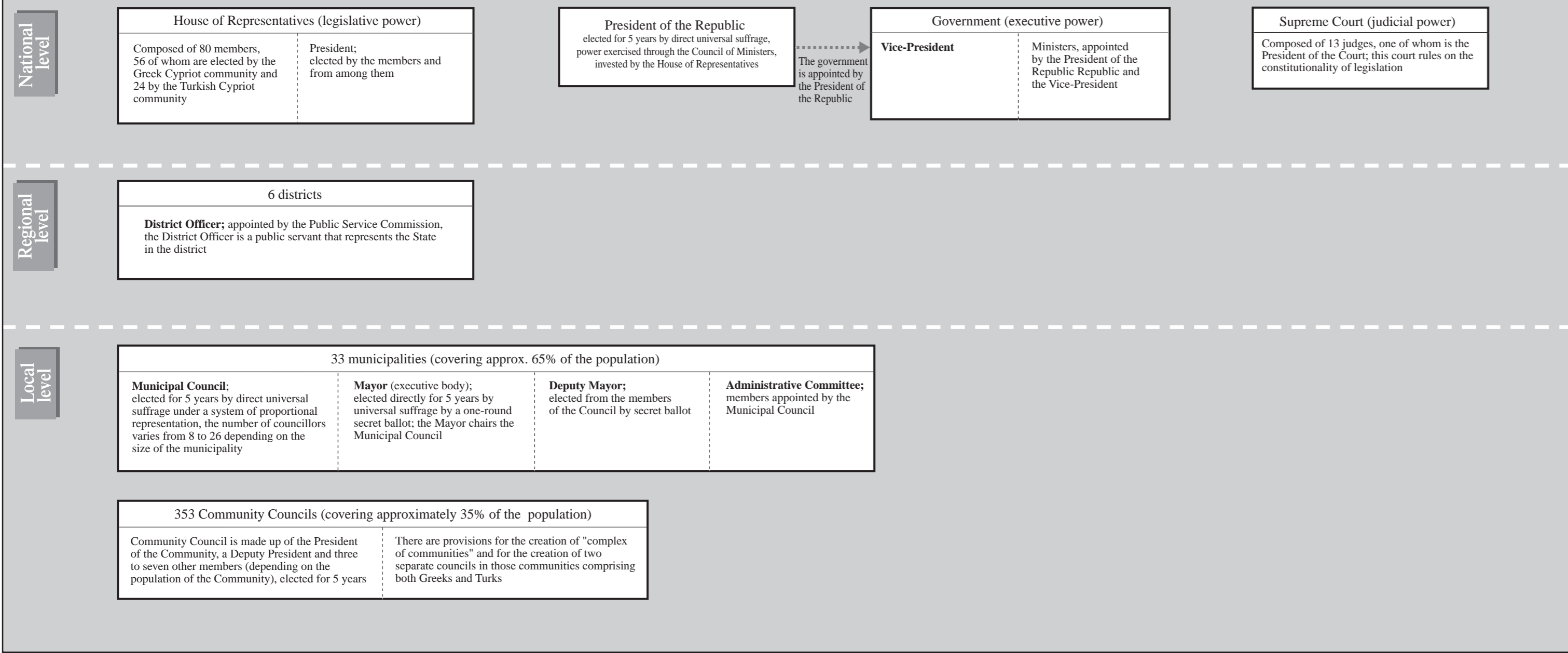
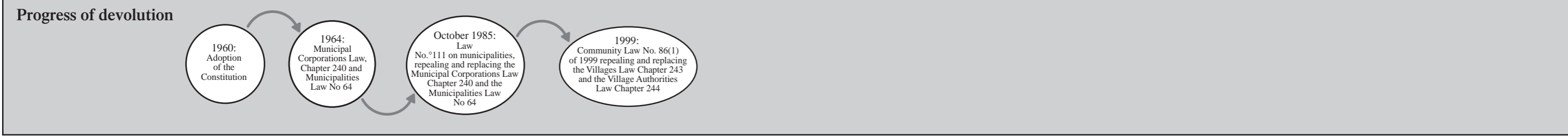
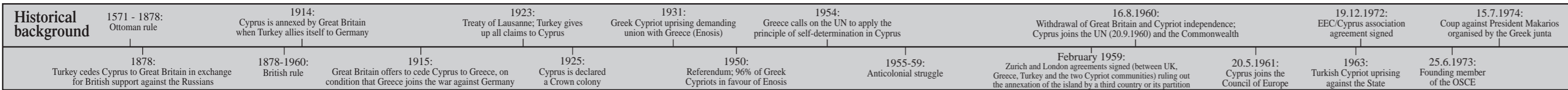
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# Devolution in Cyprus



## Responsibilities







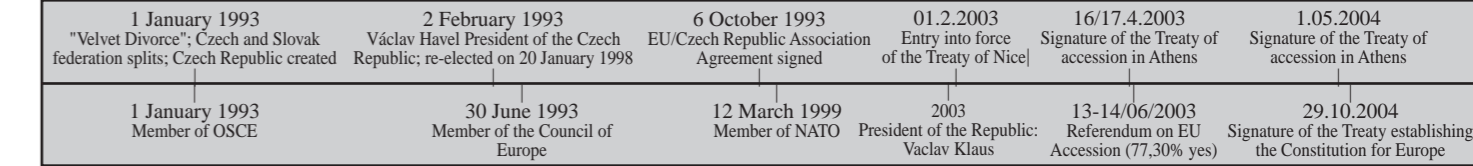
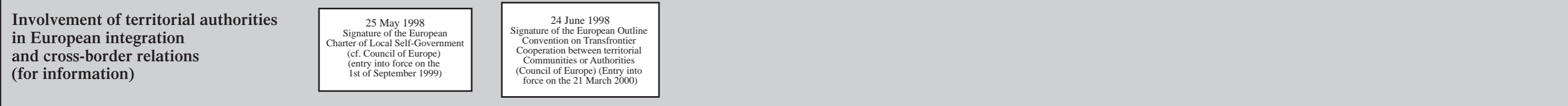
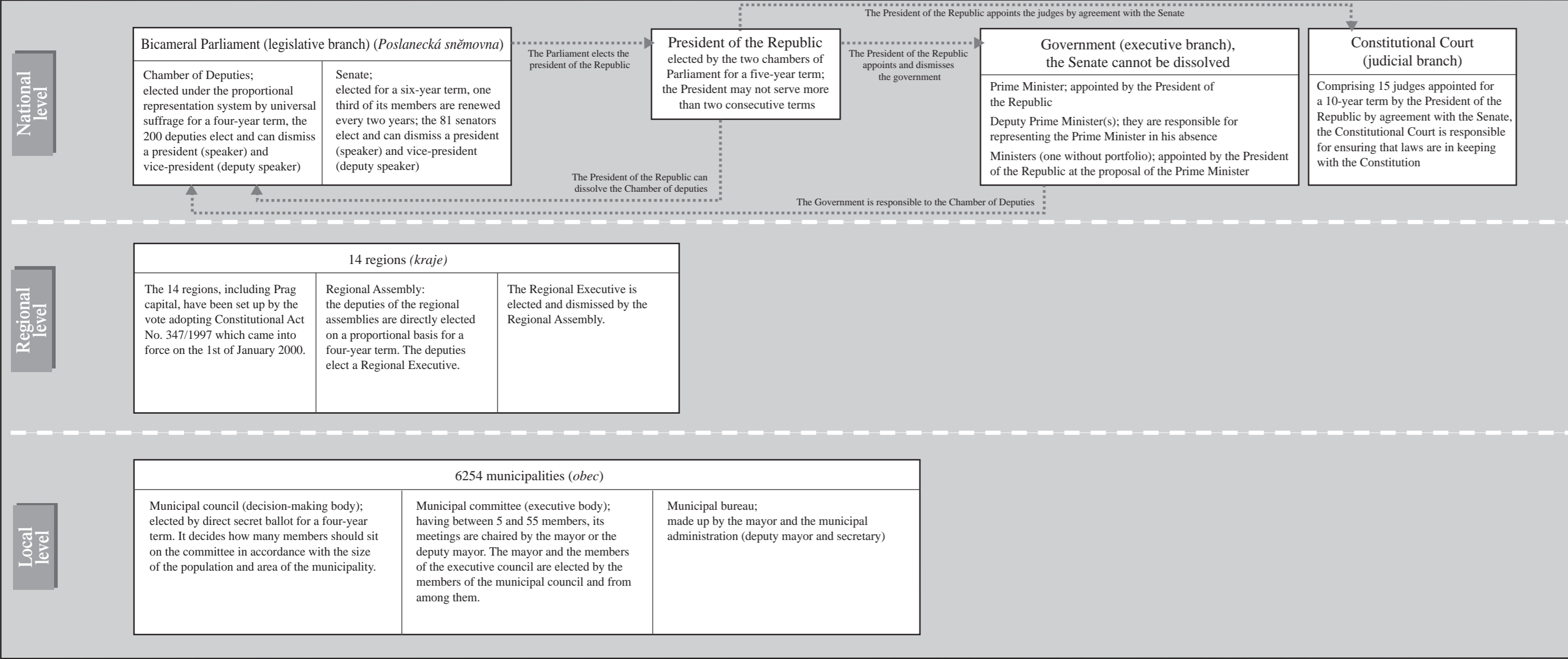
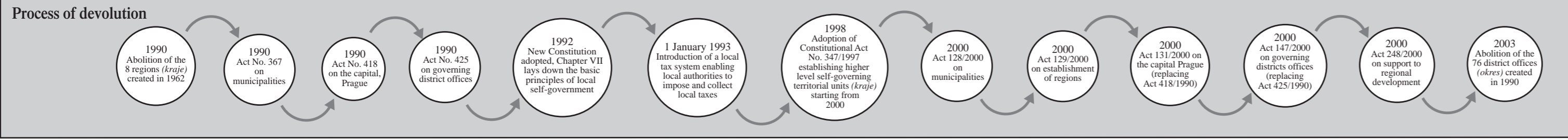
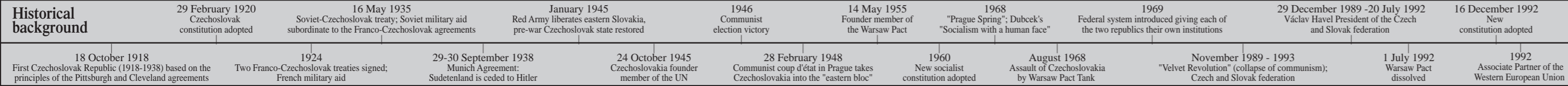
# Devolution in the Czech Republic

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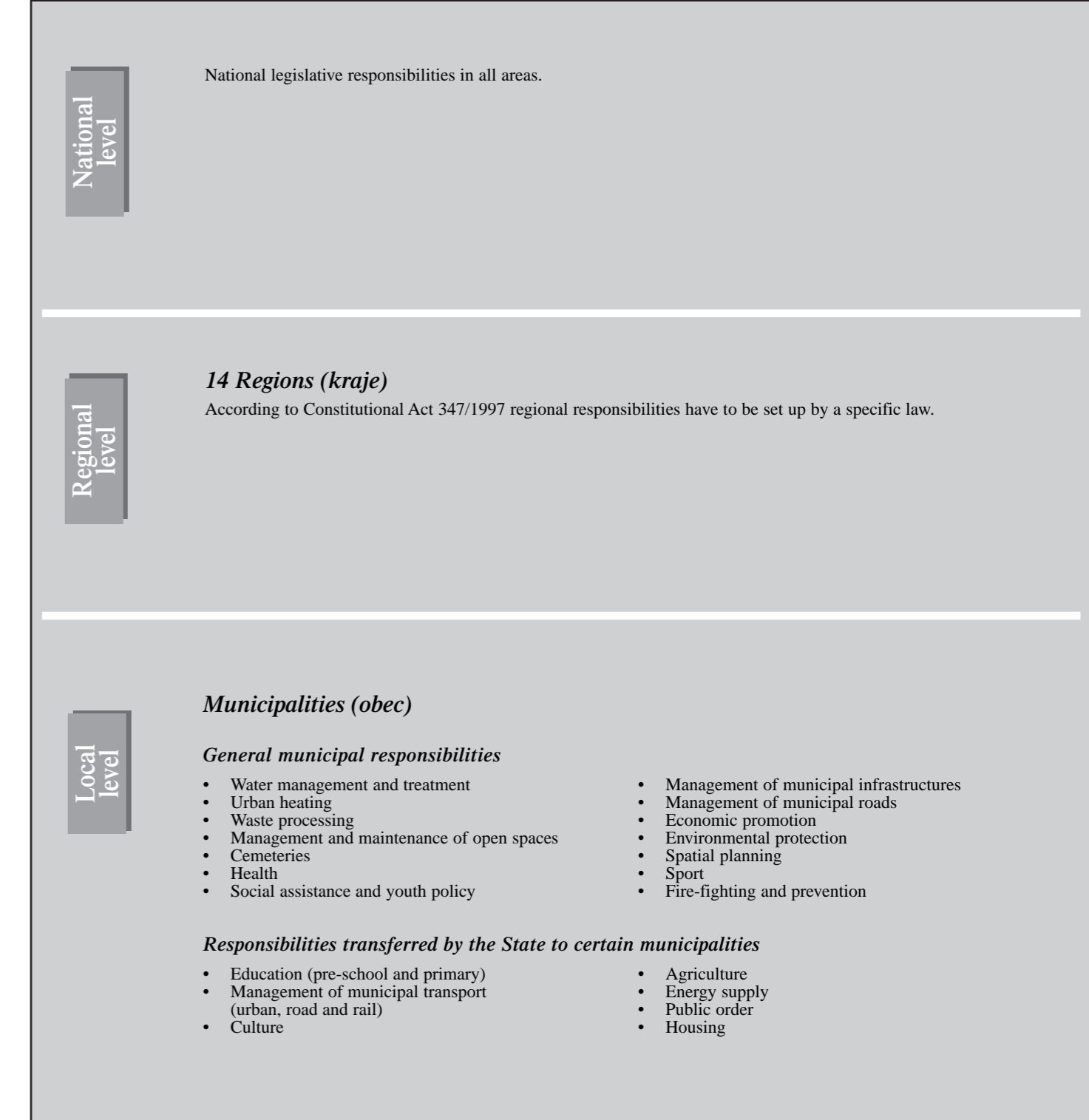


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# Devolution in the Czech Republic



## Responsibilities





# Devolution in Denmark

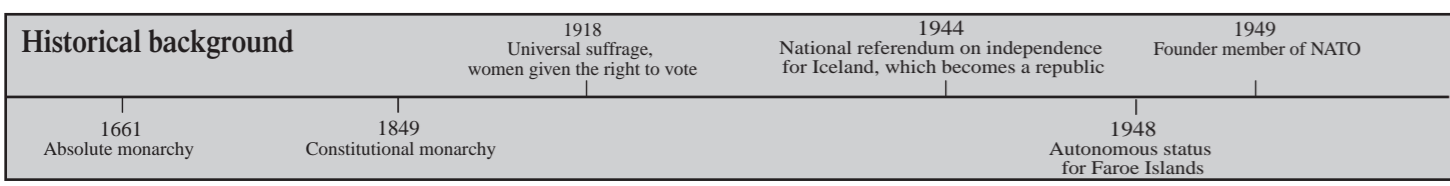


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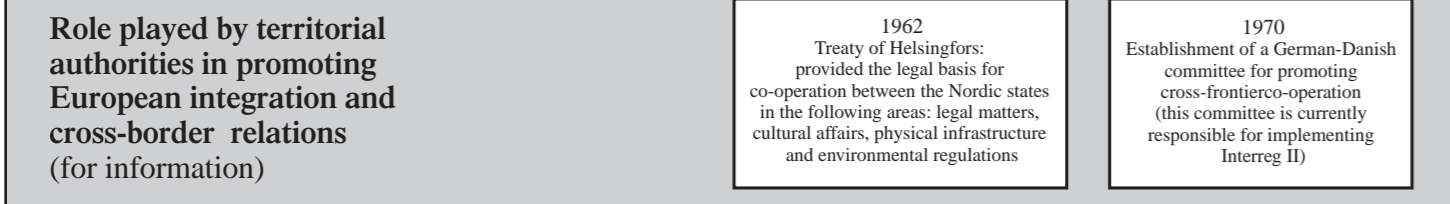
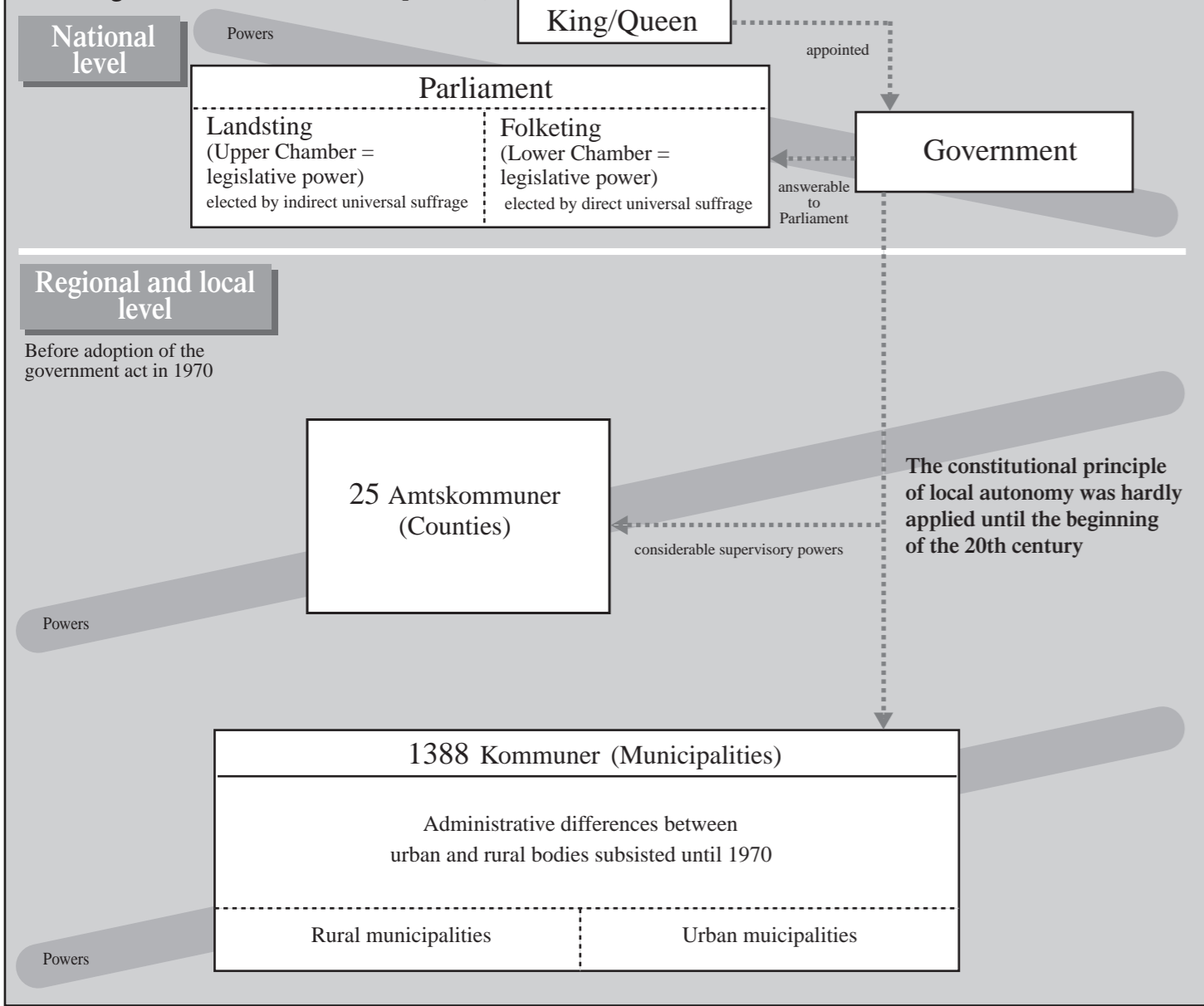
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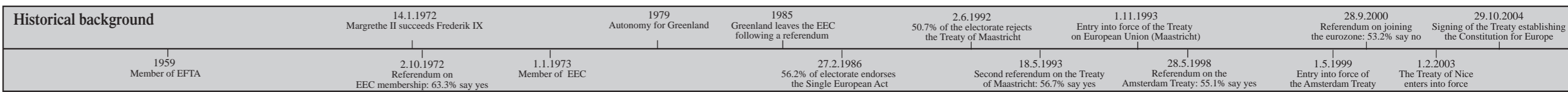
# Devolution process



# Central government in Denmark (pre-1953)



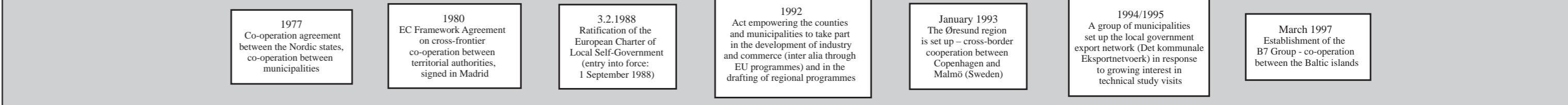
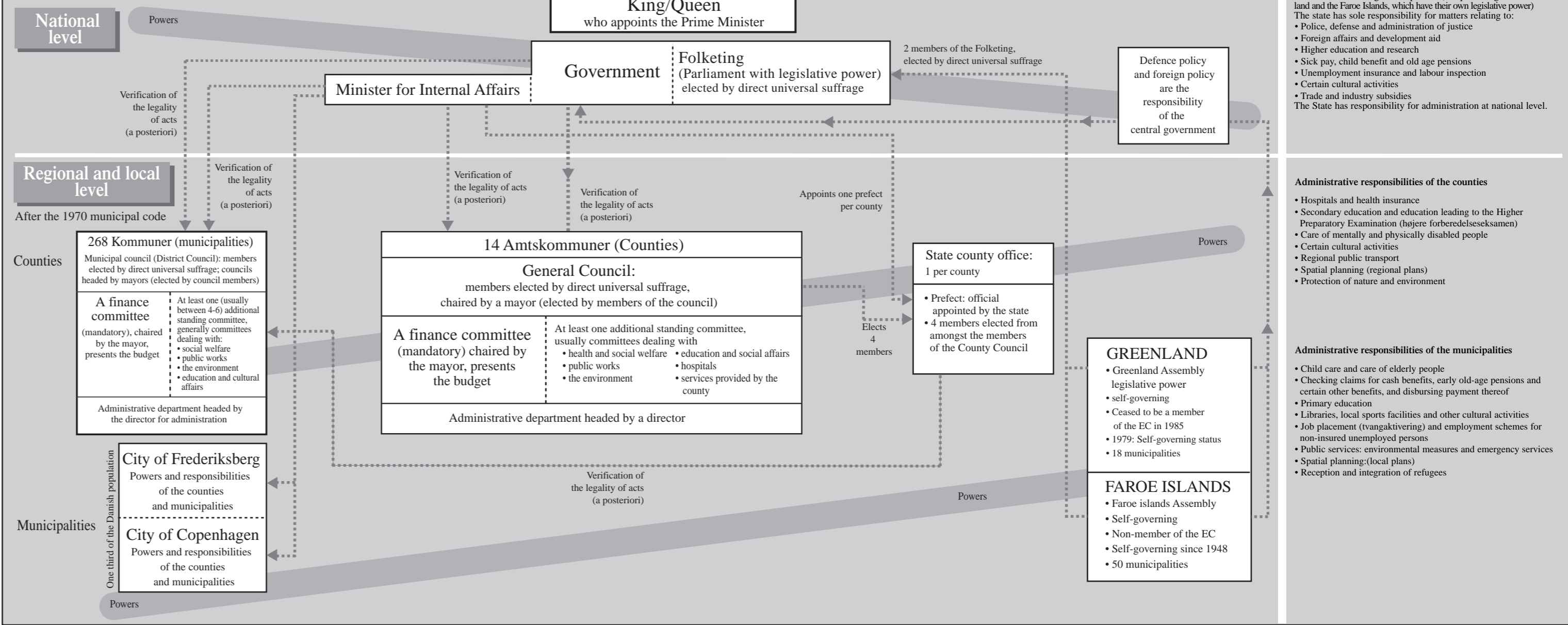
# Devolution in Denmark



