

**The Government Decree
On Establishing Executive Bodies of Local Government (Village Authority)**

24 April 1996 #187

Implementing the President Decree of 20 March 1996 «On Measures On Increasing the Role and Responsibility of Heads of Local Administrations and Local Government» for the purpose of ensuring co-ordination of actions in carrying out reforms of local governments and agrarian and land reforms on the village level, purposeful and efficient resolution of questions of local signigicance the Government of the Kyrghyz Republic has decreed:

1. To set up executive bodies - village authorities on the basis of the village kenesh of the Kyrghyz Republic.
2. To approve the attached:
 - The Regulations on Village Authorities;
 - Standard staff of village authorities.
3. To the heads of oblast, rayon and municipal state administrations and local government of the city of Bishkek, chairmen of oblast, rayon and Bishkek municipal keneshes to conduct an adequate organisational work for establishing village authorities, appointment of eldcrs of villagc authoritics, paying a special attention to a proper selection of leaders, recommended for these posts, taking into account their business and professional qualities, ability to work with people, who are respected by people and whom people trust.
4. The Department of Local State Administrations, Bodies of Local Government and Personnel of the the Office of the Prime-Minister of the Kyrghyz Republic shall be responsible for the control over implimentation of this Decree.

Prime-Minister A.Djumagulov

Approved by the Government of the Kyrgyz Republic
on 24 April 1996

Regulations
On Village Authority

1. **General Provisions**

1. The village authority is an executive body under the village kenesh which within its authority manages the issues of life and work of the local community.

2. The village authority is created on the basis of one village kenesh - one village authority.

Villages which are part of existing village kenesh in accordance with existing laws on administrative or territorial division of the Kyrgyz Republic shall not have the right to withdraw from it and create its own village authority.

For the purpose of organising of operational management of local affairs of separately situated villages at the decisions of village keneshes may be introduced posts of elders of villages within the limits of the salary fund of the village authority.

3. The village authority in its activities is guided by the Constitution and laws of the Kyrgyz Republic, Act of the President and Government of the Kyrgyz Republic, resolutions of corresponding bodies of local government and local state administration as well as by this Decree.

4. The village authority works in a close co-ordination with the public, public organisations, creates and ensures conditions for realisation by citizens of their right on the participation in management of local affairs.

The village authority shall report at least once a year before the corresponding kenesh as well as on meetings of inhabitants of villages which are on the territory of the kenesh.

5. The village authority carries out its activities on the basis of:

- observance of laws;
- reporting before the corresponding keneshes and public;
- safeguarding of rights and interest of citizens which are protected by law;
- social justice;
- publicity and taking into account of public opinion;
- combination of local and state interests.
- separation of functions and authorities of representative and executive bodies;
- self-support and self-financing of their measures;
- independence when taking decisions of local significance and before the bodies of local government - for discharging of delegated functions.

2. **The Main Functions of the Village Authority**

6. The Village Authority as an executive body shall have the following functions:

- to prepare draft programmes of social and economic development of the territory and local budget for submitting it for approval to the village kenesh and organise its implementation;
- to manage the communal property and financial resources of the local community;
- to offer services to the public;
- to attract when necessary by the method of ashar the population of villages as well as labour, financial, technical and other resources of enterprises, institutions and organisations regardless of the form of ownership for repairing work in the forest, water and road sectors of the local significance and sites of the social infrastructure;
- maintenance and repair of all live-supporting sites of the local community which are under the communal ownership;
- control over the sanitary situation, organisation of measures on sanitary cleaning, improvement of the territory, planting with trees and gardens;
- control over the implementation of the construction master plan of inhabited areas and construction standards on the territory which is under their jurisdiction;
- ensuring of rights of citizens to secondary education and medical support;
- ensuring of organisation of measures on the protection of historic and cultural monuments;
- creation and maintenance of the housing fund;
- creation and rational use of non-budgetary funds;
- work at creation of new jobs;
- control over rational use of farm lands;
- submission of suggestions to the appropriate bodies on confiscation of irrationally and illegally used farm lands;
- creation of special land fund of the local community;
- participation in privatisation of liquidated farms and taking on their balance sheets, with approval of the corresponding bodies, social, cultural, utility and economic entities, special machinery and other property, necessary to ensure life support of the community;
- organising competitions for the land lease by natural and legal persons;
- help farms and individual farm to get machinery, productive and pedigree stock, seeds, seedlings and help them in the production, processing, storage and realisation of farming products;
- control over water supply to inhabited areas, distribution and rational water use;
- control over timely implementation of veterinary measures, organisation of veterinary and other services;
- collection of local taxes and fines in cases envisaged by laws;
- submission of suggestions to corresponding keneshes on local taxes and fines in accordance with existing laws;
- organisation of distribution of material, monetary and other types of state and humanitarian help;
- control over the activities of enterprises, organisations and institutions, other economic entities as they observe the laws on environmental protection, the use of

land and natural resources, observance of sanitary norms and rules, implementation of environmental measures;

