

THE FRAMEWORK REGULATION

On the Regional Development Council

I. GENERAL PROVISIONS

1. The current Regulation establishes the legal status, the structure, the functions and the operational procedure of the Regional Council for Development (hereinafter – Regional Council).
2. The Regional Council is a deliberative functional structure on the level of each development region, without a legal entity status, established in order to coordinate and promote the objectives regarding the regional development policy on a local level.
3. Throughout its activities the Regional Council is guided by the Constitution and the laws of the Republic of Moldova, the Parliament's Decisions, the decrees of Moldova's President, the normative acts of the Government and the Ministry of Local Public Administration, the current Regulation and other normative acts.
4. The Regional Council is responsible for the general development in the region and for the approval of the regional development Strategy and the Action Plan.
5. The Regional Council DC takes over the corresponding title of the development region, as follows:
 - North Regional Development Council;
 - Centre Regional Development Council;
 - South Regional Development Council;
 - ATU Gagauzia Regional Development Council;
 - Chisinau Municipality Regional Development Council;
 - Transnistria Regional Development Council;

II. THE REGIONAL COUNCIL STRUCTURE

6. The Regional Council is set up on the basis of the parity principle between the representatives of the public administration authorities, on the one hand, and the representatives of the private sector and civil society, on the other hand.
7. The Regional Council members are :
 - a) representatives of the local public administration authorities, appointed ex officio:
 - the rayons chairmans;

- mayors of the respective development regions, delegated by the mayoral association;
 - b) representatives of the private sector and civil society, selected through the procedure established by the Ministry of Local Public Administration.
8. The number of members specified in paragraph (b) of article 7 will be equal with the number of members specified in paragraph (a) of the same article.
9. The structure and the membership of the Regional Council will ensure the representation of the private sector and civil society of all the rayons of the respective development region.
10. The Regional Council members execute their functions on voluntary basis.
11. The Chairman and Vice-chairman of the Regional Council are appointed from within members-representatives of the local public authorities, after a preliminary consultation with the Ministry of Local Public Administration, for one year, but they can also be elected for more than one term.
12. The Regional Development Agency (hereinafter – Agency) provides the secretariat services to the Regional Council. One of the Agency employees is appointed as secretary of the Regional Council.
13. Following the procedure of selecting the Regional Council members, the Ministry for Local Public Administration issues the list with the appointed members and sets the date, the hour and the place for the first meeting, which is considered the constitutive session of the Regional Council.
14. At the constitutive session, the members of the Regional Council elect the Chairman and the Vice-chairman with the majority vote of the Council members, at the proposal of the Ministry for Local Public Administration.

III. THE REGIONAL COUNCIL FUNCTIONS

15. The Regional Council has got the following main functions:
- a) coordinates and monitors the elaboration process of the regional development Strategy and of the operational plan;
 - b) mobilizes the regional resources in order to ensure a balanced and sustainable development of the regions and a maximum improvement of life conditions on the whole territory of the development region;
 - c) defines the objectives and priorities in the socio-economic development field of the specific development region;
 - d) coordinates the planning and the implementation of the regional development objectives within the development region.
16. The Regional Council has the following specific functions:
- 1) In the field of approval of the Regional Development Strategy and the Operational Plan, developed by the Agency:
 - a) Identifies (defines) and proposes to the Agency strategic directions for Regional Development Strategy and regional development programs ;

- b) Assesses the consistency and conformity of the National Development Strategy, the National Strategy for Regional Development, the national sectoral strategies and programs, as well as national and local political decisions in the field of regional development;
- c) Considers and approves the final draft of the Regional Development Strategy and the Operational Plan;
- d) Submits the approved Regional Development Strategy and the Operational Plan to Ministry of Local Public Administration.

2) In the field of approval and promotion of the regional development projects, proposed to be included in the regional operational plans:

- a) Examines and approves the selection criteria and the regional development priorities, developed by the Agency;
- b) Examines the portfolio of regional projects proposed to the Agency;
- c) Estimates the consistency of the regional programs and projects with the strategic objectives and with the actions established in the regional development Strategy;
- d) Approves the regional projects;
- e) Promotes the regional projects in the environment of the potential donors and investors;

3) In the field of representing the development region and its interests within the National Council:

- a) Examines the agenda and the prepared documents for the National Council Meeting;
- b) Approves proposals that are to be discussed and /or decisions that are to be approved by the National Council;

4) In the field of identification of the disadvantaged areas within the development region:

- a) Specifies, on the basis of the map of the disfavoured areas and the criteria established on the national level, the final list of the disfavoured areas, developed by the Agency in coordination with the Ministry of Local Public Administration;
- b) Requests the Agency to introduce additional information and the list of the indicators establishing the disfavoured areas;

5) In the field of monitoring the use of the financial resources allocated to the specific development region, from the National Fund for regional development:

- a) Monitors the outputs of the implementation of the regional projects, on the basis of the Agency's reports;
- b) Interferes and requests explanations in case any discrepancies are discovered in the process of implementation of the regional projects;
- c) Forwards to the Ministry of Local Public Administration the approved annual monitoring report;

6) In the estimation field of the impact of the implementation of projects and regional programs and of the accomplishment of regional development objectives:

- a) Approves the annual ex-post reports, on a medium-term, as well as the reports regarding the final part of the implementation of the Strategy and introduces them to the National Council;
- b) Examines and approves the final evaluation report (after the implementation of the 3 year operational plan), developed by the Agency;
- c) Offers comments and recommendations regarding the final evaluation report;
- d) Forwards to the Ministry of Local Public Administration the approved final evaluation report, together with comments and recommendations, depending on circumstances;

