



## **Regione Toscana**

# Rules on the promotion of participation in the formulation of regional and local policies

Regional Law

N° 69/2007

**Rules on the promotion of participation  
in the formulation of regional and local policies**

Item I  
Principles and body

Section I  
Principles

Article 1  
Principles

1. Participation in the formulation and making of regional and local policies is a right. This law promotes forms and instruments of democratic participation to render this right effective.
2. This law applies, in particular, to the following provisions of the Regional Statute:
  - a) article 3, paragraph 4, in as much as the law provides for instruments for guaranteeing the participation of residents and people from Tuscany living abroad in regional policy choices;
  - b) article 4, letter m), in as much as promoting shared solutions on the policies of management of the territory, the law contributes to the sustainability and enhancement of the region's historic, artistic and landscape heritage;
  - c) article 4, letter z), in as much as the law provides for instruments for achieving good administration in accordance with impartiality, transparency and equity;
  - d) articles 58 and 59, on social subsidiarity, in as much as the law encourages the autonomous initiative of inhabitants and organised social groups in both participatory processes and the enhancement of the competences to be found at large in the regional community.
  - e) article 62, on institutional subsidiarity, in as much as the law provides for support and incentives for local authorities in the carrying out of participatory processes for their policies as well as the possibility of managing participatory processes of importance to regional policies;
  - f) article 72, in as much as the law promotes participation in the formulation of regional policies.
3. This law likewise pursues the following aims:
  - a) contributing to the renewal of democracy and its institutions by integrating it with practices, processes and instruments of participatory democracy;
  - b) promoting participation as an everyday form of administration and government of the Region in all sectors and at all governmental levels;
  - c) reinforcing, by means of the participation of inhabitants, the capacity to elaborate, define and formulate public policies;
  - d) creating and encouraging new forms of exchange and communication between institutions and the community;
  - e) contributing to greater social cohesion by means of the diffusion of a culture of participation and enhancement of all forms of civic commitment;
  - f) contributing to gender equality;

- g) favouring the social inclusion and emerging of diffused or inadequately represented interests;
- h) stimulating and activating the commitment and participation of everyone in the choices and life of local and regional communities;
- i) enhancing the widespread knowledge, competences and commitment of the community;
- j) promoting the diffusion of best practices in participation and their relative models;
- k) enhancing other participatory experiences in progress.

4. The provisions of this law cannot be interpreted as limiting the forms of participation not provided for by this law itself nor as limiting the broader inclusivity of all participatory processes.

5. In the definition of regional programmes for public works with equal criteria of priority, the Regional Government favours those works for which public debate in accordance with Section II is to be or has already been held.

## Article 2 Holders of the right to participate

1. Participatory processes can be partaken by:

- a) resident citizens and foreign or displaced citizens who are legally resident in the territory affected by participatory processes;
- b) the people who work, study or are occasionally living in the concerned territory;
- c) when in Tuscany, the Tuscans who reside abroad;
- d) other persons, also at their request, who have an interest in the concerned territory or in the matter of the participatory process, in so far as their involvement in the participatory process is deemed useful by the person in charge of the proceedings.

## Section II Regional Authority for participation

### Article 3 Institution and requisites

1. A Regional Authority for the guarantee and promotion of participation has been established, and is hereinafter called the Authority.
2. The Authority is a monocratic office held by an expert in public law and political science or by a person of proven experience in the methods and practices of participation; s/he can be a non-Italian citizen.

Article 4  
Nomination and duration of office

1. The Authority is nominated by the Regional Council and remains in office until the end of the term, as per paragraph 1 of article 26.
2. The conditions of ineligibility, incompatibility and conflict of interest established by the Regional Law which regulate the nominations and designation by the Regional Government to the Authority shall apply to the Authority.
3. Within three months of this law coming into force the President of the Regional Council shall make a public announcement for the purpose of soliciting the submission of candidacies.
4. The competent Committee of the Council shall interview the candidates who fulfil the conditions to be nominated and submit to the Council, with unanimous vote, the proposal of the candidate considered the best suitable for the office.
5. In case of failure to reach a unanimous vote, the Committee shall send the list of all suitable candidates to the President of the Council who, within thirty days, shall submit up to three candidates to the vote of the Council.

