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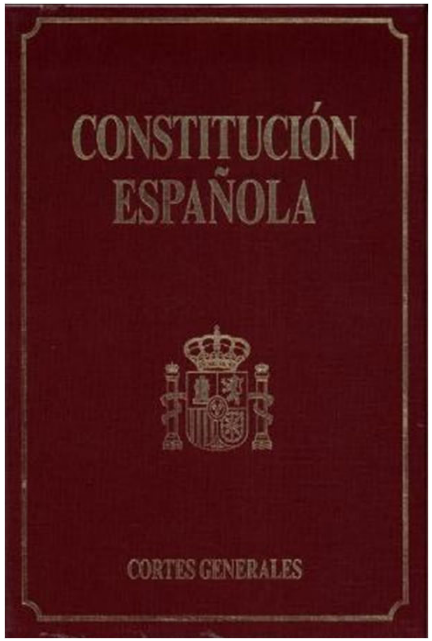
THE SPANISH TERRITORIAL STRUCTURE: SPAIN THE STATE OF THE AUTONOMIES AND LOCAL ENTITIES

by Celia Guillot Rabanal

Washington, April 22th 2023

THE SPANISH CONSTITUTION OF 1978

THE SPANISH CONSTITUTION WAS VOTED ON DECEMBER 6TH, 1978







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THE SPANISH CONSTITUTION

- ✓ Inspired by the constitutional models of other countries.
- ✓ The entire legal order rest on the Constitution and hence its supremacy.
- ✓ The control of constitutionality its delegated to an independent boy of legal nature. The Constitutional Court



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THE TERRITORIAL DIVISION

Article 137*:*

"The State is organized territorially in municipalities, in provinces and in the Autonomous Communities that are constituted. All these entities enjoy autonomy for the management of their respective interests."

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NATIONALITITIES AND REGIONS

Article 2nd:

"The Constitution is based on the indissoluble unity of the Spanish Nation, the common and indivisible homeland of all Spaniards, and recognizes and guarantees the right to autonomy of the nationalities and regions that comprise it and the solidarity among all of them."

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THE SPANISH CONSTITUTION OF 1978

NATIONALITITIES AND REGIONS



- ✓ Spain as a nation and whose unity is literally cited in this article.
- ✓ Spain is made up of communities that qualify as nationalities and regions and their rigth to autonomy is guaranteed.
- ✓ The necessary solidarity among them.

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THE SPANISH CONSTITUTION OF 1978

THE DEMOCRATIC TRANSITION







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THE AUTONOMOUS COMMUNITIES

The neighboring provinces with common historical, cultural and economic characteristics.

The provinces with a historical regional entity.

