

**Dz.U. [Journal of Laws] of 1990, No. 16, item 95**

## **ACT**

of March 8, 1990

### **on Municipal Self-Government**

**Based on: consolidated text Dz.U. of 2019, item 506.**

#### Chapter 1

#### **General provisions**

**Section 5** 1. A municipality may create subsidiary units: villages and districts, residential estates, and others. A town located within a municipality may also be a subsidiary unit.

2. A subsidiary unit is created by a municipality council by means of a resolution, after consultations with the inhabitants or upon their initiative.
3. The principles of creating, merging, dividing and dissolving subsidiary units shall be specified in the municipality by-laws.
4. (repealed)

**Section 5a** 1. In cases provided for in a statute and in other matters important for the municipality, consultations with the municipality's inhabitants may be conducted on the territory thereof.

2. The rules and the procedure for conducting consultations with the inhabitants of a municipality shall be specified in a resolution of the municipal council, subject to Section 5a(7).
3. Participatory budgeting constitutes a special form of public consultations.
4. Under participatory budgeting, the inhabitants of a municipality decide each year by direct vote on a portion of the municipality's budgetary expenditures. The projects selected via participatory budgeting shall be included in the municipality's budget resolution. In the course of work on the draft budget resolution, the municipal council may not remove or significantly change any of the projects selected under the participatory budget.
5. In municipalities which are cities with county rights, the creation of a participatory budget shall be obligatory, with the amount of the participatory budget being equal to at least 0.5% of the municipality's expenditures, as indicated in the last submitted budget implementation report.
6. Funds spent from the participatory budget may be divided into pools covering the entire municipality or parts thereof, i.e. subsidiary units or groups of subsidiary units.
7. The municipality council shall adopt a resolution determining the requirements to be met by a proposed participatory budget, in particular:
  - 1) formal requirements applicable to project proposals;
  - 2) the required number of signatures of inhabitants supporting the project, which may not be higher than 0.1% of the inhabitants of the area covered by the participatory budget pool in relation to which the project is proposed;
  - 3) the rules for evaluating project proposals as regards their legality, technical feasibility, and compliance with formal requirements, as well as the procedure for appealing against the decision on the project's inadmissibility;

4) the rules for conducting the voting, determining the results thereof, and making said results public, taking into account that the rules for conducting the voting must ensure equality and directness.