Article 5  
Duties

1. The Authority shall:
  - a) evaluate and admit proposals for public debate on Item II large-scale works and supervise the progress of the debate;
  - b) evaluate and grant regional support for Item IV participatory projects;
  - c) formulate orientation for the management of Item IV participatory projects;
  - d) define the criteria and means of support as per paragraph 6 of article 14;
  - e) evaluate the performance and effects of participatory processes;
  - f) submit an annual report on his/her actions to be sent to the Regional Council, who will ensure that it is appropriately published; the annual report shall contain reference to how the results of the participatory processes granted regional support have been respected and the degree of their being put into effect;
  - g) ensure the publication, also by telematic means, of documents, knowledge and experience gained during the implementation of the presented projects, including the final reports on the participatory processes;
  - h) exercise all other functions prescribed by this law.
2. The Authority shall send all its decisions to the Regional Council and to the Councils of all local authorities concerned.
3. The publication of documents and data concerning the participatory processes will contribute to the constitution of an archive intended to support future participatory activities.

Article 6  
Offices, structures and allowances

1. The Authority shall be based in the offices of the Regional Council and shall be guaranteed, also by means of an agreement with the Regional Government, the means and staff necessary for carrying out his/her duties.
2. The Authority shall define an appropriate agreement with the Regional Government as well as with the Agencies and instrumental bodies of the Region with regard to the respective institutional duties in order to establish the necessary forms of collaboration between offices, including the use of documental and statistical data.
3. The Authority shall receive allowances as determined by the Office of the President of the Regional Council in reference to the salaries paid to Regional Councillors.

Item II  
Public Debate on large-scale works

Article 7  
Large-scale works

1. For large-scale works with significant possible impact of an environmental, territorial, social or economic nature, the Authority may organise a public debate on the aims and features of the projects during the phase prior to any administrative action pertaining to the preliminary plans.
2. The public debate may also be organised at a stage following the one mentioned in paragraph 1 only at the request of the public entity entrusted with the completion of the large-scale work.
3. In the case of works having an environmental and territorial impact, the Authority shall promote an appropriate agreement with the Regional Guarantor for Communication, as per article 19 of Regional Law N<sup>o</sup>.1 (Rules on the government of the territory) of 3 January 2005, in order to ensure an exchange of information and the coordination between the progress of the public debate and the duties of the aforesaid Guarantor.

Article 8  
Requesting and granting

1. A request to organise a public debate can be made by:
  - a) the body, public or private, proposing the large-scale work;
  - b) the body contributing to the accomplishment of the work;
  - c) local authorities involved at a territorial level;
  - d) at least 0.50 per cent of the citizens, foreigners or stateless people over the age of sixteen years who are legally resident in the Region, also at the initiative of associations and committees.
2. In the case of letter d), the request must contain the names of a maximum of seven delegates of the proponents.

3. The Authority shall give justification for its decisions within thirty days, after having requested an opinion by the concerned public body and the delegates of the proponents; the latter's failure to express their opinion within the established time limits shall not hinder the decision of the Authority.

4. The Authority may ask the proponents for thorough analysis and documentation of a technical nature about the project for which the participatory process is to be initiated.

5. For the purposes of accepting the request, the Authority shall evaluate whether the impact of the work is significant and shall check that no administrative act regarding the preliminary plans has been adopted.

## Article 9 Carrying out the Public Debate

1. By the same act granting the request for public debate, the Authority shall order that it be opened and:

a) establish the duration of the debate, no longer than six months, except in the case of grounds for an extension of no longer than three months;

b) establish the phases of the debate in order to guarantee the maximum information for the citizens involved and promote participation in, and ensure the impartiality of, the running of the debate, complete equality of expression of all points of view and equality of access to the places and times of the debate.

c) nominate the person in charge of the public debate from among experts in participatory methods and practices, defining the specific duties of the person in charge.

2. The act as mentioned in paragraph 1 shall be published in the Official Bulletin of the Region of Tuscany and communicated to the competent Council Committee.