# Devolution process



# Present-day devolved Danish state (since 1953)



Current situation as of January 2005, updated by Studies Service of the Committee of the Regions with acceptance of National Delegation





# Devolution in Estonia

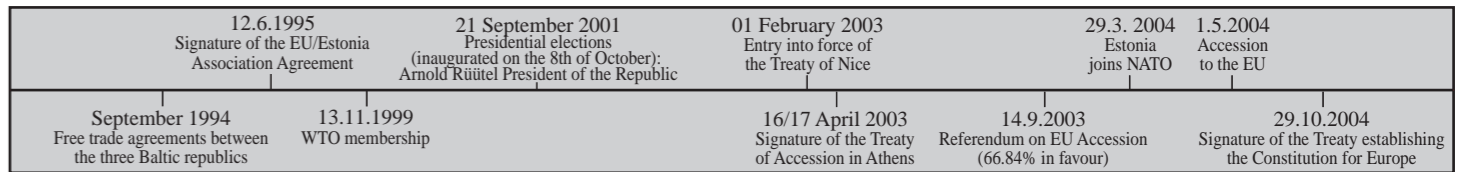
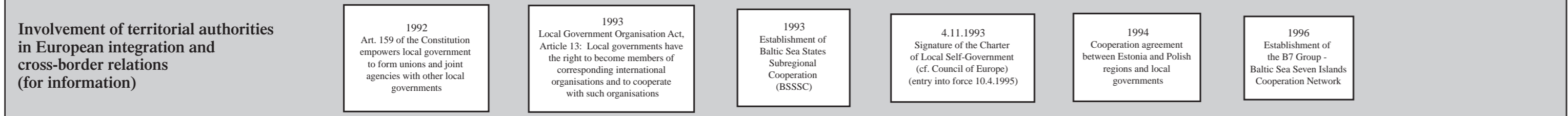
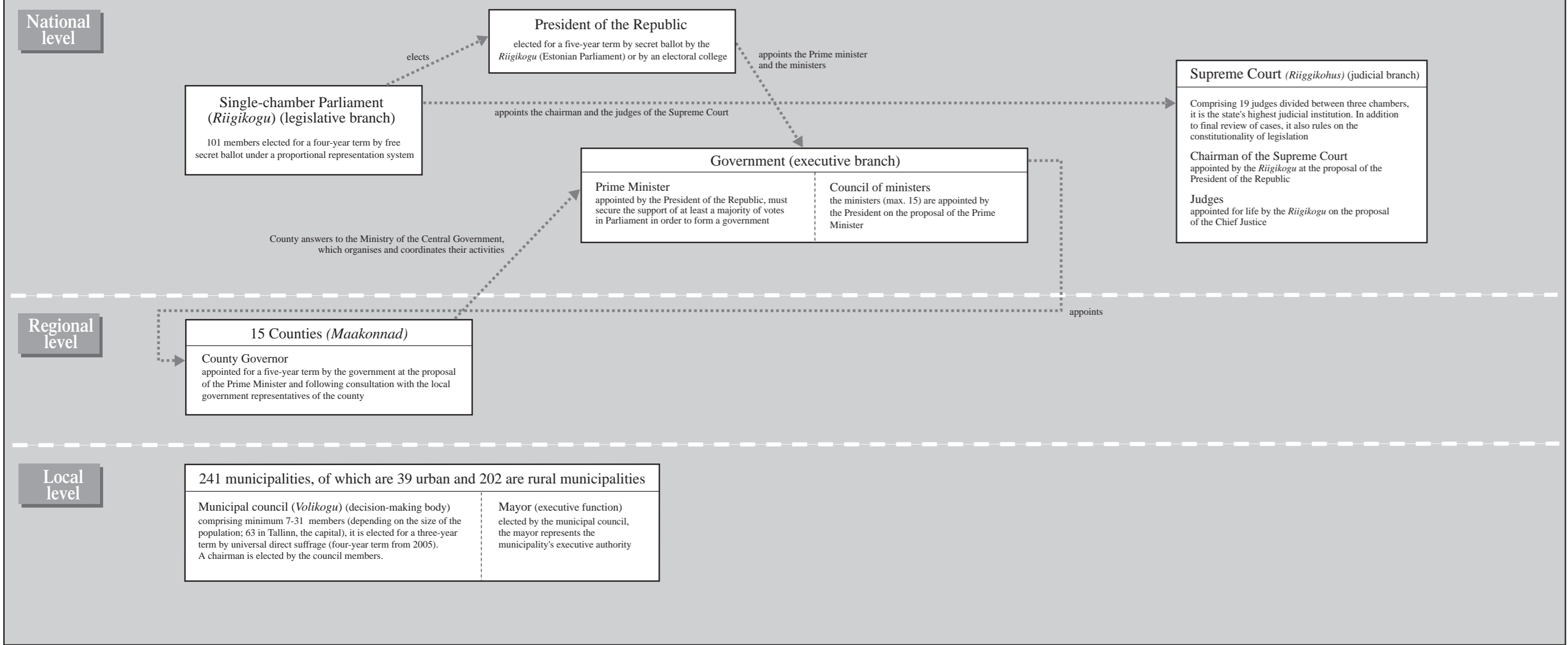
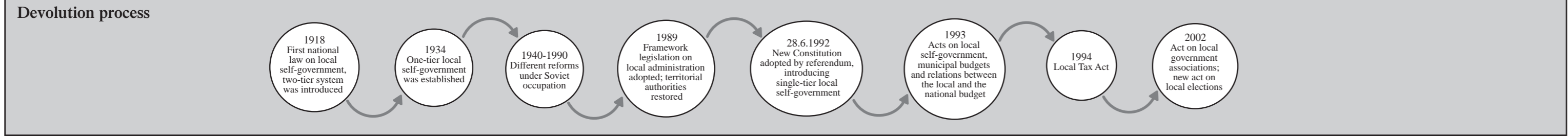


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# Devolution in Estonia



- National level**
- National level responsibilities**
- Legislative power rests exclusively with *Riigikogu*.
- General administrative powers in areas of national sovereignty: justice, foreign affairs, national defence, finances, supervisory powers
- Maintenance of public order; fire fighting and rescue
  - Infrastructure development and maintenance
  - Industry and commerce
  - Education
  - Labour policy
  - Health management
  - Motorways

- Regional level**
- County level responsibilities**
- Counties are administrative units representing the central government at local level. There is no elected regional level.
- Environmental management
  - Economic and spatial development
  - Supervision over single acts of local self-governments
  - Coordination of emergency situations

- Local level**
- Municipal level responsibilities**
- Under the Constitution, all local issues are dealt with and resolved by self-governing territorial authorities unless assigned to other persons according to law. They operate their own budgets.
- Education (nursery, primary and secondary levels)
  - Maintenance of public areas
  - Social welfare and services
  - Welfare services for the elderly
  - Housing and utilities
  - Water supply and sewer maintenance
  - Spatial planning
  - Maintenance of local public roads
  - Local public transport
  - Maintenance of public order
  - Municipal libraries and museums
  - Sports and leisure facilities



# Devolution in Finland

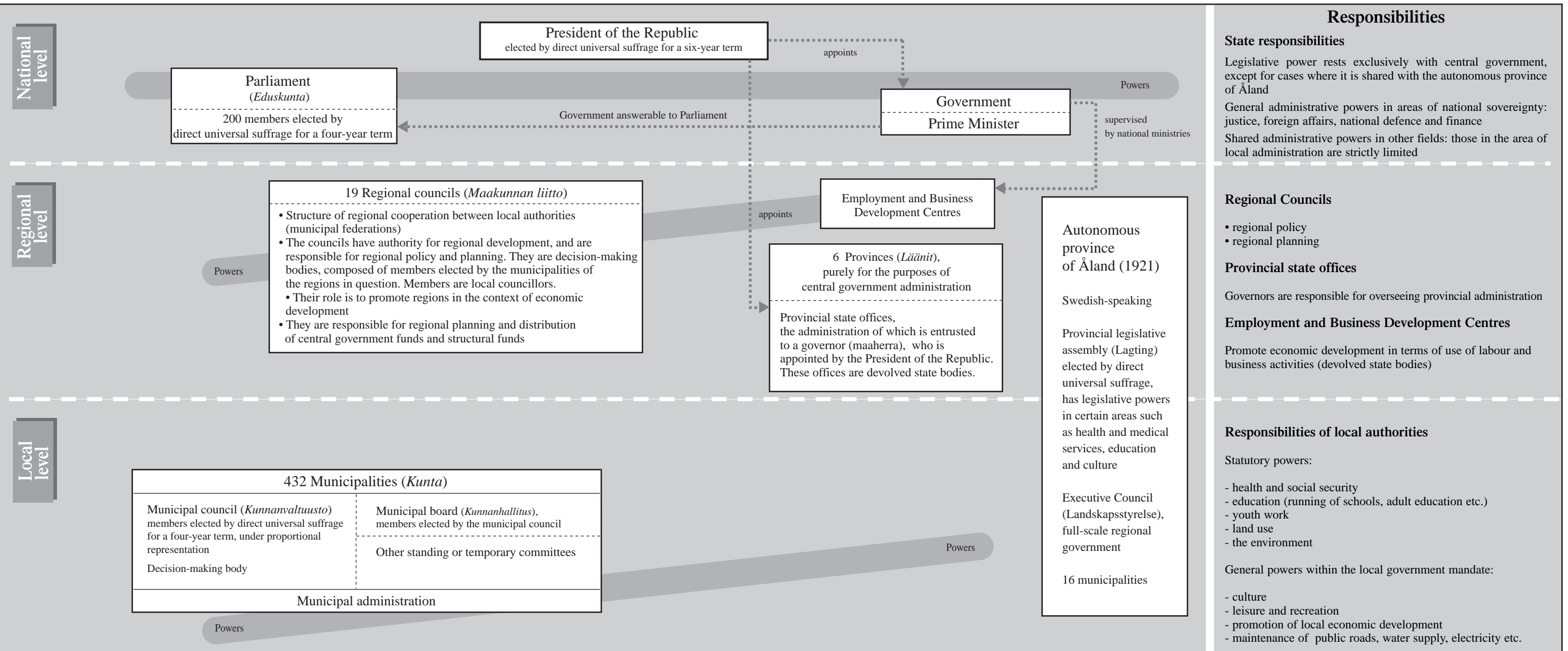
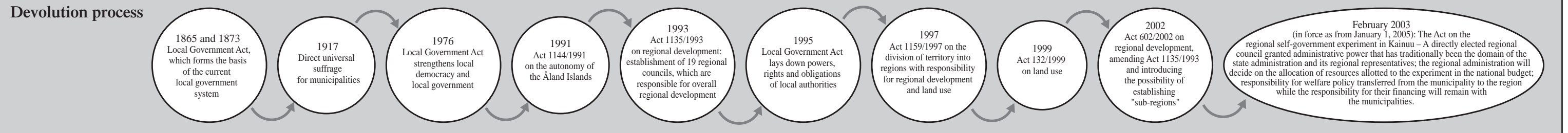


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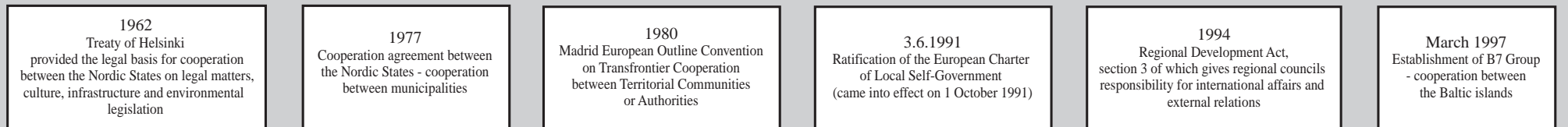


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# Devolution in Finland



**Role played by territorial authorities in promoting European integration and cross-border relations (for information)**







# Devolution in France

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A stylized map of Germany is centered on the page. The map is composed of several overlapping, semi-transparent shapes in shades of gray, creating a layered effect. Above the map, there are several white five-pointed stars of varying sizes, arranged in a pattern reminiscent of the European Union flag. The background is a light gray gradient.

# Devolution in Germany

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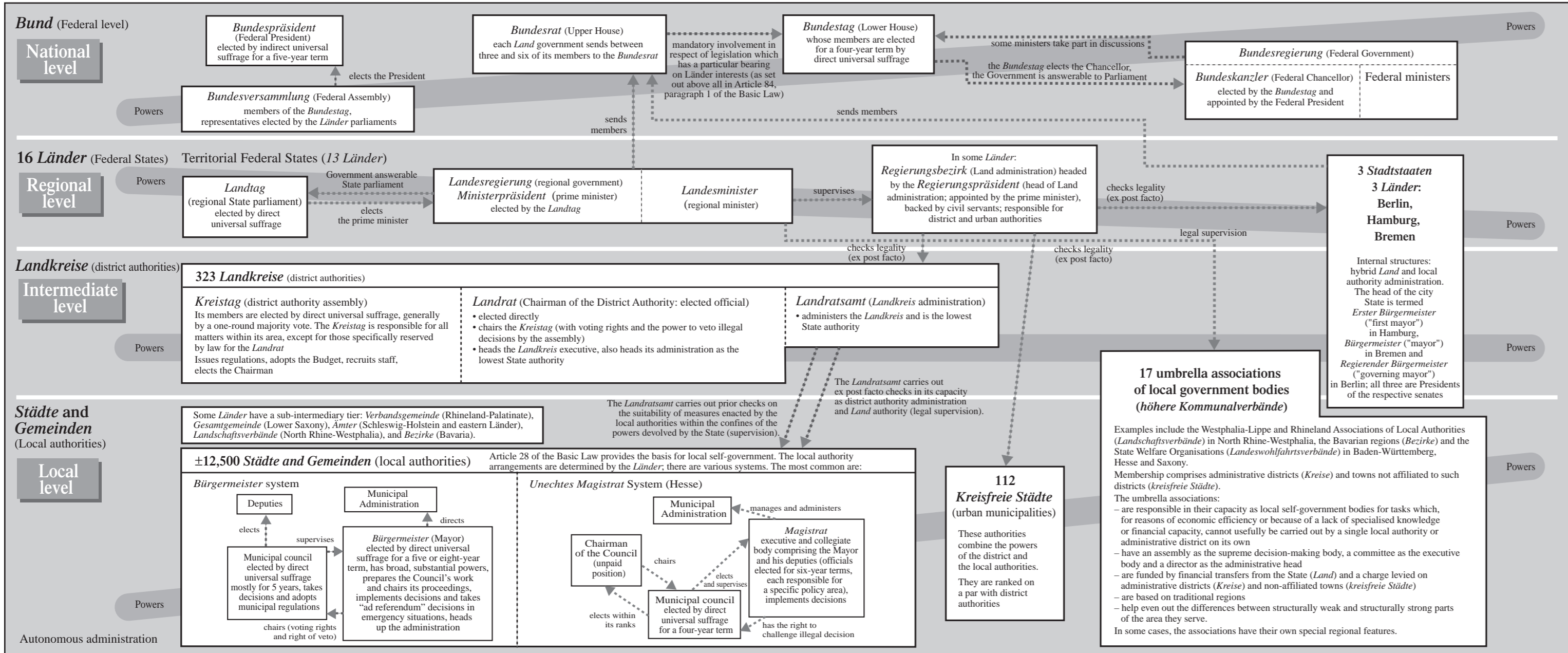
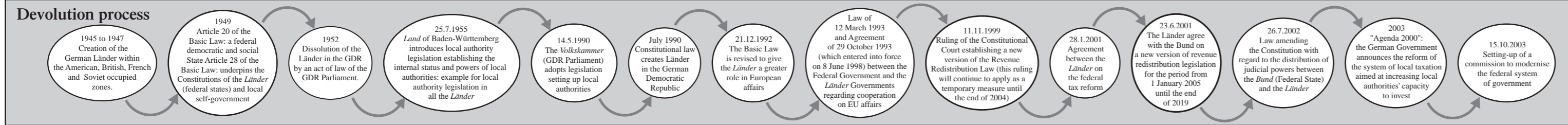
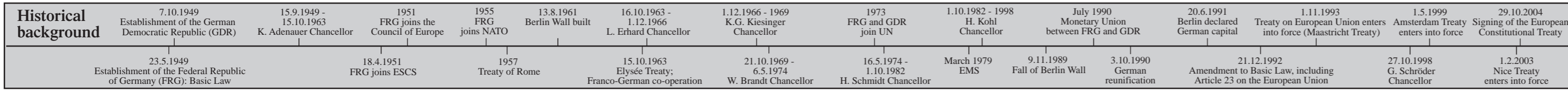
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# Devolution in Germany



Current situation as of January 2005, updated by Studies Service of the Committee of the Regions

## Responsibilities

### National level

#### Legislative and administrative responsibilities of the Federation (Bund)

Exercises legislative authority solely in those areas assigned to it under the Basic Law (Articles 70 to 75), inter alia in those areas which are the prerogative of a sovereign State (Article 73); foreign policy, defence, currency, public services. Article 74 comprehensively lists the matters on which the Federal Government has a right to legislate, in so far as federal legislation is necessary for guaranteeing equal living conditions or for preserving legal and economic unity (justice, social welfare, civil law, criminal law, labour law, economic law etc.). In addition the Federal Government has the authority to establish the legislative framework (Article 75) for areas such as higher education, the press, environmental protection and spatial planning.

According to Article 87 of the Basic Law, the exercise of executive powers by the federal authorities is limited to a few areas such as foreign affairs and federal finances.

### Regional level

#### Legislative and administrative responsibilities of the Länder (federal States)

- The Länder exercise the powers and carry out those tasks of government devolved to them by Article 30 of the Basic Law, in so far as the Basic Law makes no other provisions; they are thus responsible for implementing federal legislation.
- As a rule, the Länder are responsible for implementing federal law under Article 83 of the Basic Law.
- The Länder have the right to legislate in all areas which are not vested solely in the Federal Government by the Basic Law.
- The Länder can pass legislation in the areas set out in Article 74, which otherwise come under the responsibility of the Federal Government, as long as the Federal Government has not made use of its prerogative to legislate in that area.
- The Länder have their own legislative powers with regard to culture, education, universities, broadcasting/television, local authority matters and the police.

### Intermediate level

#### Administrative responsibilities of the district authorities

Complementary, "supra-municipal" powers, involving a type of mandatory cooperation between local authorities.

- Mandatory powers (under federal and Land legislation)**
  - building and maintenance of secondary roads
  - spatial planning at district authority level
  - maintenance of nature parks
  - social welfare and youth welfare
  - building and maintenance of hospitals
  - building and maintenance of secondary schools and technical colleges
  - household waste collection and disposal
- Optional powers (in accordance with the principle of local self-government)**
  - support for cultural activities
  - construction of pedestrian areas and cycle lanes
  - support for pupil exchanges
  - construction and maintenance of public libraries
  - promotion of economic activity and tourism
  - management of adult education colleges (Volkshochschulen)

### Local level

#### Administrative responsibilities of the local authorities

Local authorities have general responsibility for town planning and all affairs pertaining to the local community.

