
Joint Arrangements Act

Consulted on 22 June 2023.

In force from 1 July 2022 until today

Act of 20 December 1984 containing new provisions with regard to joint arrangements

We, Beatrix, by the grace of God Queen of the Netherlands, Princess of Orange-Nassau, etc. etc. etc.

Greetings to all who shall see or hear these presents! Be it known:

Whereas We have considered that it is desirable to lay down new provisions with regard to joint arrangements;

We, therefore, having heard the Council of State and in consultation with the States General, have approved and decreed as We hereby approve and decree:

Chapter I. Arrangements between municipalities

Part 1. Power to make an arrangement

Section 1

1. The councils, the municipal executives and the mayors of two or more municipalities may individually or jointly, each to the extent that they are competent for their own municipality, make a joint arrangement to promote one or more specific interests of those municipalities.
2. The municipal executives and the mayors send the draft of the arrangement to the councils of the participating municipalities, with the exception of the draft of an arrangement that is made or partly made by the councils.
3. The councils of the participating municipalities may submit their view on the draft of the arrangement to the municipal executives and the mayors of their municipalities within eight weeks of receipt of the draft. If the councils do not wish to submit a view, they will so inform the municipal executives and the mayors as soon as possible.
4. The municipal executives and the mayors will not make an arrangement until the municipal councils have given them permission to do so. Permission may only be withheld on account of conflict with the law or the public interest.
5. In this section, "make an arrangement" is also understood to mean changing, entering and exiting an arrangement.

Part 2. General provisions

§ 1. Substance of the arrangement

Section 2

[Repealed on 1 January 2006]

Section 3

[Repealed on 1 January 2006]

Section 4

[Repealed on 1 January 2006]

Section 5

[Repealed on 1 January 2006]

Section 6

[Repealed on 1 January 2006]

Section 7

[Repealed on 1 January 2006]

Section 8

1. A public body may be established in the arrangement. The public body is a legal entity.
2. In special qualifying cases, a joint body may be established in the arrangement instead of a public body.
3. An operational management entity may be established in the arrangement in which only municipal executives participate, in the event that the arrangement is made exclusively to promote the management and control of supporting processes and of the implementation tasks of the participants. The operational management entity is a legal entity.
4. The arrangement may mandate powers of the authorities of the participating municipalities to bodies and persons working under the responsibility of one of the participating municipalities, unless the arrangement on which the power is based precludes this.

Section 9

1. The arrangement contains provisions regarding changes, discontinuation, entry, the conditions under which exits are possible and the consequences of an exit, including provisions regarding the consequences for the assets of the legal entity referred to in Section 8(1) and (3) and the participating municipalities, subject to Section 1.
2. The arrangement in which a public body or an operational management entity is established contains provisions regarding the liquidation of the assets in the event that the public body is dissolved.
3. The public body established in an arrangement or an operational management entity continues to exist after its dissolution to the extent that this is necessary to liquidate its assets.

Section 10

1. The arrangement states the interest or interests to be promoted by making or changing the arrangement.
2. An arrangement in which the power referred to in Section 8(1), (2) or (3) is used indicates which powers the authorities of the participating municipalities transfer to the board of the public body or the operational management entity or to the joint body when entering into the arrangement. An arrangement as referred to here may contain provisions regarding the manner in which changes may be made to the powers transferred, on the understanding that no provision may be made to the effect that the board of the public body or the operational management entity, or the joint body, may decide to extend the powers transferred.
3. An arrangement as referred to in subsection 2 contains provisions regarding the organisation and composition of the board of the public body or the composition of the joint body and designates the place of establishment.
4. An arrangement as referred to in Section 8(1), (2) or (3) may indicate that an ombudsman or

ombuds committee of one of the participants in the joint arrangement as referred to in Section 81p(1) of the Municipalities Act (*Gemeentewet*) is authorised to hear petitions as referred to in Section 9:18(1) of the General Administrative Law Act (*Algemene wet bestuursrecht*). If an arrangement establishes or terminates the power referred to above, the board will send the arrangement to the National Ombudsman.

5. An arrangement as referred to in subsection 2 contains provisions regarding the decisions of the board of the public body, the operational management entity or the joint body, on which the councils of the participating municipalities may submit a view before the decision is taken, with the exception of the decision to adopt or amend the budget referred to in Section 35 and decisions as referred to in Part 3.4 of the General Administrative Law Act, and the manner in which a view may be given.
6. Before taking the decision on which the view has been given, the executive board of the public body or the board of the operational management entity, or the joint body, notifies the councils of the participating municipalities and, if it is a decision of the general board of a public body, the general board of the public body – in writing and stating reasons – of the opinion on the view referred to in the previous subsection and of any conclusions it attaches to this opinion.
7. An arrangement as referred to in subsection 2 contains provisions regarding the manner in which residents of the participating municipalities and interested parties are involved in the preparation, implementation and evaluation of policies made pursuant to this arrangement.
8. The public participation referred to in subsection 7 is provided for by applying Part 3.4 of the General Administrative Law Act, to the extent that the arrangement does not provide otherwise.

Section 10a

1. The participants in an arrangement in which the power referred to in Section 8(1), (2) or (3) is used cooperate in the implementation of decisions the board of a public body or an operational management entity or the joint body takes in connection with the exercise of the powers transferred to that board or body.
2. If, in the opinion of the board of a public body or of an operational management entity or the joint body, a participant does not cooperate or does not cooperate to a sufficient extent as referred to in subsection 1, that board or body may implement a decision or have it implemented on behalf of and at the expense of the participant concerned.
3. Before subsection 2 is applied, the authority of the participant concerned is notified of the intention to that effect.

Section 11

The arrangement may indicate a period during which one or more of the participants are exempt from the rights and obligations ensuing from this arrangement.

Section 11a

An arrangement contains provisions regarding the evaluation of the arrangement.

§ 2. Organisation and composition of the board of the public body and the operational management entity and of the joint body

Section 12

1. The board of the public body consists of a general board, an executive board and a chair.
2. The general board is at the head of the public body.
3. The chair is also the chair of the general board and of the executive board.

Section 13

1. The general board of a public body established in an arrangement that has been made exclusively by councils consists of members designated by the council of each participating municipality from among its members, with the exception of the chair. If the arrangement has been partly made by councils, the general board consists of members designated by the council of each participating municipality from among its members, including the chair, and from among the aldermen.
2. The membership of the general board ends by operation of law as soon as a person ceases to be a member or chair of the council from among whose members this person was designated or ceases to be an alderman of the relevant participating municipality.
3. The arrangement determines the number of members of the general board that will be designated by the council of each participating municipality.
4. The arrangement may entail that:
 - a. the numbers of members designated by the councils of the participating municipalities differ;
 - b. members designated by the councils of specific participating municipalities have multiple voting rights;
 - c. the general board decides by qualified majority in respect of the decisions specified in the arrangement.
5. The arrangement may also entail that:
 - a. the councils of not all, but at least two, participating municipalities will designate members of the general board;
 - b. the councils of two or more participating municipalities will jointly designate members of the general board.
6. The general board of a public body established in an arrangement that has been made exclusively by municipal executives consists of members designated by the executive of each participating municipality from among its members. Subsections 2 to 5, inclusive, apply by analogy.
7. In the event that the arrangement has been made exclusively by mayors, they will constitute the general board. The arrangement may entail that mayors of specific municipalities have multiple voting rights.
8. The arrangement referred to in subsection 7 may also entail that:
 - a. not all participating mayors are members of the general board;
 - b. two or more participating mayors will jointly designate one or more members of the general board from among their members.
9. The chair of the public body is designated by and from the general board subject to the relevant provisions of the arrangement.
10. The general board of a public body established in an arrangement that has been made exclusively by municipal executives and mayors jointly consists of:
 - a. members who are designated by the executive of each participating municipality from among its members, in which respect subsections 2 to 5, inclusive, apply by analogy; and
 - b. the mayors of the participating municipalities, in which respect subsection 7, second sentence, and subsection 8 apply by analogy.

Section 14

1. The executive board of the public body consists of the chair and two or more other members, to be designated by and from the general board subject to the relevant provisions of the arrangement. Not all members of the executive board thus designated may originate from the same municipality.

2. Where the nature of the arrangement gives cause to do so, one or more members of the executive board, not being the chair, may be designated from outside the general board, on the understanding that members designated in this manner may never constitute the majority of the executive board.
3. The members of the executive board may never constitute the majority of the general board, unless it is an arrangement as referred to in Section 13(7) with fewer than six participating municipalities.

Section 14a

1. The board of an operational management entity consists of members designated by the executive of each participating municipality from among its members. Section 13(2) to (5), inclusive, applies by analogy. If the arrangement solely serves to promote training and non-formal learning of civil servants, the arrangement may provide that the municipal clerk may also be designated as a member of the board.
2. Without prejudice to Section 13(2), the membership of the board ends as soon as the relevant member ceases to be a clerk of the relevant participating municipality.

Section 15

Section 13 applies by analogy to the composition of the joint body referred to in Section 8(2).

Section 16

1. The arrangement contains provisions regarding the manner in which a member of the general board of the public body or a member of the joint body may be held to account by the council that designated this member for the policy this member has pursued on that board or in that body.
2. The arrangement contains provisions regarding the manner in which a member of the general board of the public body or a member of the joint body must provide the council that designated this member with the information requested by one or more members of that council.
3. If Section 13(5)(a) is applied, the arrangement contains provisions regarding the manner in which the council that does not designate a member of the general board of the public body or of the joint body will be provided with the information requested by one or more members of that council and the manner in which the policy pursued by that board or that body will be accounted for as requested by that council.
4. The arrangement contains provisions regarding the power of the council to dismiss a member of the general board of the public body it has designated or a member of the joint body it has designated if this member no longer enjoys the council's confidence.
5. When providing information under subsection 2 or 3, or rendering the account under subsection 2 or 3, a member of the general board of the public body or a member of the joint body only provides information on matters regarding which secrecy has been imposed pursuant to Section 23 if secrecy has been imposed pursuant to Section 25 of the Municipalities Act. The latter secrecy may not be lifted until the general board of the public body or the joint body has decided to lift the secrecy.

Section 17

1. The arrangement contains provisions regarding the manner in which the board of the public body or the operational management entity, or the joint body, provides the councils of the participating municipalities with the information requested by one or more members of those councils.
2. The board of the public body, the operational management entity or the joint body gives the councils of the participating municipalities all information the councils need to perform their duties.

3. The arrangement referred to in Section 8(1), (2) or (3) contains provisions regarding the manner in which the information referred to in subsection 2 will be provided.

Section 18

Section 16 applies by analogy to arrangements that have been made exclusively by municipal executives and to arrangements that have been made exclusively by municipal executives and mayors jointly, as regards the members referred to in Section 13(10)(a), on the understanding that “the general board of the public body” is reach each time as “the general board of the public body or the board of the operational management entity”.

Section 19

1. In the event that the arrangement has been made exclusively by municipal executives, Section 16(1), (2), (3) and (5) applies by analogy in respect of the municipal councils or one or more members of those councils, on the understanding that “the general board of the public body” is reach each time as “the general board of the public body or the board of the operational management entity”.
2. In the event that the arrangement has been made exclusively by mayors, Section 16(1), (2) and (5) applies by analogy in respect of municipal councils or one or more members of those councils.
3. In the event that the arrangement has been made exclusively by municipal executives and mayors jointly, Section 16(1), (2), (3) and (5) applies by analogy in respect of councils or one or more members of the councils.

Section 19a

1. The executive board and each of its members individually are accountable to the general board for the management conducted by the executive board.
2. The executive board gives the general board all information the general board requires for the performance of its duty.
3. The general board may decide to dismiss a member of the executive board if this member no longer enjoys the general board’s confidence. Section 4:8 of the General Administrative Law Act does not apply to the dismissal decision. The court will not assess the grounds on which the general board has decided to dismiss a member of the executive board.

Section 19b

1. On request, the executive board of the public body, the board of the operational management entity or the joint body provides Our Minister of the Interior and Kingdom Relations and the provincial authority with information and advice about all matters concerning the public body, the operational management entity or the joint body, respectively.
2. The executive board, the board and the joint body, respectively, give notice of the request and its substance to the participants.

Section 20

1. A member of the board of the public body or the operational management entity may:
 - a. not work as an attorney, authorised representative or adviser for the other party of the public body or the operational management entity or for the board of the public body or the operational management entity in disputes;
 - b. not work as a representative or adviser for third parties for the purpose of entering into the following with the public body or the operational management entity:
 - 1st. agreements as referred to in point c;
 - 2nd. agreements for the supply of immovable property to the public body or the operational

management entity;

- c. neither directly nor indirectly enter into an agreement concerning:
 - 1st. the acceptance of work for the public body or the operational management entity;
 - 2nd. the performance of paid activities for the public body or the operational management entity other than as an employee;
 - 3rd. the supply of movable property to the public body or the operational management entity other than for no consideration;
 - 4th. the lease of any property, with the exception of immovable property, to the public body or the operational management entity;
 - 5th. the acquisition of disputed claims at the expense of the public body or the operational management entity;
 - 6th. the private acquisition from the public body or the operational management entity of immovable property or limited rights to which it is subject;
 - 7th. the private rental or lease from the public body or the operational management entity.
2. The provincial executive may grant an exemption from subsection 1(c).
3. Subsection 1(a) applies by analogy in respect of a member of the joint body.
4. Section X 8(1) to (5), inclusive, of the Elections Act (*Kieswet*) applies by analogy where subsection 1 has been contravened.

Section 21

1. The members of the board of a public body or an operational management entity or of the joint body may receive an allowance for expenses and, to the extent that they do not hold the position of alderman, mayor or clerk, a fee for their work. This allowance and this fee are established in the arrangement, or pursuant to the arrangement by the general board of the public body, the board of the operational management entity or the joint body. Further rules on this may be laid down by or pursuant to order in council. The amount of the fee is in reasonable proportion to the work associated with the membership, also taking into account the fee for work the board member receives on account of their membership of the council.
2. As regards the subsections referred to in subsection 1, an allowance for or reimbursement of special expenses and other financial provisions may also be established in the arrangement, or pursuant to the arrangement by the general board of a public body, the board of an operational management entity or the joint body, connected with holding the membership of the board of a public body or an operational management entity or of the joint body. Further rules on this may be laid down by or pursuant to order in council.
3. A decision of the general board of the public body, the board of the operational management entity or the joint body as referred to in subsections 1 and 2 will be sent to the provincial executive.
4. Section 99 of the Municipalities Act applies by analogy.

Section 22

1. To the extent that this Act does not deviate from them, Sections 16, 17, 19, 20, 22, 26 and 28 to 33, inclusive, of the Municipalities Act apply by analogy to the holding of, and order at, the meetings of the general board of the public body.
2. The general board of the public body, the board of the operational management entity and the joint body meet at least twice every year.
3. Meetings of the general board are public meetings.
4. The doors are closed if one fifth of the members present so request or the chair deems such necessary.
5. The general board subsequently decides whether the meeting will be held behind closed doors.