3. The opening of the public debate shall suspend the adoption or implementation of administrative acts of regional competence connected to the work to be debated publicly.

4. For those administrative acts within the jurisdiction of local authorities, the suspension as per paragraph 1 applies in the case where the local authority concerned has signed the Agreement Act as per Article 18 or, nevertheless, whenever the local authority decides to do so. Suspension regards those acts whose adoption or implementation may prefigure a decision which anticipates or prejudices the result of the public debate.

5. The Authority shall indicate those administrative acts which must be suspended in accordance with paragraphs 3 and 4.

6. In the case of a public debate intervening in a phase which succeeds the adoption of the acts pertaining to the preliminary plans, in accordance with paragraph 2 of article 7, the suspension shall not concern the regional or local acts to be adopted within the deadlines provided for by state laws or deriving from European Union obligations.

Article 10  
Conclusion of the Public Debate

1. At the end of the public debate, the person in charge of the debate shall deliver a report on the process adopted, the matters raised during the debate and the conclusive proposals arising to the Authority.
2. The Authority shall verify that the participatory process has been carried out correctly, acknowledge the report and make it public.
3. Within three months from the publication of the report, the proponent body shall publicly declare whether it intends to:
  - a) abandon the project or present an alternative;
  - b) propose changes to the project, indicating what changes are to be made;
  - c) continue to uphold the same project on which the public debate was held, justifying the reasons for this choice.
4. The Authority shall ensure, also by means of publication in the Official Bulletin of the Region of Tuscany, adequate publicity for the report on the public debate and to the declarations of paragraph 3, which shall also be made available to the elective councils concerned.
5. The publication of the declaration as per paragraph 3 shall interrupt the suspension of regional or local administrative performance regarding the project.

Item III  
Instruments

Section I  
Communication

Article 11  
Information

1. In order to render effective the right to participate, the Authority shall ensure the timely publication of all the documentation relating to the initiative, project or work to be the subject matter of the participatory process arranged by the bodies involved in that process.
2. Public awareness shall be achieved by means of telematic instruments, public announcements, publications, public relations' offices and any other suitable instrument of communication.

Article 12  
Changes to Regional Law No. 22/2002

1. To paragraph 1 of article 3 of Regional Law No. 22 of 25 June 2002 (Regulations and works regarding information and communication. Regulation of the Regional Committee for communications.) has been added the following letter g bis):

“g bis) supply collaboration to the participatory processes promoted in accordance with Regional Law, n. 69, 27 December 2007, “Rules on the promotion of participation in the formulation of regional and local policies”.

## Section II Training Activities

### Article 13 Training

1. Having heard the Authority, the Regional Government shall deliberate at periodic intervals training activities to support participatory processes and which are divided into:
  - a) training courses;
  - b) materials for study, research and methodological documentation, also available by telematic means;
  - c) specific projects;
  - d) provision of protocols or agreements with universities for training activities.
2. In compliance with national and decentralized collective contracting procedures, the Regional Government organizes initiatives for training its employees on the subject of participatory methods.
3. The training activities are aimed at the promotion of:
  - a) civic culture and participation, especially amongst the younger generations;
  - b) the culture of participation within regional and local governments and the diffusion of knowledge of participatory techniques.
4. The training activities are aimed at public administrators and the employees of local authorities.
5. The training activities favour young people especially and are aimed at:
  - a) associations and local experts and workers;
  - b) school managers and teachers;
  - c) students.

## Item IV Regional Support for Participatory Processes

### Section I Subjects and types of support

#### Article 14 Subjects and types of support

1. Those who can apply for support for their own participatory projects which differ from public debate on Item II large-scale works include:
  - a) the following minimum percentages of residents in the territory of one or more Provinces, Municipalities, municipal districts, within which a participatory project has been proposed, also put together at the initiative of associations and committees:
    - 1) 5 per cent up to one thousand inhabitants;



- 2) 3 per cent up to five thousand inhabitants;
- 3) 2 per cent up to fifteen thousand inhabitants;
- 4) 1 per cent up to thirty thousand inhabitants;
- 5) 0.50 per cent over thirty thousand inhabitants.

b) single or associated local authorities, also with the support of citizens, residents and associations;

c) single or associated schools, following the deliberation of the collective organs, also with support as per letter a).