- Optional powers**
  - incentives for local economic activity
  - incentives for housing, establishment of social welfare infrastructure
  - building and maintenance of public transport infrastructure
  - cultural affairs and sport facilities
  - management of energy supply utilities
  - twinning arrangements with municipalities in other countries
- Mandatory powers (under federal or Land legislation)**
  - town planning, construction and maintenance of the local authority road network
  - construction and maintenance of primary schools
  - maintenance and management of waterways, sewage disposal
  - social welfare and youth welfare
  - construction of recreational and leisure areas
  - urban development and regeneration
- State powers devolved to urban municipalities and medium-sized towns**
  - registration of births, marriages and deaths, issuing of identity papers
  - running of elections
  - census taking and registration formalities for non-Germans
  - urban traffic management
  - supervision of food quality, hotels, restaurants and public houses





# Devolution in Greece

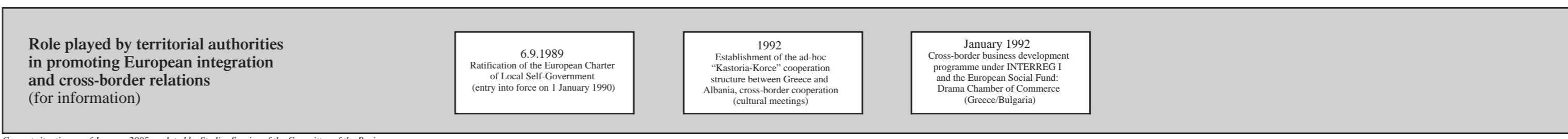
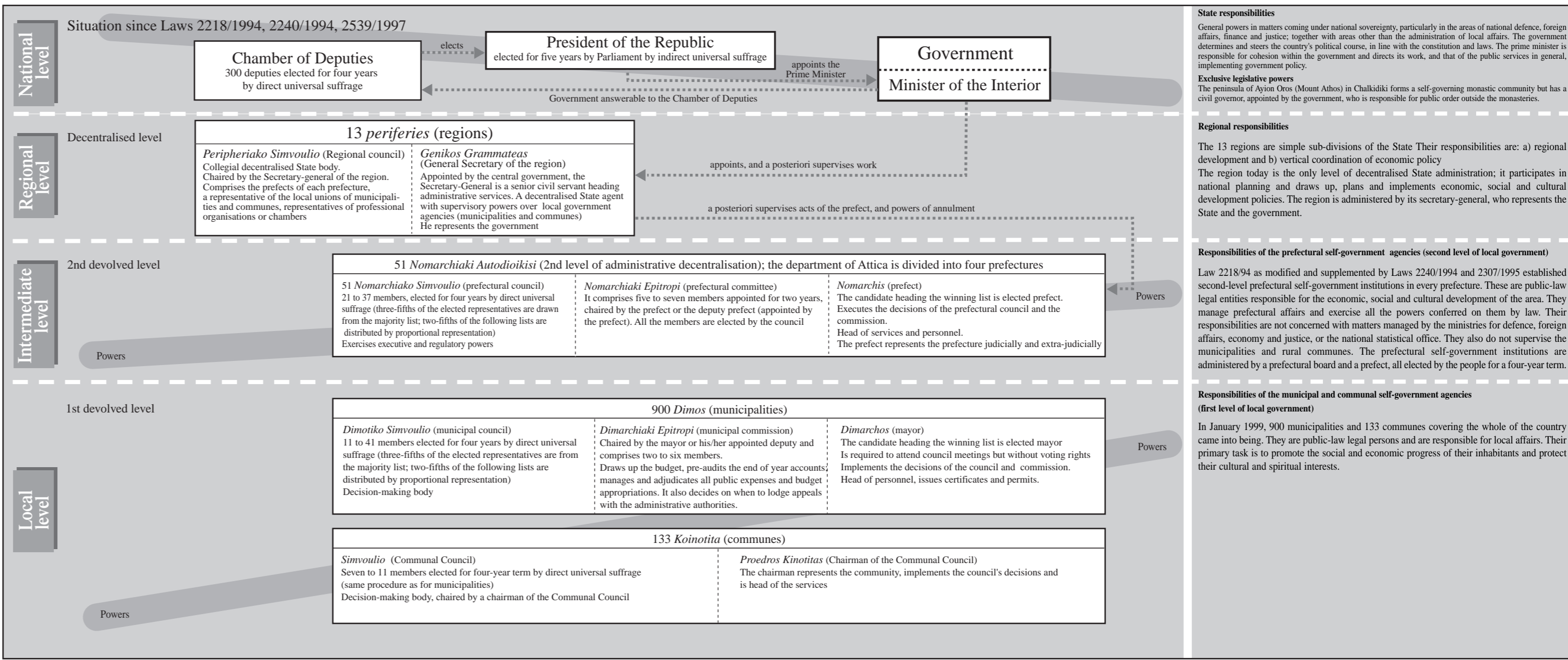
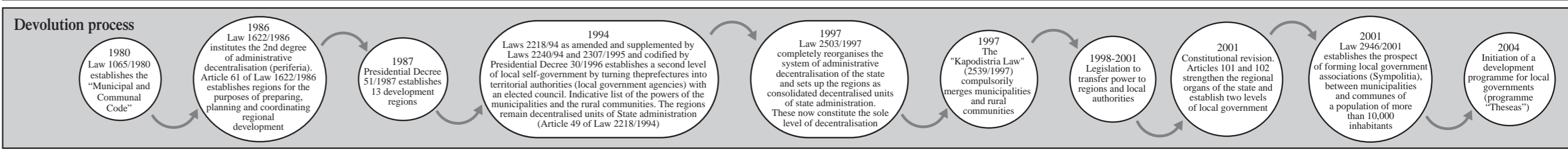
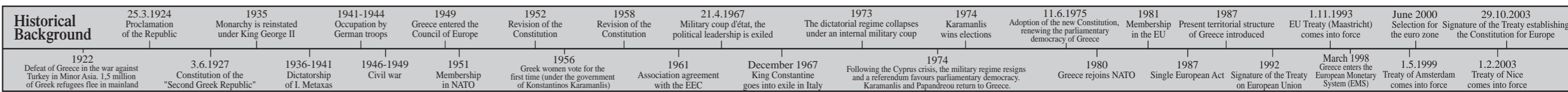
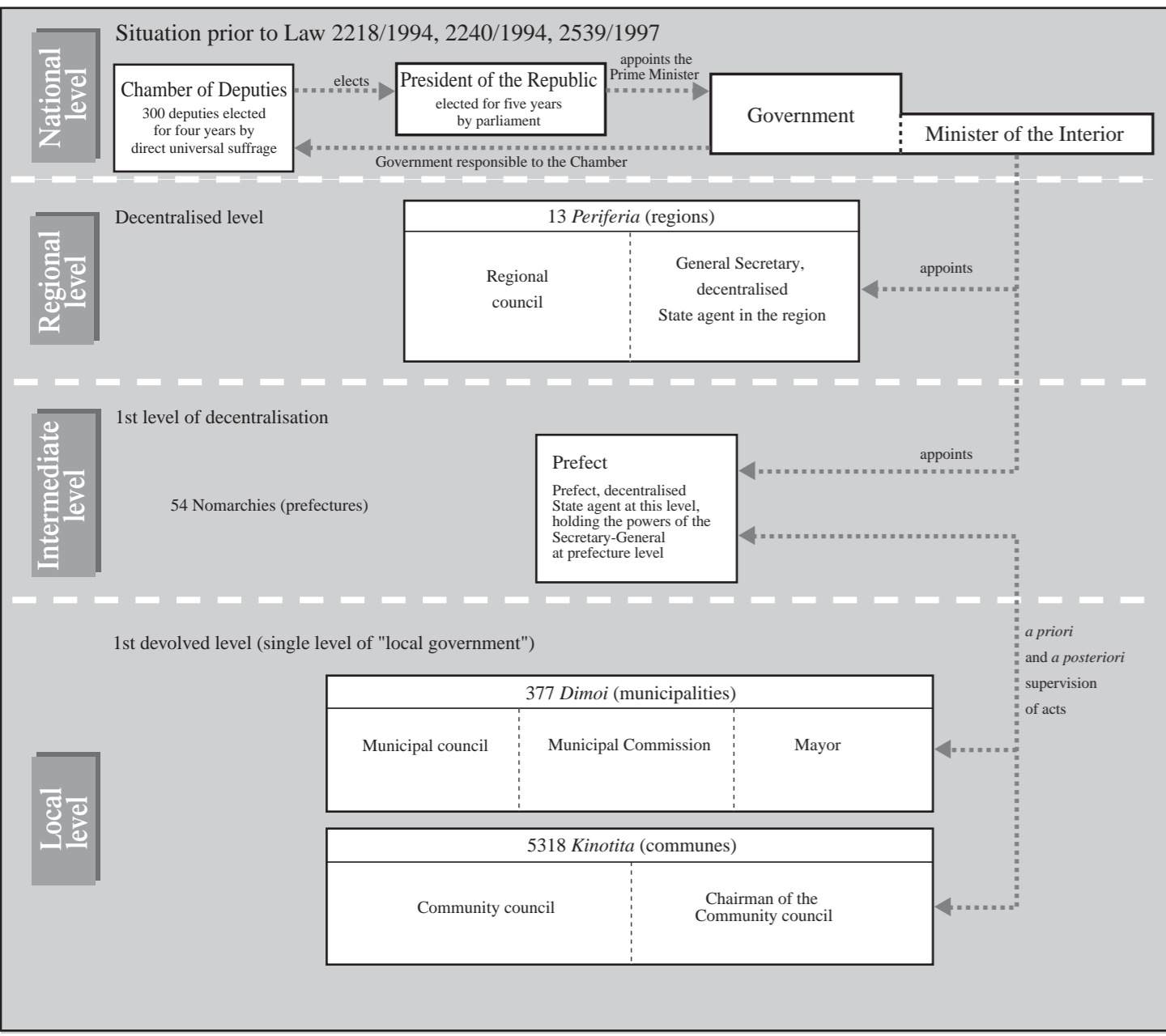
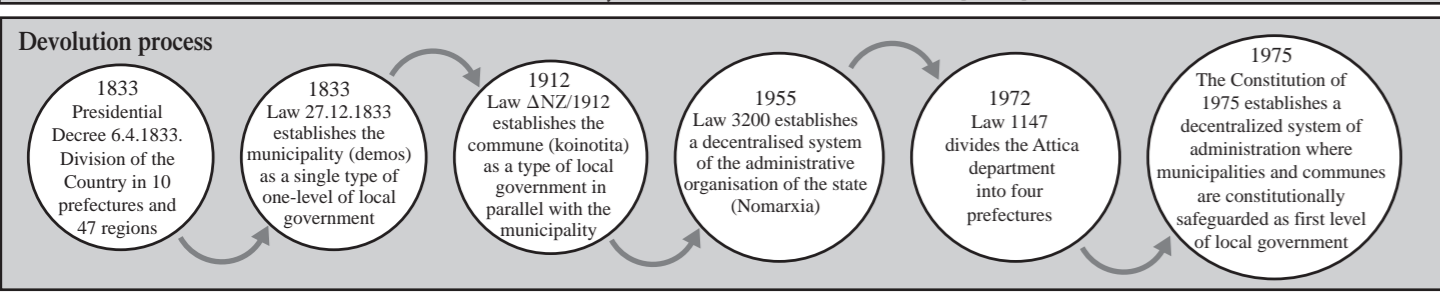
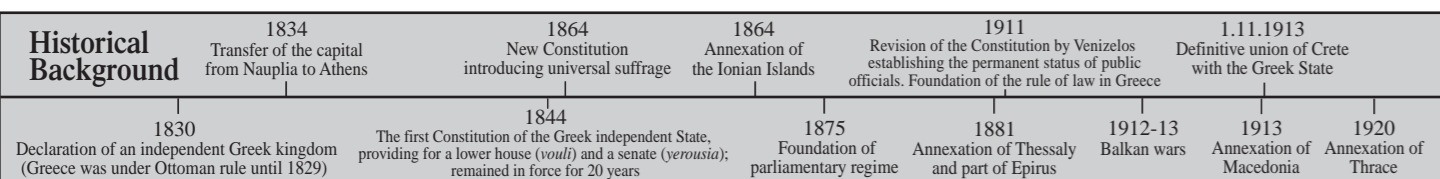


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# Devolution in Greece



Current situation as of January 2005, updated by Studies Service of the Committee of the Regions



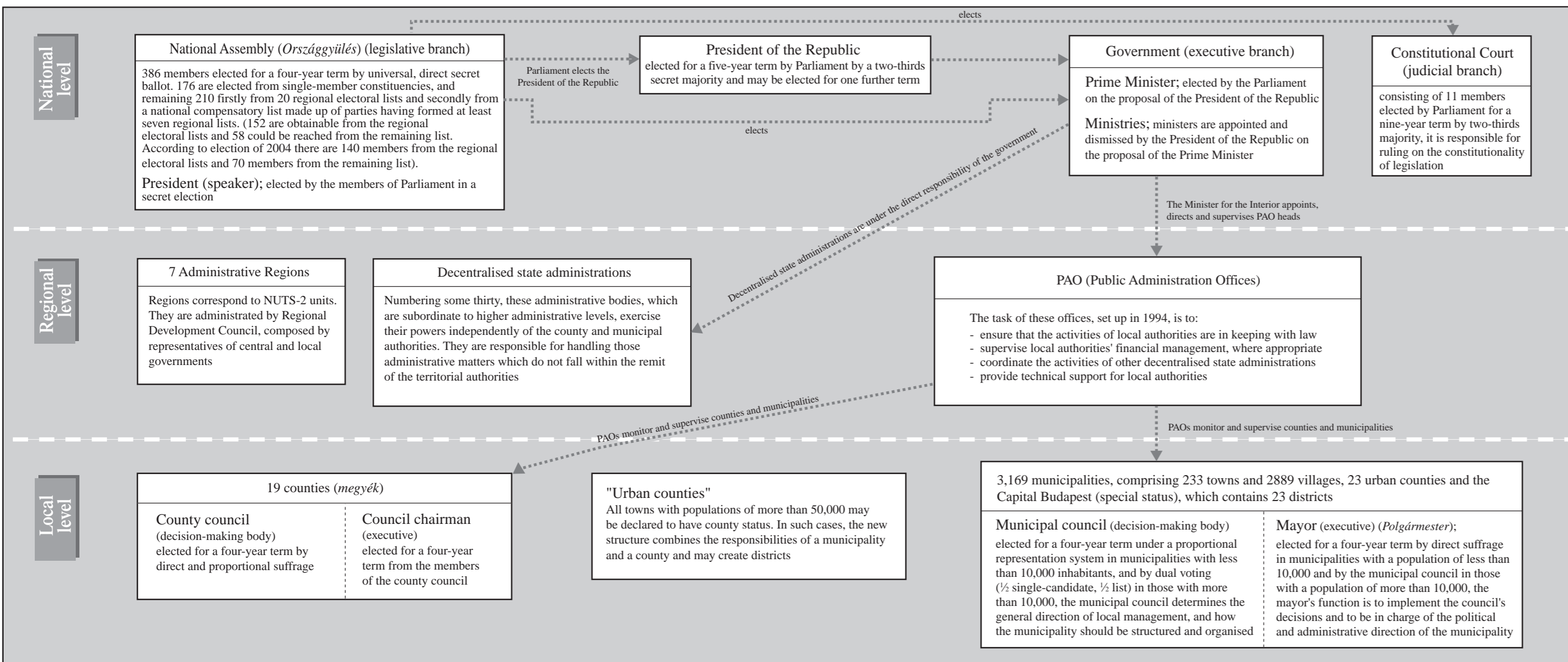
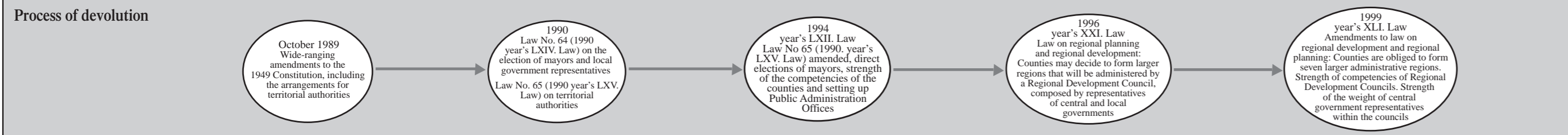
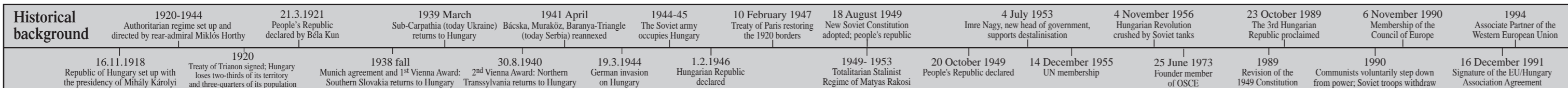
# Devolution in Hungary

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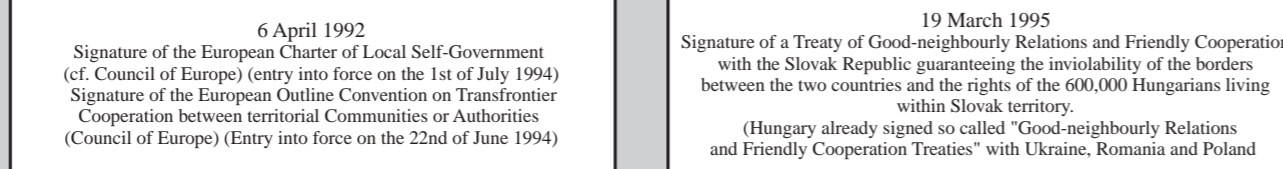


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# Devolution in Hungary



## Involvement of territorial authorities in European integration and cross-border relations (for information)



## Responsibilities

**National level**

National legislative responsibilities in all areas. Parliament determines the legal status, duties and functions, operating guarantees, means of funding and basic economic management rules of territorial authorities, together with the legal status of their representatives, the rules governing their election and their rights and duties.

**Regional level**

- Regional development policies
- Administration of Community Funds

**Local level**

**County level (megyék) responsibilities**

Mandatory tasks:

- Spatial planning
- Environmental issues
- Establishment of spatial information systems
- Promotion of tourism

Other tasks can be transferred to counties.

**Municipal level responsibilities**

Municipalities are legal entities, may issue ordinances and are free to govern local public affairs.

- Public registry office
- Public order
- Land registry
- Local development
- Water and sewage
- Refuse collection
- Contact with suppliers
- Management of public areas
- Cemeteries
- Fire-fighting and prevention
- Housing
- Municipal infrastructure
- Municipal transport (road and river)
- Spatial planning
- Education (kindergartens and nursery, primary and secondary level schools)
- Health (primary health centres)
- Sport
- Culture
- Protection of the rights of national and ethnic minorities
- Urban Transport





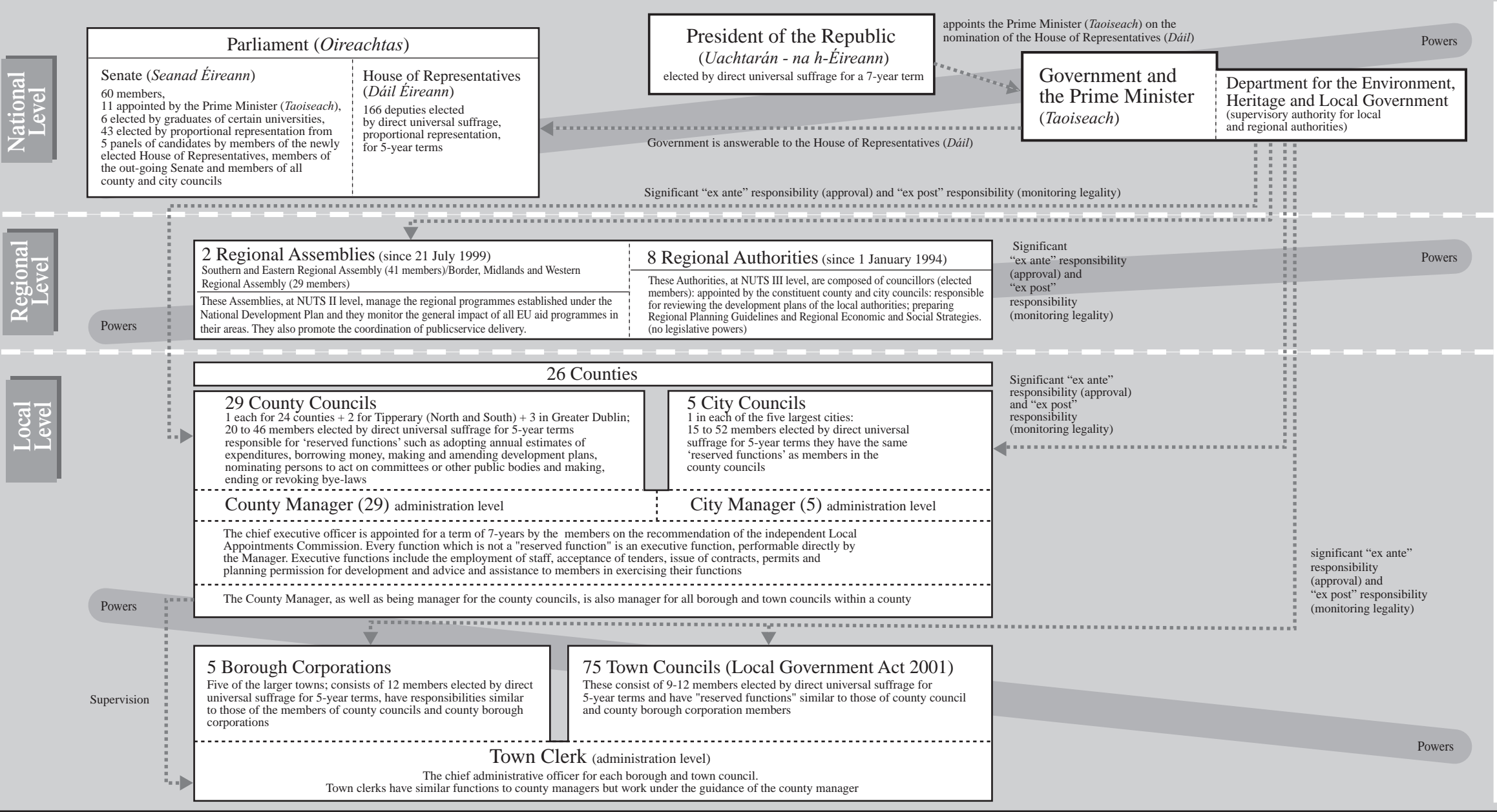
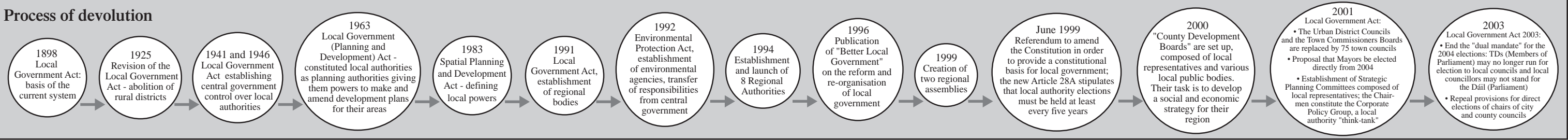
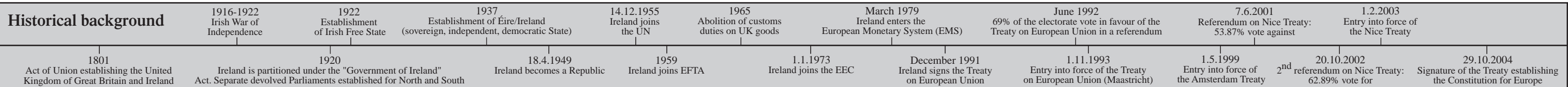
# Devolution in Ireland

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# Devolution in Ireland



**State responsibilities**

The State has full legislative powers

Exercises the bulk of administrative powers due to the very low degree of autonomy enjoyed by the devolved authorities and the strict supervision of the lower tiers of government.

**Regional responsibilities**

Absence of devolved bodies at regional level

- limited to coordination of public services at regional level and providing guidelines for spatial planning
- guaranteeing the top-down communication of programmes and plans of the central government
- responsible for managing regional programmes and reviewing the implementation of other Community programmes at regional level, in particular the Structural Funds

**Local responsibilities**

Very low degree of autonomy for devolved tiers of government.