Section 23

1. Based on the interests stated in Section 5.1 of the Open Government Act (*Wet open overheid*), at a closed meeting the general board may impose secrecy regarding matters discussed at the meeting behind closed doors and regarding the substance of the documents submitted to the general board. It will be observed by those attending the discussion and all those who have knowledge of the matters discussed or the documents, until the general board lifts it.
2. Based on the interests stated in Section 5.1 of the Open Government Act, the secrecy may also be imposed by the executive board and the chair of the public body and by a committee as referred to in Section 24 or 25, each in respect of documents they submit to the general board or to the members of the general board. This will be stated on the documents.
3. The duty of secrecy imposed on the general board pursuant to subsection 2 lapses if the imposition is not sanctioned by the general board at its next meeting, which, as evidenced by the attendance list, is attended by more than half of the number of members in office, jointly representing more than half of the number of votes.
4. The duty of secrecy imposed on members of the general board pursuant to subsection 2 is observed by them until the body that imposed the duty or, if the matter regarding which secrecy was imposed has been presented to the general board, until the general board lifts it. The general board may only take this decision at a meeting that, as evidenced by the attendance list, is attended by more than half of the number of members in office, jointly representing more than half of the number of votes.
5. Section 22 and subsection 1 of this section also apply to the joint body if the arrangement has been made or has partly been made by municipal councils.

§ 3. The committees

Section 24.

1. The general board of the public body may establish advisory committees. It regulates their powers and their composition. Section 22 of the Municipalities Act applies by analogy.
2. On the proposal of the executive board or the chair, the general board establishes standing committees advising the executive board or the chair, respectively, and regulates their powers and composition.
3. The executive board or the chair establishes other committees advising the executive board or the chair, respectively.
4. The members of advisory committees who are not mayors, aldermen or members of a municipal council may receive a fee for attending meetings of the committee. Sections 96 to 99, inclusive, of the Municipalities Act and the further rules set on that basis apply by analogy at such time, on the understanding that if they include a subdivision into classes of municipalities, the provisions for the municipality class of 50,001-100,000 residents applies.

Section 24a

1. On the proposal of the councils of the participating municipalities jointly, the general board of a public body establishes a joint advisory committee to advise the general board, to prepare the decision-making of the councils of the participating municipalities with regard to the arrangement or to advise the councils.
2. The general board of the public body regulates the committee's powers, duties and procedure after it has given the councils of the participating municipalities the opportunity to make their wishes and reservations in this regard known to the general board.
3. The committee consists of members designated by the council of each participating municipality

from among its members. A council may decide not to designate a member.

4. The membership of the joint advisory committee ends by operation of law when a person ceases to be a member of the council from among whose members this person was designated.
5. Section 22 of the Municipalities Act applies by analogy to the committee.
6. The members of the joint advisory committee may receive a fee for attending meetings of the committee. The amount of the fee is in reasonable proportion to the work associated with the membership of the joint advisory committee, also taking into account the fee for work the member receives on account of their membership of the council. Sections 96(2) and (3), second sentence, 98 and 99 of the Municipalities Act and the further rules set on that basis apply by analogy.

Section 25

1. The general board of the public body may establish committees with a view to promoting specific interests if the arrangement provides for this option. The general board regulates their powers and their composition. Section 22 of the Municipalities Act, Sections 21, 23(1) and (2) of this Act and Section 19 of the Publication Act (*Bekendmakingswet*) apply by analogy.
2. The general board does not establish a committee as referred to in subsection 1 until the councils of the participating municipalities have been informed of this intention and have been given the opportunity to make their wishes and reservations known to the general board.
3. The general board may transfer powers of the general board and of the executive board of the public body to a committee as referred to in subsection 1, unless the nature of the power precludes this. In any event, the general board may not transfer the power to:
 - a. adopt the budget or the financial statements as referred to in Section 34;
 - b. levy duties as referred to in Section 30(1)(a);
 - c. enact bylaws to be enforced by penalty provisions or by taking administrative enforcement action.
4. Powers of the executive board may only be transferred on the proposal of the executive board.
5. In respect of a committee as referred to in subsection 1, the general board also regulates, to the extent that this is necessary in connection with the nature and scope of the powers transferred:
 - a. the committee's procedure;
 - b. the public nature of meetings;
 - c. the preparation, implementation and publication of committee decisions;
 - d. the general board's or the executive board's supervision of the exercise of powers of that committee;
 - e. the relationship between the powers transferred and those of the general board and the executive board;
 - f. accountability to the general board.
6. Section 22(3), (4) and (5) applies by analogy to the meeting of a committee to which powers of the general board have been transferred, subject to further rules set by the general board.
7. If the committee has addressed the general board regarding matters discussed that are subject to a duty of secrecy, the secrecy will be observed until the general board lifts it.
8. The general board may decide to annul written decisions and other, non-written decisions intended to have legal effect of a committee it has established. The general board may transfer its power of suspension to the executive board. Parts 10.2.2. and 10.2.3. of the General Administrative Law Act apply by analogy to the annulment of non-written decisions intended to have legal effect.

§ 4. Publication and entry into force of a joint arrangement

Section 26

1. The municipal authority designated to do so in the arrangement or the authority of the municipality of the place of establishment publishes the arrangement in all participating municipalities in the municipal gazette published by that municipal authority.
2. The public body, the operational management entity, the joint body or the municipal authority referred to in Section 8(4) or, in the absence of these, the municipal authority referred to in subsection 1 adds to the register referred to in Section 136(1) the information referred to in Section 136(2).
3. The arrangement enters into force on the day designated in the arrangement. The arrangement does not enter into force before it has been published.
4. Subsections 1, 2 and 3 apply to decisions to change, extend or discontinue the arrangement and to entry and exit decisions.

Section 27

[Repealed on 1 July 2021]

Section 28

1. Disputes regarding the application, in the broadest sense, of an arrangement between authorities of participating municipalities or between authorities of one or more municipalities and the board of the public body or of the operational management entity or the joint body are decided by the provincial executive, to the extent that they are not disputes stated in Article 112(1) of the Constitution or disputes to be decided by either the judiciary or courts that do not form part of the judiciary pursuant to Article 112(2) of the Constitution.
2. When deciding the dispute, the provincial executive may direct the relevant authority to take a decision subject to the provisions of the provincial executive's decision, within a term to be set for that purpose. If no decision has been taken within the term set, the provincial executive will take the decision.
3. In urgent cases, instead of the relevant authority the provincial executive may take a decision as referred to in subsection 2 when deciding the dispute.

§ 5. Cooperation across provincial borders

Section 29

If the participating municipalities are situated in more than one province, the powers of the provincial executive with regard to the public body, the operational management entity or the joint body are exercised by the provincial executive of the province in which the place of establishment is situated. In this regard, the provincial executive consults with the provincial executive of every other province in which participating municipalities are situated. Decisions to be communicated to the provincial executive are also communicated to the provincial executive of every other province involved.

Part 3. Powers

§ 1. The power of the board of the public body and the operational management entity and of the joint body

Section 30

1. Such powers of regulation and administration may be transferred to the board of the public body or of the operational management entity or to the joint body in the arrangement in respect of the interests it is intended to promote and for the area for which it applies as are vested in the authorities of the municipalities participating in the arrangement, on the understanding that:

- a. the power to levy taxes other than the fee referred to in Section 228 of the Municipalities Act, the sewerage charge referred to in Section 228a of the Municipalities Act, the duties referred to in Section 229 of the Municipalities Act, the duties that are levied pursuant to Acts of Parliament other than the Municipalities Act and the levy referred to in Section 15.33 of the Environmental Management Act (*Wet milieubeheer*) may not be transferred to the board of the public body;
 - b. the power to levy taxes or otherwise issue generally binding regulations may not be transferred to the joint body or the operational management entity.
2. If subsection 1 is applied, the relationship between the powers transferred and those of the authorities of the participating municipalities is also regulated.
 3. To the extent that a bylaw of the public body provides for the same topic as a bylaw of a participating municipality, the former bylaw regulates the relationship between them. It may provide that the bylaw of the municipality fully or partly ceases to apply for the entire area or for part of the area.

Section 31

The arrangement may introduce restrictions on the powers the public body or the operational management entity possesses by operation of law to participate in social and economic life.

Section 31a

1. The general board of the public body or the board of the operational management entity only decides to establish and participate in foundations, partnerships, companies, associations, cooperatives and mutual associations if the arrangement provides for this option and this is to be considered particularly appropriate to promote the public interest to be served.
2. The decision is not taken until the councils of the participating municipalities have been sent a draft decision and have been given the opportunity to make their wishes and reservations known to the general board of the public body or the board of the operational management entity.

Section 32

A bylaw of the public body to levy a tax regulates in which executives or civil servants the powers referred to in Chapter XV of the Municipalities Act will be vested.

§ 2. Special provisions

Section 32a

Where powers of the general board or the executive board have been transferred to a committee as referred to in Section 25 and this committee does not take a decision required by or pursuant to an Act of Parliament other than this Act or does not do so properly, the general board or the executive board, respectively, will provide for this.

Section 32b

1. Where the authorities of the participating municipalities have transferred powers pursuant to an Act of Parliament other than the Municipalities Act to the board of the public body, the board of the operational management entity or the joint body and the body to which the power has been transferred does not take a decision required by or pursuant to that Act of Parliament or does not do so properly or does not perform an act required by pursuant to that Act of Parliament or does not do so properly, or otherwise does not achieve a result required by or pursuant to that Act of Parliament or does not achieve it properly or in time, the provincial executive will decide to provide for this on behalf of the body to which the power has been transferred and at the expense of the public body, the operational management entity or the participating municipalities in the event of a joint body.

2. With the exception of urgent cases, the provincial executive does not implement the decision to intervene until a term stated in the decision has expired, within which the body to which the power has been transferred has the opportunity to provide for all that is required in the decision. If the situation is so urgent that the provincial executive is unable to record the decision to intervene in writing, it will arrange for the recording in writing and for publication as soon as possible.
3. If the decision to intervene pertains to a result required by or pursuant to an Act of Parliament other than the Municipalities Act that will not be achieved in time, in the decision to intervene the provincial executive will indicate which decisions, acts or results are to be carried out within the term referred to in subsection 2. The provincial executive may set different terms for different decisions, acts or results. If the body to which the power has been transferred does not provide for all that the decision requires of it within that term, the provincial executive will provide for the achievement of the result required.
4. Notice of a decision to intervene and of the intention to take such a decision is given in the official gazette referred to in Section 2(5) of the Publication Act. A copy of the decision and of the intention is sent to the body to which the power has been transferred and to the councils of the participating municipalities.

Section 32c

1. By agreement with Our Minister of the Interior and Kingdom Relations, Our Minister whom it concerns may, if they are of the opinion that the application of Section 32b(1) is desirable on account of a substantial public interest, request that the provincial executive apply Section 32b(1). A copy of the request is sent to the body to which the power has been transferred, the councils of the participating municipalities and the provincial council. If the provincial executive does not apply Section 32b(1) within a term set by Our Minister whom it concerns, the power of Section 32b(1) passes to Our Minister whom it concerns.
2. Sections 32b(2) to (4), inclusive, 32e, 32f and 32h apply by analogy if Section 32b(1) is applied by Our Minister whom it concerns.

Section 32d

1. As regards the Acts of Parliament included in the schedule to the Municipalities Act, the powers vested in the provincial executive under Sections 32b, 32e, 32f and 32h are exercised by Our Minister whom it concerns notwithstanding those sections.
2. Our Minister whom it concerns informs the provincial executive before taking a decision to intervene.

Section 32e

1. When implementing the decision to intervene, the provincial executive has the powers that the body to which the power has been transferred possesses by or pursuant to that Act of Parliament or under a joint arrangement.
2. To the extent that the body to which the power has been transferred could charge third parties for the costs of implementation if it had exercised the powers referred to in subsection 1 itself, it may have recourse against those third parties for the costs the provincial executive has charged to the public body, the operational management entity or, in the event of a joint body, the participating municipalities. The public body, the operational management entity or the joint body may collect the amount by writ of execution.

Section 32f

The provincial executive may revoke a decision to intervene if the body to which the power has been transferred demonstrates sufficiently that it will provide for all that the decision requires of it without reservation.

Section 32g

The provincial executive or Our Minister whom it concerns may designate civil servants to supervise the performance of the duties assigned to the board of the public body or of the operational management entity or the joint body by or pursuant to an Act of Parliament other than the Municipalities Act. These civil servants have the powers of Sections 5:15 to 5:17, inclusive, of the General Administrative Law Act. Sections 5:12, 5:13 and 5:20(1) and (2) of the General Administrative Law Act apply by analogy.

Section 32h

1. If, when implementing the decision to intervene, the provincial executive takes a decision on behalf of the body to which the power has been transferred, for the purposes of Section 7:1 of the General Administrative Law Act an objection may be lodged with the provincial executive. The provincial executive will decide on the objection.
2. The provincial executive is the defendant regarding an appeal against a decision as referred to in subsection 1.
3. The body to which a power has been transferred may not file an appeal against a decision as referred to in subsection 1.

Section 32i

1. The body to which a power has been transferred cooperates in the implementation of a decision to intervene. The provincial executive or Our Minister whom it concerns may give directions regarding the implementation of the decision. When first requested by the provincial executive, the board of the public body or of the operational management entity or, in the event of a joint body, the authorities of the participating municipalities make available the civil servants needed to implement the decision and, when first requested by the provincial executive, provide all information needed to implement the decision to intervene.
2. The provincial executive or Our Minister whom it concerns may designate civil servants who will have the powers of Sections 5:15 to 5:17, inclusive, of the General Administrative Law Act for the implementation of a decision to intervene. Sections 5:12, 5:13 and 5:20(1) and (2) of the General Administrative Law Act apply by analogy. On request, the body to which a power has been transferred provides the designated civil servants with the facilities they need.

Section 32j

On the recommendation of Our Minister of the Interior and Kingdom Relations, rules may be laid down by order in council about the provision of systematic information to the provincial authority or, in the event that Section 32d(1) applies, to Our Minister whom it concerns, concerning the implementation by the body to which a power has been transferred of an Act of Parliament other than the Municipalities Act. Further rules regarding the application may be laid down by ministerial order or by provincial bylaw.

§ 3. Publication and entry into force of decisions containing generally binding regulations

Section 32ja

[Repealed on 1 July 2021]

Section 32k

[Repealed on 1 July 2021]

Section 32l

[Repealed on 1 July 2021]

§ 4. The power of the general board

Section 33

The powers transferred under the arrangement are vested in the general board, unless the law or the arrangement provides otherwise.

Section 33a

1. The general board may transfer powers to the executive board, unless the nature of the power precludes this.
2. In any event, the general board may not transfer the power to:
 - a. adopt the budget or the financial statements as referred to in Section 34;
 - b. levy duties as referred to in Section 30(1)(a);
 - c. enact bylaws to be enforced by penalty provisions or by taking administrative enforcement action.
3. Section 19 of the Publication Act applies by analogy to a decision taken pursuant to subsection 1.
4. Notwithstanding Section 10:16(1) of the General Administrative Law Act, the general board may place restrictions on the exercise of the power transferred.
5. In respect of the powers transferred by applying subsection 1, the rules laid down by or pursuant to the law with regard to their exercise and their supervision apply to them by analogy.

§ 5. The power of the executive board

Section 33b

1. The executive board is in any event authorised:
 - a. to conduct the day-to-day management of the public body, to the extent that the general board is not charged with this by or pursuant to the law or the arrangement;
 - b. to prepare and implement decisions of the general board;
 - c. to lay down rules about the official organisation of the public body;
 - d. to decide to perform legal acts under private law, with the exception of legal acts under private law as referred to in Section 31a;
 - e. to decide to conduct legal actions, objection proceedings or administrative appeal proceedings on behalf of the public body, the executive board or the general board or to perform acts in preparation for them, unless the general board, to the extent that it concerns the general board, decides otherwise where appropriate.
2. The executive board takes all precautionary measures, including before deciding to conduct legal action, and does everything necessary to prevent expiry of the time limit or loss of rights or property.

Section 33c

The executive board may authorise one or more members of the executive board to exercise one or more of its powers, unless the arrangement on which the power is based precludes this.

