



GOBIERNO
DE ESPAÑA

MINISTERIO
DE ADMINISTRACIONES
PÚBLICAS

SECRETARÍA DE ESTADO
DE COOPERACIÓN
TERRITORIAL

DIRECCIÓN GENERAL
DE COOPERACIÓN LOCAL

LOCAL GOVERNMENT IN SPAIN

LOCAL SELF-GOVERNMENT

The Spanish system of government is divided into three levels of territorial power which are not organised in terms of hierarchies but related by competence principles. These three levels are the State, the Autonomous Communities, and the Local Entities.

The 1978 Spanish Constitution gave the status of a constitutional principle to the self-government of municipalities, provinces and islands, guaranteeing their right to participate in those affairs affecting their interests.

Local government is the level of government that is closest to citizens. Following the Proximity Principle, the role of Town Councils has been fundamental to the building of a decentralised state in Spain, since they exercised the competences with an important effect on quality of life of local citizens.

TYPES OF LOCAL ENTITIES

Municipalities and **Provinces** are the two basic forms of the territorial organisation of the State. Besides them, there are other local entities:

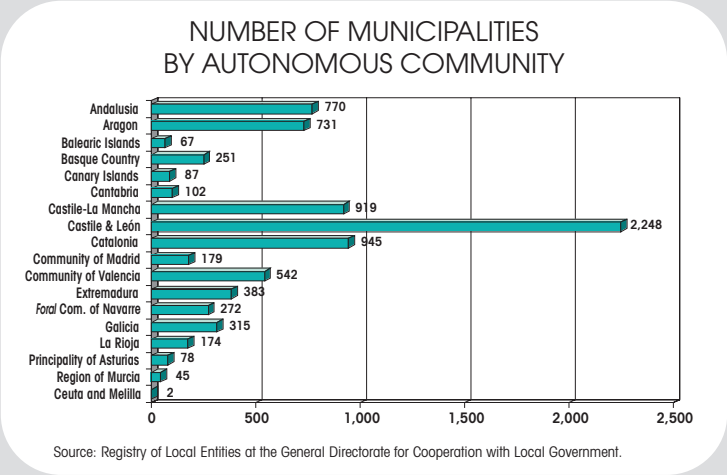
- ▶ islands
- ▶ territories smaller than municipalities
- ▶ "mancomunidades"
- ▶ "comarcas"
- ▶ metropolitan areas
- ▶ other municipality groupings.

SPANISH LOCAL ENTITIES IN NUMBERS

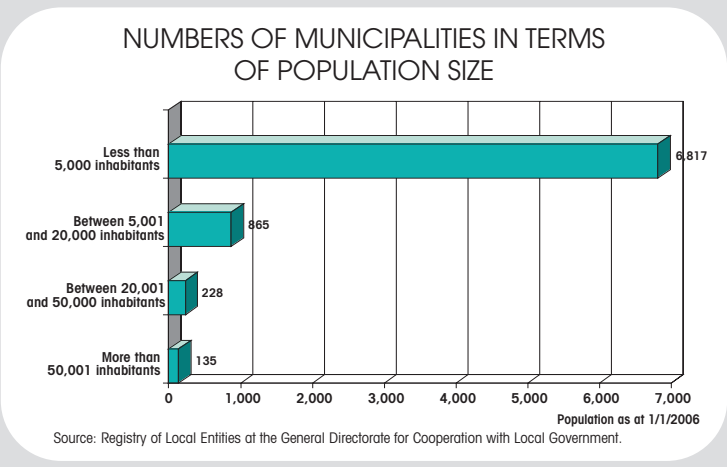
In Spain, local government is characterised by the wide variety of entities it comprises in terms of size, economic activity, and geographic location.

At present, there are **8,112 municipalities** in Spain.

The Autonomous Community with the largest number of municipalities (2,248) is Castile & León, while the region with the smallest number (45) is Murcia.



In terms of population size, the largest municipality is Madrid (3,132,463 inhabitants) and the smallest is Illán de Vacas, in Toledo (6 inhabitants). 84% municipalities have less than 5,000 inhabitants, but only 13% of the population lives in them. On the other hand, there are 15 big cities in Spain, inhabited by 250,000 or more citizens.



The diversity mentioned above was met with the introduction of specific town council organisations based on objective criteria, the most important of which is population size. Thus, the following forms of municipality organisation can be found:

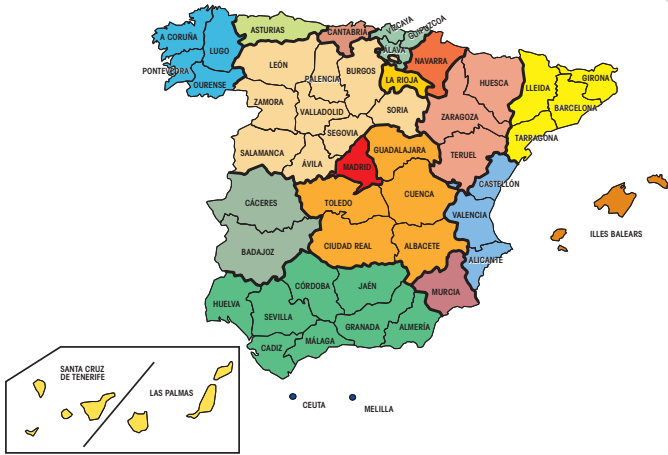
- common organisational system
- system for large population centres, that is, municipalities with more than 75,000 inhabitants or under economic, social, historical or cultural circumstances similar to them
- special system for Madrid and Barcelona, the Spanish cities with the largest populations, giving rise to special laws
- "concejo abierto" system.