The functions undertaken at the local level are divided into eight programme areas:

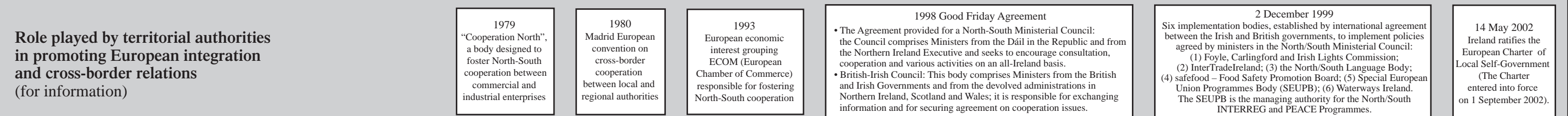
- Housing and building: the enforcement of minimum standards, assistance with provision of housing for those unable to house themselves
- Road transportation and safety: construction, improvement and maintenance of roads and other traffic functions
- Water supply and sewerage: the provision of water supplies, sewerage and drainage
- Development incentives and controls: preparing and implementing development plans for their areas, controlling development and preserving and improving amenities
- Environmental protection: refuse collection and disposal, street cleaning, water safety, pollution control, fire-fighting and promotion of environmental health
- Recreation and amenities: provision of swimming pools, parks, open space, library service and community centres

Agriculture, education, health and welfare: no longer a major function of local authorities although they do provide higher education grants

Miscellaneous services: include register of voter and jurors, provision of courthouses and pounds

Local authorities operate through Strategic Policy Committees. These committees are composed of elected members and nominated representatives from sectoral bodies such as the social partners and non-government organisations. These committees make policy recommendations to the local authority. One of the key aims of these committees is to integrate more closely local development and local government.

While central government has encroached upon the powers of local authorities by establishing various agencies with supervisory and legislative powers, there has been an easing of central control in areas such as staffing, budget control and financial allocations. New systems for financing local government have also been introduced.





# Devolution in Italy



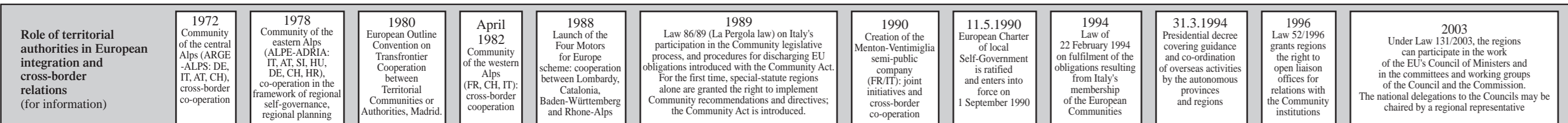
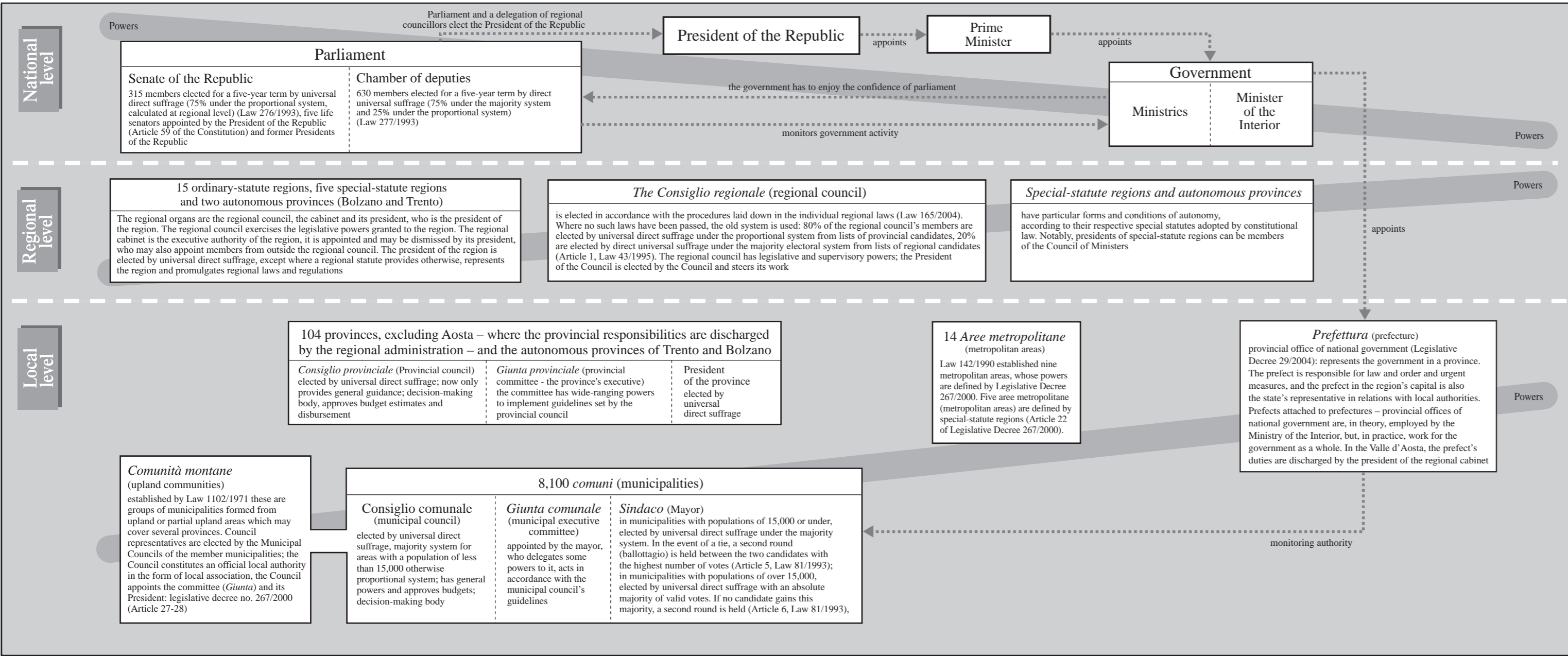
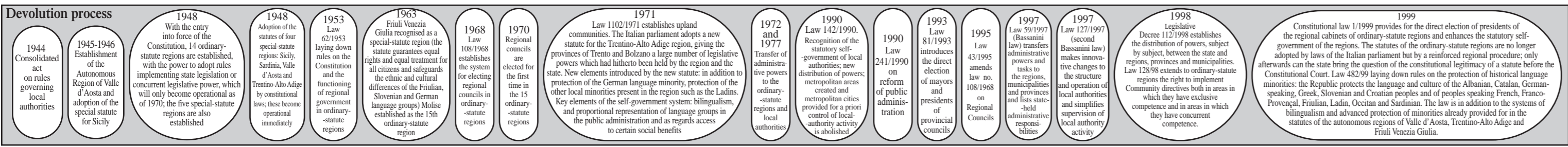
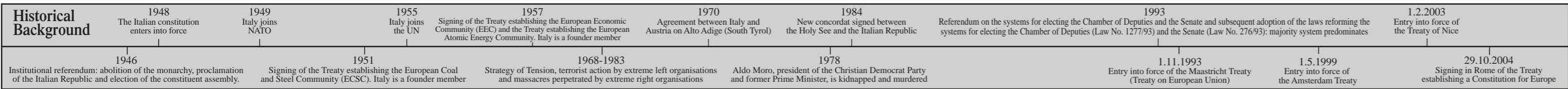
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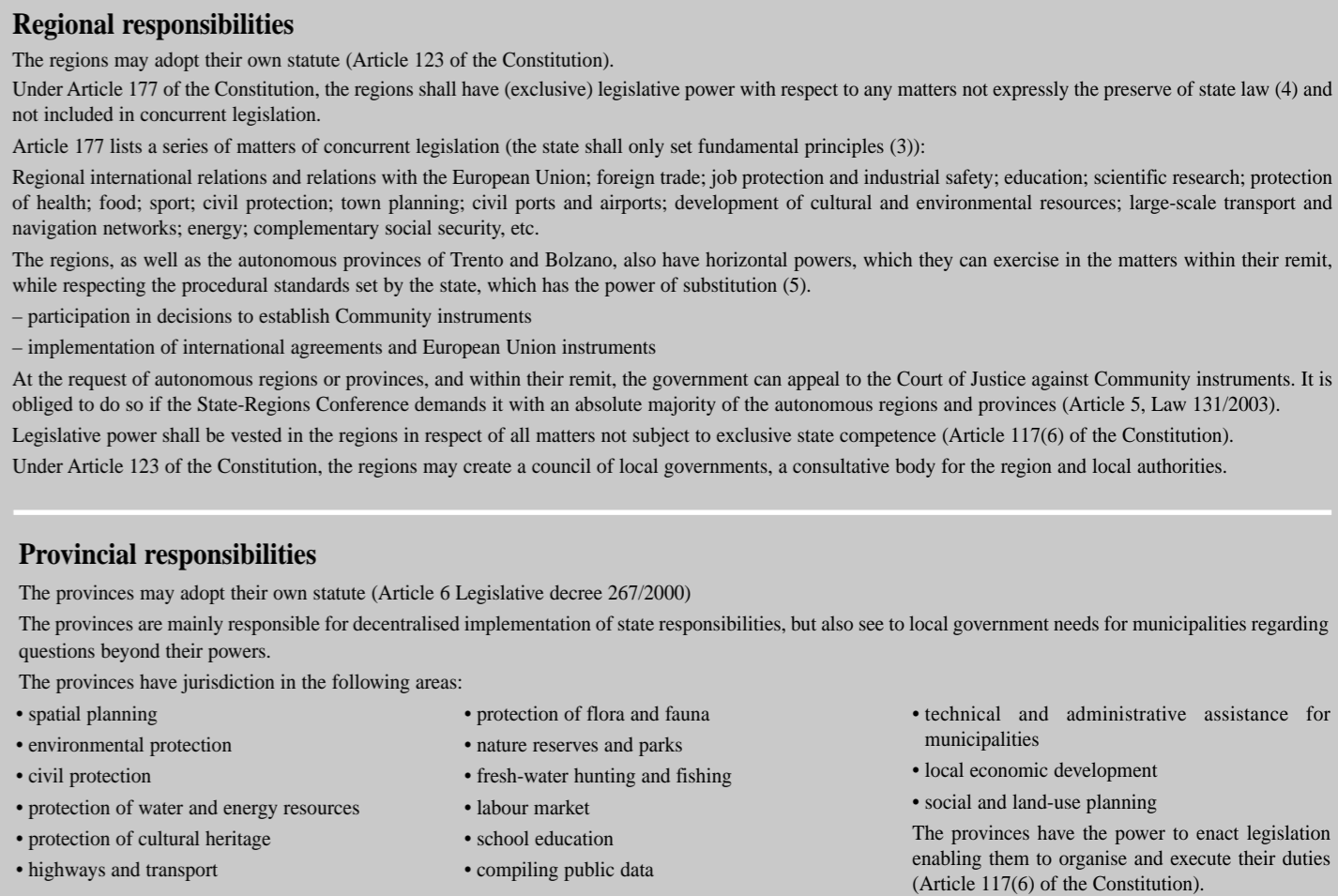
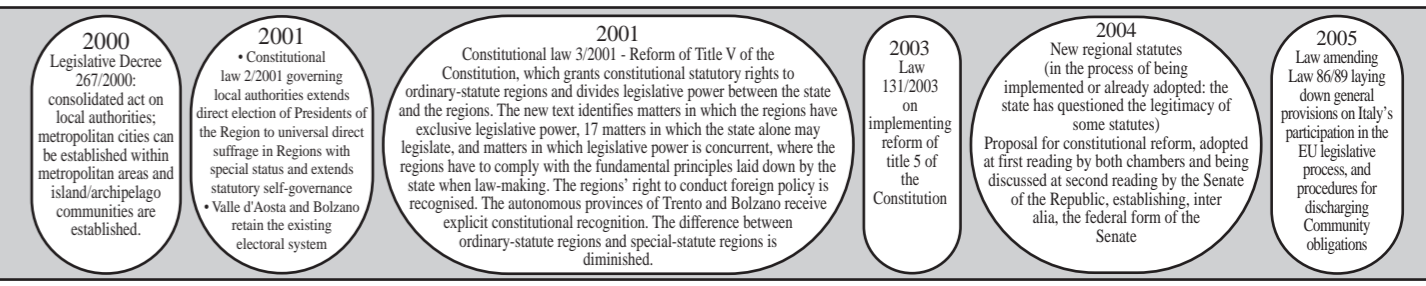
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# Devolution in Italy



Current situation as of January 2005, updated by Studies Service of the Committee of the Regions with acceptance of National Delegation





# The Autonomous Communities

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The historical Autonomous Communities have enjoyed the most extensive range of powers from the outset. This option was available to the historical *nacionalidades*: Catalonia, the Basque Country, Galicia. Andalusia also took this route.

The powers of these communities are determined by Article 148(1) and, where appropriate, Article 149(1) of the 1978 Constitution.

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**28 February 1992: Autonomy pact, extension of the powers of the Autonomous Communities established under Article 143 and 144 of the Constitution.**

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# Devolution in Latvia

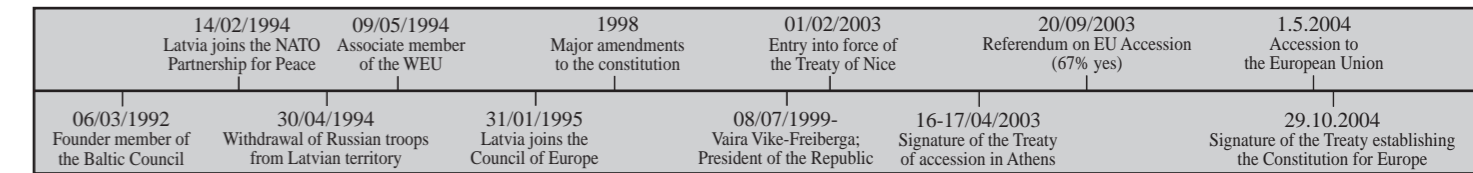
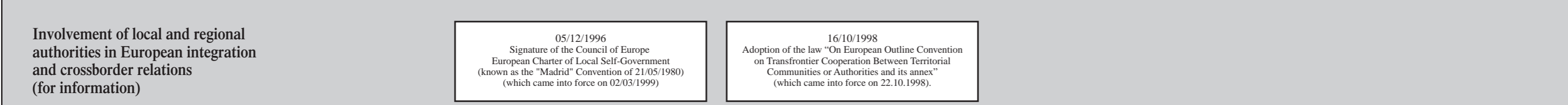
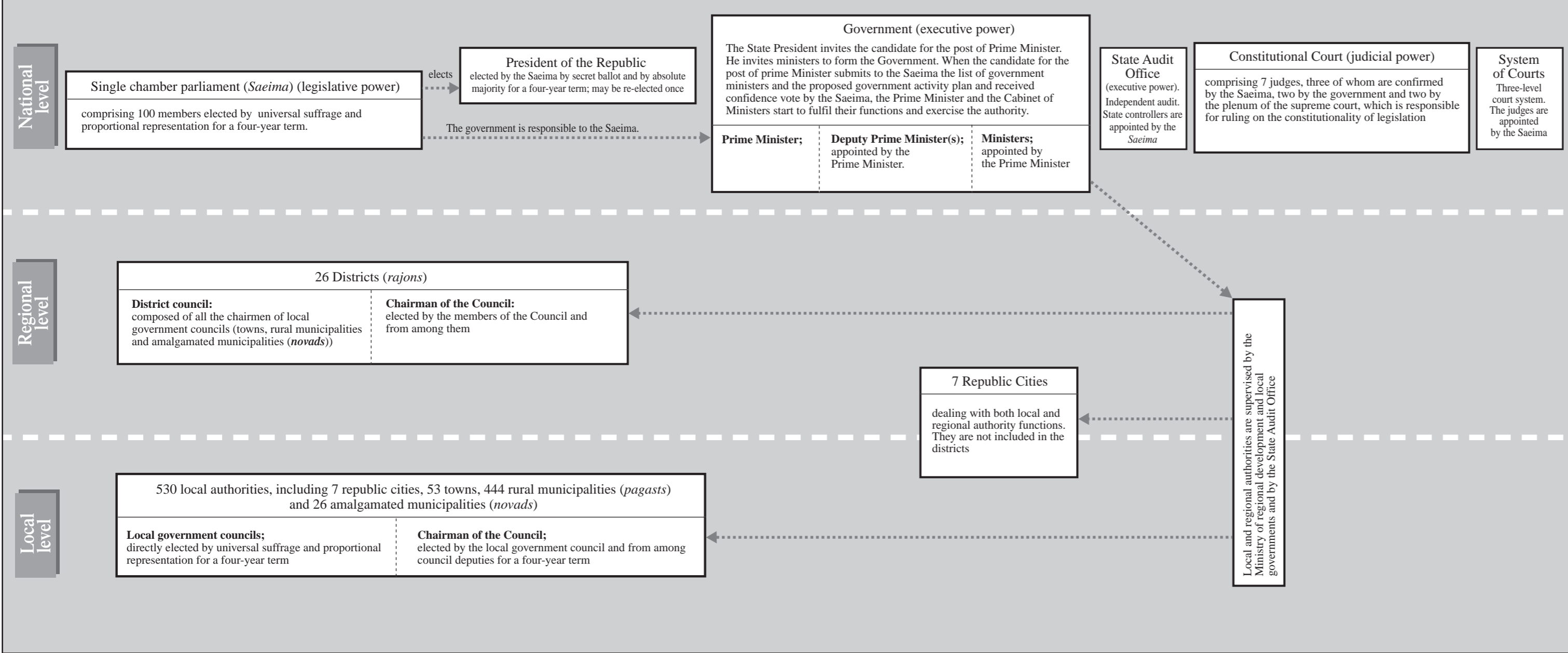
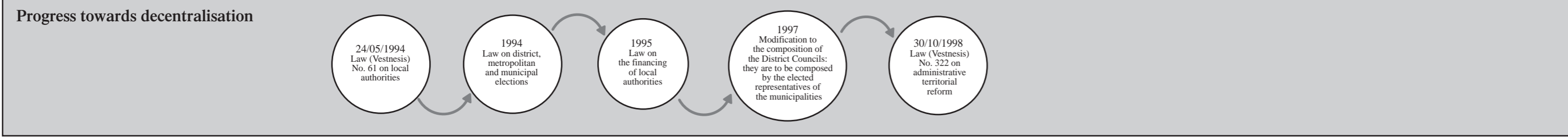


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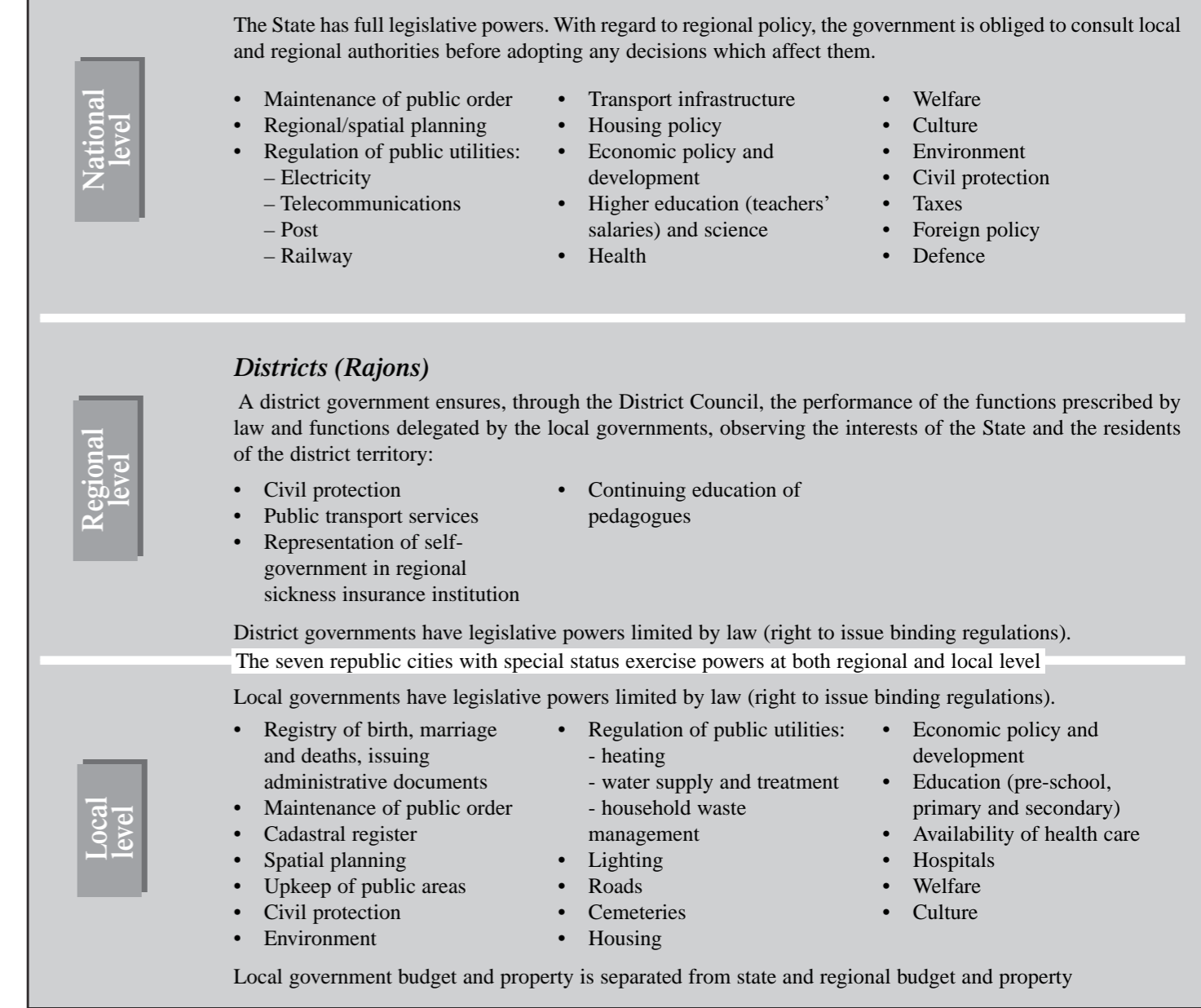