§ 6. The power of the chair

Section 33d

1. The chair represents the public body in and out of court.
2. The chair may assign the representation referred to in subsection 1 to a person to be designated

by the chair.

§ 7. Finances

Section 34

1. The general board of the public body, the board of the operational management entity or the joint body adopts the budget in the year preceding the year for which it is intended.
2. The executive board of the public body, the board of the operational management entity or the joint body sends the budget to the provincial executive within two weeks of adoption, but in any event before 15 September of the year preceding the year for which the budget is intended.
3. The general board of the public body, the board of the operational management entity or the joint body adopts the financial statements in the year following the year to which they relate.
4. The executive board of the public body, the board of the operational management entity or the joint body sends the financial statements to the provincial executive within two weeks of adoption, but in any event before 15 July of the year following the year to which the financial statements relate.

Section 34a

1. If the public body, the operational management entity or the joint body receives a specific-purpose grant as referred to in Section 15a of the Grants to Local Government Act (*Financiële-verhoudingswet*) from the State or receives financial resources from the participating municipalities originating from a specific-purpose grant, Sections 17a and 17b of the Grants to Local Government Act regarding the information accounting for these financial resources apply by analogy, on the understanding that:
 - a. “the provincial executive and the municipal executive” is read as: the executive board of the public body, the board of the operational management entity or the joint body;
 - b. the suspension referred to in Section 17b(3) of the Grants to Local Government Act relates to the payments pursuant to Section 15(1) of the Grants to Local Government Act to the municipalities participating in the arrangement.
2. The rules laid down under Section 186(2), opening words and (b), and (3) of the Municipalities Act and subsections 4 to 8, inclusive, of that section apply by analogy to the public body, the operational management entity or the joint body, on the understanding that:
 - a. “the executive” is read as: the executive board of the public body, the board of the operational management entity or the joint body;
 - b. the suspension referred to in Section 186(8) of the Municipalities Act relates to the payments pursuant to Section 15(1) of the Grants to Local Government Act to the municipalities participating in the arrangement.

Section 34b

The executive board of the public body, the board of the operational management entity or the joint body sends the general financial and policy frameworks and the provisional financial statements to the councils of the participating municipalities before 30 April of the year preceding the year for which the budget is intended.

Section 35

1. The executive board of the public body, the board of the operational management entity or the joint body sends the draft budget to the councils of the participating municipalities twelve weeks before it is offered to the general board or twelve weeks before it is adopted by the board of the operational management entity or the joint body, respectively.
2. The authorities of the participating municipalities ensure that the draft budget is deposited for

inspection by all and, on payment of costs, made generally available.

3. The councils of the participating municipalities may submit their view on the draft budget to the executive board of the public body, the board of the operational management entity or the joint body. The executive board adds the comments setting out this view to the draft budget as it will be offered to the general board.
4. Before adopting the budget, the executive board of the public body, the board of the operational management entity or the joint body notifies the councils of the participating municipalities – in writing and stating reasons – of its opinion on the view referred to in subsection 3 and of any conclusions it attaches to this opinion.
5. After it has been adopted, the general board of the public body, the board of the operational management entity or the joint body, respectively, sends the budget to the councils of the participating municipalities where necessary, who may submit their view on it to the provincial executive.
6. Subsections 1, 3 and 4 apply to decisions to amend the budget. The joint arrangement may provide in respect of which categories of budget amendments deviations are permitted.
7. Sections 186 to 213, inclusive, of the Municipalities Act apply by analogy to the extent that no deviating provisions have been made under or pursuant to this Act.

Part 4. Suspension and annulment

Section 36

1. A written decision or a non-written decision of the board of the public body or of the operational management entity or the joint body that is intended to have legal effect may be annulled by royal decree.
2. Sections 37 to 39f, inclusive, and Parts 10.2.2. and 10.2.3. of the General Administrative Law Act apply by analogy to the annulment of a non-written decision intended to have legal effect.

Section 37

1. If a decision of the general board or the executive board of the public body, of the board of the operational management entity or the joint body qualifies for annulment in the opinion of the provincial executive, it gives Our Minister whom it concerns notice of this within ten days of learning of this. At the same time, it notifies the body that took the decision and the participating municipalities and, where necessary, the body charged with the implementation of the decision and the party to whom the decision is addressed.
2. The decision in respect of which subsection 1 is applied is not implemented, or is not implemented any further, until the notice has been received from Our Minister whom it concerns that there are no reasons for suspension or annulment. If the decision is not suspended or annulled within four weeks of the date of the notice from the provincial executive, it will be implemented.
3. In the event that the power to take a decision pursuant to an Act of Parliament other than the Municipalities Act has been transferred to the general board or the executive board of the public body, the board of the operational management entity or the joint body and the decision qualifies for annulment on account of conflict with the law, the provincial executive may give notice that it is considering to apply subsection 1. The notice is given to the body that took the decision, the body charged with the implementation of the decision and the party to whom the decision is addressed. After the provincial executive has given notice, the decision will not be implemented, or will not be implemented any further. If subsection 1 is not applied within ten days or if the provincial executive communicates that subsection 1 will not be applied, the decision will be implemented.

Section 38

1. A recommendation for suspension is made by Our Minister whom it concerns.
2. Our Minister whom it concerns consults with Our Minister of the Interior and Kingdom Relations about the recommendation, unless suspension is to take place immediately. If there is no consultation, reasons for this will be given in the recommendation.

Section 39

The royal decree may make a provision for the duration of the suspension.

Section 39a

If a published decision is not annulled within the period for which it has been suspended, the board of the public body or of the operational management entity or the joint body will give notice of this in the official gazette.

Section 39b

1. The recommendation for annulment is made by or made partly by Our Minister of the Interior and Kingdom Relations.
2. Section 17(3) of the Council of State Act (*Wet op de Raad van State*) does not apply.

Section 39c

1. The royal decree may make a provision for the period between the entry into force and the date on which the decision taken pursuant to Section 39e has entered into force.
2. If, in view of the royal decree, the board of the public body or of the operational management entity or the joint body does not have discretion when applying Section 39e, the royal decree may provide that it will replace the annulled decision.
3. The royal decree may provide that no new decision will be taken on the subject matter of the annulled decision.
4. In the royal decree, the board of the public body or of the operational management entity or the joint body may issue a direction about the implementation of the royal decree. Sections 32b to 32j, inclusive, apply by analogy in the event that the direction is not followed.
5. If the royal decree relates to the annulment of a generally binding regulation or another decision of general application, it may be provided that the annulment also relates to decisions taken pursuant to or in implementation of the generally binding regulation or the other decision of general application.

Section 39d

The royal decree for suspension, for lifting or extending the suspension or for annulment is placed in the Government Gazette.

Section 39e

1. Taking into account the royal decree, the board of the public body or of the operational management entity or the joint body takes another decision on the subject matter of the annulled decision, unless Section 39c(2) or (3) is applied in the royal decree.
2. The royal decree may set a term within which subsection 1 is applied. Sections 32b to 32j, inclusive, apply by analogy in the event that subsection 1 is not applied within that term.

Section 39f

Notwithstanding Section 8:4(1)(d) of the General Administrative Law Act, an interested party may file an appeal against a royal decree as referred to in Section 36(1).

Chapter II. Arrangements between provinces

Part 1. Power to make an arrangement

Section 40

1. The provincial councils, the provincial executives and the King's Commissioners of two or more provinces may individually or jointly, each to the extent that they are competent for their own province, make a joint arrangement to promote one or more specific interests of those provinces.
2. The provincial executives and the King's Commissioners send the draft of the arrangement to the provincial councils of the participating provinces, with the exception of the draft of an arrangement that is made or partly made by the provincial councils.
3. The provincial councils of the participating provinces may submit their view on the draft of the arrangement to the provincial executives and the King's Commissioners of their provinces within eight weeks. If the provincial councils do not wish to submit a view, they will so inform the provincial executives and the King's Commissioners as soon as possible.
4. The provincial executives and the King's Commissioners will not make an arrangement until the provincial councils have given them permission to do so. Permission may only be withheld on account of conflict with the law or the public interest.
5. In this section, "make an arrangement" is also understood to mean changing, entering and exiting an arrangement.

Part 2. General provisions

Section 41

1. Sections 8 to 26, inclusive, apply by analogy, with the exception of Section 20(4), on the understanding that:
 - a. where Section 10(4) is applied, "Section 81p(1) of the Municipalities Act" is read as: Section 79q(1) of the Provinces Act (*Provinciewet*);
 - b. where Section 16(5) is applied, "Section 25 of the Municipalities Act" is read as: Section 25 of the Provinces Act;
 - c. where Section 19b is applied, "Our Minister of the Interior and Kingdom Relations and the provincial authority" is read as: Our Ministers;
 - d. the exemption referred to in Section 20(2) is granted by Our Minister of the Interior and Kingdom Relations;
 - e. where Section 21(4) is applied, "Section 99 of the Municipalities Act" is read as: Section 96 of the Provinces Act;
 - f. where Section 22(1) is applied, "Sections 16, 17, 19, 20, 22, 26 and 28 to 33, inclusive, of the Municipalities Act" is read as: Sections 16, 17, 19, 20, 22, 26 and 28 to 33, inclusive, of the Provinces Act;
 - g. where Section 24(1) is applied, "Section 22 of the Municipalities Act" is read as: Section 22 of the Provinces Act;
 - h. where Section 24(4) is applied, "Sections 96 to 99, inclusive, of the Municipalities Act" is read as: Sections 93 to 96, inclusive, of the Provinces Act;
 - i. where Section 24a is applied, "Section 22 of the Municipalities Act" is read as "Section 22 of the Provinces Act", and "Sections 96(2) and (3), second sentence, 98 and 99 of the Municipalities Act" is read as "Sections 94(2) and (3), second sentence, 95 and 96 of the Provinces Act";
 - j. where Section 25(1) is applied, "Section 22 of the Municipalities Act, Sections 21, 23(1) and (2) of this Act" is read as: Section 22 of the Provinces Act, Sections 21, 23(1) and (2) of this Act;
 - k. where Section 25(1) is applied in conjunction with Section 21(4), "Section 99 of the

Municipalities Act” is read as: Section 96 of the Provinces Act;

- I. where Section 26(1) and (2) is applied, “municipal authority” is read as “provincial authority”, “municipality” is read as “province”, “municipalities” is read as “provinces”, and “municipal gazette” is read as “provincial gazette”.
2. Section X 7(1) to (5), inclusive, of the Elections Act applies by analogy where subsection 1 in conjunction with Section 20(1) has been contravened.

Section 42

[Repealed on 1 July 2021]

Part 3. Powers

§ 1. The power of the board of the public body and the operational management entity and of the joint body

Section 43

1. Such powers of regulation and administration may be transferred to the board of the public body or of the operational management entity or to the joint body in the arrangement in respect of the interests it is intended to promote and for the area for which it applies as are vested in the authorities of the participating provinces, on the understanding that:
 - a. the power to levy taxes other than the fee referred to in Section 222c of the Provinces Act, the duties referred to in Section 223 of the Provinces Act and the duties that are levied pursuant to special Acts of Parliament may not be transferred to the board of the public body;
 - b. the power to levy taxes or otherwise issue generally binding regulations may not be transferred to the joint body or the operational management entity.
2. If subsection 1 is applied, the relationship between the powers transferred and those of the authorities of the participating provinces is also regulated.
3. To the extent that a bylaw of the public body provides for the same topic as a bylaw of a participating province, the former bylaw regulates the relationship between them. It may provide that the bylaw of the province fully or partly ceases to apply for the entire area or for part of the area.

Section 44

The arrangement may introduce restrictions on the powers the public body or the operational management entity possesses by operation of law to participate in social and economic life.

Section 44a

1. The general board of the public body or the board of the operational management entity only decides to establish and participate in foundations, partnerships, companies, associations, cooperatives and mutual associations if the arrangement provides for this option and this is to be considered particularly appropriate to promote the public interest to be served.
2. The decision is not taken until the provincial councils of the participating provinces have been sent a draft decision and have been given the opportunity to make their wishes and reservations known to the general board of the public body or the board of the operational management entity.

Section 45

A bylaw of the public body to levy a tax regulates in which executives or civil servants the powers referred to in Chapter XV of the Provinces Act will be vested.

§ 2. Special provisions

Section 45a

1. Sections 32a, 32b and 32e to 32i, inclusive, apply, on the understanding that:
 - a. “the provincial executive” is read as “Our Minister whom it concerns”;
 - b. “the Municipalities Act” is read as “the Provinces Act”;
 - c. “the participating municipalities” is read as “the participating provinces”;
 - d. “the councils of the participating municipalities” is read as “the provincial councils of the participating provinces”;
 - e. “The provincial executive or Our Minister whom it concerns” is read as “Our Minister whom it concerns”.
2. If more than one of Our Ministers consider applying Section 32b(1) in respect of the same public body or joint body in related decisions, acts or results, they may transfer their powers pursuant to this section to one of them.

Section 45b

On the recommendation of Our Minister of the Interior and Kingdom Relations, rules may be laid down by order in council about the provision of systematic information to Our Minister whom it concerns, concerning the implementation by the board of the public body or of the operational management entity or the joint body of the Act of Parliament other than the Provinces Act. Further rules regarding the application may be laid down by ministerial order.

§ 3. Publication and entry into force of decisions containing generally binding regulations

Section 45ba

[Repealed on 1 July 2021]

Section 45c

[Repealed on 1 July 2021]

Section 45d

[Repealed on 1 July 2021]

§ 4. The power of the general board

Section 46

The powers transferred under the arrangement are vested in the general board, unless the law or the arrangement provides otherwise.

Section 46a

1. The general board may transfer powers of the general board to the executive board, unless the nature of the power precludes this.
2. In any event, the general board may not transfer the power to:
 - a. adopt the budget or the financial statements as referred to in Section 47;
 - b. levy duties as referred to in Section 43(1)(a);
 - c. enact bylaws to be enforced by penalty provisions or by taking administrative enforcement action.
3. Sections 45c and 45d apply by analogy to a decision taken pursuant to subsection 1.
4. Notwithstanding Section 10:16(1) of the General Administrative Law Act, the general board may

place restrictions on the exercise of the power transferred.

5. In respect of the powers transferred by applying subsection 1, the rules laid down by or pursuant to the law with regard to their exercise and their supervision apply to them by analogy.

§ 5. The power of the executive board

Section 46b

1. The executive board is in any event authorised:
 - a. to conduct the day-to-day management of the public body, to the extent that the general board is not charged with this by or pursuant to the law or the arrangement;
 - b. to prepare and implement decisions of the general board;
 - c. to lay down rules about the official organisation of the public body;
 - d. to decide to perform legal acts under private law, with the exception of legal acts under private law as referred to in Section 44a;
 - e. to decide to conduct legal actions, objection proceedings or administrative appeal proceedings on behalf of the public body, the executive board or the general board or to perform acts in preparation for them, unless the general board, to the extent that it concerns the general board, decides otherwise where appropriate.
2. The executive board takes all precautionary measures, including before deciding to conduct legal action, and does everything necessary to prevent expiry of the time limit or loss of rights or property.

Section 46c

The executive board may authorise one or more members of the executive board to exercise one or more of its powers, unless the arrangement on which the power is based precludes this.

§ 6. The power of the chair

Section 46d

1. The chair represents the public body in and out of court.
2. The chair may assign the representation referred to in subsection 1 to a person to be designated by the chair.