2. Applications must be presented by:

- a) 31 March for projects beginning after 10 May;
- b) 31 July for projects beginning after 10 October;
- c) 30 November for projects beginning after 10 January;

3. For those subjects as per paragraph 1, citizens and legally resident foreigners and stateless people who are at least 16 years of age are included.

4. A business may present an application for support for a participatory process regarding only its own planning or works that represent a significant impact of an environmental, social or economic nature in the territory concerned and with the support of the subjects as per paragraph 1, letter a).

5. Citizens, foreigners or stateless people as per paragraph 1, letter a) can present applications for regional support for participatory projects on initiatives and projects regarding aspects and phases of certain public policies on which the State, Region or local authority have not undertaken any action.

6. Support for projects admitted by the Authority can include any one of the following works, as defined in accordance with article 5, paragraph 1, letter d):

- a) financial support;
- b) methodological support;
- c) assistance with communication, including information technology support.

## Section II

### Requisites for acceptance and priority criteria

#### Article 15

##### Requisites for acceptance

1. The Authority will accept participatory projects conforming to the following requisites:

- a) the subject matter of the participatory process must be defined in a precise manner;
- b) indication must be given of the phase of the decision-making process regarding the subject matter of the participatory process;
- c) definite timing for the carrying out of the project must be shown, with duration of no longer than six months, with extension possible for justifiable reasons which must be authorised by the Authority and which must be no longer than three months;

- d) participatory instruments and methods must be congruent with the aims of the process and the context in which it is being carried out must be indicated;
- e) the management of the process must be entrusted to a neutral and impartial body and, in any case, the modality of management of the participatory process must guarantee neutrality and impartiality;
- f) there must be inclusivity of the procedures, with particular attention to the conditions which ensure complete equality of expression of all points of view and equality of access to the places and times of the debate.
- g) there must be inclusion of different social and cultural groups;
- h) there must be specific actions for the maximum diffusion of information, including technical information, among all citizens before, during and after the participatory process;
- i) there must be a budget for the participatory process proposed;
- l) indication of the actual person responsible for performance as per article 13, paragraph 3, letter b). must be given.

2. Participatory projects whose nature and aims require longer periods than those indicated in paragraph 1, letter b) will be accepted if precise timings and phases of development for the proposed process are given.

3. Applications by citizens and residents, schools and businesses shall be accepted if these provide for, in addition to the conditions listed in paragraph 1, the availability of their own resources for the process, even if only of an organisational nature.

4. Applications by local authorities shall be accepted if they present, in addition to the requisites listed in paragraph 1, the following ones:

- a) a declaration by means of which the local authority commits to take into account the results of the participatory process or, alternatively, to justify the complete or partial refusal of its results.
- b) adherence to the Region-Local Authorities Agreement Act as per article 18;
- c) accessibility to all documentation relevant to the participatory process;
- d) making available financial and organisational resources for the process;
- e) when concerning instruments of territorial planning and acts of territorial government, the opinion of the local guarantor for communication, instituted in accordance with article 19 of 1/2005, is required.

## Article 16 Priority criteria

1. Of the applications accepted on the basis of the requisites indicated in article 15, the Authority will give priority to projects which:

- a) provide for the involvement of weak or disadvantaged persons, including people with disabilities;
- b) take place in local areas which have particular situations of social or territorial hardship;

- c) regard works or interventions which have a significant potential impact on the landscape or the environment;
- d) undertake to facilitate, by means of suitable spaces, times and places, equality of gender participation;
- e) have a better ratio between the overall costs of the process and their own resources;
- f) adopt innovative forms of communication and interaction with the inhabitants which permit the latter to take an active part in the various phases of the process;
- g) are supported by a large number of applicants beyond the minimum required as per article 14, paragraph 1, letter a).