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# Devolution in Latvia



## Responsibilities





# Devolution in Lithuania



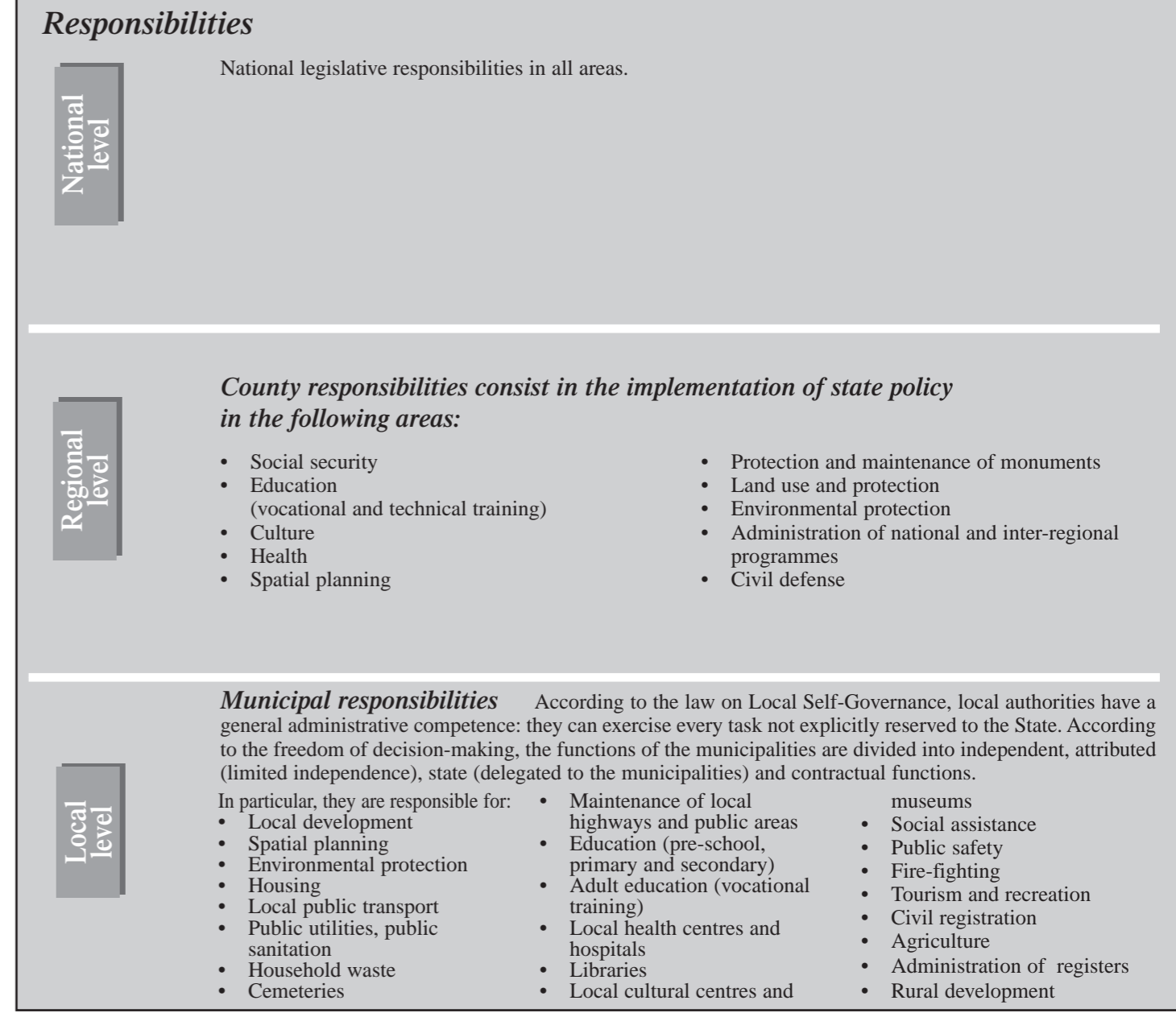
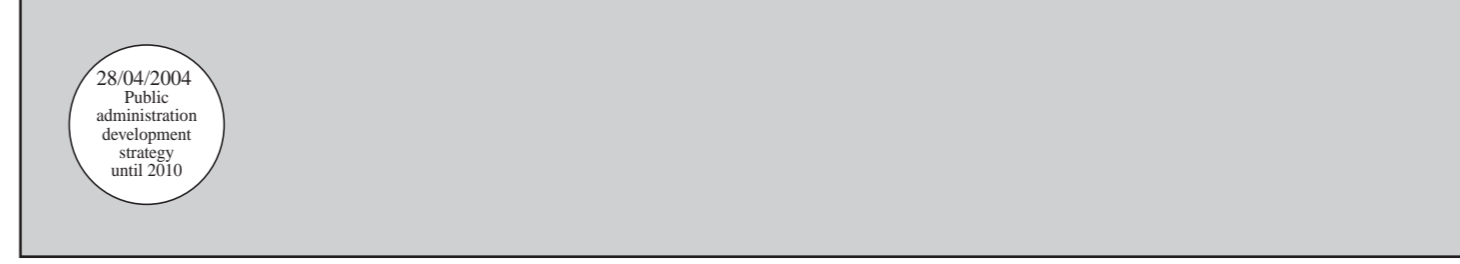
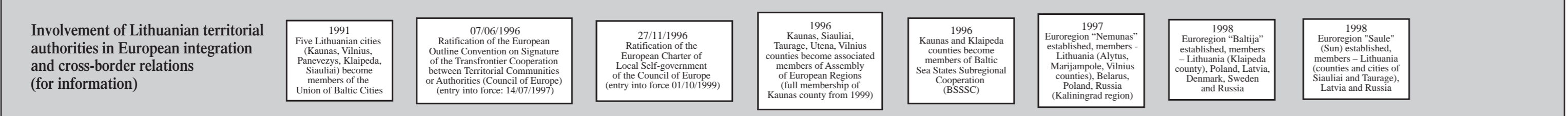
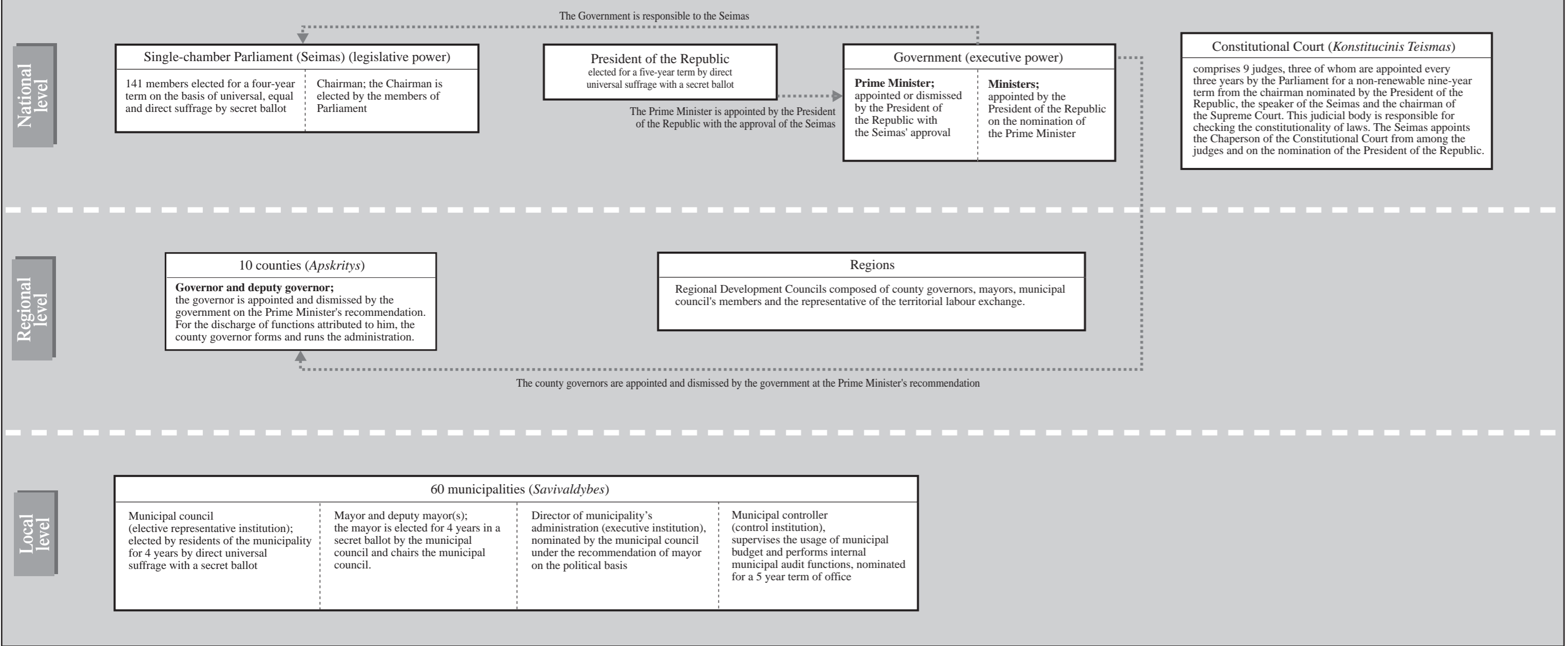
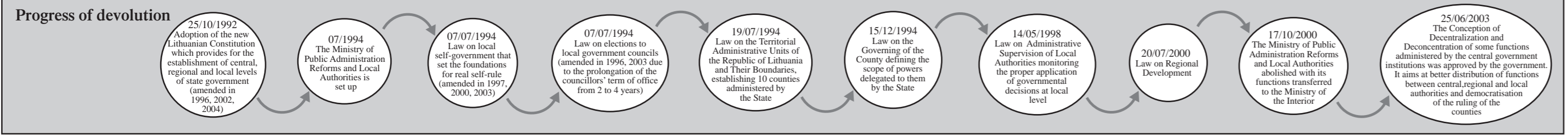
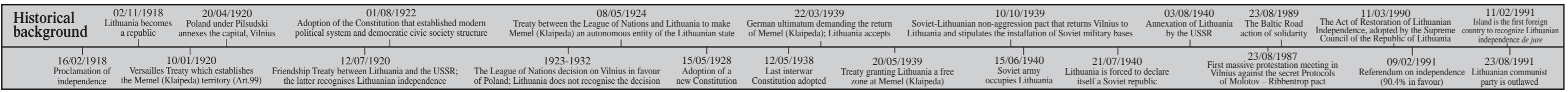
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# Devolution in Lithuania



Current situation as of January 2005, updated by Studies Service of the Committee of the Regions with acceptance of National Delegation



# Devolution in Luxembourg

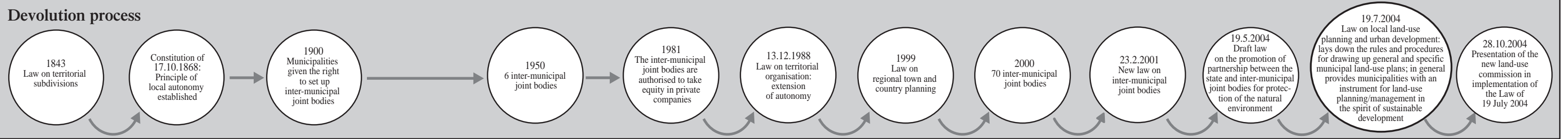
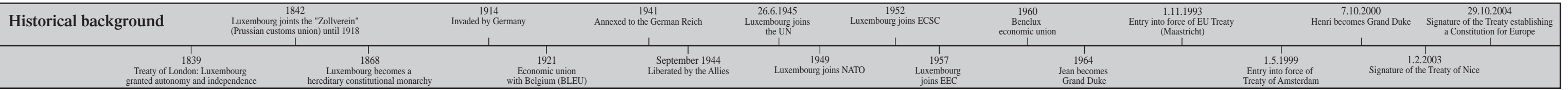


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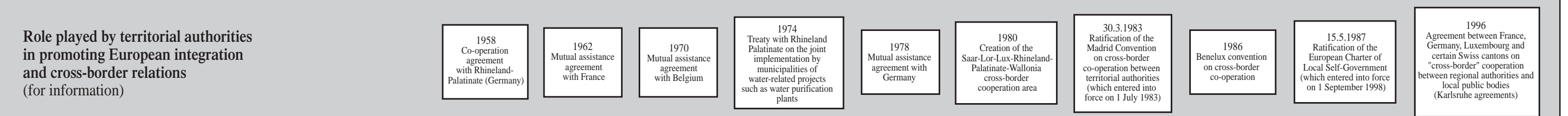
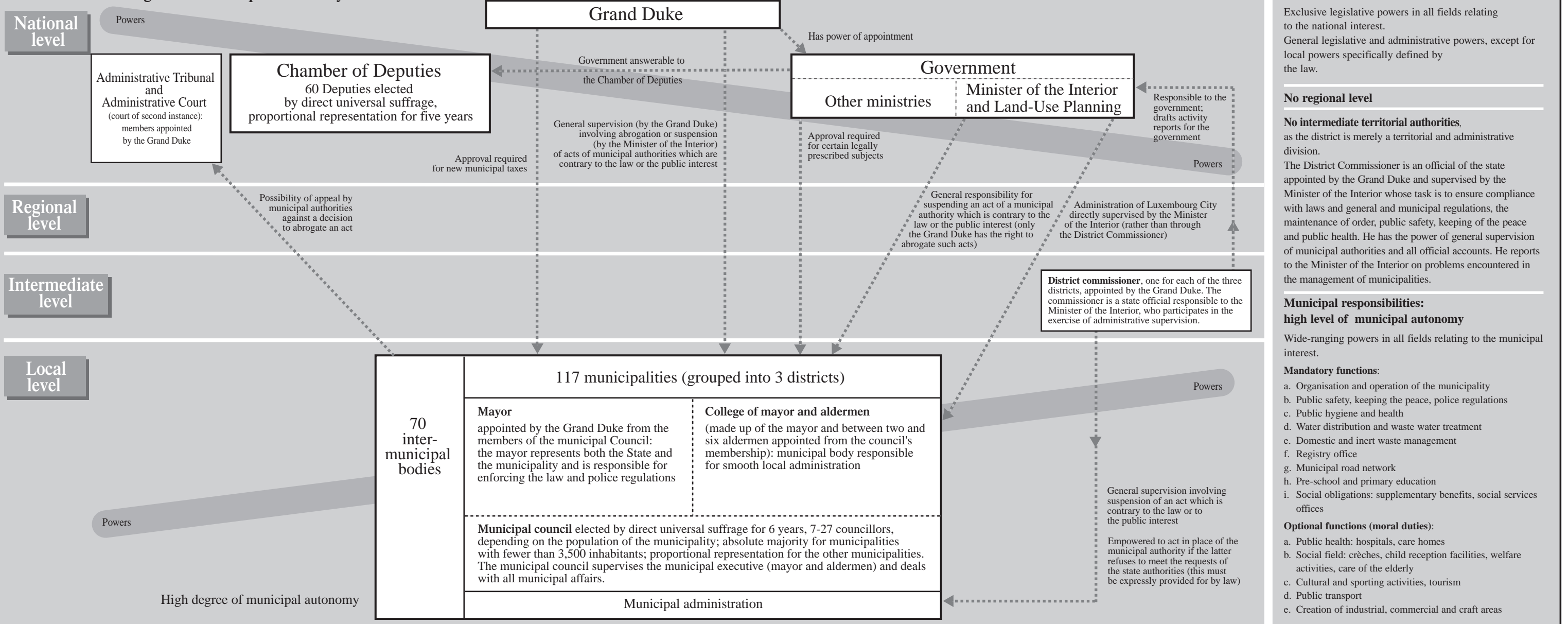


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# Devolution in Luxembourg



## Present Luxembourg State: municipal autonomy





# Devolution in Malta

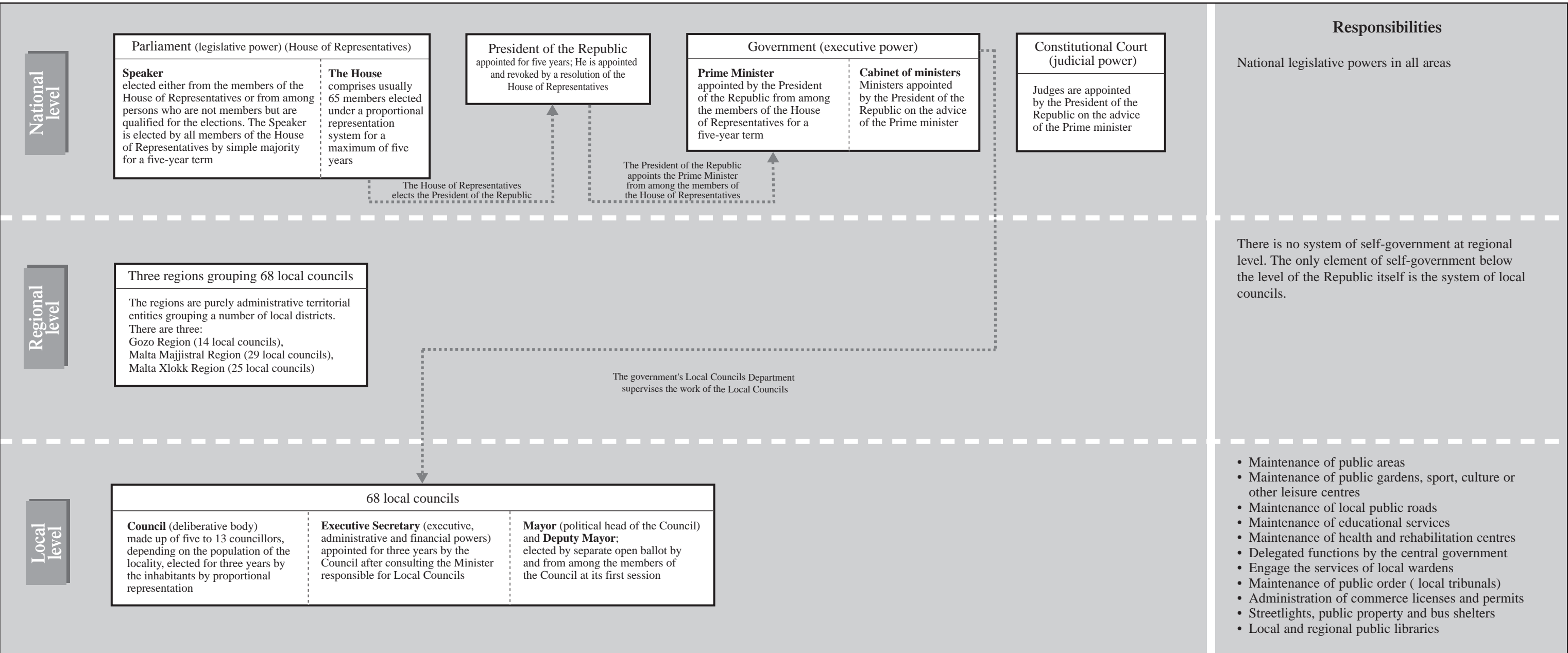
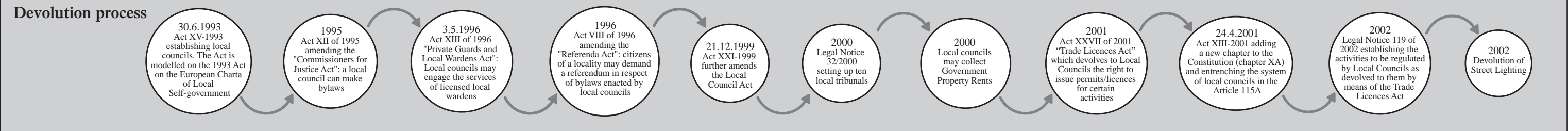
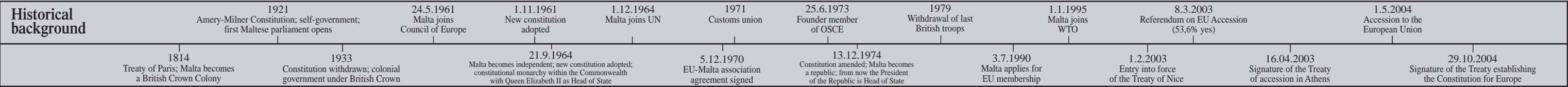
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# Devolution in Malta