§ 7. Finances

Section 47

1. The general board of the public body, the board of the operational management entity or the joint body adopts the budget in the year preceding the year for which it is intended.
2. The executive board of the public body, the board of the operational management entity or the joint body sends the budget to Our Minister of the Interior and Kingdom Relations within two weeks of adoption, but in any event before 15 September of the year preceding the year for which the budget is intended.
3. The general board of the public body, the board of the operational management entity or the joint body adopts the financial statements in the year following the year to which they relate.
4. The executive board of the public body, the board of the operational management entity or the joint body sends the financial statements to Our Minister of the Interior and Kingdom Relations within two weeks of adoption, but in any event before 15 July of the year following the year to which the financial statements relate.

Section 47a

1. If the public body, the operational management entity or the joint body receives a specific-purpose grant as referred to in Section 15a of the Grants to Local Government Act from the State or receives financial resources from the participating provinces originating from a specific-purpose grant, Sections 17a and 17b of the Grants to Local Government Act regarding the information accounting for these financial resources apply by analogy to the public body, the operational management entity or the joint body, on the understanding that:
 - a. “the provincial executive and the municipal executive” is read as: the executive board of the public body or the board of the operational management entity or the joint body;
 - b. the suspension referred to in Section 17b(3) of the Grants to Local Government Act relates to the payments pursuant to Section 15(1) of the Grants to Local Government Act to the provinces participating in the arrangement.
2. The rules laid down under Section 190(2), opening words and (b), and (3) of the Provinces Act and subsections 4 to 8, inclusive, of that section apply by analogy to the public body, the operational management entity or the joint body, on the understanding that:
 - a. “the provincial executive” is read as: the executive board of the public body or the board of the operational management entity or the joint body;
 - b. the suspension referred to in Section 190(8) of the Provinces Act relates to the payments pursuant to Section 15(1) of the Grants to Local Government Act to the provinces participating in the arrangement.

Section 47b

The executive board of the public body, the board of the operational management entity or the joint body sends the general financial and policy frameworks and the provisional financial statements to the provincial councils of the participating provinces before 30 April of the year preceding the year for which the budget is intended.

Section 48

1. The executive board of the public body, the board of the operational management entity or the joint body sends the draft budget to the provincial councils of the participating provinces twelve weeks before it is offered to the general board or twelve weeks before it is adopted by the board of the operational management entity or the joint body, respectively.
2. The authorities of the participating provinces ensure that the draft budget is deposited for inspection by all and, on payment of costs, made generally available.
3. The provincial councils of the participating provinces may submit their view on the draft budget to the executive board of the public body, the board of the operational management entity or the joint body. The executive board adds the comments setting out this view to the draft budget as it will be offered to the general board.
4. Before adopting the budget, the executive board of the public body, the board of the operational management entity or the joint body notifies the provincial executives of the participating provinces – in writing and stating reasons – of its opinion on the view referred to in subsection 3 and of any conclusions it attaches to this opinion.
5. After it has been adopted, the general board of the public body, the board of the operational management entity or the joint body, respectively, sends the budget to the provincial councils of the participating provinces where necessary, who may submit their view on it to Our Minister of the Interior and Kingdom Relations.
6. Subsections 1, 3 and 4 apply to decisions to amend the budget. The joint arrangement may provide in respect of which categories of budget amendments deviations are permitted.

7. Sections 190 to 219, inclusive, of the Provinces Act apply by analogy to the extent that no deviating provisions have been made under or pursuant to this Act.

Part 4. Suspension and annulment

Section 49

Sections 36 and 38 to 39f, inclusive, apply to a written decision or a non-written decision of the board of the public body or of the operational management entity or the joint body that is intended to have legal effect, on the understanding that:

- a. where Section 36(2) is applied, "Sections 37 to 39f, inclusive" is read as: Sections 38 to 39f, inclusive;
- b. where Section 39c(4) is applied, "Sections 32b to 32j, inclusive" is read as: Sections 45a and 45b;
- c. where Section 39e(2) is applied, "Sections 32b to 32j, inclusive" is read as: Sections 45a and 45b.

Chapter III. Arrangements between water boards

Part 1. Power to make an arrangement

Section 50

1. The general boards, the executive boards and the chairs of two or more water boards may individually or jointly, each to the extent that they are competent for their own water board, make a joint arrangement to promote one or more specific interests of those water boards.
2. The executive boards and the chairs of the water boards send the draft of the arrangement to the general boards of the participating water boards, with the exception of the draft of an arrangement that is made or partly made by the general boards of the participating water boards.
3. The general boards of the participating water boards may submit their view on the draft of the arrangement to the executive boards and the chairs of their water boards within eight weeks. If the general boards do not wish to submit a view, they will so inform the executive boards and the chairs of the water boards as soon as possible.
4. The executive boards and the chairs of the water boards will not make an arrangement until the general boards have given them permission to do so. Permission may only be withheld on account of conflict with the law or the public interest.
5. In this section, "make an arrangement" is also understood to mean changing, entering and exiting an arrangement.

Part 2. General provisions

Section 50a

1. Sections 8 to 24a, inclusive, 26, 28 and 29 apply by analogy, with the exception of Section 20(4), on the understanding that:
 - a. where Section 10(4) is applied, "Section 81p(1) of the Municipalities Act" is read as: Section 51b(1) of the Water Boards Act (*Waterschapswet*);
 - b. where Section 16(5) is applied, the words "Section 25 of the Municipalities Act" are read as: the rules of procedure of the water board that designated the member;
 - c. where Section 21(4) is applied, the words "Section 99 of the Municipalities Act applies by analogy" are read as: The other provisions on reimbursement and allowances in the rules of procedure applicable to the participating water boards apply by analogy;
 - d. where Section 22(1) is applied, the words "Sections 16, 17, 19, 20, 22, 26 and 28 to 33, inclusive, of the Municipalities Act" are read as: The relevant provisions of the rules of

- procedure applicable to the participating water boards;
- e. where Section 24(1) is applied, "Section 22 of the Municipalities Act" is read as: Section 39 of the Water Boards Act;
 - f. where Section 24a is applied, "Section 22 of the Municipalities Act" is read as "Section 39 of the Water Boards Act", and "Sections 96(2) and (3), second sentence, 98 and 99 of the Municipalities Act" is read as "Section 32a(2), (3) and (4) of the Water Boards Act";
 - g. where Section 26(1) and (2) is applied, "municipal authority" is read as "water board authority", "municipality" is read as "water board", "municipalities" is read as "water boards", and "municipal gazette" is read as "water board gazette".
2. Section X 7a(1) to (5), inclusive, of the Elections Act applies by analogy where subsection 1 has been contravened.
 3. Where, in the application of the rules of procedure applicable to the participating water boards as referred to in the previous subsection, points b and c, and in Section 50e, the relevant provisions in those rules of procedure differ from one another, the arrangement will indicate which provisions apply.

Part 3. Powers

§ 1. The power of the board of the public body and the operational management entity and of the joint body

Section 50b

1. Such powers of regulation and administration may be transferred to the board of the public body or of the operational management entity or to the joint body in the arrangement in respect of the interests it is intended to promote and for the area for which it applies as are vested in the authorities of the participating water boards, on the understanding that:
 - a. the power to levy taxes other than the duties referred to in Section 115 of the Water Boards Act may not be transferred to the board of a public body;
 - b. the power to levy taxes or otherwise issue generally binding regulations may not be transferred to the joint body or the operational management entity.
2. If subsection 1 is applied, the relationship between the powers transferred and those of the authorities of the participating water boards is also regulated.
3. To the extent that a bylaw of the public body provides for the same topic as a bylaw of a participating water board, the former bylaw regulates the relationship between them. It may provide that the bylaw of the water board fully or partly ceases to apply for the entire area or for part of the area.

Section 50c

The arrangement may introduce restrictions on the powers the public body or the operational management entity possesses by operation of law to participate in social and economic life.

Section 50ca

1. The general board of the public body or the board of the operational management entity only decides to establish and participate in foundations, partnerships, companies, associations, cooperatives and mutual associations if the arrangement provides for this option and this is to be considered particularly appropriate to promote the public interest to be served.
2. The decision is not taken until the general boards of the participating water boards have been sent a draft decision and have been given the opportunity to make their wishes and reservations known to the general board of the public body or the board of the operational management entity.

Section 50d

A bylaw of the public body to levy a tax regulates in which executives or civil servants the powers referred to in Chapter XVIII of the Water Boards Act will be vested.

§ 2. Special provisions

Section 50da

1. Where the general board of the public body does not take decisions required by an Act of Parliament, an order in council or a provincial bylaw or does not do so properly, the executive board will provide for this.
2. Where the executive board of the public body, the board of the operational management entity or the joint body does not take the decisions required or does not do so properly, the provincial executive will provide for this on behalf of that board or body and at the expense of the public body, the operational management entity or the participating water boards in the event of a joint body.
3. With the exception of urgent cases, subsection 2 does not apply until the executive board of the public body, the board of the operational management entity or the joint body, respectively, has been given the opportunity to take the decisions required within a term set by the provincial executive.

§ 3. Publication and entry into force of decisions containing generally binding regulations

Section 50daa

[Repealed on 1 July 2021]

Section 50db

[Repealed on 1 July 2021]

Section 50dc

[Repealed on 1 July 2021]

§ 4. The power of the general board

Section 50e

The powers transferred under the arrangement are vested in the general board, unless the law or the arrangement provides otherwise.

Section 50ea

1. The general board may transfer powers of the general board to the executive board, unless the nature of the power precludes this.
2. In any event, the general board may not transfer the power to:
 - a. adopt the budget or the financial statements as referred to in Section 50f;
 - b. levy duties as referred to in Section 50b(1)(a);
 - c. enact bylaws to be enforced by penalty provisions or by taking administrative enforcement action.
3. Sections 50db and 50dc apply by analogy to a decision taken pursuant to subsection 1.
4. Notwithstanding Section 10:16(1) of the General Administrative Law Act, the general board may place restrictions on the exercise of the power transferred.

5. In respect of the powers transferred by applying subsection 1, the rules laid down by or pursuant to the law with regard to their exercise and their supervision apply to them by analogy.

§ 5. The power of the executive board

Section 50eb

1. The executive board is in any event authorised:
 - a. to conduct the day-to-day management of the public body, to the extent that the general board is not charged with this by or pursuant to the law or the arrangement;
 - b. to prepare and implement decisions of the general board.
2. The executive board takes all precautionary measures, including before deciding to conduct legal action, and does everything necessary to prevent expiry of the time limit or loss of rights or property.

Section 50ec

The executive board may authorise one or more members of the executive board to exercise one or more of its powers, unless the arrangement on which the power is based precludes this.

§ 6. The power of the chair

Section 50ed

The chair represents the water board in and out of court. If the chair authorises another person to represent the water board, this authorisation is subject to the consent of the executive board.

§ 7. Finances

Section 50f

1. The general board of the public body, the board of the operational management entity or the joint body adopts the budget in the year preceding the year for which it is intended.
2. The executive board of the public body, the board of the operational management entity or the joint body sends the budget to the provincial executive within four weeks of adoption, but in any event before 15 September of the year preceding the year for which the budget is intended.
3. The general board of the public body, the board of the operational management entity or the joint body adopts the financial statements in the year following the year to which they relate.
4. The executive board of the public body, the board of the operational management entity or the joint body sends the financial statements to the provincial executive within two weeks of adoption, but in any event before 15 July of the year following the year to which the financial statements relate.

Section 50fa

The executive board of the public body, the board of the operational management entity or the joint body sends the general financial and policy frameworks and the provisional financial statements to the general boards of the participating water boards before 30 April of the year preceding the year for which the budget is intended.

Section 50g

1. The executive board of the public body, the board of the operational management entity or the joint body sends the draft budget to the general boards of the participating water boards twelve weeks before it is offered to the general board or twelve weeks before it is adopted by the board of the operational management entity or the joint body, respectively.

2. The participating water boards ensure that the draft budget is deposited for inspection by all and, on payment of costs, made generally available.
3. The general boards of the participating water boards may submit their view on the draft budget to the executive board of the public body, the board of the operational management entity or the joint body. The executive board adds the comments setting out this view to the draft budget as it will be offered to the general board.
4. Before adopting the budget, the executive board of the public body, the board of the operational management entity or the joint body notifies the general boards of the water boards – in writing and stating reasons – of its opinion on the view referred to in subsection 3 and of any conclusions it attaches to this opinion.
5. After it has been adopted, the general board of the public body, the board of the operational management entity or the joint body, respectively, sends the budget to the general boards of the participating water boards where necessary, who may submit their view on it to the provincial executive.
6. Subsections 1, 3 and 4 apply to decisions to amend the budget. The joint arrangement may provide in respect of which categories of budget amendments deviations are permitted.
7. Sections 98 to 109c, inclusive, of the Water Boards Act apply by analogy to the extent that no deviating provisions have been made under or pursuant to this Act.

Part 4. Suspension and annulment

Section 50h

1. A written decision or a non-written decision of the board of the public body or of the operational management entity or the joint body that is intended to have legal effect may be annulled by the provincial executive.
2. Parts 10.2.2. and 10.2.3. of the General Administrative Law Act apply by analogy to the annulment of any non-written decision intended to have legal effect.

Section 50i

If a published decision is annulled, or if it is not annulled within the period for which it has been suspended, the board of the public body or of the operational management entity or the joint body will give notice of this in the official gazette.

Section 50j

Notwithstanding Section 8:4(1)(d) of the General Administrative Law Act, an interested party may file an appeal against a decision of the provincial executive as referred to in Section 50h(1).

Section 50k

Taking into account the annulment decision, the board of the public body or of the operational management entity or the joint body takes another decision on the subject matter of the annulled decision.

Chapter IV. Arrangements between municipalities and provinces

Part 1. Power to make an arrangement

Section 51

1. The councils, the municipal executives and the mayors of one or more municipalities may individually or jointly make a joint arrangement with the provincial councils, the provincial

executives or the King's Commissioners, each to the extent that they are competent for their own municipality or province, respectively, to promote one or more specific interests of those municipalities or provinces.

2. The municipal executives and the mayors or the provincial executives and the King's Commissioners, respectively, send the draft of the arrangement to the councils of the participating municipalities or the provincial councils of the participating provinces, respectively, with the exception of the draft of an arrangement that is made or partly made by the representative bodies of the participating municipalities and provinces.
3. The councils of the participating municipalities or the provincial councils of the participating provinces, respectively, may submit their view on the draft of the arrangement to the municipal executives and the mayors of their municipalities or to the provincial executives and the King's Commissioners of their provinces, respectively, within eight weeks. If the councils or the provincial councils do not wish to submit a view, they will so inform the municipal executives and the mayors or the provincial executives and the King's Commissioners, respectively, as soon as possible.
4. A municipal executive and a mayor, or a provincial executive and the King's Commissioner, will not make an arrangement until the municipal council or the provincial council, respectively, has given them permission to do so. Permission may only be withheld on account of conflict with the law or the public interest.
5. In this section, "make an arrangement" is also understood to mean changing, entering and exiting an arrangement.