2. If the application is presented by a local authority, the Authority will evaluate as a priority those projects which, other than as established in paragraph 1:

- a) give continuity, stability and transparency to processes of participation in the practices of the local authority or which, to the same ends, constitute the application of local rules on participation;
- b) present an integrated and inter-sector dimension;
- c) are presented in an associated form by several local authorities;
- d) utilise the Region of Tuscany Telematic Network in accordance with Regional Law No. 1 of 26 January 2004 (Promotion of E-government and the Information Society. Rules for the "Region of Tuscany Telematic Network");
- e) render accessible by telematic means all documentation relevant to the participatory process, including summary and popular versions;
- f) offer forms of communication, also by telematic means, on a free of charge and periodic basis of the activities of the local authority and on the participatory processes in progress;
- g) aim to contribute to fair local development, respecting the environment, also proposing local plans of action defined in the framework of an Agenda 21 process.

### Section III

#### Acceptance and modalities of support

#### Article 17

#### Acceptance and modalities of support

1. The Authority shall provide a justified decision within thirty days of the presentation of the application. The Authority can also:

- a) subject acceptance of the application to modifications of the project, aimed at making the project more fully consistent with the requisites of acceptance and with the criteria of priority;
- b) indicate integrative modalities for carrying out the project, also concerning the territory and inhabitants to be involved, with the possible necessity to supplement the number of signatures;
- c) request the coordination with similar projects, indicating the modalities for this;

d) differentiate or combine the various types of regional support, bearing in mind the specificities of each demand.

2. When examining projects proposed by citizens, residents, schools, businesses or local authorities in the case where the results of the participatory process concern the competences of other authorities, the Authority shall consider the opinion of the competent authority and ascertain its availability to take into account the results of the participatory process or alternatively to justify the complete or partial refusal of its results.

3. Support for accepted projects shall be:

- a) paid in instalments, also with a down payment;
- b) subject to the presentation:
  - 1) of periodic and final reports on the participatory process;
  - 2) of analytical documentation of the costs;
- c) suspended until the requisites and elements constituting the criteria of priority are corrected in the manner and terms defined at the time of acceptance.
- d) subject to lapse and repetition in the case of irremediable inobservance of the conditions of acceptance.

#### Item V

#### Agreement Act between Region and local authorities<sup>♦</sup>

#### Article 18

#### Agreement Act between Region and local authorities

1. The Regional Government promotes an Agreement Act between Local Authorities and the Region open to signing also at a later date.

2. In signing the Agreement Act, Local Authorities declare to share the principles of this law and willingly accept the procedures provided for in this law. They also willingly accept to suspend the adoption or carrying out of administrative acts of their own competence whose adoption or fulfilment might prefigure a decision which anticipates or prejudices the result of the public debate or other processes of participation.

3. The Agreement Act can also provide for forms of regional support outside the realms of specific processes of participation accepted for regional support, supporting that which concerns logistics, information technology and professional training, favouring those authorities giving stability to participatory practices; the adoption of a local regulation on participation is an index of such stability.

#### Item VI \*

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<sup>♦</sup> In the Italian constitutional system the relationship between the state and the twenty regions is complex; simplifying, we can say that the state delegates autonomous legislative power to the regions for a series of matters and policies. However, the administrative system of the municipalities is largely regulated by state legislation. A regional law cannot, in any case, impose any procedure which undermines the prerogatives and authoritative autonomy of municipalities. Hence, the necessity of an Agreement Act between the Region and the Municipalities about the terms and ways of implementation of the regional law on participation.

\* *Item VI* deals with the forms and modalities of participation in the legislation and planning activities of the Region and regional policies. Of particular importance is [article 20](#), which modifies the regional law in force (no. 49/1999) that regulates the programming of regional policies. This change intervenes on an essential passage of the ordinary

## Participation in the legislative activity of the Regional Government and in Regional Planning

### Section I

#### Participation in the normative activity of the Regional Government

#### Article 19

#### Participation in the normative activity of the Regional Government

1. The Regional Government, by means of the modalities and instruments as per article 11 and in order to acquire all useful contributions from the community of Tuscany, encourages the wider knowledge:

- a) of the acts of policy planning of the Regional Government;
- b) of the cognitive framework of fact and of law pertaining to the legislative initiatives under the Regional government's competence.