# Devolution in the Netherlands



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# Devolution in Poland



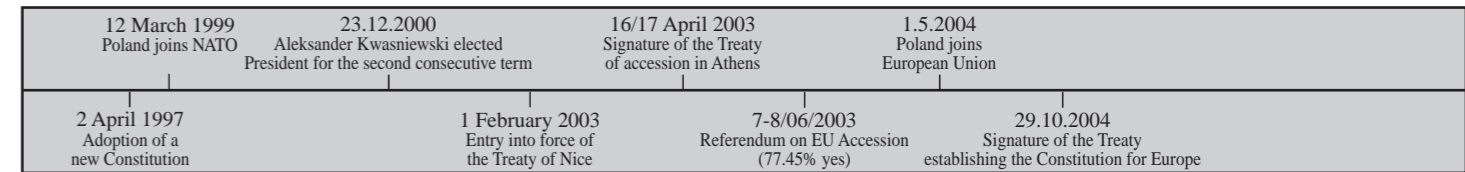
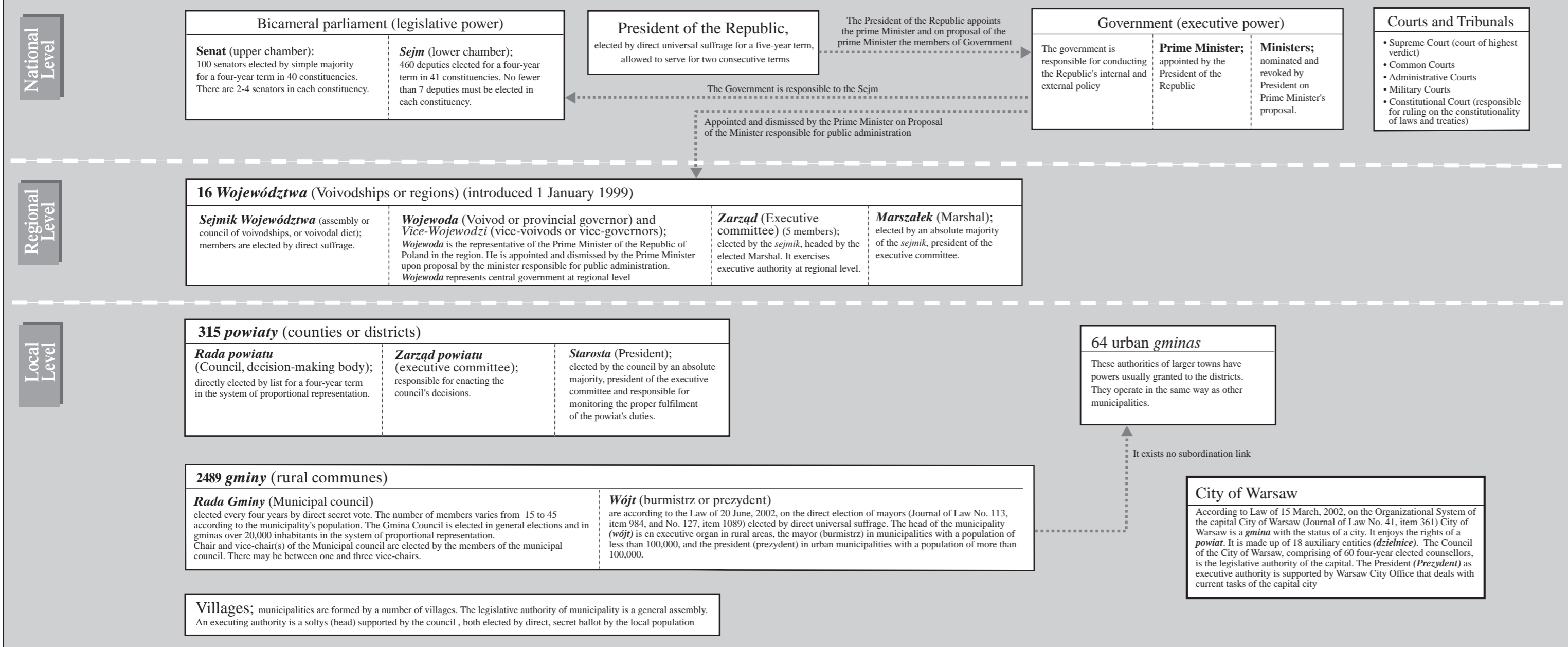
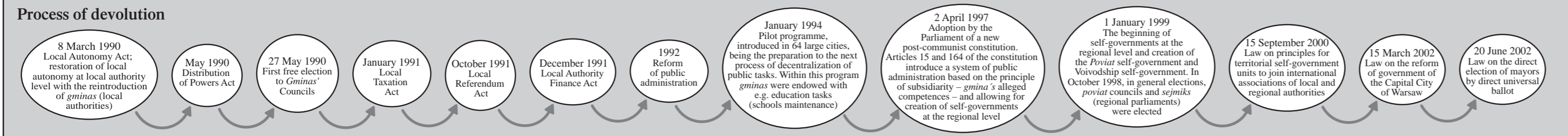
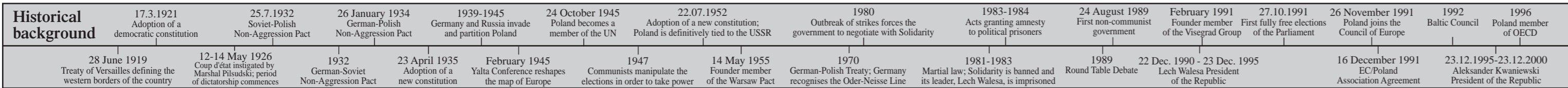
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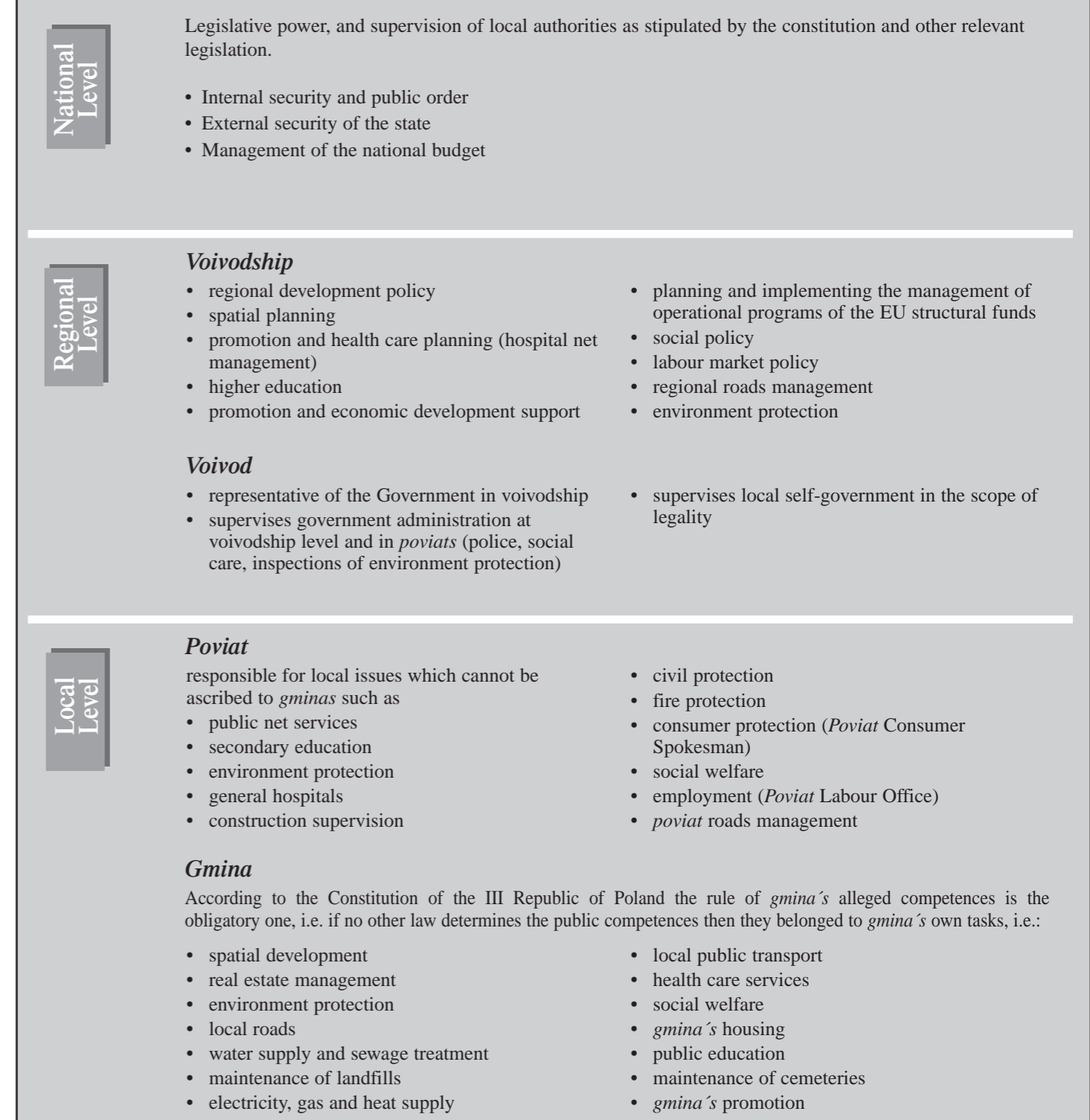
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# Devolution in Poland



## Responsibilities

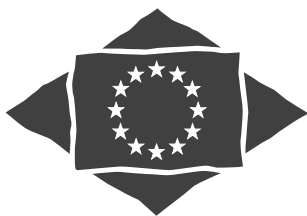




# Devolution in Portugal

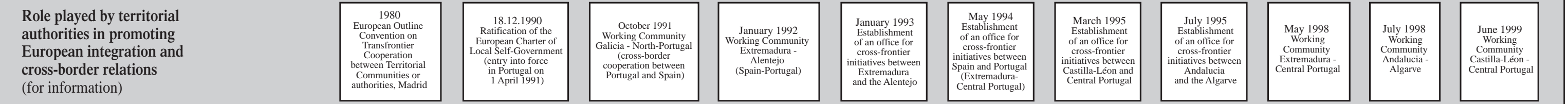
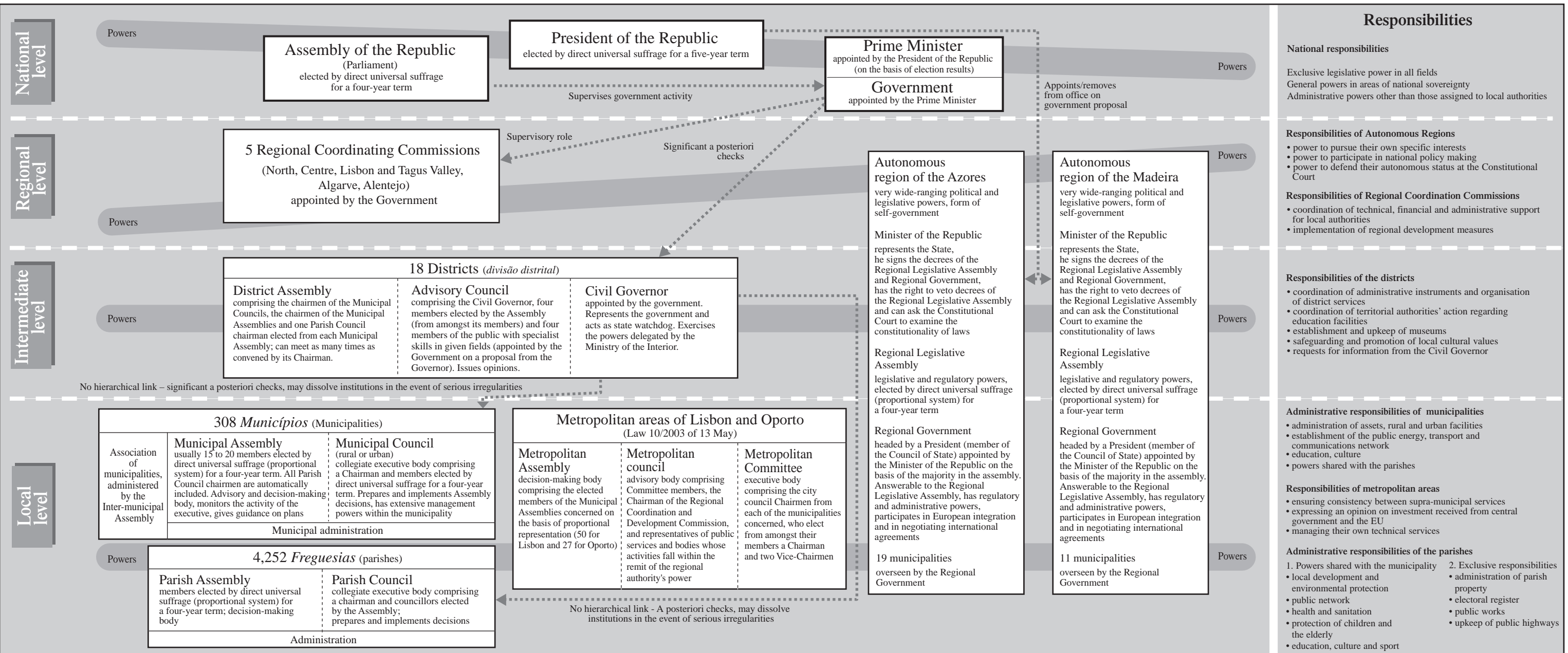
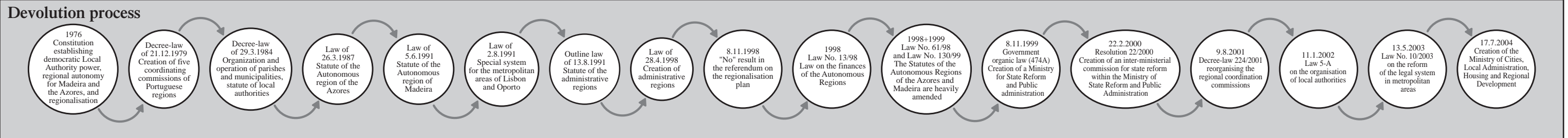
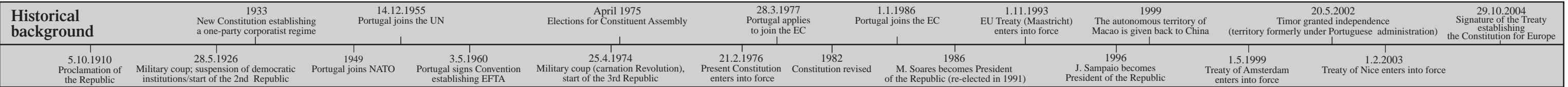


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# Devolution in Portugal





# Devolution in Romania



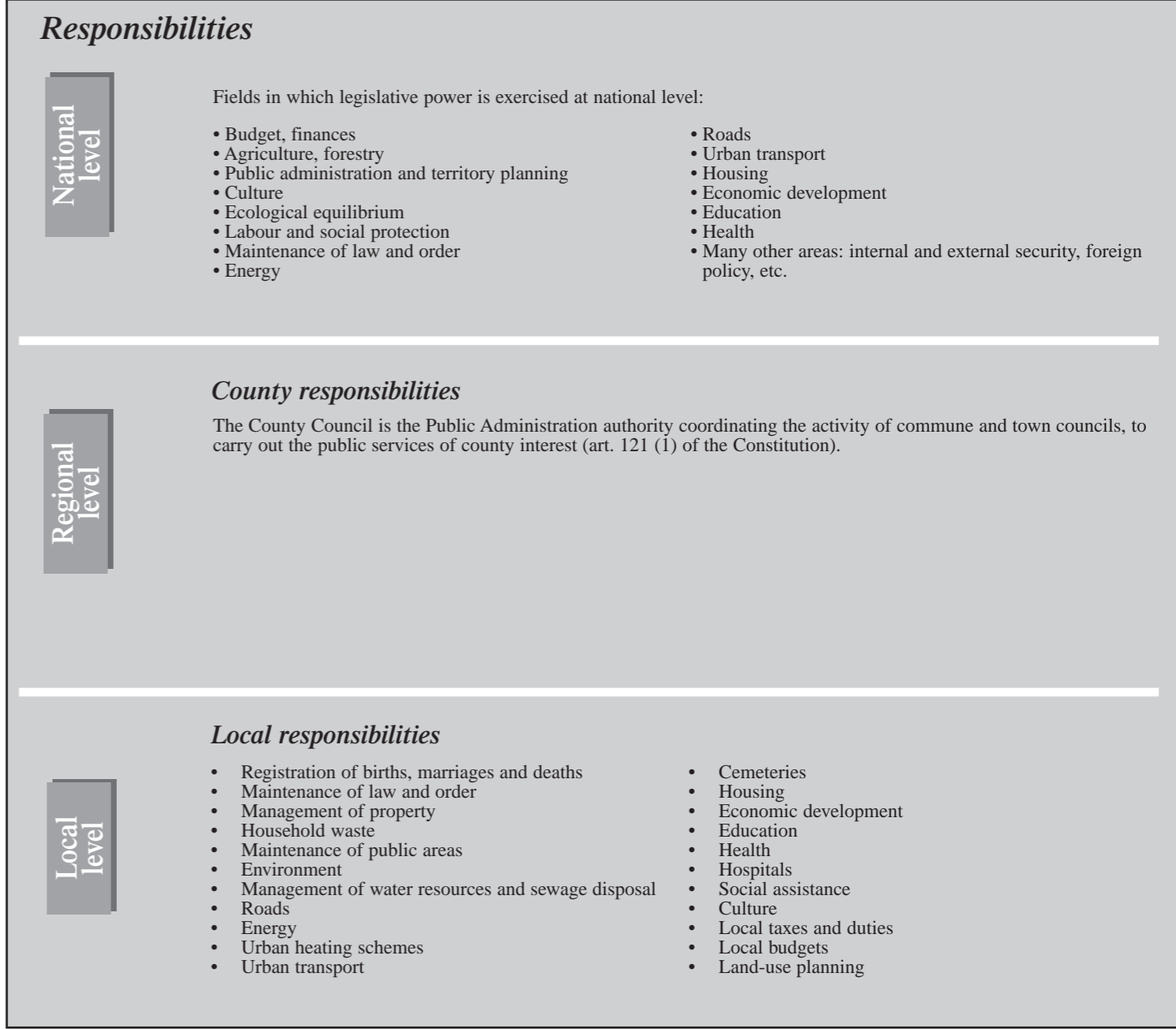
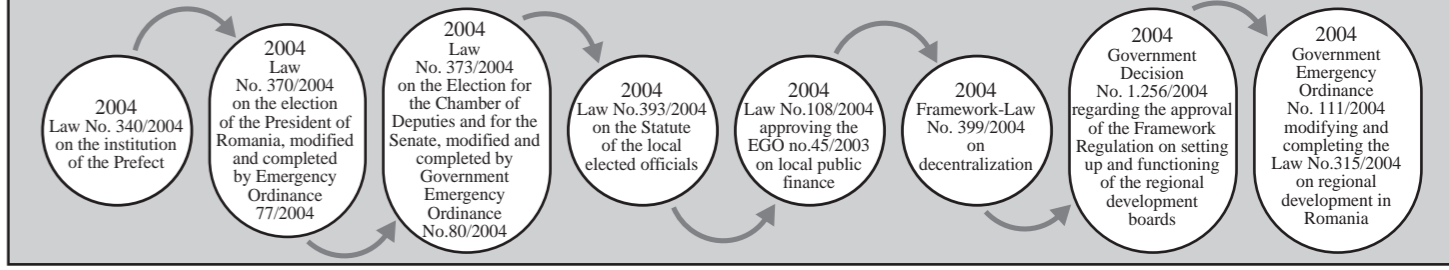
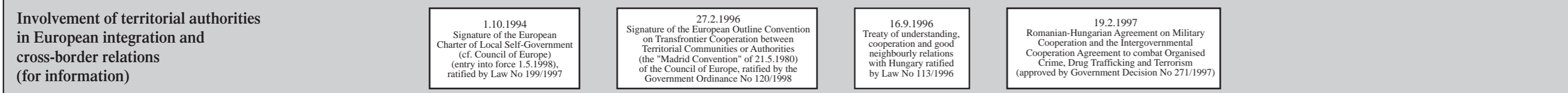
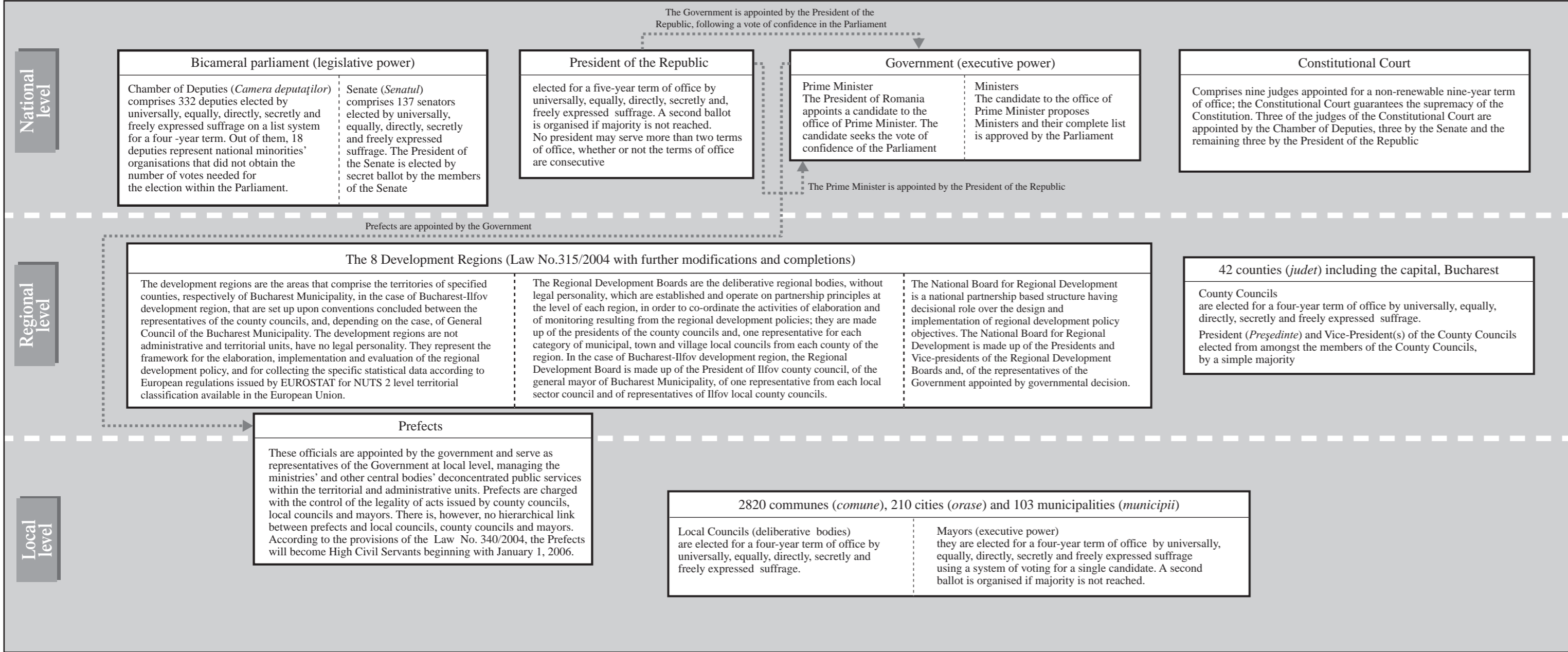
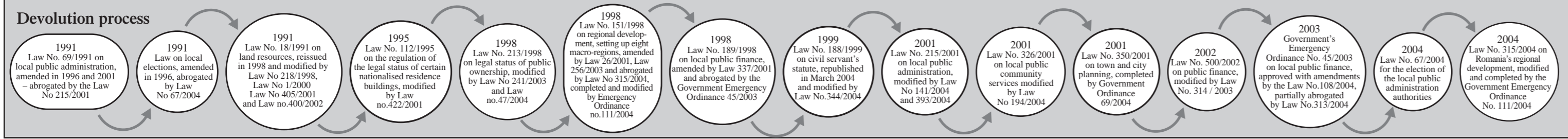
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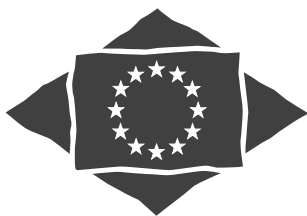
# Devolution in Romania