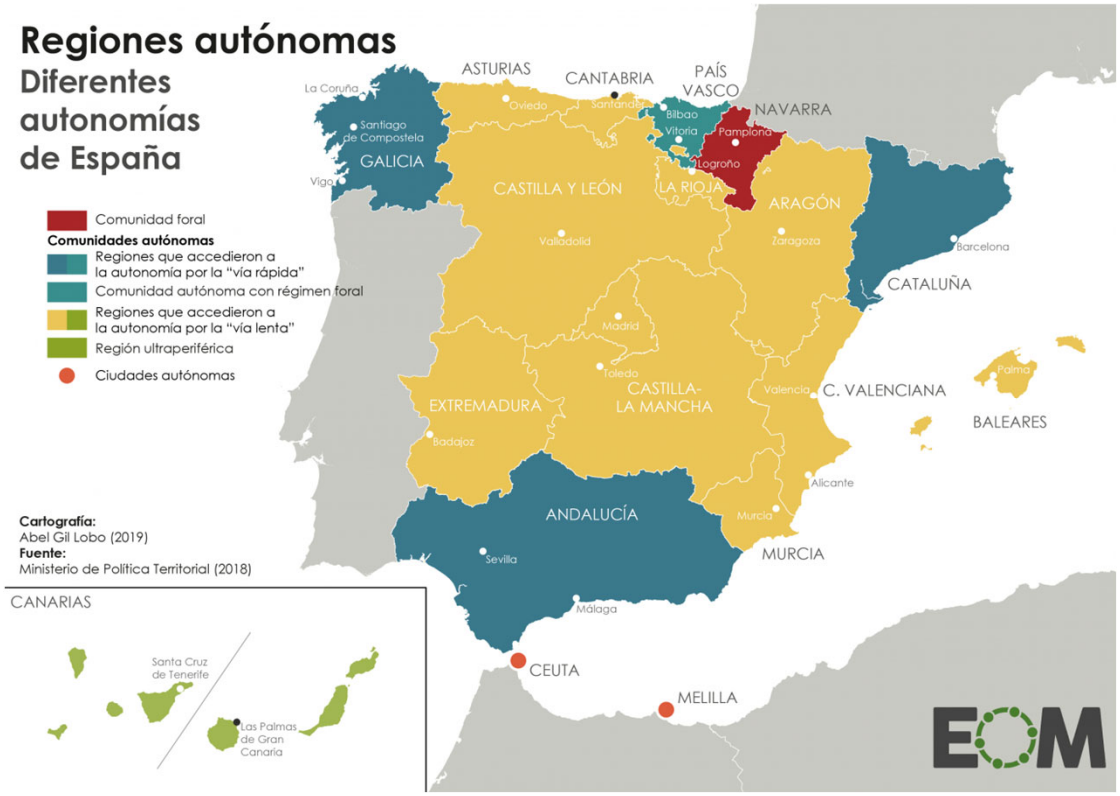
The Island Territories

Will be able to became a Autonomous Communitie

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THE AUTONOMOUS COMMUNITIES



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THE COMPETENCE SYSTEM IN SPAIN

The Constitution determines the Spanish System of powers in Articles 148 and 149. These articles delimits their power of the State an those that may be exercises by the Autonomous Communities.

The own exclusive competences of the State, the basic competences are unique. This type allows the State to establish basic and common rules for the entire national territory. The Autonomous Communities may develop these basic rules, thanks to their legislative autonomy, but never contradict them.

