

Pre-autonomous phase

Prior to the implementation of the Spanish Constitution of 1978, in the middle of the creation of a constitution, several pre-autonomous regimes were established, announcing the political decentralisation supported by greater political forces. The province of Murcia had a pre-autonomous regime approved by the Royal Decree-Law 30/1978, dated September 27th. This regime allowed several competences to be exercised, which were situated within the operating plan of the State. This provisional autonomous regime emerged from the proposal of the parliamentarians of Murcia, elected in the first democratic elections of 1977 aiming at "a future autonomous region for the current province of Murcia."

Pursuant to this pre-autonomous regime, and until the approval of the future Statute of Autonomy, the Regional Council of Murcia was established as a governmental and administrative body of the region with full legal personality to fulfil its purposes. This Council coexisted with the Regional Delegation and was of a temporary nature until the approval of the final regional autonomy. The main role of the Regional Council was to encourage the access of the Region of Murcia to the autonomy, promoting the work for the creation of the draft of the Statute of Autonomy, and allowing the region to count on a self-governance regime. Amongst the competences of this body, we can highlight the management and administration of the roles and services transferred by the State Administration, as well as the exchange of information and collaboration with the Provincial Delegation. This makes it possible to suggest to the Government as many measures as needed in order to deal with the interests of Murcia. The Chairman of the pre-autonomous body was Mr. Antonio Pérez Crespo.

1978 Constitution

The Statute of Autonomy

The 1978 Spanish Constitution, under section 2, recognises and guarantees the right to self-government of the Spanish nationalities and regions, and establishes that solidarity is an essential principle between their relations. It also regulates in its Part VII the territorial organisation of the State, which initiated the process of creating autonomous territorial entities, named Autonomous State. The basic institutional rule of every autonomous community is the Statute of Autonomy, which has the status of Organic Law and is subordinate to the Constitution. This rule is enshrined in the legal system of the State and defines the institutional bodies, where they are based, their identity signs and the competences assumed within the framework of the constitution.

The Autonomous Community of the Region of Murcia achieved its self-governance by means of section 143 of the Spanish Constitution; thus the Organic Act 4/1982, concerning the Statute of Autonomy of the Region of Murcia, being endorsed by the Spanish Parliament on June 9th 1982. This Act is limited to the territory of the province of Murcia, and therefore, its nature is of a community consisting only of one province.

Three reforms of the Statute of Autonomy have been carried out, successively introduced by the organic laws 1/1991, dated March 13th; 4/1994, dated March 24th; and 1/1998, dated June 15th.

The Statute of Autonomy consists of seven parts, one of them being the Preliminary Title, where the historical identity, the regional autonomy, the territory and population, the symbols of the region, the capital of the region, the customary law, and the rights and duties of the people of Murcia are established.

Part I of the Statute involves the competences assumed; Part II regulates the institutional bodies of this Autonomous Community, namely the Regional Assembly, the Chairman and the Governing Council; Part III includes the Administration of Justice, highlighting the High Court of Justice of the Region of Murcia, incorporated in the judicial organisation of the State; Part IV regulates Economy and Public Finance; Part V regulates the Legal Regime of Regional Public Administration; and Part VI focuses on the reform of the Statute. Furthermore, it contains two additional general provisions and seven transitional provisions, amongst which it pinpoints the five electoral constituencies maintained since the first elections for the Regional Assembly.