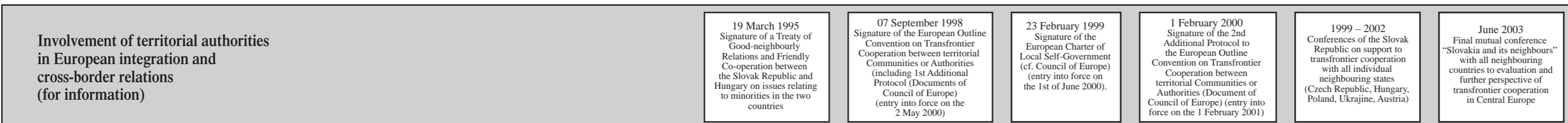
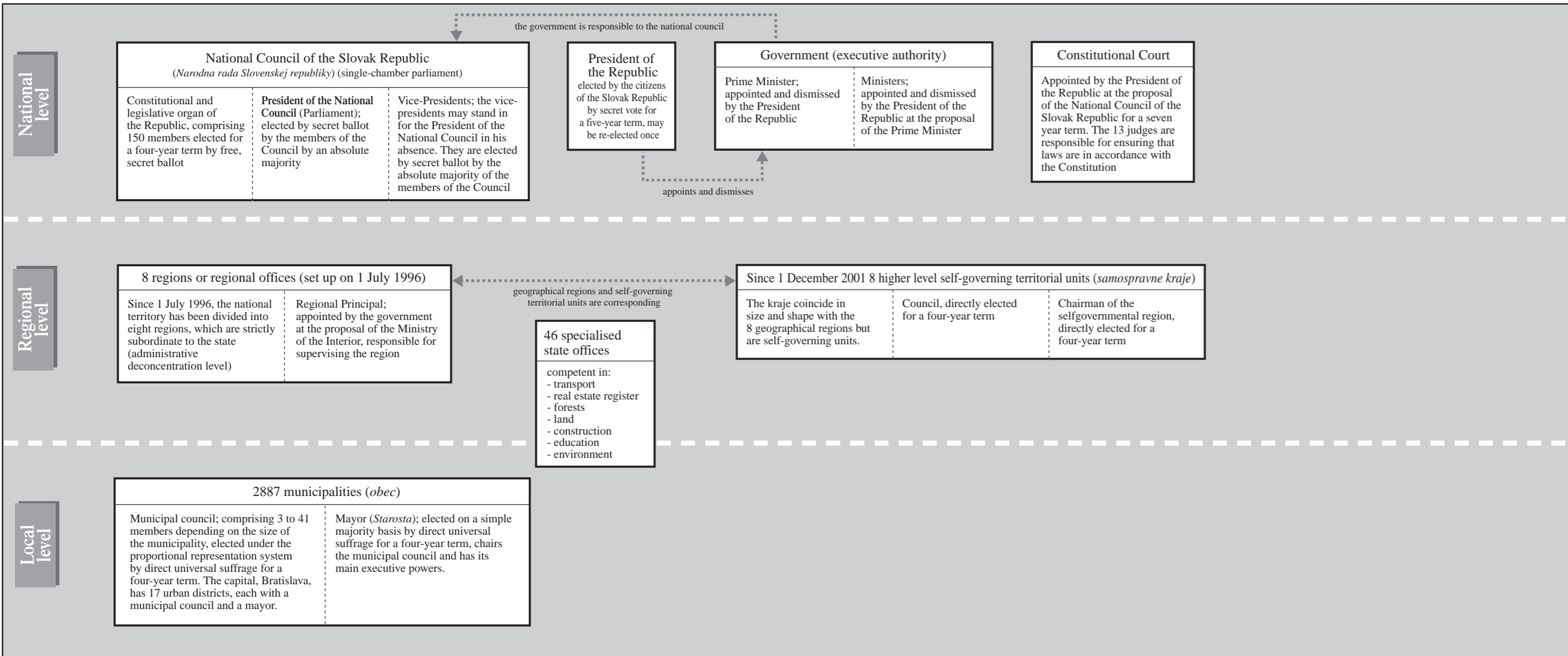
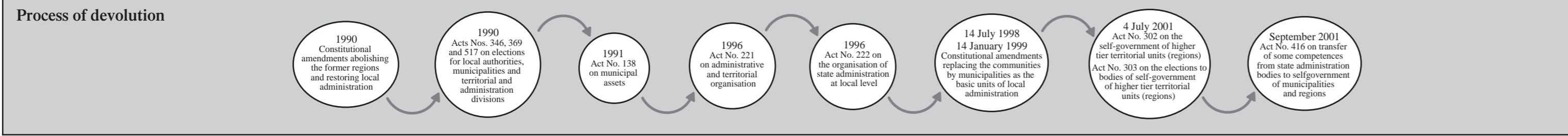
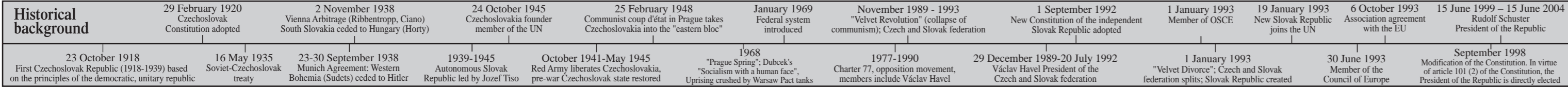
# Devolution in the Slovak Republic

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# Devolution in the Slovak Republic





# Devolution in Slovenia



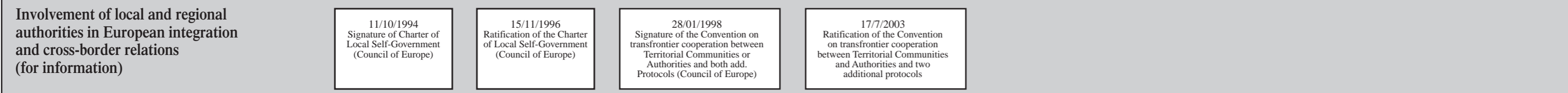
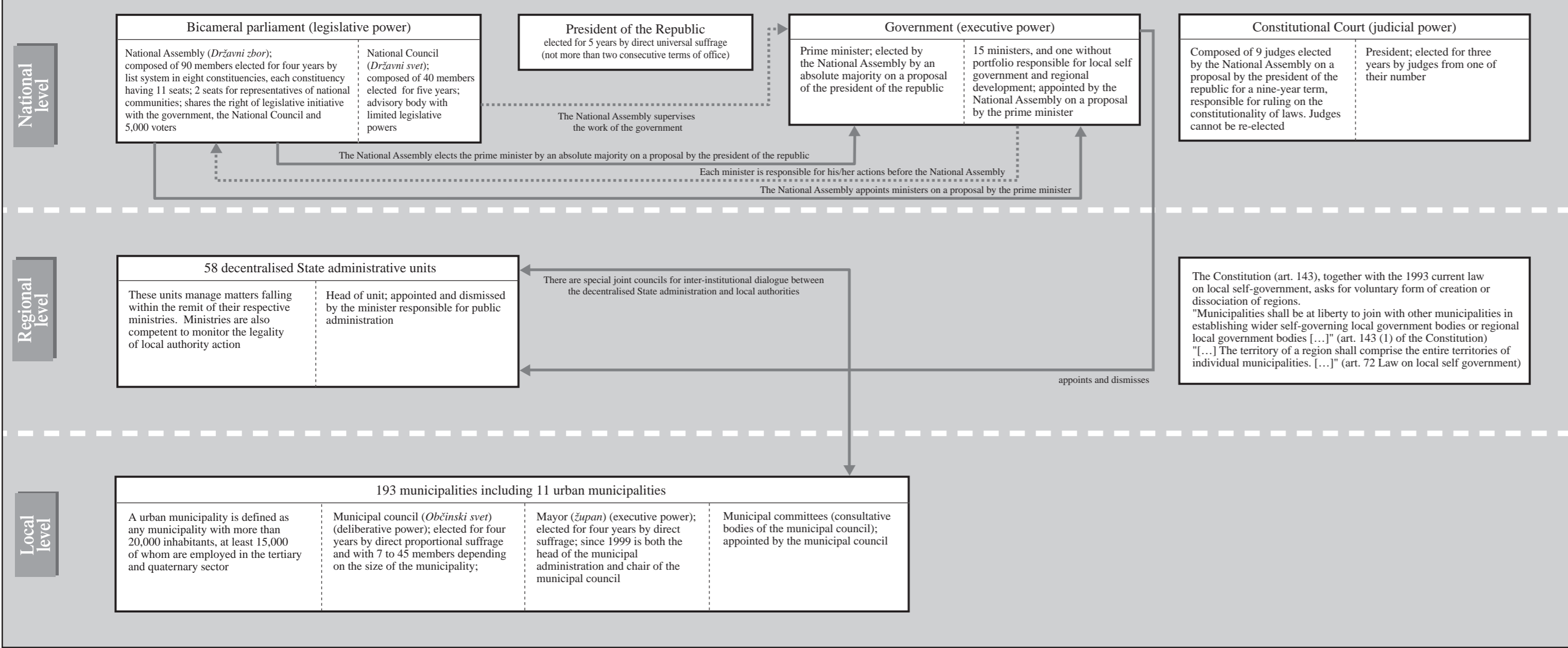
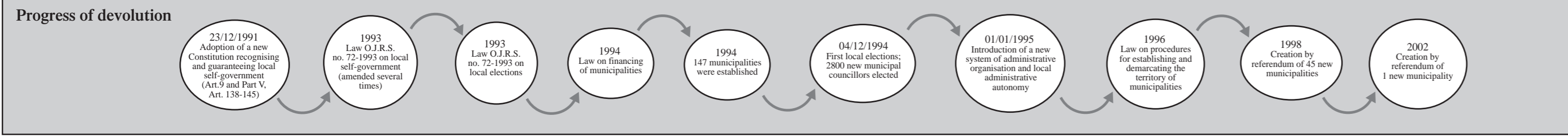
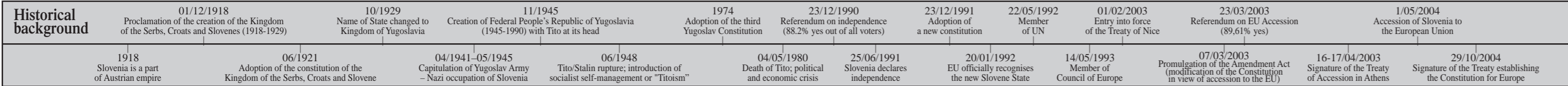
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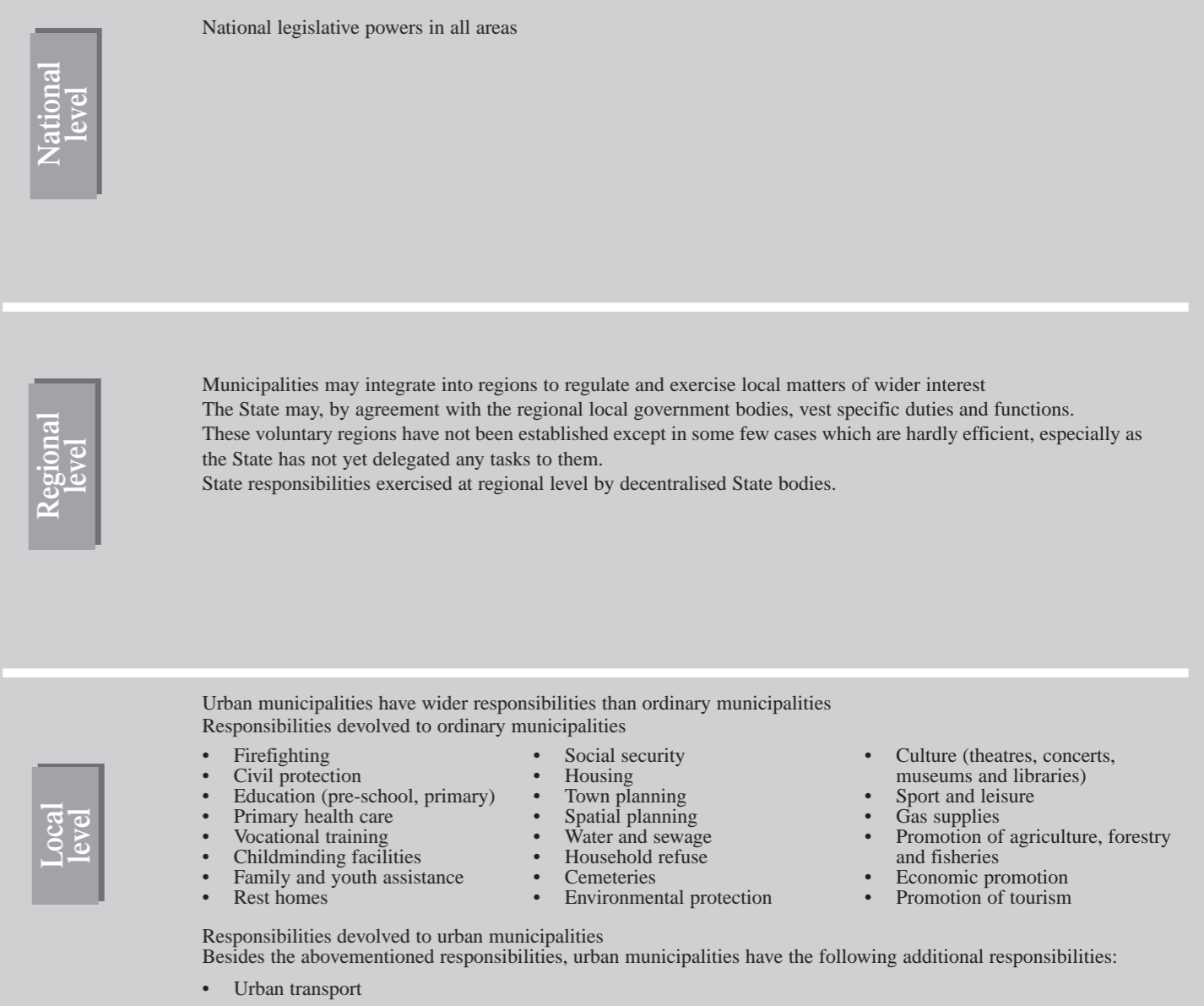
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# Devolution in Slovenia



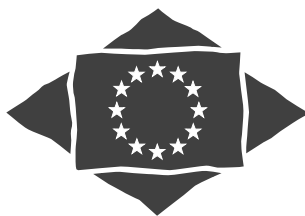
## Responsibilities





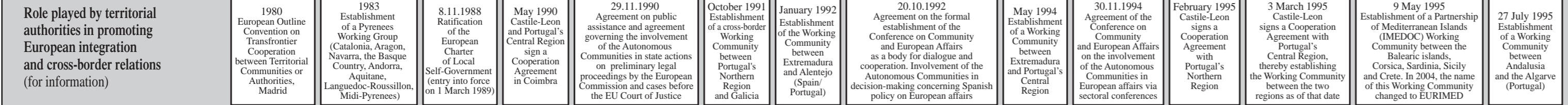
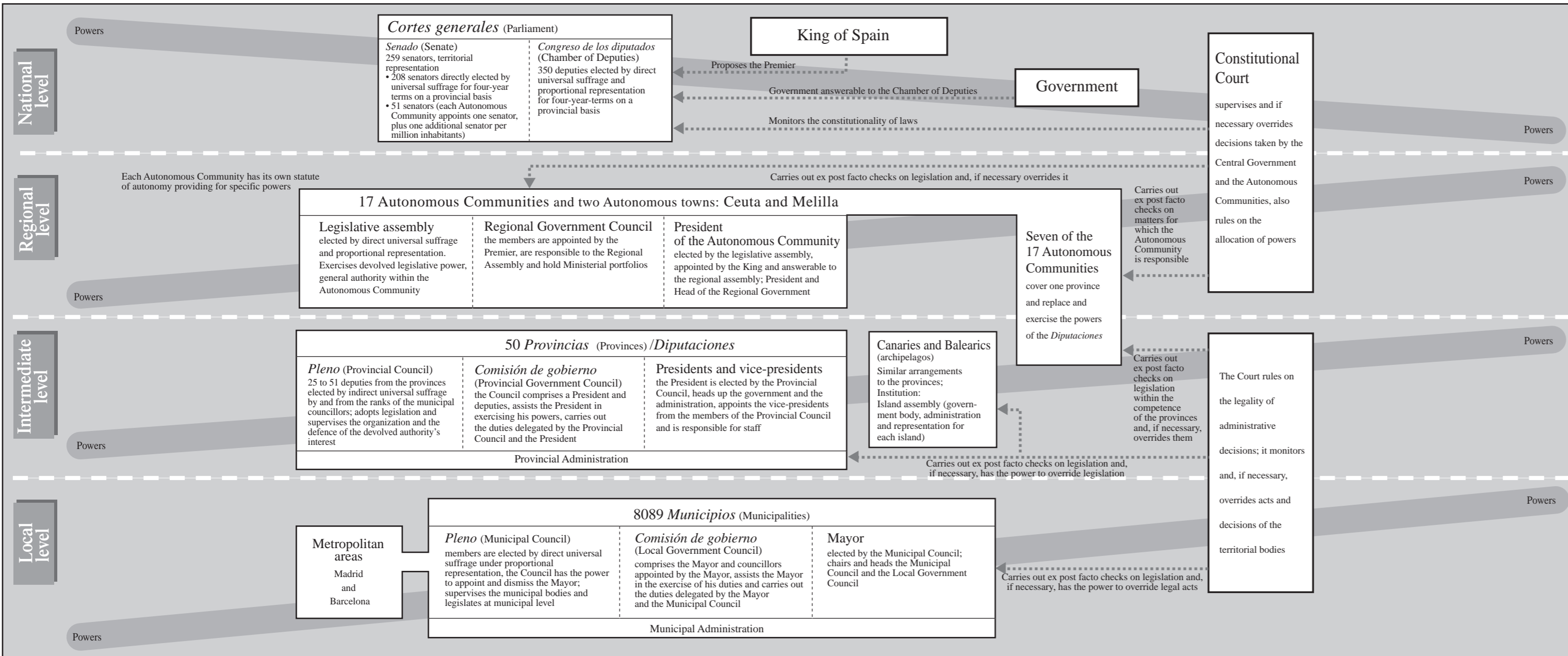
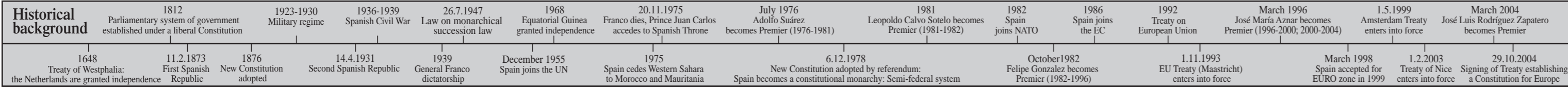
# Devolution in Spain

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# Devolution in Spain



Current situation as of January 2005, updated by Studies Service of the Committee of the Regions with acceptance of National Delegation

# Responsibilities

## Responsibilities of the Central State

The State holds legislative power only in the areas for which the State is exclusively competent, as set out in Article 149 of the Constitution

- international relations
- defence
- administration of justice
- commercial, criminal, labour and civil legislation
- customs matters
- currency, general finance and state debt
- public health: basis and general coordination.

## Responsibilities of the Autonomous Communities

Those matters which are not expressly vested in the State by the Constitution can be devolved to the Autonomous Communities.

The Autonomous Communities exercise legislative power via their assemblies but strictly within the limits of their devolved powers.

The powers of the Autonomous Communities are enshrined in Article 148 of the Constitution (the list is not exhaustive).

- Organisation of the institutions of autonomous government
- Spatial planning, town planning and housing
- Public works, railways and roads throughout the Autonomous Community
- Agriculture, waterways and forestries, fisheries
- Expansion of economic activity, culture and research
- Museums, libraries and monuments
- Tourism, sport and leisure activities throughout the autonomous community
- Social welfare, health and safety.

Article 148 also provides for the powers of the Autonomous Communities to be extended to other areas.

The powers vary from one community to another.

## Responsibilities of the provinces

Autonomous management of the specific respective interests of local communities.

1. Participate in the coordination of local administration with the Autonomous Community and the State.
2. Provinces' own powers:
  - coordination of municipal services in order to guarantee the provision of services coming under the municipal authorities
  - assistance, legal, economic and technical cooperation with the local authorities
  - provision of supra-municipal services
  - development and administration of the specific interests of the province.

## Responsibilities of the Island Assemblies

The Statute of Autonomy of the Balearic Islands sets out the responsibilities of the three *Consells*. The most important of these are:

- Archaeological, historical and artistic heritage
- Welfare and social services
- Environmental protection, urban policy and spatial planning
- Roads, public works and public transport
- Tourist information, culture and promotion of sports and leisure activities
- Fixing dates of Island holidays.

The responsibilities Island Assemblies hold for institutional representation are substantial. The Assemblies exercise administrative power, but strictly within the limits of the powers granted by the laws drafted in the Balearic Parliament.

## Responsibilities of the municipalities

Own powers:

- public safety
- planning and cooperation on education
- traffic control
- civil defence, fire services (mandatory for any municipality with over 20,000 inhabitants)
- town planning
- historical and artistic heritage
- environmental protection (mandatory for any municipality with over 50,000 inhabitants)
- public health
- consumer protection
- social promotion and integration (mandatory for any municipality with more than 20,000 inhabitants)
- water supply and public lighting
- cleaning and waste disposal (for any municipality with more than 5,000 inhabitants)
- public transport (for any municipality with more than 50,000 inhabitants).





