

## **DISSERTATION ABSTRACT**

Konstantin Angelov Grigorov – extramural PhD student at the Institute for the State and Law at the Bulgarian Academy of Sciences, candidate for awarding of educational and scientific degree "Doctor" in the scientific field Law, scientific specialty Administrative Law and Process

The dissertation deals with the topic "Contesting the normative acts of the Municipal Council". Structure - introduction, three chapters and conclusion.

### **I. The Municipal Council as a body of local self-government**

The first chapter deals with the nature of the Municipal Council as a body of local self-government. The subject of analysis is the opinions expressed in the Bulgarian legal theory on the essence of local self-government. Two opposing views are discussed. According to the first view, the organization and the exercise of public authority in the Bulgarian municipalities shall be perceived as "local government", and according to the second view these activities are carried out by "local self-government". By means of a separate analysis of the terms "government" and "self-government", referred to the administrative-territorial unit municipality, definitions have been drawn and a conclusion has been summarized that it is impossible to speak of a sole authority in the Bulgarian municipalities. The self-government process is naturally inherent in local societies, and municipal government is perceived as a form of administrative activity to fulfill the will of local subjects.

The dissertation continues with a historical review of the administrative-territorial units and local authorities in the Bulgarian state. It is summarized that it is not possible to speak about self-government through a collectively elected body in the first and second Bulgarian state. The first data on municipal self-government in the Bulgarian lands date back to the Ottoman Empire.

The establishment and development of the local self-government body in Bulgaria has been tracked down through legislation. By review, in the respective issues of

State Gazette, the various special laws regulating the status and powers of the municipal council have been analyzed. Arguments have been presented regarding the start of assignment of rulemaking competence and the possibilities for repealing its normative acts.

## **II. Contesting the normative acts of the Municipal Council**

The second chapter presents a detailed comparative analysis of the terms "normative act", "secondary legislation" and "normative administrative act". It is discussed how our legislation perceives and deals with these terms. Suggestions have been made to refine specific provisions.

Next, the types of normative acts issued by the municipal council are analyzed. Emphasis is placed on their functions. Amendments have been proposed to improve the Administrative Procedure Code in the relevant part.

The limitation for challenging the normative acts of the municipal council by administrative order has been discussed and the challenging at the court is considered in detail. The subject matter of the dispute, the legal interest and the subjects of challenge, when can be challenged, the grounds for contestation and the legal effect of the challenge are analyzed.

## **III. The Municipal Council in the unitary and federal state**

The third chapter contains a broad analysis of the theoretical and legal foundations of local self-government and local authorities in the Federal Republic of Austria. This study is the basis of the comparison of the Municipal Council as a local government body in the unitary and federal state. The similarities, differences and suggestions for the adoption by the Bulgarian state of good Austrian practices and legislative decisions are indicated.