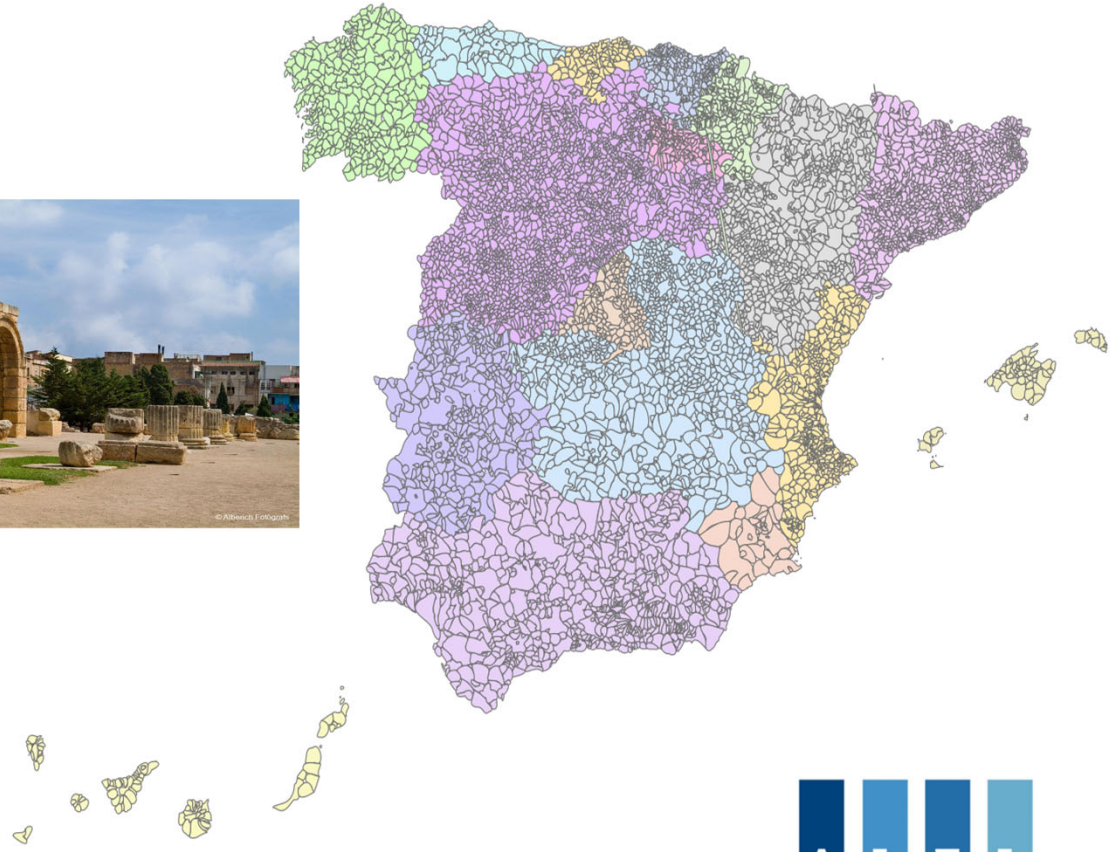


THE SPANISH CONSTITUTION OF 1978

THE MUNICPALITIES IN SPAIN







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THE MUNICIPALITIES IN SPAIN

The Constitution guarantees the autonomy of the municipalities. These shall enjoy full legal personality.

Government and administration → **CITY COUNCILS**

CITY COUNCILS Composed of → **MAYORS**

CITY COUNCILS Composed of → **COUNCILMEN**

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THE MUNICIPALITIES IN SPAIN

EUROPEAN CHARTER OF LOCAL AUTONOMY. DONE AT STRASBURG ON OCTOBER 15th, 1985

Article 3,1:

"Local autonomy is understood as the right and effective capacity of local entities to order and manage an important part of public affairs, within the framework of the Law, under their own responsibility and for the benefit of their inhabitants."

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THE MUNICIPALITIES IN SPAIN

Municipalities must obligatorily provide the following services to citizens:

- ✓ Public lighting
- ✓ Cemetery
- ✓ Waste collection
- ✓ Street cleaning
- ✓ Domestic drinking water supply sewerage,
- ✓ Access to population centers
- ✓ Paving







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THE SPANISH CONSTITUTION OF 1978

THE PROVINCE

Created in 1833, by de Burgos's Provincial Division







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THE PROVINCE

Article 141

"1. The province is a local entity with its own legal personality, determined by the grouping of municipalities and territorial division for the fulfillment of State activities. Any alteration of the provincial limits will have to be approved by the Cortes Generales by means of an organic law.

2. The Government and the autonomous administration of the provinces will be entrusted to Provincial Councils or other Corporations of a representative nature.

3. Groups of municipalities different from the province may be created.

4. In the archipelagos, the islands will also have their own administration in the form of Cabildos or Councils."

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THE PROVINCE

Government and administration ⟶ **PROVINCIAL COUNCILS**

PROVINCIAL COUNCILS Composed of:

- ✓ President
- ✓ Vice-President
- ✓ the Governing Board
- ✓ the Plenary

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THE LOCAL ENTITIES IN SPAIN

1.- The ones recognized in the Constitution:

- ✓ *The Municipality*
- ✓ *The Province*
- ✓ *The Islands (Balearic and Canary)*

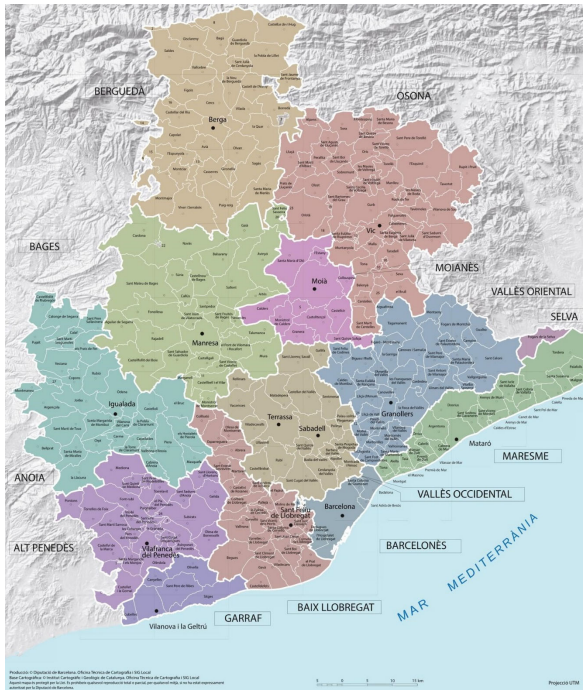
2.- Those recognized in the basic law:

- ✓ *The Shires*
- ✓ *Metropolitan Areas*
- ✓ *The Commonwealths of municipalities*

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THE BARCELONA PROVINCIAL COUNCIL

Is the governing body of the province of Barcelona

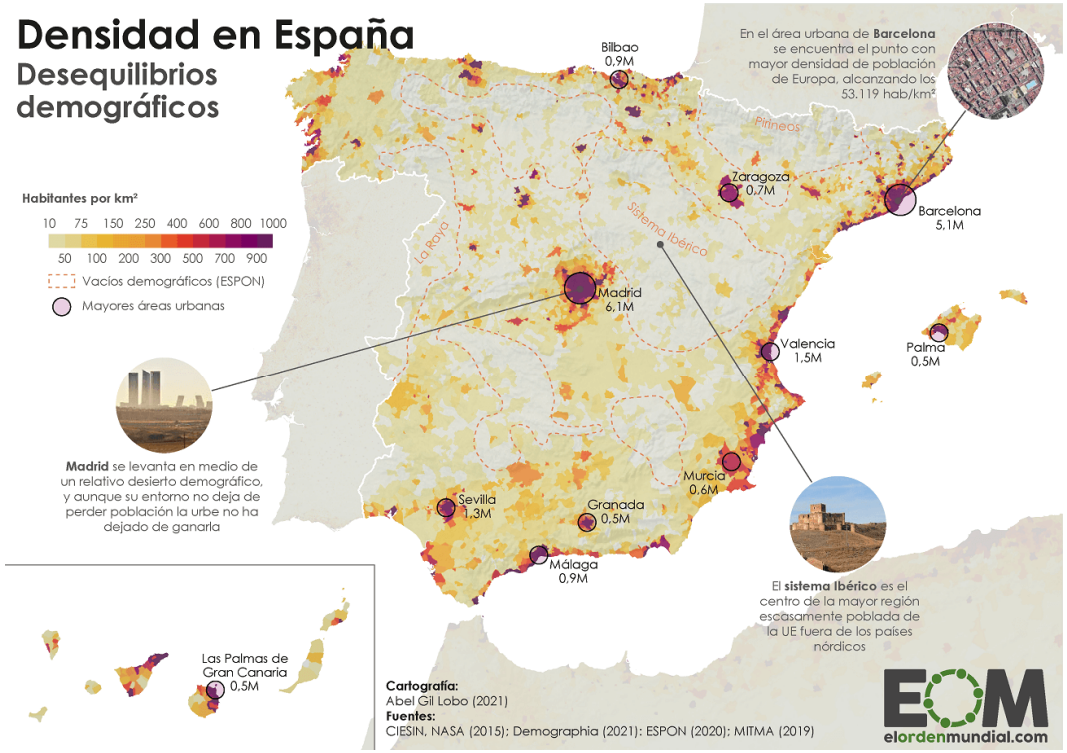




- ✓ 311 municipalities.
- ✓ 13 Shires
- ✓ Surface area of 7,727.5 km2
- ✓ Population of 5,714,730.

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THE EMPTY SPAIN



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THE SPANISH CONSTITUTION OF 1978

BARCELONA PROVINCIAL COUNCIL

LOCAL GOVERNMENT NETWORK 2020-2023 PLAN

Xarxa de Governs Locals

PLA XGL Administració local

- ✓ General Investment Program with a total allocation of 260 M€ distributed in 251.2M€ for the municipalities, 8.1m€ for the Shires councils and 0.7M€ for the decentralized municipal entities

- ✓ the Catalogue of Services, which contains, by 2023, an offer of 359 resources to support local authorities with a budget of 129.5 million euros.

- ✓ The specific programs: 14 specific programs underway with an allocation of 255M€

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Diputació Barcelona

THANK YOU FOR YOUR ATTENTION

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