With regard to surface area, the largest municipality is Cáceres, in Extremadura (1,750.33 sq km), while the smallest one is Emperador, in Valencia (0.03 sq km).

Provinces are necessary local entities resulting from the grouping of municipalities. They were created in 1833 and have remained the same, with slight variations, till the present day. There are **50 provinces** in Spain, and their main functions are:

- guaranteeing compliance with the solidarity and balance principles among the municipalities they are comprised of
- ensuring the provision of municipal services.
- being involved in the coordination of local government with the Autonomous Communities and the State.

The Balearic and Canary archipelagos feature yet another territorial entity: islands, which are also self-governed. The **Balearic Islands** comprise **four** islands, while the **Canary Islands** include **seven**.



There are almost **4,000 territorial entities smaller than municipalities**. Most of them (2,226) belong to the Autonomous Community of Castile-León.

Given the small size of most Spanish municipalities, **entities larger** than them (“mancomunidades”, metropolitan areas, and “comarcas”, among others) play a key role in the functioning of the Government.

“Mancomunidades” are voluntarily established entities aimed at carrying out joint projects or providing common services. They have mushroomed in the past few years. At present, there are more than 1,000, and new ones are added every year.

As established in their Statutes of Self-Government, Autonomous Communities can create **“comarcas”** or **metropolitan areas**. “Comarcas” can be established to fulfil a variety of goals at the local level or provide a variety of local services common to the municipalities involved. Metropolitan areas are local entities gathering municipalities with large built-up urban areas whose inhabitants have economic or social bonds that make joint planning or work/ service coordination necessary.

LOCAL ELECTIONS

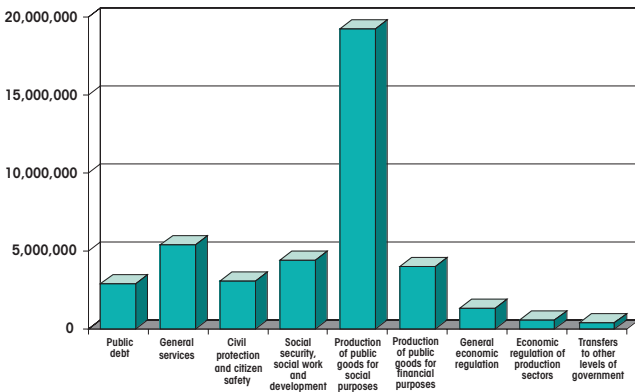
In the Spanish legal framework, the electoral system is based on proportional representation. Elections are held every four years, and over 66,000 local representatives are elected in them.

Eligible voters are Spanish citizens, EU citizens living in the municipality where they can vote, or citizens of countries to which voting rights have been granted by a Treaty (e.g. Norway).

Voting for Mayors is an indirect election, except in "concejo abierto" systems, where local residents vote for their Mayor directly. However, "concejo abierto" systems are applied in small municipalities only.

BASIC COMPETENCES OF MUNICIPALITIES

FUNCTIONS OF MUNICIPAL EXPENDITURE



Source: Ministry of Economy and Finance.

Individual municipalities or municipality associations should provide a series of basic services depending on their population size:

- All municipalities: public lighting, cemeteries, waste collection, public cleaning, drinking water supply,

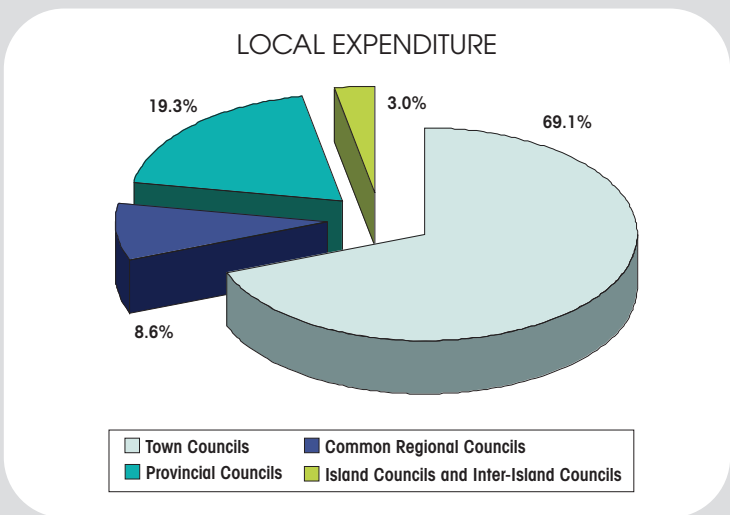
sewer system, access to urban areas, road surfacing, and food and drink control.