Section 51a

[Repealed on 1 January 2006]

Part 2. General provisions

Section 52

1. Sections 8 to 26, inclusive, apply by analogy, with the exception of Section 20(4), on the understanding that:
 - a. where Section 10(4) is applied, "Section 81p(1) of the Municipalities Act" is read as: Section 81p(1) of the Municipalities Act or Section 79q(1) of the Provinces Act;
 - b. where Section 16(5) is applied, the words "Section 25 of the Municipalities Act" are read as: the provisions for the body that designated the member;
 - c. where Section 19b is applied, "Our Minister of the Interior and Kingdom Relations and the provincial authority" is read as: Our Ministers;
 - d. the exemption referred to in Section 20(2) is granted by Our Minister of the Interior and Kingdom Relations;
 - e. where Section 21(4) is applied, "Section 99 of the Municipalities Act" is read as: Section 96 of the Provinces Act;
 - f. where Section 22(1) is applied, "Sections 16, 17, 19, 20, 22, 26 and 28 to 33, inclusive, of the Municipalities Act" is read as: Sections 16, 17, 19, 20, 22, 26 and 28 to 33, inclusive, of the Provinces Act;
 - g. where Section 24(1) is applied, "Section 22 of the Municipalities Act" is read as: Section 22 of the Provinces Act;
 - h. where Section 24(4) is applied, "Sections 96 to 99, inclusive, of the Municipalities Act" is read as: Sections 93 to 96, inclusive, of the Provinces Act;
 - i. where Section 24a is applied, "Section 22 of the Municipalities Act applies by analogy" is read as "Section 22 of the Municipalities Act and Section 22 of the Provinces Act apply by analogy", and "Sections 96(2) and (3), 98 and 99 of the Municipalities Act" is read as "Sections 96(2) and (3), 98 and 99 of the Municipalities Act and Sections 94(2) and (3), 95 and 96 of the Provinces Act";
 - j. where Section 25(1) is applied, "Section 22 of the Municipalities Act, Sections 21, 23(1) and (2) of this Act" is read as: Section 22 of the Provinces Act, Sections 21, 23(1) and (2) of this Act;

- k. where Section 25(1) is applied in conjunction with Section 21(4), “Section 99 of the Municipalities Act” is read as: Section 96 of the Provinces Act;
 - l. where Section 26(1) and (2) is applied, “municipal authority” is read as “provincial authority”, “municipality” is read as “province”, “municipalities” is read as “provinces”, and “municipal gazette” is read as “provincial gazette”.
2. Section X 7(1) to (5), inclusive, of the Elections Act applies by analogy where subsection 1 in conjunction with Section 20(1) has been contravened.

Section 53

[Repealed on 1 July 2021]

Part 3. Powers

§ 1. The power of the board of the public body and the operational management entity and of the joint body

Section 54

1. Such powers of regulation and administration may be transferred to the board of the public body or of the operational management entity or to the joint body in the arrangement in respect of the interests it is intended to promote and for the area for which it applies as are vested in the authorities of the participating municipalities and provinces with regard to their own municipality or province, respectively, on the understanding that:
 - a. the power to levy taxes other than the sewerage charge referred to in Section 228a of the Municipalities Act and the duties referred to in Section 229(1)(a) and (b) of the Municipalities Act and in Section 223 of the Provinces Act, the fee referred to in Section 222c of the Provinces Act, the duties that are levied pursuant to special Acts of Parliament and the levy referred to in Section 15.33 of the Environmental Management Act may not be transferred to the board of the public body;
 - b. the power to levy taxes or otherwise issue generally binding regulations may not be transferred to the joint body or the operational management entity.
2. If subsection 1 is applied, the relationship between the powers transferred and those of the authorities of the participating municipalities and provinces is also regulated.
3. To the extent that a bylaw of the public body provides for the same topic as a bylaw of a participating municipality or province, the former bylaw regulates the relationship between them. It may provide that the bylaw of the municipality or province fully or partly ceases to apply for the entire area or for part of the area.

Section 55

The arrangement may introduce restrictions on the powers the public body or the operational management entity possesses by operation of law to participate in social and economic life.

Section 55a

1. The general board of the public body or the board of the operational management entity only decides to establish and participate in foundations, partnerships, companies, associations, cooperatives and mutual associations if the arrangement provides for this option and this is to be considered particularly appropriate to promote the public interest to be served.
2. The decision is not taken until the councils of the participating municipalities and the provincial councils of the participating provinces have been sent a draft decision and have been given the opportunity to make their wishes and reservations known to the general board of the public body or the board of the operational management entity.

Section 56

A bylaw of the public body to levy a tax regulates in which executives or civil servants the powers referred to in Chapter XV of the Municipalities Act and those referred to in Chapter XV of the Provinces Act will be vested.

§ 2. Special provisions

Section 56a

1. If the powers of the board of the public body or of the operational management entity or the joint body have been transferred partly by the authorities of the participating provinces, Sections 45a and 45b apply.
2. To the extent that the powers of the board of the public body or of the operational management entity or the joint body have been transferred solely by the authorities of the participating municipalities, Sections 32a to 32j, inclusive, apply.

§ 3. Publication and entry into force of decisions containing generally binding regulations

Section 56aa

[Repealed on 1 July 2021]

Section 56b

[Repealed on 1 July 2021]

Section 56c

[Repealed on 1 July 2021]

§ 4. The power of the general board

Section 57

The powers transferred under the arrangement are vested in the general board, unless the law or the arrangement provides otherwise.

Section 57a

1. The general board may transfer powers of the general board to the executive board, unless the nature of the power precludes this.
2. In any event, the general board may not transfer the power to:
 - a. adopt the budget or the financial statements as referred to in Section 58;
 - b. levy duties as referred to in Section 54(1)(a);
 - c. enact bylaws to be enforced by penalty provisions or by taking administrative enforcement action.
3. Sections 56b and 56c apply by analogy to a decision taken pursuant to subsection 1.
4. Notwithstanding Section 10:16(1) of the General Administrative Law Act, the general board may place restrictions on the exercise of the power transferred.
5. In respect of the powers transferred by applying subsection 1, the rules laid down by or pursuant to the law with regard to their exercise and their supervision apply to them by analogy.

§ 5. The power of the executive board

Section 57b

1. The executive board is in any event authorised:
 - a. to conduct the day-to-day management of the public body, to the extent that the general board is not charged with this by or pursuant to the law or the arrangement;
 - b. to prepare and implement decisions of the general board;
 - c. to lay down rules about the official organisation of the public body;
 - d. to decide to perform legal acts under private law, with the exception of legal acts under private law as referred to in Section 55a;
 - e. to decide to conduct legal actions, objection proceedings or administrative appeal proceedings on behalf of the public body, the executive board or the general board or to perform acts in preparation for them, unless the general board, to the extent that it concerns the general board, decides otherwise where appropriate.
2. The executive board takes all precautionary measures, including before deciding to conduct legal action, and does everything necessary to prevent expiry of the time limit or loss of rights or property.

Section 57c

The executive board may authorise one or more members of the executive board to exercise one or more of its powers, unless the arrangement on which the power is based precludes this.

§ 6. The power of the chair

Section 57d

1. The chair represents the public body in and out of court.
2. The chair may assign the representation referred to in subsection 1 to a person to be designated by the chair.

§ 7. Finances

Section 58

1. The general board of the public body, the board of the operational management entity or the joint body adopts the budget in the year preceding the year for which it is intended.
2. The executive board of the public body, the board of the operational management entity or the joint body sends the budget to Our Minister of the Interior and Kingdom Relations within two weeks of adoption, but in any event before 15 September of the year preceding the year for which the budget is intended.
3. The general board of the public body, the board of the operational management entity or the joint body adopts the financial statements in the year following the year to which they relate.
4. The executive board of the public body, the board of the operational management entity or the joint body sends the financial statements to Our Minister of the Interior and Kingdom Relations within two weeks of adoption, but in any event before 15 July of the year following the year to which the financial statements relate.

Section 58a

1. If the public body, the operational management entity or the joint body receives a specific-purpose grant as referred to in Section 15a of the Grants to Local Government Act from the State or receives financial resources from the participating provinces and municipalities originating from a

specific-purpose grant, Sections 17a and 17b of the Grants to Local Government Act regarding the information accounting for these financial resources apply by analogy to the public body, the operational management entity or the joint body, on the understanding that:

- a. “the provincial executive and the municipal executive” is read as: the executive board of the public body, the board of the operational management entity or the joint body;
 - b. the suspension referred to in Section 17b(3) of the Grants to Local Government Act relates to the payments pursuant to Section 15(1) of the Grants to Local Government Act to the provinces and municipalities participating in the arrangement.
2. The rules laid down under Section 186(2), opening words and (b), and (3) of the Municipalities Act and subsections 4 to 8, inclusive, of that section apply by analogy to the public body, the operational management entity or the joint body, on the understanding that:
- a. “the executive” is read as: the executive board of the public body, the board of the operational management entity or the joint body;
 - b. the suspension referred to in Section 186(8) of the Municipalities Act relates to the payments pursuant to Section 15(1) of the Grants to Local Government Act to the provinces and municipalities participating in the arrangement.

Section 58b

The executive board of the public body, the board of the operational management entity or the joint body sends the general financial and policy frameworks and the provisional financial statements to the councils of the participating municipalities and to the provincial councils of the participating provinces before 30 April of the year preceding the year for which the budget is intended.

Section 59

1. The executive board of the public body, the board of the operational management entity or the joint body sends the draft budget to the councils of the participating municipalities and to the provincial councils of the participating provinces twelve weeks before it is offered to the general board or twelve weeks before it is adopted by the board of the operational management entity or the joint body, respectively.
2. The participating municipalities and provinces ensure that the draft budget is deposited for inspection by all and, on payment of costs, made generally available.
3. The council of a participating municipality and the provincial council of a participating province may submit their view on the draft budget to the executive board of the public body, the board of the operational management entity or the joint body. The executive board adds the comments setting out this view to the draft budget as it will be offered to the general board.
4. The executive board of the public body, the board of the operational management entity or the joint body notifies the councils of the participating municipalities and the councils of the participating provinces – in writing and stating reasons – of its opinion on the view referred to in subsection 3 and of any conclusions it attaches to this opinion.
5. After it has been adopted, the general board of the public body, the board of the operational management entity or the joint body, respectively, sends the budget to the councils of the participating municipalities and the councils of the participating provinces where necessary, who may submit their view on it to Our Minister of the Interior and Kingdom Relations.
6. Subsections 1, 3 and 4 apply to decisions to amend the budget. The joint arrangement may provide in respect of which categories of budget amendments deviations are permitted.
7. Sections 190 to 219, inclusive, of the Provinces Act apply by analogy to the extent that no deviating provisions have been made under or pursuant to this Act.

Part 4. Suspension and annulment

Section 60

1. If the powers of the board of the public body, the board of the operational management entity or the joint body have been transferred partly by the authorities of the participating provinces, Section 49 applies.
2. To the extent that the powers of the board of the public body, the board of the operational management entity or the joint body have been transferred solely by the authorities of the participating municipalities, Sections 36 to 39f, inclusive, apply.

Chapter V. Arrangements between municipalities and water boards

Part 1. Power to make an arrangement

Section 61

1. The councils, the municipal executives and the mayors of one or more municipalities may individually or jointly make a joint arrangement with the general boards, the executive boards and the chairs of one or more water boards, each to the extent that they are competent for their own municipality or their own water board, respectively, to promote one or more specific interests of those municipalities or water boards.
2. The municipal executives and the mayors or the executive boards and the chairs of the water boards, respectively, send the draft of the arrangement to the councils of the participating municipalities or the general boards of the participating water boards, respectively, with the exception of the draft of an arrangement that is made or partly made by the representative bodies of the participating municipalities or water boards.
3. The councils of the participating municipalities or the general boards of the participating water boards, respectively, may submit their view on the draft of the arrangement to the municipal executives and the mayors of their municipalities or to the executive boards and the chairs of their water boards, respectively, within eight weeks. If the councils or the general boards of the water boards do not wish to submit a view, they will so inform the municipal executives and the mayors or the executive boards and the chairs of the water boards, respectively, as soon as possible.
4. A municipal executive and a mayor, or an executive board and a chair of a water board, will not make an arrangement until the municipal council or the general board of the water board, respectively, has given them permission to do so. Permission may only be withheld on account of conflict with the law or the public interest.
5. In this section, “make an arrangement” is also understood to mean changing, entering and exiting an arrangement.

Part 2. General provisions

Section 62

Sections 8 to 26, inclusive, 28 and 29 apply by analogy, on the understanding that:

- a. where Section 10(4) is applied, “Section 81p(1) of the Municipalities Act” is read as: Section 81p(1) of the Municipalities Act or Section 51b(1) of the Water Boards Act;
- b. where Section 16(5) is applied, “Section 25 of the Municipalities Act” is read as: the provisions for the body that designated the member;
- c. where Section 24a is applied, “Section 22 of the Municipalities Act applies by analogy” is read as “Section 22 of the Municipalities Act and Section 39 of the Water Boards Act apply by analogy”, and “Sections 96(2) and (3), 98 and 99 of the Municipalities Act” is read as “Sections 96(2) and (3), 98 and 99 of the Municipalities Act and Section 32a(2), (3) and (4) of the Water Boards Act”.

Section 62a

[Repealed on 1 July 2021]

Part 3. Powers

§ 1. The power of the board of the public body and the operational management entity and of the joint body

Section 63

1. Such powers of regulation and administration may be transferred to the board of the public body or of the operational management entity or to the joint body in the arrangement in respect of the interests it is intended to promote and for the area for which it applies as are vested in the authorities of the participating municipalities and water boards, on the understanding that:
 - a. the power to levy taxes other than the sewerage charge referred to in Section 228a of the Municipalities Act and the duties referred to in Section 229(1)(a) and (b) of the Municipalities Act and in Section 115 of the Water Boards Act and the duties that are levied pursuant to special Acts of Parliament may not be transferred to the board of the public body;
 - b. the power to levy taxes or otherwise issue generally binding regulations may not be transferred to the joint body or the operational management entity.
2. If subsection 1 is applied, the relationship between the powers transferred and those of the authorities of the participating municipalities and water boards is also regulated.
3. To the extent that a bylaw of the public body provides for the same topic as a bylaw of a participating municipality or of a participating water board, the former bylaw regulates the relationship between them. It may provide that the bylaw of the municipality or of the water board fully or partly ceases to apply for the entire area or for part of the area.

Section 64

The arrangement may introduce restrictions on the powers the public body or the operational management entity possesses by operation of law to participate in social and economic life.

Section 64a

1. The general board of the public body or the board of the operational management entity only decides to establish and participate in foundations, partnerships, companies, associations, cooperatives and mutual associations if the arrangement provides for this option and this is to be considered particularly appropriate to promote the public interest to be served.
2. The decision is not taken until the councils of the participating municipalities and the general boards of the participating water boards have been sent a draft decision and have been given the opportunity to make their wishes and reservations known to the general board of the public body or the board of the operational management entity.

Section 65

A bylaw of the public body to levy a tax regulates in which executives or civil servants the powers referred to in Chapter XV of the Municipalities Act and those referred to in Chapter XVIII of the Water Boards Act will be vested.

§ 2. Special provisions

Section 65a

1. If the powers of the board of the public body, the board of the operational management entity or the joint body have been transferred partly by the authorities of the participating municipalities, Sections 32a to 32j, inclusive, apply.

2. To the extent that the powers of the board of the public body, the board of the operational management entity or the joint body have been transferred solely by the authorities of the participating water boards, Section 50da applies.

§ 3. Publication and entry into force of decisions containing generally binding regulations

Section 65aa

[Repealed on 1 July 2021]

Section 65b

[Repealed on 1 July 2021]

Section 65c

[Repealed on 1 July 2021]

§ 4. The power of the general board

Section 66

The powers transferred under the arrangement are vested in the general board, unless the law or the arrangement provides otherwise.

Section 66a

1. The general board may transfer powers of the general board to the executive board, unless the nature of the power precludes this.
2. In any event, the general board may not transfer the power to:
 - a. adopt the budget or the financial statements as referred to in Section 67;
 - b. levy duties as referred to in Section 63(1)(a);
 - c. enact bylaws to be enforced by penalty provisions or by taking administrative enforcement action.
3. Sections 65b and 65c apply by analogy to a decision taken pursuant to subsection 1.
4. Notwithstanding Section 10:16(1) of the General Administrative Law Act, the general board may place restrictions on the exercise of the power transferred.
5. In respect of the powers transferred by applying subsection 1, the rules laid down by or pursuant to the law with regard to their exercise and their supervision apply to them by analogy.