### Section II

#### Participation in regional planning activities

#### Article 20

#### Changes to Regional Law 49/1999

1. After paragraph 2 of article 10 of the Regional Law of 11 August 1999, no. 49 (Rules regarding regional planning), the following paragraph 2 bis has been added:

“2 bis. Regional plans and programmes must specify the quota of the available resources destined for the fulfilment of participatory processes, determined on a basis sufficient to guarantee their effective fulfilment”; participation in regional plans and programmes is promoted exclusively by the Regional Government.”.

2. In paragraph 2 of article 16 of the Regional Law 49/1999, after the word «environment», the following words have been added: “and of the Regional Law Regional Law, n. 69, 27 December 2007, (“Rules on the promotion of participation in the formulation of regional and local policies”)”.

3. After paragraph 1 of article 16 bis of the Regional Law 49 the following paragraph 1 bis has been added:

“1 bis. the NURV [Unified Group of Regional Evaluation], validates the procedures of participation promoted exclusively by the Regional Government, also on the basis of the conditions and criteria as per articles 12 and 13 of Regional Law...”.

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procedures by means of which the Region produces its plans and projects. In particular, a *binding prescription* has been introduced obliging that a quota of the resources available for a regional plan or project be destined for the activation of specific participatory processes, which had already been foreseen by the laws and regulations in force, but often lacked adequate financial support.

## Item VII

### Coordination and modifications to Regional Laws \*

#### Article 21

##### Coordination with Regional Law 1/2005 regarding the territory

1. The participation in the formation, evaluation and implementation of instruments of territorial planning and of acts of government of the territory as per articles 9 and 10 of Regional Law 1/2005 takes place according to the principles and by means of the institutes and modalities provided by the aforesaid Regional Law 1/2005 and by the relative regulations for their coming into effect.
2. Local authorities can promote participatory forms as per this law in the phase of formulating territorial planning instruments and acts of government of the territory and prior to their adoption, in reference both to statutory and to strategic profiles.
3. In carrying out the plan of territorial policy as per article 48 of Regional Law 1/2005, the Guarantor of Communications instituted by the Region takes on initiatives to promote and ensure the most effective fulfilment of the modalities of participation provided for by the regional regulations for the government of the territory and for the periodic verification of their functionality.

#### Article 22

##### Changes to Regional Law 40/2005 regarding health

1. After letter f) of paragraph 1 of article 3 of the Regional Law of 24 February 2005, no. 40 (Control of the Regional Health Service), recently amended by Regional Law of 22 December 2006, no. 64, the following letter f bis) has been added:  
“f bis) intervention by means of participatory processes in accordance with Regional Law n. 69, 27 December 2007, (“Rules on the promotion of participation in the formulation of regional and local policies”)”.

#### Article 23

##### Changes to Regional Law 41/2005 regarding Social Citizenship Rights

1. In letter i) of paragraph 1 of article 3 of the Regional Law of 24 February 2005, no. 41 (Integrated system of interventions and services for protecting social citizenship rights), the following words have been added at the end: "also by means of participatory processes in accordance with Regional Law n. 69, 27 December 2007, (“Rules on the promotion of participation in the formulation of regional and local policies”)”.

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\* *The group of articles comprising Item VII*, together with the articles in Item V, are specific interventions on regional laws regarding the various sectors of regional policies. These are modifications aimed at integrating into the laws in force a more coherent reference to participatory procedures and, especially, to permit regional and local programming and planning to make use of the procedures and resources made available by the new law. This does not mean, therefore, the superimposition of further participatory procedures to those already provided for in the laws in force but rather a strengthening of the latter by the availability of the instruments and resources made available by the new law.

## Article 24

### Changes to Regional Law 25/1998 regarding waste disposal

1. In paragraph 4 of article 1 of the Regional Law of 18 May 1998, no. 25 (Regulations for the management of waste disposal and the reclamation of polluted sites), recently changed by the Regional Law of 22 December 2006, no. 64, after the words "management of waste disposal", the following words have been added, "and support also by means of participatory processes in accordance with Regional Law n. 69, 27 December 2007, ("Rules on the promotion of participation in the formulation of regional and local policies")".