7) In the promotional field of the interregional and intraregional cooperation with the public institutions and private organizations:

- a) Sustains the effort of the public institutions and private organizations in the achievement of a high level of local development;
- b) Collaborates with the local public administration authorities and the representatives of the civil society, as well as with the business community within the region in order to identify the disfavoured areas;
- c) Collaborates with the public institutions and the specialized agencies in order to promote and/or implement the regional or sectoral projects;
- d) Collaborates with other regional councils regarding the common-interest issues;
- e) Collaborates with the regional organizations from other countries, as well as with the international organizations in issues regarding the regional development;

8) In related fields of activity:

- a) Examines the studies, analyses and recommendations regarding the implementation of the Regional Development Strategy, the development issues of the region, the necessary interventions and other documents developed by the Agency;
- b) Develops and introduces to the National Council suggestions regarding the improvement of the policy, legislation and other toolkits in order to sustain the regional development;
- c) Sustains the establishment and the implementation of the public-private partnerships schemes with the objective of implementing the regional projects and programs;
- d) Performs the functions delegated by the National Council.

IV. THE OPERATIONAL SYSTEM OF THE REGIONAL COUNCIL

17. The Regional Council is a representative functional structure, deliberating in meetings. In order to exercise its functions, the Regional Council approves decisions.

18. The Regional Council gathers quarterly, in ordinary meetings.

19. The Regional Council gathers in extraordinary meetings:

- a) at the solicitation of the chairman of the Regional Council;
- b) at the National Council's initiative;
- c) at the Agency's initiative;
- d) at the solicitation of one third of the total number of the Regional Council members.

20. The first meeting of the Regional Council is chaired by the representative of the Ministry of Local Public Administration till the appointing of the chairman of the Regional Council.

21. The Chairman of the Regional Council has the following responsibilities and tasks:

- a) represents the Regional Council within the National Council;
- b) determines the date of the Regional Council meetings;
- c) proposes the agenda of the Regional Council;
- d) chairs the Regional Council meetings;
- e) signs the decisions approved by the Regional Council;
- f) in case of absence, delegates the duties to the vice-chairman or to another member of the Regional Council.

22. The secretary of the Regional Council RDC has got the following functions:

- a) organizes and ensures the convocation of the Regional Council meetings;
- b) elaborates and presents the working papers within the Regional Council meetings;
- c) draws up and signs the records of the Regional Council meetings;
- d) assists the chairman and the Regional Council Members in between the meetings;
- e) ensures the record, the preserving and the archiving of the documents and other papers of the Regional Council;
- f) performs other activities intended to ensure the efficient operation of the Regional Council.

23. The invitation for the participation in the meeting and the relevant papers are forwarded to the Regional Council members at least 15 days before – in case of ordinary meetings and at least 3 days before – in case of extraordinary meetings.

24. In the invitation for the participation in the Regional Council meeting will be indicated the date, the hour, the location and the agenda of the meeting, attaching the papers proposed for examination.

25. The meeting's agenda will be placed on the Agency's web-site, at least one day before the Regional Council meeting.

26. The chairman of the Regional Council can invite to the meeting other representatives of the public administration authorities, of the donor organizations, of the public associations, experts and other interested people who can take part in the debates about the issues on the meeting's agenda.

27. The invited people take part in the Regional Council meeting and in the debate of the issues without the right to vote.

28. The director of the Agency takes part in the Regional Council meetings without the right to vote.

29. Representatives of the local authorities, institutions and organizations, with functions in the regional development field may partake in the Regional Council meetings, with the prior agreement of the Regional Council Chairman, providing that, during the respective meeting, will be discussed questions related to their field of activity.

30. The invited person receives the invitation, the agenda of the Regional Council meeting and the documents regarding the debate of the issue the person was invited to participate in.

31. The secretary of the Regional Council, with the Agency's Assistance, will inform the public in a transparent and efficient way about the most important decisions of the Regional Council.

32. The meeting is deliberative if the majority of the permanent members of the Regional Council are present (at least 50 % plus one).

33. In case not all the members of the Regional Council are present at the meeting, then the meeting is postponed and, within a reasonable amount of time, a new meeting is summoned.

34. In case of unavailability, the member of the Regional Council can appoint another person from their respective institution or organization to represent him/her at the Regional Council meeting, with the right to vote as well. The appointing is made on the basis of a mandate or another official document which is introduced to the chairman of the Regional Council before the beginning of the meeting. The document that confirms the person's responsibilities will be attached to the meeting's record.

35. In case the achievement of the agreement becomes impossible, the decisions of the Regional Council are approved with the vote of the majority of the members present at the meeting (50 % plus one). If there happens to be a case of parity, then the chairman's vote is decisive.

36. The decisions of the Regional Council are signed by its chairman in the next 3 days following the date of the meeting.

37. The secretary of the Regional Council will inform the interested people about the decisions of the Regional Council in the next 7 days following the date of their signing by the chairman.

38. The meetings of the Regional Council are registered in records, signed by the chairman and the secretary.

39. The archiving of Regional Council's decisions, records, as well as relevant papers will be ensured by the secretary of the Regional Council, in the way established by the law regarding the official documents.

40. The decisions of the Regional Council approved with the violation of the provisions of the current Regulation can be declared void, within the terms of law, by the court.