§ 5. The power of the executive board

Section 66b

1. If the powers of the board of the public body have been transferred partly by the authorities of the participating municipalities, Section 33b applies to the executive board.
2. To the extent that the powers of the board of the public body have been transferred solely by the authorities of the participating water boards, Section 50eb applies to the executive board.

Section 66c

The executive board may authorise one or more members of the executive board to exercise one or more of its powers, unless the arrangement on which the power is based precludes this.

§ 6. The power of the chair

Section 66d

1. The chair represents the public body in and out of court.
2. The chair may assign the representation referred to in subsection 1 to a person to be designated by the chair.

§ 7. Finances

Section 67

1. The general board of the public body, the board of the operational management entity or the joint body adopts the budget in the year preceding the year for which it is intended.
2. The executive board of the public body, the board of the operational management entity or the joint body sends the budget to the provincial executive within two weeks of adoption, but in any event before 15 September of the year preceding the year for which the budget is intended.
3. The general board of the public body, the board of the operational management entity or the joint body adopts the financial statements in the year following the year to which they relate.
4. The executive board of the public body, the board of the operational management entity or the joint body sends the financial statements to the provincial executive within two weeks of adoption, but in any event before 15 July of the year following the year to which the financial statements relate.

Section 67a

The executive board of the public body, the board of the operational management entity or the joint body sends the general financial and policy frameworks and the provisional financial statements to the councils of the participating municipalities and to the general boards of the participating water boards before 30 April of the year preceding the year for which the budget is intended.

Section 68

1. The executive board of the public body, the board of the operational management entity or the joint body sends the draft budget to the councils of the participating municipalities and to the general boards of the participating water boards twelve weeks before it is offered to the general board or twelve weeks before it is adopted by the board of the operational management entity or the joint body, respectively.
2. The participating municipalities and water boards ensure that the draft budget is deposited for inspection by all and, on payment of costs, made generally available.
3. The councils of the participating municipalities and the general boards of the participating water boards may submit their view on the draft budget to the executive board of the public body, the board of the operational management entity or the joint body. The executive board adds the comments setting out this view to the draft budget as it will be offered to the general board.
4. Before adopting the budget, the executive board of the public body, the board of the operational management entity or the joint body notifies the general boards of the water boards and the councils of the participating municipalities – in writing and stating reasons – of its opinion on the view referred to in subsection 3 and of any conclusions it attaches to this opinion.
5. After it has been adopted, the general board of the public body, the board of the operational management entity or the joint body, respectively, sends the budget to the councils of the participating municipalities and to the general boards of the participating water boards where necessary, who may submit their view on it to the provincial executive.

6. Subsections 1, 3 and 4 apply to decisions to amend the budget. The joint arrangement may provide in respect of which categories of budget amendments deviations are permitted.
7. Sections 186 to 213, inclusive, of the Municipalities Act apply by analogy to the extent that no deviating provisions have been made under or pursuant to this Act.
8. Notwithstanding subsection 6, Sections 98a to 109c, inclusive, of the Water Boards Act apply by analogy, to the extent that no deviating provisions have been made under or pursuant to this Act, if only the authorities of the participating water boards have transferred powers to the public body, the operational management entity or the joint body.

Part 4. Suspension and annulment

Section 69

1. If the powers of the board of the public body, the board of the operational management entity or the joint body have been transferred partly by the authorities of the participating municipalities, Sections 36 to 39f, inclusive, apply.
2. To the extent that the powers of the board of the public body, the board of the operational management entity or the joint body have been transferred solely by the authorities of the participating water boards, Sections 50h to 50k, inclusive, apply.

Chapter VI. Arrangements between municipalities, provinces and water boards

Part 1. Power to make an arrangement

Section 73

1. The councils, the municipal executives and the mayors of one or more municipalities may individually or jointly make a joint arrangement with the provincial councils, the provincial executives and the King's Commissioners of one or more provinces and the general boards, the executive boards and the chairs of one or more water boards, each to the extent that they are competent for their own municipality, their own province or their own water board, respectively, to promote one or more specific interests of those municipalities, provinces or water boards.
2. The municipal executives and the mayors, the provincial executives and the King's Commissioners and the executive boards and chairs of the water boards send the draft of the arrangement to the councils of the participating municipalities, the provincial councils of the participating provinces and the general boards of the participating water boards, with the exception of the draft of an arrangement that is made or partly made by the representative bodies of the participating municipalities, provinces or water boards.
3. The councils of the participating municipalities, the provincial councils of the participating provinces and the general boards of the water boards may submit their view on the draft of the arrangement to the municipal executives and the mayors of their municipalities, the provincial executives and the King's Commissioners of their provinces and the executive boards and chairs of their water boards within eight weeks. If the councils, the provincial councils or the general boards of the water boards do not wish to submit a view, they will so inform the municipal executives and the mayors, the provincial executives and the King's Commissioners and the executive boards and chairs of the water boards as soon as possible.
4. A municipal executive and a mayor, a provincial executive and a King's Commissioner, or an executive board and a chair of a water board, will not make an arrangement until the municipal council, the provincial council or the general board of the water board, respectively, has given them permission to do so. Permission may only be withheld on account of conflict with the law or the public interest.
5. In this section, "make an arrangement" is also understood to mean changing, entering and exiting an arrangement.

Section 73a

[Repealed on 1 January 2006]

Part 2. General provisions

Section 74

1. Sections 8 to 26, inclusive, apply by analogy, with the exception of Section 20(4), on the understanding that:
 - a. where Section 10(4) is applied, "Section 81p(1) of the Municipalities Act" is read as: Section 81p(1) of the Municipalities Act, Section 79q(1) of the Provinces Act or Section 51b(1) of the Water Boards Act;
 - b. where Section 16(5) is applied, the words "Section 25 of the Municipalities Act" are read as: the provisions for the body that designated the member;
 - c. where Section 19b is applied, "Our Minister of the Interior and Kingdom Relations and the provincial authority" is read as: Our Ministers;
 - d. the exemption referred to in Section 20(2) is granted by Our Minister of the Interior and Kingdom Relations;
 - e. where Section 21(4) is applied, "Section 99 of the Municipalities Act" is read as: Section 96 of the Provinces Act;
 - f. where Section 22(1) is applied, "Sections 16, 17, 19, 20, 22, 26 and 28 to 33, inclusive, of the Municipalities Act" is read as: Sections 16, 17, 19, 20, 22, 26 and 28 to 33, inclusive, of the Provinces Act;
 - g. where Section 24(1) is applied, "Section 22 of the Municipalities Act" is read as: Section 22 of the Provinces Act;
 - h. where Section 24(4) is applied, "Sections 96 to 99, inclusive, of the Municipalities Act" is read as: Sections 93 to 96, inclusive, of the Provinces Act;
 - i. where Section 24a is applied, "Section 22 of the Municipalities Act applies by analogy" is read as "Section 22 of the Municipalities Act, Section 22 of the Provinces Act and Section 39 of the Water Boards Act apply by analogy", and "Sections 96(2) and (3), 98 and 99 of the Municipalities Act" is read as "Sections 96(2) and (3), 98 and 99 of the Municipalities Act, Sections 94(2) and (3), 95 and 96 of the Provinces Act and Section 32a(2), (3) and (4) of the Water Boards Act";
 - j. where Section 25(1) is applied, "Section 22 of the Municipalities Act, Sections 21, 23(1) and (2) of this Act" is read as: Section 22 of the Provinces Act, Sections 21, 23(1) and (2) of this Act;
 - k. where Section 25(1) is applied in conjunction with Section 21(4), "Section 99 of the Municipalities Act" is read as: Section 96 of the Provinces Act;
 - l. where Section 26(1) and (2) is applied, "municipal authority" is read as "provincial authority", "municipality" is read as "province", "municipalities" is read as "provinces", and "municipal gazette" is read as "provincial gazette".
2. Section X 7(1) to (5), inclusive, of the Elections Act applies by analogy where subsection 1 in conjunction with Section 20(1) has been contravened.

Section 75

[Repealed on 1 July 2021]

Part 3. Powers

§ 1. The power of the board of the public body and the operational management entity and of the joint body

Section 76

1. Such powers of regulation and administration may be transferred to the board of the public body or of the operational management entity or to the joint body in the arrangement in respect of the interests it is intended to promote and for the area for which it applies as are vested in the

authorities of the participating municipalities and provinces and of the participating water boards with regard to their own municipality, province or water board, respectively, on the understanding that:

- a. the power to levy taxes other than the fee referred to in Section 222c of the Provinces Act, the sewerage charge referred to in Section 228a of the Municipalities Act, the duties referred to in Section 229(1)(a) and (b) of the Municipalities Act, Section 223 of the Provinces Act and Section 115 of the Water Boards Act and the duties that are levied pursuant to special Acts of Parliament may not be transferred to the board of the public body;
 - b. the power to levy taxes or otherwise issue generally binding regulations may not be transferred to the joint body or the operational management entity.
2. If subsection 1 is applied, the relationship between the powers transferred and those of the authorities of the participating municipalities and provinces and of the participating water boards is also regulated.
 3. To the extent that a bylaw of the public body provides for the same topic as a bylaw of a participating municipality or province or of a participating water board, the former bylaw regulates the relationship between them. It may provide that the bylaw of the municipality, the province or the water board fully or partly ceases to apply for the entire area or for part of the area.

Section 77

The arrangement may introduce restrictions on the powers the public body or the operational management entity possesses by operation of law to participate in social and economic life.

Section 77a

1. The general board of the public body or the board of the operational management entity only decides to establish and participate in foundations, partnerships, companies, associations, cooperatives and mutual associations if the arrangement provides for this option and this is to be considered particularly appropriate to promote the public interest to be served.
2. The decision is not taken until the councils of the participating municipalities, the provincial councils of the participating provinces and the general boards of the participating water boards have been sent a draft decision and have been given the opportunity to make their wishes and reservations known to the general board of the public body or the board of the operational management entity.

Section 78

A bylaw of the public body to levy a tax regulates in which executives or civil servants the powers referred to in Chapter XV of the Municipalities Act and those referred to in Chapter XV of the Provinces Act and Chapter XVIII of the Water Boards Act will be vested.

§ 2. Special provisions

Section 78a

1. If the powers of the board of the public body, the board of the operational management entity or the joint body have been transferred partly by the authorities of the participating provinces, Sections 45a and 45b apply.
2. To the extent that the powers of the board of the public body, the board of the operational management entity or the joint body have been transferred solely by the authorities of the participating municipalities, Sections 32a to 32j, inclusive, apply.
3. To the extent that the powers of the board of the public body, the board of the operational management entity or the joint body have been transferred solely by the authorities of the participating water boards, Section 50da applies.

§ 3. Publication and entry into force of decisions containing generally binding regulations

Section 78aa

[Repealed on 1 July 2021]

Section 78b

[Repealed on 1 July 2021]

Section 78c

[Repealed on 1 July 2021]

§ 4. The power of the general board

Section 79

The powers transferred under the arrangement are vested in the general board, unless the law or the arrangement provides otherwise.

Section 79a

1. The general board may transfer powers of the general board to the executive board, unless the nature of the power precludes this.
2. In any event, the general board may not transfer the power to:
 - a. adopt the budget or the financial statements as referred to in Section 80;
 - b. levy duties as referred to in Section 76(1)(a);
 - c. enact bylaws to be enforced by penalty provisions or by taking administrative enforcement action.
3. Sections 78b and 78c apply by analogy to a decision taken pursuant to subsection 1.
4. Notwithstanding Section 10:16(1) of the General Administrative Law Act, the general board may place restrictions on the exercise of the power transferred.
5. In respect of the powers transferred by applying subsection 1, the rules laid down by or pursuant to the law with regard to their exercise and their supervision apply to them by analogy.

§ 5. The power of the executive board

Section 79b

1. If the powers of the board of the public body have been transferred partly by the authorities of the participating provinces or solely by the authorities of the participating municipalities, Section 33b applies to the executive board.
2. To the extent that the powers of the board of the public body have been transferred solely by the authorities of the participating water boards, Section 50eb applies to the executive board.

Section 79c

The executive board may authorise one or more members of the executive board to exercise one or more of its powers, unless the arrangement on which the power is based precludes this.

§ 6. The power of the chair

Section 79d

1. The chair represents the public body in and out of court.
2. The chair may assign the representation referred to in subsection 1 to a person to be designated by the chair.

§ 7. Finances

Section 80

1. The general board of the public body, the board of the operational management entity or the joint body adopts the budget in the year preceding the year for which it is intended.
2. The executive board of the public body, the board of the operational management entity or the joint body sends the budget to Our Minister of the Interior and Kingdom Relations within two weeks of adoption, but in any event before 15 September of the year preceding the year for which the budget is intended.
3. The general board of the public body, the board of the operational management entity or the joint body adopts the financial statements in the year following the year to which they relate.
4. The executive board of the public body, the board of the operational management entity or the joint body sends the financial statements to Our Minister of the Interior and Kingdom Relations within two weeks of adoption, but in any event before 15 July of the year following the year to which the financial statements relate.

Section 80a

The executive board of the public body, the board of the operational management entity or the joint body sends the general financial and policy frameworks and the provisional financial statements to the councils of the participating municipalities, to the provincial councils of the participating provinces and to the general boards of the participating water boards before 30 April of the year preceding the year for which the budget is intended.

Section 81

1. The executive board of the public body, the board of the operational management entity or the joint body sends the draft budget to the councils of the participating municipalities, to the provincial councils of the participating provinces and to the general boards of the participating water boards twelve weeks before it is offered to the general board or twelve weeks before it is adopted by the board of the operational management entity or the joint body, respectively.
2. The participating municipalities, provinces and water boards ensure that the draft budget is deposited for inspection by all and, on payment of costs, made generally available.
3. The councils of the participating municipalities, the provincial councils of the participating provinces and the general boards of the participating water boards may submit their view on the draft budget to the executive board of the public body, the board of the operational management entity or the joint body. The executive board adds the comments setting out this view to the draft budget as it will be offered to the general board.
4. Before adopting the budget, the executive board of the public body, the board of the operational management entity or the joint body notifies the councils of the participating municipalities, the provincial councils of the participating provinces and the general boards of the participating water boards – in writing and stating reasons – of its opinion on the view referred to in subsection 3 and of any conclusions it attaches to this opinion.
5. After it has been adopted, the general board of the public body, the board of the operational management entity or the joint body, respectively, sends the budget to the councils of the

participating municipalities, to the provincial councils of the participating provinces and to the general boards of the participating water boards where necessary, who may submit their view on it to Our Minister of the Interior and Kingdom Relations.

6. Subsections 1, 3 and 4 apply to decisions to amend the budget. The joint arrangement may provide in respect of which categories of budget amendments deviations are permitted.
7. Sections 190 to 219, inclusive, of the Provinces Act apply by analogy to the extent that no deviating provisions have been made under or pursuant to this Act.
8. Notwithstanding subsection 6, Sections 98a to 109c, inclusive, of the Water Boards Act apply by analogy, to the extent that no deviating provisions have been made under or pursuant to this Act, if only the authorities of the participating water boards have transferred powers to the public body, the operational management entity or the joint body.