- ▶ Municipalities with more than 5,000 inhabitants: public parks, public libraries, market, and waste management.
- ▶ Municipalities with more than 20,000 inhabitants: civil defence, social work, fire safety, and sports facilities for public use.
- ▶ Municipalities with more than 50,000 inhabitants: urban passenger transport and environment protection.

FINANCING LOCAL GOVERNMENT

The Spanish Constitution lays down two basic principles with regard to Local Economies: **financial autonomy** and **financial self-sufficiency**.

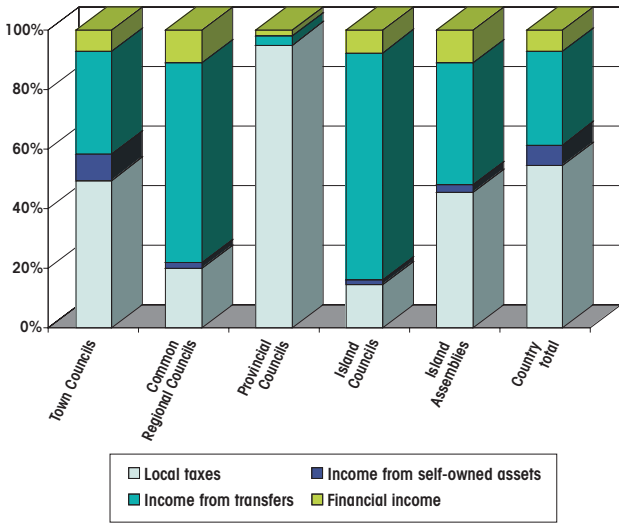
The principle of financial autonomy means that municipalities, provinces and islands can make their own decisions on resources and how to spend them. The principle of financial self-sufficiency is aimed at guaranteeing that all municipalities have the necessary resources to exercise their competences.



In order to be self-sufficient, Local Treasuries rely on the following resources:

- ▶ income from self-owned assets
- ▶ local taxes (fees, special contributions, duties)
- ▶ surcharges on the Autonomous Communities or other Local Entities' taxes
- ▶ shares in the State and the Autonomous Communities' taxes
- ▶ subsidies
- ▶ public fares
- ▶ credit transactions
- ▶ fines and other sanctions.

PUBLIC INCOME STRUCTURE



THE ROLE OF THE STATE IN CONNECTION WITH LOCAL GOVERNMENT

The relationships between the State and the Local Entities are regulated by the principles of self-government and cooperation. No party can perform control functions beyond those of the Courts of Justice, except in special cases.

Therefore, the relationships between the State and the Local Entities are aimed at defining the framework and procedures to facilitate cooperation and coordination between different levels of government. Two cooperation bodies are particularly important in the shaping of these relationships:

- the National Committee of Local Government, the permanent body for cooperation between the two levels of government in charge of reporting on those State provisions or regulations affecting the Local Entities and also in charge of issues pertaining to Local Treasuries.
- the Sector Conference for Local Government, gathering representatives of the State, the Autonomous Communities and the Local Entities in one forum for the discussion of local government policies.

The Economic Cooperation Programme between the State and the Local Entities should also be mentioned. This programme has the following goals:

- a)** contributing to the making of investments in works or services at the local level as included in provincial or island cooperation plans
- b)** participating in community interventions under the Local Economic Cooperation Programme.
- c)** contributing to the modernisation of local government through the use of information technologies.
- d)** encouraging citizen participation for the improvement of local services.

MUNICIPALITY ASSOCIATIONS

The contrasting structure and the high number of municipalities in Spain have led to the creation of Municipality Groupings or Associations, which represent municipalities in their relationships with the Autonomous Communities and the State.

At the State level, the **National Association of Municipalities and Provinces** (FEMP) comprises 7,286 entities (Town Councils, Provincial Councils, Island Councils, and Inter-Island Councils) with the aim of encouraging and protecting the autonomy of Local Entities by representing and defending their interests before the other two levels of government.

In addition, there are Municipality Associations operating at the regional level in all the Autonomous Communities.

RELEVANT LAWS AND REGULATIONS

- 1978 Spanish Constitution
- Law 7/1985, of April 2nd, regulating the Bases of Local Government
- Organic law 5/1985, of June 19th, on the General Electoral System
- Royal legislative decree 781/1986, of April 18th, approving the amended text of the regulations in force on local government
- Law 18/2001, of December 12th, on budget stability
- Royal legislative decree 2/2004, of March 5th, approving the amended text of the law regulating Local Treasuries
- Law 1/2006, of March 13th, regulating the special organisational system for the municipality of Barcelona
- Law 22/2006, of July 4th, on Capital Status and Special Regime of Madrid

USEFUL LINKS

www.060.es

www.map.es

www.meh.es

www.femp.es



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