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[^{F1}ANNEX

Textual Amendments

- F1** Substituted by [Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded.](#)

[^{F2}‘Basic local government unit’ within the meaning of Article 2(1)(a) of this Directive means any of the following:

Textual Amendments

- F2** Substituted by [Commission Implementing Decision of 19 July 2012 amending the list of ‘basic local government units’ in the Annex to Council Directive 94/80/EC laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals \(2012/412/EU\).](#)

- *in Austria:*
Gemeinden, Bezirke in der Stadt Wien,
- *in Belgium:*
commune/gemeente/Gemeinde,
- *in Bulgaria:*
община/кметство/Общината е основната административно-териториална единица, в която се осъществява местното самоуправление,
- *in Cyprus:*
δήμος, κοινότητα,
- *in the Czech Republic:*
obec, městský obvod nebo městská část územně členěného statutárního města, městská část hlavního města Prahy,
- *in Denmark:*
kommune, region,
- *in Estonia:*
vald, linn,
- *in Finland:*
kunta, kommun, kommun på Åland,
- *in France:*
commune, arrondissement dans les villes déterminées par la législation interne, section de commune,
- *in Germany:*

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kreisfreie Stadt bzw. Stadtkreis; Kreis; Gemeinde, Bezirk in der Freien und Hansestadt Hamburg und im Land Berlin; Stadtgemeinde Bremen in der Freien Hansestadt Bremen, Stadt-, Gemeinde-, oder Ortsbezirke bzw. Ortschaften,

— *in Greece:*

δήμος,

— *in Hungary:*

települési önkormányzat; község, nagyközség, város, megyei jogú város, főváros, főváros kerületei; területi önkormányzat; megye,

— *in Ireland:*

City Council, County Council, Borough Council, Town Council,

— *in Italy:*

comune, circoscrizione,

— *in Latvia:*

novads, republikas pilsēta,

— *in Lithuania:*

Savivaldybė,

— *in Luxembourg:*

commune,

— *in Malta:*

Kunsill Lokali,

— *in the Netherlands:*

gemeente, deeltgemeente,

— *in Poland:*

gmina,

— *in Portugal:*

município, freguesia,

— *in Romania:*

comuna, oraşul, municipiul, sectorul (numai în municipiul Bucureşti) şi judeţul,

— *in Slovakia:*

samospráva obce: obec, mesto, hlavné mesto Slovenskej republiky Bratislava, mesto Košice, mestská časť hlavného mesta Slovenskej republiky Bratislavy, mestská časť mesta Košice; samospráva vyššieho územného celku: samosprávny kraj,

— *in Slovenia:*

občina,

— *in Spain:*

municipio, entidad de ámbito territorial inferior al municipal,

— *in Sweden:*

kommuner, landsting,

— *in the United Kingdom:*

counties in England; counties, county boroughs and communities in Wales; regions and Islands in Scotland; districts in England, Scotland and Northern Ireland; London boroughs; parishes in England; the City of London in relation to ward elections for common councilmen.]]

Statement in the minutes by the German delegation re Article 2 (1) (b)

The Federal Republic of Germany assumes that the definition in Article 2 (1) (b) regarding the election of the head and members of the executive of a basic local government unit may also be extended to include removal from office by electoral process 'Abwahl'.

The Federal Republic of Germany would point out that under German constitutional law the rules governing municipal elections apply *mutatis mutandis* to local assemblies where these take the place of an elected representative council.

Statement in the minutes by the Council and the Commission re Article 3

Article 3 does not rule out the possibility for a Member State of ensuring in a non-discriminatory manner that a voter within the scope of Article 3 is not deprived of the right to vote in a Member State other than the Member State of residence if that same condition applies to its own nationals. Statement in the minutes by the Luxembourg delegation on the Council and Commission statement re Article 3

The Luxembourg authorities interpret the word 'ensuring' as tantamount to a statement on his honour made by a voter within the scope of Article 3 when he is entered on the electoral roll.

Statement in the minutes by the Council and the Commission re the third subparagraph of Article 5 (3)

The measures referred to in the third subparagraph of Article 5 (3) may not restrict more than is necessary for the achievement of the objectives set out in the first and second subparagraphs of Article 5 (3) the possibility for other Member States' nationals to be elected.

Statement in the minutes by the French delegation re Article 5 (4)

The possibility of excluding citizens of the Union who are nationals of other Member States from the election of or election to the college which elects the French Senate, pursuant to Article 5 (4), in no way jeopardizes the right to vote or stand in municipal elections arising out of Article 8b (1) of the Treaty establishing the European Community.

Statement in the minutes by the Council on the statement by the Belgian delegation re Article 12 (2)

The Council takes note of the following statement by the Belgian delegation:

Statement in the minutes by the Belgian delegation re Article 12 (2)

Belgium states that if it were to make use of the derogation provided for in Article 12 (2) that derogation would be applied to only some of the local government units in which the number of voters within the scope of Article 3 exceeded 20% of all voters where the Belgian Federal Government regarded the specific situation as justifying an exceptional derogation of that kind.

Statement in the minutes by the Council on the Commission statement re Article 13

The Council notes the following statement by the Commission:

Statement in the minutes by the Commission re Article 13

The Commission states that it will pay particular attention to the changes in the electorate following the entry into force of Directive which could create specific problems for certain Member States.

Statement in the minutes by the Greek delegation re Article 13

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In view of its geographical position, Greece attaches particular importance to the report that the Commission will be drawing up pursuant to Article 13.

It expects that the Commission, bearing in mind changes in the electorate in the Member States, will assess the specific problems they may well face following the entry into force of the Directive.

Statement in the minutes by the Spanish delegation re Gibraltar

The Kingdom of Spain states that if, under the terms of Council Directive 94/80/EC of 19 December 1994 laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals, the United Kingdom decides to extend its application to Gibraltar, such application will be deemed to be without prejudice to Spain's position with respect to Gibraltar.