Part 4. Suspension and annulment

Section 82

1. If the powers of the board of the public body, the board of the operational management entity or the joint body have been transferred partly by the authorities of the participating provinces, Section 49 applies.
2. To the extent that the powers of the board of the public body, the board of the operational management entity or the joint body have been transferred solely by the authorities of the participating municipalities, Sections 36 to 39f, inclusive, apply.
3. To the extent that the powers of the board of the public body, the board of the operational management entity or the joint body have been transferred solely by the authorities of the participating water boards, Sections 50h to 50k, inclusive, apply.

Chapter VII. Arrangements between provinces and water boards

Part 1. Power to make an arrangement

Section 83

1. The provincial councils, the provincial executives and the King's Commissioners of one or more provinces may individually or jointly make a joint arrangement with the general boards, the executive boards and the chairs of one or more water boards, each to the extent that they are competent for their own province or their own water board, respectively, to promote one or more specific interests of those provinces or water boards.
2. The provincial executives and the King's Commissioners and the executive boards and chairs of the water boards send the draft of the arrangement to the provincial councils of the participating provinces and the general boards of the participating water boards, with the exception of the draft of an arrangement that is made or partly made by the representative bodies of the provinces or water boards.
3. The provincial councils of the participating provinces and the general boards of the water boards may submit their view on the draft of the arrangement to the provincial executives and the King's Commissioners of their provinces and the executive boards and chairs of their water boards within eight weeks. If the provincial councils or the general boards of the water boards do not wish to submit a view, they will so inform the provincial executives and the King's Commissioners and the executive boards and the chairs of the water boards as soon as possible.
4. A provincial executive and a King's Commissioner, or an executive board and a chair of a water board, will not make an arrangement until the provincial council or the general board of the water board, respectively, has given them permission to do so. Permission may only be withheld on account of conflict with the law or the public interest.

5. In this section, “make an arrangement” is also understood to mean changing, entering and exiting an arrangement.

Part 2. General provisions

Section 84

1. Sections 8 to 26, inclusive, apply by analogy, with the exception of Section 20(4), on the understanding that:
 - a. where Section 10(4) is applied, “Section 81p(1) of the Municipalities Act” is read as: Section 79q(1) of the Provinces Act or Section 51b(1) of the Water Boards Act;
 - b. where Section 16(5) is applied, the words “Section 25 of the Municipalities Act” are read as: the provisions for the body that designated the member;
 - c. where Section 19b is applied, “Our Minister of the Interior and Kingdom Relations and the provincial authority” is read as: Our Ministers;
 - d. the exemption referred to in Section 20(2) is granted by Our Minister of the Interior and Kingdom Relations;
 - e. where Section 21(4) is applied, “Section 99 of the Municipalities Act” is read as: Section 96 of the Provinces Act;
 - f. where Section 22(1) is applied, “Sections 16, 17, 19, 20, 22, 26 and 28 to 33, inclusive, of the Municipalities Act” is read as: Sections 16, 17, 19, 20, 22, 26 and 28 to 33, inclusive, of the Provinces Act;
 - g. where Section 24(1) is applied, “Section 22 of the Municipalities Act” is read as: Section 22 of the Provinces Act;
 - h. where Section 24(4) is applied, “Sections 96 to 99, inclusive, of the Municipalities Act” is read as: Sections 93 to 96, inclusive, of the Provinces Act;
 - i. where Section 24a is applied, “Section 22 of the Municipalities Act applies by analogy” is read as “Section 22 of the Provinces Act and Section 39 of the Water Boards Act apply by analogy”, and “Sections 96(2) and (3), 98 and 99 of the Municipalities Act” is read as “Sections 94(2) and (3), 95 and 96 of the Provinces Act and Section 32a(2), (3) and (4) of the Water Boards Act”;
 - j. where Section 25(1) is applied, “Section 22 of the Municipalities Act, Sections 21, 23(1) and (2) of this Act” is read as: Section 22 of the Provinces Act, Sections 21, 23(1) and (2) of this Act;
 - k. where Section 25(1) is applied in conjunction with Section 21(4), “Section 99 of the Municipalities Act” is read as: Section 96 of the Provinces Act;
 - l. where Section 26(1) and (2) is applied, “municipal authority” is read as “provincial authority”, “municipality” is read as “province”, “municipalities” is read as “provinces”, and “municipal gazette” is read as “provincial gazette”.
2. Section X 7(1) to (5), inclusive, of the Elections Act applies by analogy where subsection 1 in conjunction with Section 20(1) has been contravened.

Section 85

[Repealed on 1 July 2021]

Part 3. Powers

§ 1. The power of the board of the public body and the operational management entity and of the joint body

Section 86

1. Such powers of regulation and administration may be transferred to the board of the public body or of the operational management entity or to the joint body in the arrangement in respect of the interests it is intended to promote and for the area for which it applies as are vested in the authorities of the participating provinces and water boards with regard to their own province or water board, respectively, on the understanding that:
 - a. the power to levy taxes other than the fee referred to in Section 222c of the Provinces Act, the

- duties referred to in Section 223 of the Provinces Act and Section 115 of the Water Boards Act and the duties that are levied pursuant to special Acts of Parliament may not be transferred to the board of the public body;
- b. the power to levy taxes or otherwise issue generally binding regulations may not be transferred to the joint body or the operational management entity.
2. If subsection 1 is applied, the relationship between the powers transferred and those of the authorities of the provinces and water boards participating in the arrangement is also regulated.
 3. To the extent that a bylaw of the public body provides for the same topic as a bylaw of a participating province or a participating water board, the former bylaw regulates the relationship between them. It may provide that the bylaw of the province or of the water board fully or partly ceases to apply for the entire area or for part of the area.

Section 87

The arrangement may introduce restrictions on the powers the public body or the operational management entity possesses by operation of law to participate in social and economic life.

Section 87a

1. The general board of the public body or the board of the operational management entity only decides to establish and participate in foundations, partnerships, companies, associations, cooperatives and mutual associations if the arrangement provides for this option and this is to be considered particularly appropriate to promote the public interest to be served.
2. The decision is not taken until the provincial councils of the participating provinces and the general boards of the participating water boards have been sent a draft decision and have been given the opportunity to make their wishes and reservations known to the general board of the public body or the board of the operational management entity.

Section 88

A bylaw of the public body to levy a tax regulates in which executives or civil servants the powers referred to in Chapter XV of the Provinces Act and those referred to in Chapter XVIII of the Water Boards Act will be vested.

§ 2. Special provisions

Section 88a

1. If the powers of the board of the public body, the board of the operational management entity or the joint body have been transferred partly by the authorities of the participating provinces, Sections 45a and 45b apply.
2. To the extent that the powers of the board of the public body, the board of the operational management entity or the joint body have been transferred solely by the authorities of the participating water boards, Section 50da applies.

§ 3. Publication and entry into force of decisions containing generally binding regulations

Section 88aa

[Repealed on 1 July 2021]

Section 88b

[Repealed on 1 July 2021]

Section 88c

[Repealed on 1 July 2021]

§ 4. The power of the general board

Section 89

The powers transferred under the arrangement are vested in the general board, unless the law or the arrangement provides otherwise.

Section 89a

1. The general board may transfer powers of the general board to the executive board, unless the nature of the power precludes this.
2. In any event, the general board may not transfer the power to:
 - a. adopt the budget or the financial statements as referred to in Section 90;
 - b. levy duties as referred to in Section 86(1)(a);
 - c. enact bylaws to be enforced by penalty provisions or by taking administrative enforcement action.
3. Sections 88b and 88c apply by analogy to a decision taken pursuant to subsection 1.
4. Notwithstanding Section 10:16(1) of the General Administrative Law Act, the general board may place restrictions on the exercise of the power transferred.
5. In respect of the powers transferred by applying subsection 1, the rules laid down by or pursuant to the law with regard to their exercise and their supervision apply to them by analogy.

§ 5. The power of the executive board

Section 89b

1. If the powers of the board of the public body have been transferred partly by the authorities of the participating provinces, Section 46b applies to the executive board.
2. To the extent that the powers of the board of the public body have been transferred solely by the authorities of the participating water boards, Section 50eb applies to the executive board.

Section 89c

The executive board may authorise one or more members of the executive board to exercise one or more of its powers, unless the arrangement on which the power is based precludes this.

§ 6. The power of the chair

Section 89d

1. The chair represents the public body in and out of court.
2. The chair may assign the representation referred to in subsection 1 to a person to be designated by the chair.

§ 7. Finances

Section 90

1. The general board of the public body, the board of the operational management entity or the joint body adopts the budget in the year preceding the year for which it is intended.

2. The executive board of the public body, the board of the operational management entity or the joint body sends the budget to Our Minister of the Interior and Kingdom Relations within two weeks of adoption, but in any event before 15 September of the year preceding the year for which the budget is intended.
3. The general board of the public body, the board of the operational management entity or the joint body adopts the financial statements in the year following the year to which they relate.
4. The executive board of the public body, the board of the operational management entity or the joint body sends the financial statements to Our Minister of the Interior and Kingdom Relations within two weeks of adoption, but in any event before 15 July of the year following the year to which the financial statements relate.

Section 90a

The executive board of the public body, the board of the operational management entity or the joint body sends the general financial and policy frameworks and the provisional financial statements to the provincial councils of the participating provinces and to the general boards of the participating water boards before 30 April of the year preceding the year for which the budget is intended.

Section 91

1. The executive board of the public body, the board of the operational management entity or the joint body sends the draft budget to the provincial councils of the participating provinces and to the general boards of the participating water boards twelve weeks before it is offered to the general board or twelve weeks before it is adopted by the board of the operational management entity or the joint body, respectively.
2. The provinces and water boards participating in the arrangement ensure that the draft budget is deposited for inspection by all and, on payment of costs, made generally available.
3. The provincial councils of the participating provinces and the general boards of the participating water boards may submit their view on the draft budget to the executive board of the public body, the board of the operational management entity or the joint body. The executive board adds the comments setting out this view to the draft budget as it will be offered to the general board.
4. Before adopting the budget, the executive board of the public body, the board of the operational management entity or the joint body notifies the provincial councils of the participating provinces and the general boards of the participating water boards – in writing and stating reasons – of its opinion on the view referred to in subsection 3 and of any conclusions it attaches to this opinion.
5. After it has been adopted, the general board of the public body, the board of the operational management entity or the joint body, respectively, sends the budget to the provincial councils of the participating provinces and to the general boards of the participating water boards where necessary, who may submit their view on it to Our Minister of the Interior and Kingdom Relations.
6. Subsections 1, 3 and 4 apply to decisions to amend the budget. The joint arrangement may provide in respect of which categories of budget amendments deviations are permitted.
7. Sections 190 to 219, inclusive, of the Provinces Act apply by analogy to the extent that no deviating provisions have been made under or pursuant to this Act.
8. Notwithstanding subsection 6, Sections 98a to 109c, inclusive, of the Water Boards Act apply by analogy, to the extent that no deviating provisions have been made under or pursuant to this Act, if only the authorities of the participating water boards have transferred powers to the public body, the operational management entity or the joint body.

Part 4. Suspension and annulment

Section 92

1. If the powers of the board of the public body, the board of the operational management entity or the joint body have been transferred partly by the authorities of the participating provinces, Section 49 applies.
2. To the extent that the powers of the board of the public body, the board of the operational management entity or the joint body have been transferred solely by the authorities of the participating water boards, Sections 50h to 50k, inclusive, apply.

Chapter VIII. Participation in an arrangement by other public bodies and legal entities

Section 93

If otherwise authorised to do so, the following parties may also participate in an arrangement as referred to in Chapters I to VII, inclusive:

- a. one or more public bodies other than municipalities, provinces and water boards;
- b. one or more other legal entities, if their board is authorised to do so in a royal decree placed in the Dutch Government Gazette.

Section 94

1. Participation on behalf of the State takes place by decision of Our Minister concerned. The decision will also regulate the consequences of participation.
2. If any party acts on behalf of the State when participating in an arrangement in respect of which a power as referred to in Section 8 is used, a decision as referred to in subsection 1 is submitted to both Houses of the States General. It takes effect on a date to be established by decision of Our Minister concerned after four weeks have passed since the submission, unless a desire to regulate the effective date of the decision by law is expressed by or on behalf of one of the Houses or by at least one fifth of the constitutional number of members of one of the Houses within that period.

Section 95

Chapters I to VII, inclusive, apply by analogy, on the understanding that in the event of an arrangement with participants as referred to in Section 93(b) and 94(1), the said chapters apply by analogy to these participants to the extent possible.

Chapter IX. Arrangements between a single municipality, province or water board and one or more other public bodies and legal entities

Section 96

The council and the municipal executive of a municipality, the provincial council and the provincial executive of a province, or the general board and the executive board of a water board, each to the extent that they are competent for their own municipality, their own province or their own water board, respectively, may make a joint arrangement to promote specific interests of that municipality, province or water board, respectively, with – if they are otherwise authorised to do so – the boards of:

- a. one or more public bodies other than municipalities, provinces and water boards;
- b. one or more other legal entities, if they are authorised to do so in a royal decree placed in the Dutch Government Gazette.

Section 97

1. Participation on behalf of the State takes place by decision of Our Minister concerned. The decision will also regulate the consequences of participation.
2. If any party acts on behalf of the State when participating in an arrangement in respect of which a power as referred to in Section 8 is used, a decision as referred to in subsection 1 is submitted to both Houses of the States General. It takes effect on a date to be established by decision of Our

Minister concerned after four weeks have passed since the submission, unless a desire to regulate the effective date of the decision by law is expressed by or on behalf of one of the Houses or by at least one fifth of the constitutional number of members of one of the Houses within that period.

Section 98

Chapter I applies by analogy if a municipality enters into the arrangement, Chapter II applies by analogy if a province enters into the arrangement, and Chapter III applies by analogy if a water board enters into the arrangement. In the event of an arrangement with participants as referred to in Section 96(b) and 97(1), the said chapters apply by analogy to these participants to the extent possible.

Chapter X. Mandatory cooperation

Section 99

1. At the request of the authorities of one or more municipalities, if a substantial public interest so requires the provincial executive may designate municipalities whose authorities are directed to make a joint arrangement to promote one or more specific interests.
2. A direction may also involve an obligation to change or discontinue an existing arrangement or an obligation to enter or exit an existing arrangement.
3. Before issuing a direction, the provincial executive will consult with the authorities of the municipalities concerned. On a direction as referred to in subsection 2, the provincial executive will also consult with the board of the public body or the joint body established in the relevant arrangement. The consultation will last no more than thirteen weeks, calculated from the date on which the provincial executive gives the authorities concerned the opportunity to consult.
4. In the direction, the provincial executive will set a term within which an arrangement must be sent to the provincial executive for its information. This term is a maximum of six months.

Section 99a

[Repealed on 1 July 1994]

Section 99b

[Repealed on 1 July 1994]

Section 100

1. No later than six months from the expiry of the term referred to in Section 99(4), the provincial executive will impose an arrangement in accordance with the direction referred to in Section 99(1) if no arrangement has been sent to it or if the arrangement sent to it for its information shows that the direction was insufficiently followed.
2. An imposition may also involve the imposition of a change or discontinuation of an existing arrangement or the imposition of an entry to or exit from an existing arrangement.
3. Before imposing an arrangement, the provincial executive will hear the authorities of the municipalities concerned about the draft of the arrangement to be imposed. On an imposition as referred to in subsection 2, the provincial executive will also hear the board of the public body or the joint body established in the relevant arrangement.

Section 101

In the event of an arrangement between municipalities situated in more than one province, Sections 99 and 100 are applied by means of identical decisions by the provincial executives of the provinces concerned.