## Article 25

### Changes to Regional Law 1/2004 regarding telematic networks

1. In letter b) of paragraph 1 of article 1 of Regional Law 1/2004, the following words have been added at the end: "and participatory."

2. In article 16, paragraph 1 of the Regional Law 1/2004, after the word "regional", the following words have been added: "and promote citizen participation".

3. In article 16, after paragraph 2 of article 16, the following paragraph 2 bis has been inserted: "2 bis). The Strategic Committee also identifies an expert of recognised competence in the use of the network for participatory purposes to join the Observatory".

4. In letter b) of paragraph 1 of article 17 of the Regional Law 1/2004, the following words have been added at the end: " in the use of the network for participatory purposes".

## Item VIII

### Final Rules

## Article 26

### Duration of the law

1. This law will be repealed on 31 December 2012, except for the conclusion of participatory processes already in progress on that date.

2. During the first three months of 2012, the Regional Government shall promote and implement, together with the Regional Council, participatory routes to evaluate:

- a) the efficacy, diffusion and performance of the participatory processes promoted in accordance with this law;
- b) the opportunity to confirm or make changes to this law.

## Article 27

### Public Debate on large-scale works and consultative referendum

1. The calling for a consultative referendum on a large-scale work, in accordance with the Regional Law of 23 November 2007, no. 62 (Regulation of regional referenda provided for by the Constitution and by the Statute) determines the inadmissibility of a public debate on the same

matter, it being understood what prescribed by article 46, paragraph 1, letter c) of the aforesaid law.\* .

## Article 28 Participatory processes and elections

1. Public debate as per Item II cannot be held during the six months prior to the dissolution of the Regional Council. In the case of early dissolution, the prohibition is effective from the day of the decree of dissolution, with the suspension of the procedures in progress.
2. During the three months prior to the elections of the local authorities involved in participatory processes as per Item IV, new participatory processes cannot be accepted.

## Article 29 Provisional Regulations

1. During 2008 and 2009, the public debate provided for by Item II can also be organised for large-scale work projects no longer in a phase of preliminary planning, with the exceptions of works whose final project plans have already been approved.
2. The opening of public debate as per paragraph 1 shall not suspend any administrative execution.
3. The procedures provided for by this law shall be applicable to plans and programmes whose formulation procedure in accordance with article 10 of Regional Law 49/1999 has already started on the date of entry into force of this law and which have not yet undertaken the participatory processes provided for by Regional Law 49/1999.

## Article 30 Financial Regulations

1. For the purposes of funding this law, the expense of euro 1,000,000 for each of the years 2008 and 2009 has been authorised to pay for execution as per article 13, by means of the allocation of budget item 131 "activities of an institutional nature-current expenditure" and as for the remaining execution by the allocation of budget item 13 ("Regional Council running costs") of the long-term budget for the legislation in force 2007-2009, for the financial years 2008 and 2009.
2. In order to cover the expenses as per paragraph 1, the following variation has been made to the long-term budget 2007-2009, for the financial years 2008 and 2009
  - 1) Year 2008:
    - a) reduction budget item 741 "funds-current expenses" euro 1,000,000;
    - b) increase UPB 131 "activities of an institutional nature-current expenses" euro 300,000;
    - c) increase budget item "(Regional Council running costs)" euro 700,000
  - 2) Year 2009:
    - a) reduction budget item 741 "funds-current expenses" euro 1,000,000;
    - b) increase UPB 131 "activities of an institutional nature-current expenses" euro 300,000;

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\* The article 46, paragraph 1, letter c) of the Regional Law No 62/2007 that rules the regional consultative referendum provides that, in a symmetrical way, the opening of a Public Debate determines the inadmissibility of a referendum on the same matter.



c) increase budget item .”(Regional Council running costs)” euro 700,000

3. The regional budget act provides for years 2010, 2011 and 2012