- ensure the observance of law and order on the territory, organisation of voluntary people's patrols and courts of elders;
- organisation of leisure time for the public, cultural, sports and other measures;
- organisation of elections, referendums, public opinion polls;
- organisation of necessary mobilising and practical measures to prevent natural calamities, emergencies and liquidation of their consequences;
- organisation of registration of marriages in cases envisaged by laws;
- organisation of residency permits;
- appoint guardians and trustees, control how they discharge their functions;
- notary registration of actions envisaged by laws;
- giving papers identifying people, family and other status of citizens as well as other documents envisaged by existing laws;
- exercise other authorities envisaged by laws of the Kyrghyz Republic.

3. The Fundamentals of Organisational Activities of the Village Authority

7. The village authority consists of the head of the village authority, his deputy, executive secretary and elders.

Members of the village authority discharge their duties in accordance with their functions, instructions of the head of the village authority.

8. Meetings of the village authority are convened when necessary by the head of the village authority but at least once a month. Meetings of the village authority are competent if there are at least two thirds of its staff is present.

Decisions of the village authority are taken by simple majority of votes of those present at the meeting.

9. The staff of the village authority is determined by the head of the local government of the oblast on the basis of standard norms, approved by the Government of the Kyrghyz Republic.

10. The village authority is competent to submit proposals to convene a meeting of the village kenesh. The preparation of documents for the meeting of the kenesh shall be done by the village authority.

11. The village authority shall help the deputies of the village kenesh discharge their duties, prepare and present reports for the electors, inform the deputies on the activities of the village authority in implementing plans (programmes) for economic and social development of the village, on measures taken after receiving critical remarks and deputies' suggestions.

12. The village authority shall be competent in accordance with the law to go to court for protection of violated or disputed rights or interests of the local community protected by law.

13. The village authority on the matters of organisation of the local government shall be accountable to the chairman of the oblast (municipal) kenesh and on the delegated state authorities - to the head of the rayon (municipal) state administration.

14. The village authority shall take decisions on the matters relegated to its authority which shall be signed by its head.
Act of the village authority issued within its competence shall not need approval by any state bodies and shall be binding on its territory.
15. Resolutions and activities of the village authority and its officials may be appealed against in court.
The execution of acts of the village authority which contradict the laws of the Kyrgyz Republic may be suspended by the kenesh and governor of the oblast before the court takes the decision.
16. The village authority shall be a juridical person and shall have its seal with a state emblem, stamps and official letterhead with its name on it.

4. The Head of the Village Authority

17. The head of the village authority shall be the highest official on the territory of the village authority and village kenesh which manages the affairs of the local community within the authority established by the law of the Kyrgyz Republic and these Regulations.
The head of the village authority shall be appointed by the head of the rayon (municipal) state administration in co-ordination with the chairman of the rayon (municipal) kenesh and deputies of the village kenesh.

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**The Standard Staff
of the Village Authority**

Position	Number of staff with the following number of population			
	up to 5,000	from 5,000-10,000	from 10,000-15,000	above 15,000
Chairman of the kenesh -head of the village authority	1	1	1	1
Deputy chairman	-	1	1	1
Executive secretary	1	1	1	1
Lead specialist	1	1	1	2
Cleaner	0.5	0.5	0.5	0.5
Security	0.5	0.5	0.5	0.5
Stoker	0.5	0.5	0.5	0.5

Notes:

1. There is no position for the inspector of the military speciality with the number of men liable for call-up less than 300 and the work on military registration shall be done by one of the employees of the village authority on a part-time basis with a 50% increase in salary. If the number of men liable for call-up is from 300-1,000 then there shall be 1 position for the inspector and for the next 1,000 men there shall be one more position for the inspector of the military speciality.
2. There shall be 0.5 position of the tax inspector (book-keeper) shall be established if the number of houses is up to 500 and 1 position of the tax inspector if the number of houses is from 500 - 1,000 and if the number is above 1,000 then there shall be 1 inspector per 500 houses.
3. In the village kenesh where the number of population is above 20,000 people there shall be 1 additional position.