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# Devolution in Sweden

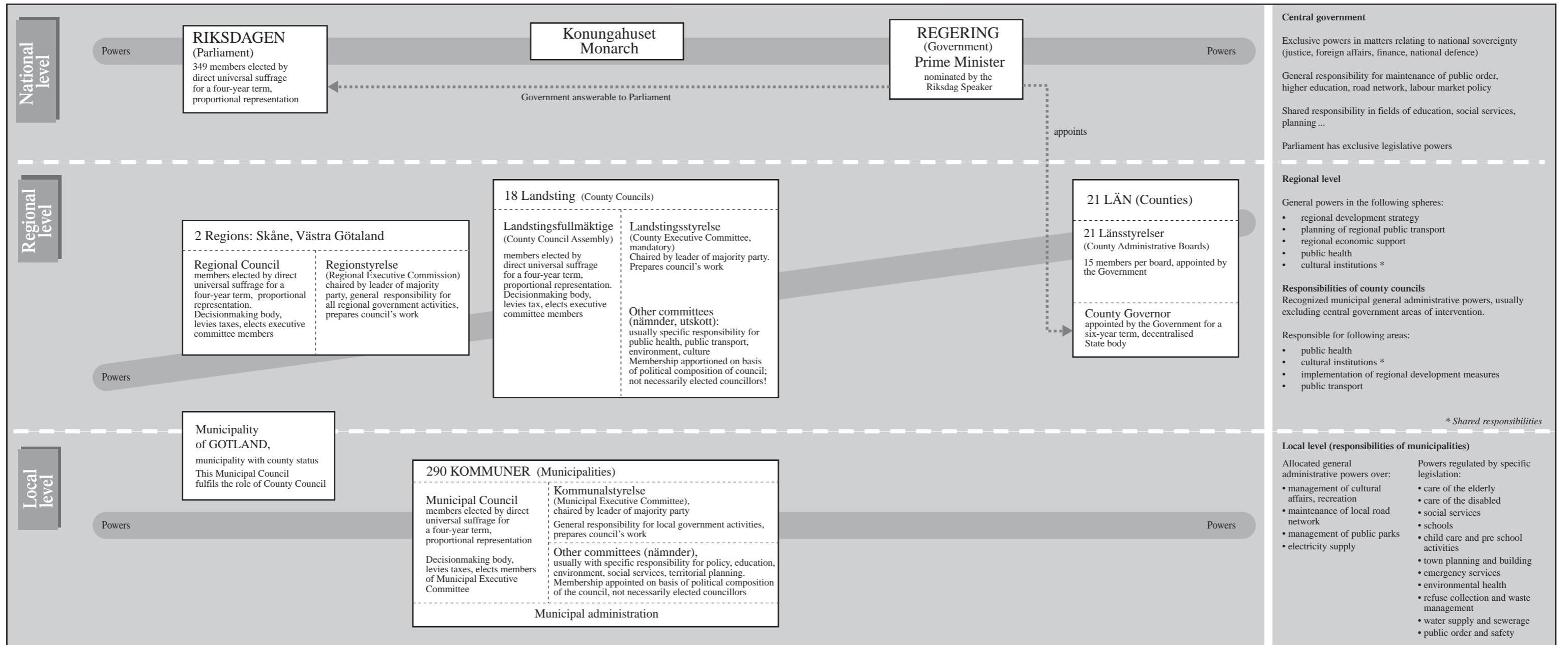
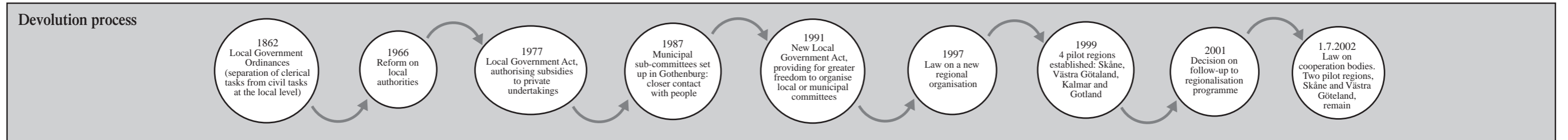
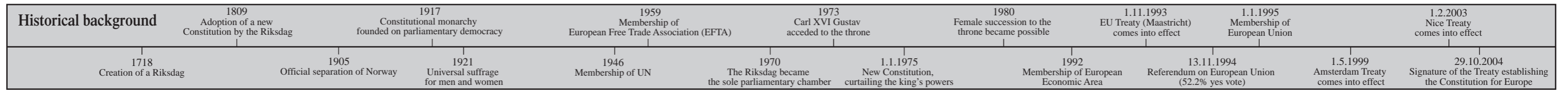


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# Devolution in Sweden



## Role played by territorial authorities in promoting European integration and cross-border relations (for information)





# Devolution in Turkey

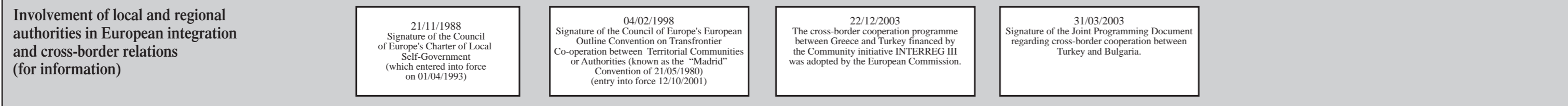
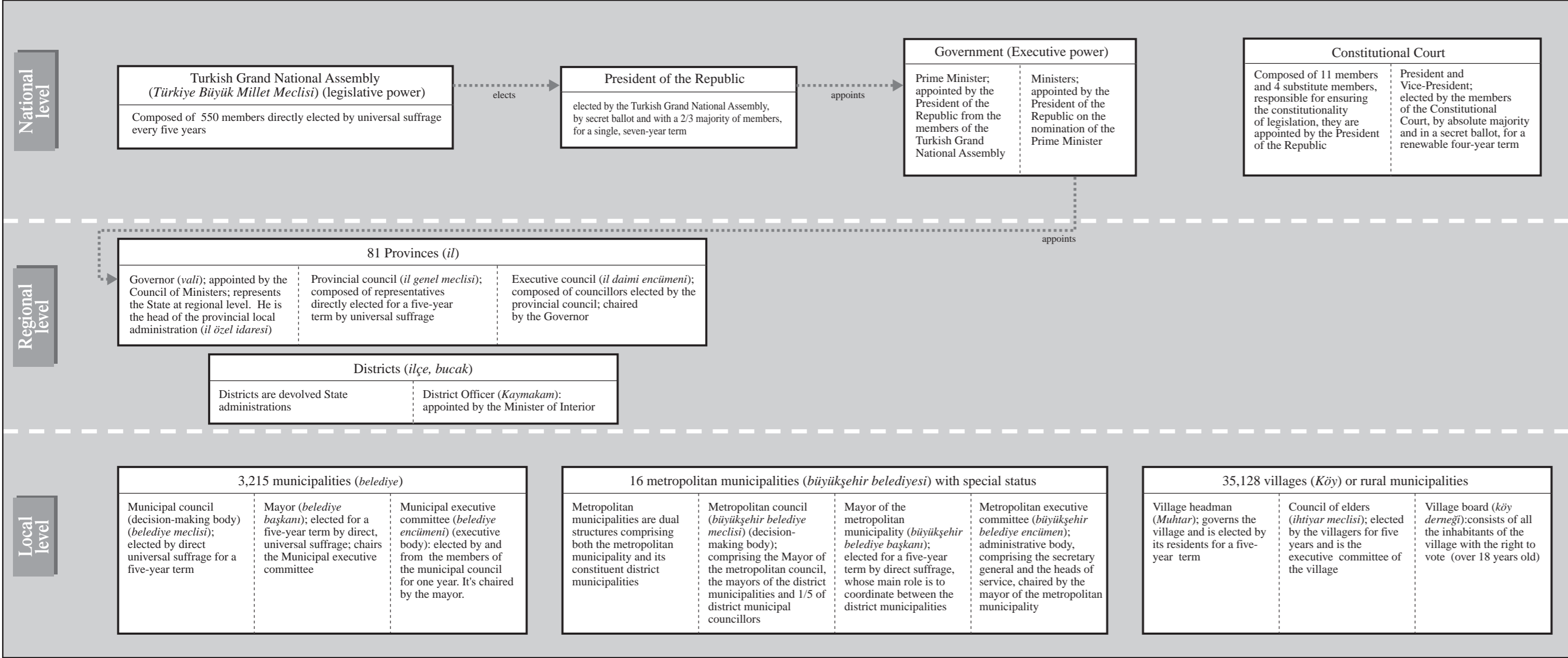
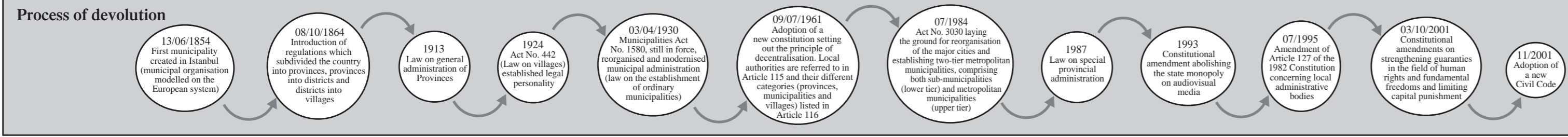
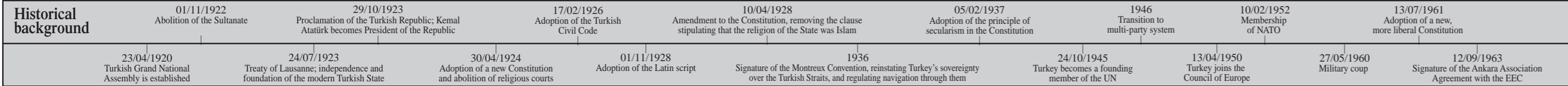


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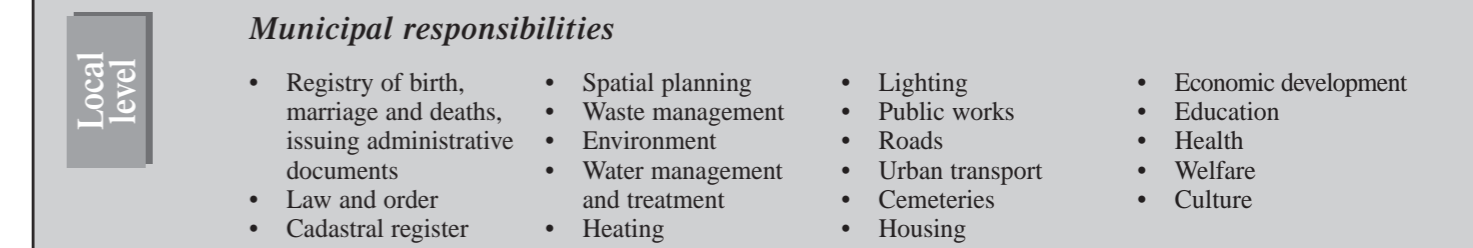


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# Devolution in Turkey



## Responsibilities







# Devolution in the United Kingdom

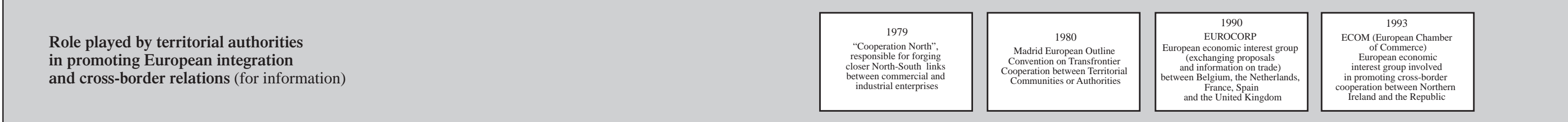
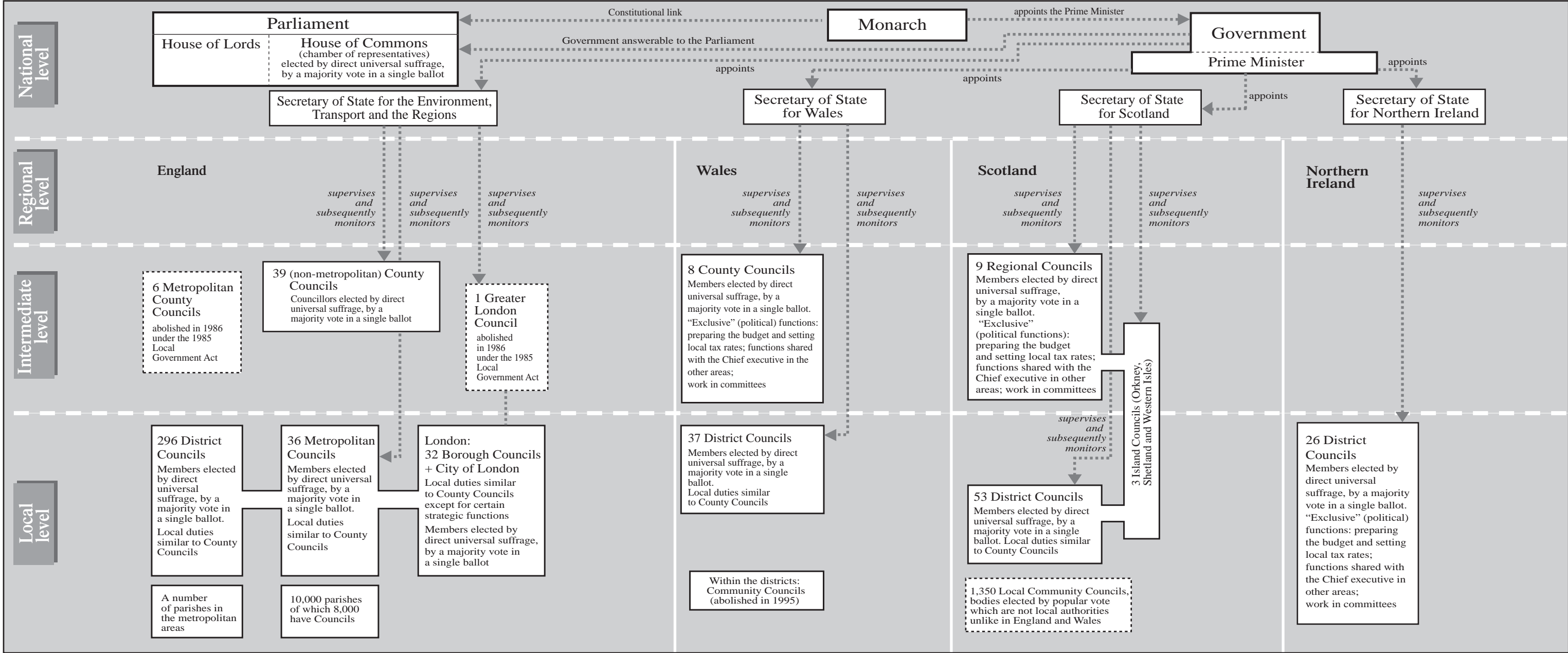
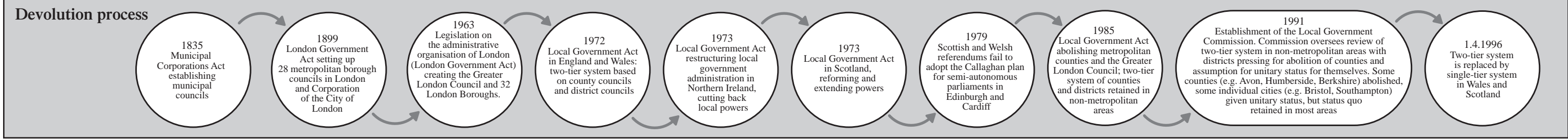
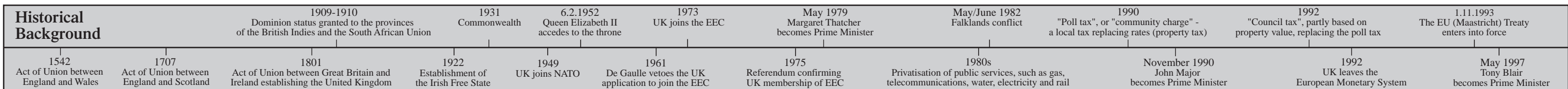


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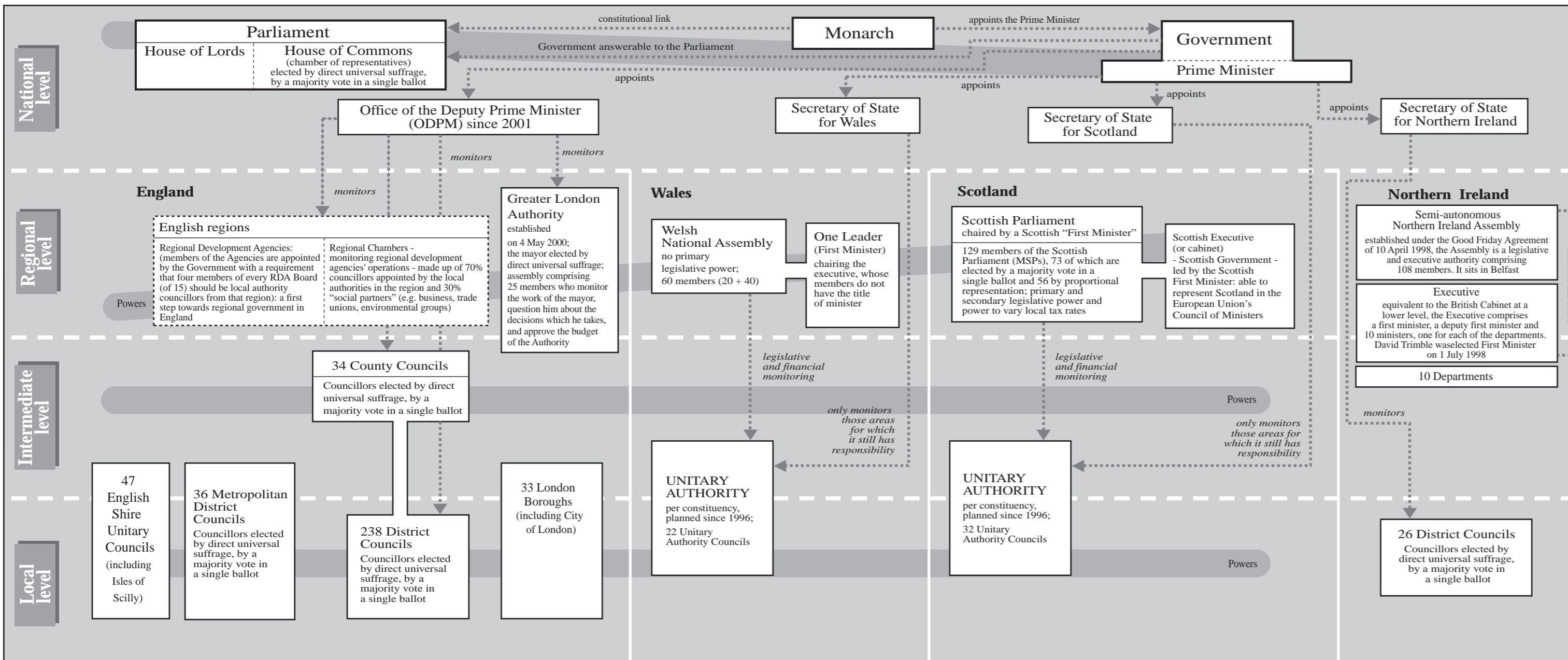
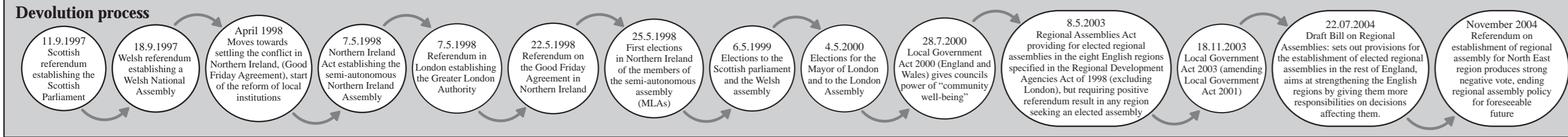
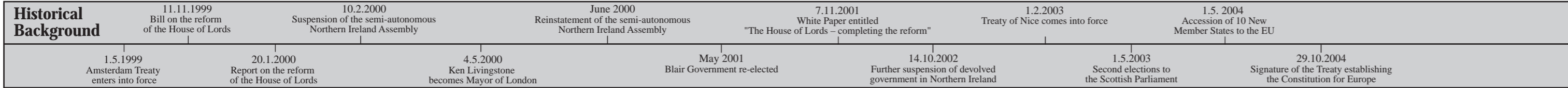


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# Devolution in the United Kingdom (before May 1997)



# Devolution in the United Kingdom (Post May 1997)



## Responsibilities

### Central government legislative responsibilities

Parliament retains absolute sovereignty; this places it above all the administrative institutions at both central and local level. Legislative power lies solely with the Westminster Parliament, except for the legislative power allocated to the Scottish Parliament.

### Exclusive responsibilities at central level on

- foreign policy, including relations with Europe
- defence and national security
- tax stability
- economic and monetary system
- market in goods and services
- employment policy
- social welfare

### Scottish, Welsh and Northern Irish legislative and administrative responsibilities

- The Scottish Parliament has primary and secondary legislative power, in addition to the powers previously devolved to the Scottish Office, in the fields of:
  - health
  - education
  - training
 The Scottish Parliament also has the power to influence internal tax rates (by approx. 3 pence in the pound).
- The Welsh Assembly has no primary legislative powers, but is authorised to pass secondary legislation in those areas which usually were the responsibility of the Secretary of State for Wales. The Welsh Assembly has responsibility for those public services and policies previously dealt with by the Secretary of State for Wales.
  - law and order
  - management of the national insurance scheme
  - security policy
  - finance
  - the penal system and prison administration
  - telecommunications
  - international relations
- The Secretary of State for Northern Ireland has the power to suspend the devolved institutions at any moment (c.f. February 2000). The Secretary of State's responsibilities cover:
  - justice
  - heritage
  - education
  - housing
  - cultural affairs
  - health
  - local administration

Both these countries also deal with the usual local government responsibilities: housing, economic development, transport, internal affairs, environment, agriculture, fisheries, forestry, sport and the arts.

The semi-autonomous Assembly can legislate on internal affairs, notably in the following areas:

### Greater London Authority (GLA)

The main areas of responsibility of the GLA are as follows:

- strategic planning/spatial planning
- regional aspects of economic development
- transport
- fire and civil protection services (emergency planning)

- police forces
  - the environment/sustainable development
  - culture
  - health
- The Assembly also has the power to consider other issues of key importance to the population of London and to submit proposals to the Mayor.

### County administrative responsibilities

The County Councils are responsible for:

- education
- traffic, transport and highways
- social services
- refuse disposal
- libraries

- consumer protection
  - fire services and emergency planning
  - urban planning\*
  - determination of planning applications
  - museums, parks and recreation facilities\*
  - consumer protection/trading standards
- \* shared responsibilities

### District administrative responsibilities

District Councils are responsible for:

- housing
- environmental health
- measures to combat pollution
- building regulations

- refuse collection
  - urban planning\*
  - museums, parks and recreation facilities\*
  - electoral registration
- \* shared responsibilities

In certain areas, urban areas especially, a single "unitary" level of local government is responsible for these areas. These unitary councils (metropolitan districts, London boroughs, "new unitaries") are responsible for the full range of services of county and district councils combined.

Parish Councils (England) and Community Councils (Wales) are responsible for:

- planning permission for housing estates, public buildings\* and major roads\* (right to be consulted by district council)
- urban planning\*
- planning of open-air sports facilities\*, other recreational facilities\*, cemeteries\*, and car parks\*
- lighting and pavement maintenance\*

\* responsibilities shared with district councils

### Limited responsibilities in Northern Ireland District Councils

Almost all District Council responsibilities were transferred to the nine area boards whose members are appointed by the Secretary of State for Northern Ireland.

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**Directorate for Consultative Works  
Unit for Policy Analysis, Studies & Inter-institutional Legislative Planning**

▼  
**Rue Belliard 101 – B-1040 Brussels**  
**Tel: +32 (0)2/282 22 11 – Fax: +32 (0)2/282 23 30**  
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