Section 102

1. By agreement with Our Minister of the Interior and Kingdom Relations, Our Minister whom it concerns may invite the provincial executive to issue a direction as referred to in Section 99(1).
2. An invitation is not sent until Our Minister whom it concerns has heard the provincial executive.
3. In the invitation, Our Minister whom it concerns will set a term within which the provincial executive must issue a direction.

Section 103

[Repealed on 1 October 2012]

Section 103a

For the purposes of Sections 99 to 102, inclusive, the King's Commissioner takes the place of the provincial executive in the event of an arrangement that is made exclusively between mayors.

Section 103b

The direction referred to in Section 99(1) may also involve the participation of municipalities in an arrangement as referred to in Chapter V and Chapter VIII, to the extent that no provinces participate in it. Sections 99(3) and 100 to 102, inclusive, apply by analogy.

Section 103c

1. The direction referred to in Section 99(1) may also involve the participation of municipalities in an arrangement as referred to in Chapters IV and VI, as well as VIII, to the extent that provinces participate in it, on the understanding that the direction is issued by Our Minister whom it concerns by agreement with Our Minister of the Interior and Kingdom Relations. Section 99(3) applies by analogy.
2. In the direction referred to in subsection 1, Our Minister whom it concerns will set a term within which an arrangement must be sent to them for their information.
3. Where subsection 1 is applied, Our Minister whom it concerns will also consult with the boards of the water boards, other public bodies and legal entities concerned. Where subsection 2 is applied, these boards will also be heard.

Section 103d

For the purposes of Sections 103b and 103c, "imposition of an arrangement" is understood to mean the imposition of entry to and exit from an existing arrangement.

Section 103e

To the extent that this chapter does not provide otherwise, Chapter I, or Chapter IV, V, VI or VIII, applies to the imposition of an arrangement.

Section 103f

Any objection or appeal against an imposition decision cannot be based on an objection or appeal against the direction decision.

Chapter XI. Urban regional bodies

§ 1. Definition

Section 104

[Repealed on 1 January 2015]

Section 105

[Repealed on 1 January 2015]

§ 2. Formation, change and discontinuation

Section 106

[Repealed on 1 January 2015]

Section 107

[Repealed on 1 January 2015]

Section 108

[Repealed on 1 January 2015]

Section 109

[Repealed on 1 January 2015]

Section 110

[Repealed on 1 January 2015]

§ 3. Board and committees

Section 111

[Repealed on 1 January 2015]

Section 112

[Repealed on 1 January 2015]

§ 4. Imposition of an arrangement

Section 113

[Repealed on 1 January 2015]

Section 114

[Repealed on 1 January 2015]

§ 5. Mandatory implementation

Section 115

[Repealed on 1 January 2015]

Section 116

[Repealed on 1 January 2015]

Section 117

[Repealed on 1 October 2012]

§ 6. Duties and powers

Section 118

[Repealed on 1 January 2015]

Section 119

[Repealed on 1 January 2015]

§ 7. Disputes

Section 120

[Repealed on 1 January 2015]

Section 121

[Repealed on 1 January 2013]

Section 122

[Repealed on 1 January 2013]

Section 123

[Repealed on 1 January 2015]

Chapter XIa. Arrangements between the public bodies Bonaire, Sint Eustatius and Saba

§ 1. Power to make an arrangement

Section 124

1. The island councils, the executive councils and the governors of two or more public bodies Bonaire, Sint Eustatius or Saba may individually or jointly, each to the extent that they are competent for their own public body, make a joint arrangement to promote one or more specific interests of those public bodies.
2. The executive councils and the governors send the draft of the arrangement to the island councils of the participating public bodies, with the exception of the draft of an arrangement that is made or partly made by the island councils.
3. The island councils of the participating public bodies may submit their view on the draft of the arrangement to the executive councils and the governors of their public bodies within eight weeks. If the island councils do not wish to submit a view, they will so inform the executive councils and the governors as soon as possible.
4. The executive councils and the governors will not make an arrangement until the island councils have given them permission to do so. Permission may only be withheld on account of conflict with the law or the public interest.
5. In this section, "make an arrangement" is also understood to mean changing, entering and exiting an arrangement.

§ 2. General provisions

Section 125

1. A public body under the name 'cooperation body' may be established in the arrangement. The cooperation body is a legal entity.
2. In special qualifying cases, a joint body may be established in the arrangement instead of a public body.
3. An arrangement may provide that powers described in it of administrative bodies or of civil servants of two or more public bodies Bonaire, Sint Eustatius or Saba participating in the arrangement are exercised by administrative bodies or by civil servants, respectively, of one of the participating public bodies.

Section 126

Sections 9 to 28, inclusive, apply by analogy, with the exception of Sections 20, 22, 24, 24a, 25 and 28, on the understanding that:

- a. in those provisions, each time the following words are read as follows:
 - municipality: public body Bonaire, Sint Eustatius or Saba;
 - municipalities: public bodies Bonaire, Sint Eustatius and Saba;
 - municipal authority: island authority;
 - municipal authorities: island authorities;
 - municipal council: island council;
 - municipal councils: island councils;
 - council: island council;
 - councils: island councils;
 - municipal executive: executive council
 - mayor: governor;
 - mayors: governors;
 - alderman: member of the executive council;
 - aldermen: members of the executive council;
 - public body: cooperation body;
 - provincial executive: Kingdom representative as referred to in Section 1(1)(d) of the Public Bodies (Bonaire, Sint Eustatius and Saba) Act (*Wet openbare lichamen Bonaire, Sint Eustatius en Saba*);
- b. where Section 10(4) is applied, "Section 81p(1) of the Municipalities Act, Section 79q(1) of the Provinces Act or Section 51b(1) of the Water Boards Act" is read as: Section 107(1) of the Public Bodies (Bonaire, Sint Eustatius and Saba) Act;
- c. where Section 14(1) is applied, "the same municipality" is read as: the same public body Bonaire, Sint Eustatius or Saba;
- d. Section 7(1) of the Administrative Justice (BES Islands) Act (*Wet administratieve rechtspraak BES*) does not apply to a dismissal decision as referred to in Section 16(5);
- e. where Section 16(6) is applied, "Section 25 of the Municipalities Act" is read as: Section 26 of the Public Bodies (Bonaire, Sint Eustatius and Saba) Act;
- f. where Section 21(2) is applied, "Section 44(5) of the Municipalities Act" is read as: Section 56(5) of the Public Bodies (Bonaire, Sint Eustatius and Saba) Act;
- g. where Section 21(5) is applied, "Section 99 of the Municipalities Act" is read as: Section 123 of the Public Bodies (Bonaire, Sint Eustatius and Saba) Act;
- h. where Section 23(1) and (2) is applied, each time "Section 5.1 of the Open Government Act" is read as: Section 11 of the BES Islands Government Information (Public Access) Act (*Wet openbaarheid van bestuur BES*);

Section 127

1. Section 16 of the Public Bodies (Bonaire, Sint Eustatius and Saba) Act applies by analogy to a member of the board of the cooperation body.

2. Section 16(1)(a) and (b) of the Public Bodies (Bonaire, Sint Eustatius and Saba) Act applies by analogy in respect of a member of the joint body.
3. Section X 8(1) to (5), inclusive, of the Elections Act applies by analogy where subsection 1 has been contravened.

Section 128

1. To the extent that this Act does not deviate from them, Sections 17, 18, 20, 21, 23, 27, 29, 30, 31, 32, 33, 34 and 35 of the Public Bodies (Bonaire, Sint Eustatius and Saba) Act apply by analogy to the holding of, and order at, the meetings of the general board of the cooperation body.
2. The general board of the cooperation body and the joint body meet at least twice every year.
3. Meetings of the general board are public meetings. The doors are closed if one fifth of the members present so request or the chair deems such necessary.
4. The general board subsequently decides whether the meeting will be held behind closed doors.
5. The chair may subsequently decide that the meeting will be held in public after all if they deem such necessary with a view to the public interest.
6. The general board regulates how civil servants will assist the members of the general board.
7. Subsections 1 to 6, inclusive, and Section 23(1) apply by analogy to the joint body if the arrangement has been made or has partly been made by island councils.
8. To the extent that this Act does not deviate from them, Sections 62, 63, 64, 65, 67, 68, 69, 70, 71 and 72 of the Public Bodies (Bonaire, Sint Eustatius and Saba) Act and Section 23(1) of this Act apply by analogy to the holding of, and order at, the meetings of the joint body if the arrangement has been made exclusively by executive councils or governors.

Section 129

1. Disputes regarding the application, in the broadest sense, of an arrangement between authorities of participating public bodies or between authorities of one or more participating public bodies and the board of the cooperation body or the joint body are decided by the Kingdom representative, to the extent that they are not disputes stated in Article 112(1) of the Constitution or disputes to be decided by either the judiciary or courts that do not form part of the judiciary pursuant to Article 112(2) of the Constitution. A dispute is submitted in the first and last instance to the Joint Court of Justice of Aruba, Curaçao, Sint Maarten and of Bonaire, Sint Eustatius and Saba.
2. When deciding the dispute, the Kingdom representative may direct the relevant authority to take a decision subject to the provisions of the provincial executive's decision, within a term to be set for that purpose. If no decision has been taken within the term set, the Kingdom representative will take the decision.
3. In urgent cases, instead of the relevant authority the Kingdom representative may take a decision as referred to in subsection 2 when deciding the dispute.

§ 3. Powers in arrangements between the public bodies Bonaire, Sint Eustatius and Saba

Section 130

1. Such powers of regulation and administration may be transferred to the board of the cooperation body or to the joint body in the arrangement in respect of the interests it is intended to promote and for the area for which it applies as are vested in the authorities of the public bodies participating in the arrangement, on the understanding that:
 - a. the power to levy taxes other than the fee referred to in Section 60 of the Public Bodies

(Bonaire, Sint Eustatius and Saba) Finances Act (*Wet financiën openbare lichamen Bonaire, Sint Eustatius en Saba*), the duties referred to in Section 62 of the Public Bodies (Bonaire, Sint Eustatius and Saba) Finances Act and the duties that are levied pursuant to Acts of Parliament other than the Public Bodies (Bonaire, Sint Eustatius and Saba) Finances Act may not be transferred to the board of the cooperation body;

- b. the power to levy taxes or otherwise issue generally binding regulations may not be transferred to the joint body.
2. If subsection 1 is applied, the relationship between the powers transferred and those of the authorities of the participating public bodies is also regulated.
 3. To the extent that a bylaw of the cooperation body provides for the same topic as a bylaw of a participating public body Bonaire, Sint Eustatius or Saba, the former bylaw regulates the relationship between them. It may provide that the bylaw of one of the public bodies Bonaire, Sint Eustatius or Saba fully or partly ceases to apply for the entire area or for part of the area.

Section 131

The arrangement may introduce restrictions on the powers the cooperation body possesses by operation of law to participate in social and economic life.

Section 132

A bylaw of the cooperation body to levy a tax regulates in which executive councils or civil servants the powers referred to in Chapter IV of the Public Bodies (Bonaire, Sint Eustatius and Saba) Finances Act will be vested.

Section 133

1. The rules, in the broadest sense, laid down by or pursuant to the law for the division of the powers of the island authorities among the island administrative bodies, for the exercise of those powers, as well as for the supervision of the same, apply by analogy to the powers of the board of the cooperation body or that of the joint body. This does not apply to the extent that deviating provisions have been made under or pursuant to this Act.
2. In the arrangement, the authorities of the participating public bodies may introduce restrictions on the powers that the board of the cooperation body or the joint body could derive from the rules referred to in subsection 1.
3. For the categories of cases to be indicated by order in council, in which compliance with certain rules as referred to in subsection 1 would be disproportionately burdensome in relation to the purpose envisaged with those rules, deviating rules may be set in that order.

Section 134

1. The general board of the cooperation body or the joint body adopts the budget in the year preceding the year for which it is intended.
2. The general board of the cooperation body or the joint body adopts the financial statements in the year following the year to which they relate.
3. The executive board of the cooperation body or the joint body sends the financial statements to the Board of financial supervision Bonaire, Sint Eustatius and Saba within two weeks of adoption, but in any event before 15 July of the year following the year to which the financial statements relate.

Section 135

1. The executive board of the cooperation body or the joint body sends the draft budget to the island councils of the participating public bodies six weeks before it is offered to the general board or six weeks before it is adopted by the joint body, respectively.

2. The authorities of the participating public bodies ensure that the draft budget is deposited for inspection by all and, on payment of costs, made generally available. Section 18(1) of the Public Bodies (Bonaire, Sint Eustatius and Saba) Finances Act applies by analogy, on the understanding that “island council” is read as “general board”.
3. The island councils of the participating public bodies may submit their view on the draft budget to the executive board of the cooperation body or the joint body. The executive board adds the comments setting out this view to the draft budget as it will be offered to the general board.
4. Before adopting the budget, the executive board of the cooperation body or the joint body notifies the island councils of the participating public bodies – in writing and stating reasons – of its opinion on the view referred to in subsection 3 and of any conclusions it attaches to this opinion.
5. After it has been adopted, the general board of the cooperation body or the joint body, respectively, sends the budget to the councils of the participating public bodies where necessary, who may submit their view on it to the Board of financial supervision Bonaire, Sint Eustatius and Saba.
6. Subsections 1, 3 and 4 apply to decisions to amend the budget. The joint arrangement may provide in respect of which categories of budget amendments deviations are permitted.

Chapter XII. Final provisions

Section 136

1. Our Minister of the Interior and Kingdom Relations keeps a public electronic register of arrangements made pursuant to this Act.
2. The register states at least the following of every arrangement:
 - a. the participating administrative bodies and the date of their entry;
 - b. the public bodies of which the participating administrative bodies form part;
 - c. the administrative body referred to in Section 26(2), Section 41(1), Section 50a(1), Section 52(1), Section 62, Section 74(1) or Section 84(1);
 - d. the statutory regulations governing the powers of the partnership;
 - e. the powers that have been transferred in the arrangement or, by applying Section 10(2), second sentence, pursuant to the arrangement;
 - f. the address, contact details and place of establishment;
 - g. whether a public body, an operational management entity or a joint body has been established and under what name, or whether Section 8(4) is applied or is applied by analogy, as well as the date of its establishment or from what date it is applied or is applied by analogy, respectively;
 - h. a reference to the consolidated text of the arrangement;
 - i. a list of changes made to the arrangement and a reference to the corresponding consolidated versions of the arrangement.
3. Further regulations governing the structure of the register and the addition of information may be issued by order in council.
4. Our Minister of the Interior and Kingdom Relations may supplement the register *ex officio* with information from public sources.

Section 137

Where any statutory regulation refers to the Joint Arrangements Act in a general sense, this reference is deemed to be a reference to this Act.

Section 138

[Repealed on 1 January 2006]

Section 139

1. Our Minister of the Interior and Kingdom Relations is charged with the implementation of this Act.
2. To the extent that interests are involved in this implementation that are entrusted to another Minister, implementation will take place by agreement with the relevant Minister.

Section 140

This Act may be cited as the "Joint Arrangements Act" (*Wet gemeenschappelijke regelingen*).

Section 141

This Act comes into effect on a date to be determined by royal decree; its various sections or parts of sections may have different effective dates.

We hereby order and command that this Act be published in the *Bulletin of Acts and Decrees* and that all ministries, authorities, bodies and civil servants whom it may concern diligently implement it.

Done at The Hague, 20 December 1984

Beatrix

The Minister of the Interior,
Rietkerk

The State Secretary for the Interior,
Van Amelsvoort

The Minister of Transport, Public Works and Water Management,
N. Smit-Kroes

Published on the twenty-seventh of December 1984

The acting Minister of Justice,
Rietkerk