



REPUBLIC OF SAN MARINO

**We the Captains Regent
of the Most Serene Republic of San Marino**

Having regard to Article 4 of Constitutional Law n. 185/2005 and to Article 6 of Qualified Law no. 186/2005;

Hereby promulgate and order the publication of the following Ordinary Law, approved by the Great and General Council during its sitting of 2 August 2012:

LAW NO. 123 OF 10 AUGUST 2012

REFORM OF THE CONSULTA OF SAN MARINO CITIZENS ABROAD

Art. 1

With a view to guaranteeing a connection between Public Institutions and citizens residing abroad, the Consulta of San Marino citizens abroad (hereinafter referred to as "Consulta") shall be established as a body governed by public law.

Art. 2

The main functions of the Consulta, a body connecting Public Institutions and citizens residing abroad, shall be the following:

- to protect the rights of citizens residing abroad;
- to examine the problems of the Communities and promote their activities;
- to deliver, on its own initiative or at the request of the Government or the Bureau of the Great and General Council (Parliament), opinions, proposals and recommendations relative to legislative, administrative and electoral initiatives adopted by the State, as well as international agreements concerning citizens residing abroad;
- to participate in the meetings, through its representatives, concerning matters falling within its competence and interest and to be consulted in advance with regard to legislative initiatives involving citizens residing abroad.

Art. 3

For the purpose of this Law, the term "Communities" shall refer to the Associations of San Marino citizens residing abroad as regulated by Law no. 76 of 30 November 1979 and subsequent amendments.

Art. 4

The Consulta shall be heard by the Government with regard to the following:

- broad guidelines concerning allocations in favour of the Communities;
- guidelines concerning the reform of consular services;
- proposals concerning the exercise of rights by citizens residing abroad, with particular reference to voting rights and citizenship.

Art. 5

The Consulta shall be made up of the following bodies:

- the Assembly, representing all San Marino Communities abroad;
- the President of the Assembly, appointed annually by simple majority by the Assembly itself, who shall perform coordination and representation functions in the institutional or other bodies and who shall implement the decisions contained in the final resolutions of the Consulta;
- the Minister of Foreign Affairs in office as Honorary President;
- the Board of the Consulta, made up of four members representing the following geographical areas: North America, South America, Italy and other European countries. To this end, the individual geographical areas, from now on defined as "links", shall annually elect their representative.

The members of the Board shall have the duty to organise and coordinate the activities of their own "link", to assist the President and to replace him/her whenever necessary.

Art. 6

The Consulta shall consist of:

- the President of the Consulta;
- the Honorary President;
- an official of the Department of Foreign Affairs playing a consultative and executive role;
- the Presidents of the Communities legally recognised;
- the representatives of the Communities, divided up as follows: 1 representative for each Community having between 150 and 500 members, 2 representatives for each Community having between 501 and 800 members and 3 representatives for each Community having more than 800 members.

At the invitation of the President, the members of the Government and of the Great and General Council, the diplomatic and consular representatives of the Republic, the representatives of the political parties and anyone else with the right to speak, if granted by the President, but not to vote, shall take part in the meetings of the Assembly.

Art. 7

The decisions of the Assembly shall be adopted by simple majority and, in the event of a tie, the President shall have the casting vote.

The meetings shall be convened by the President at least 40 days in advance and shall be valid when at least the relative majority of the Communities is present.

The Consulta shall meet in San Marino twice a year, in April and in October, in plenary session, and the meetings shall be held for two consecutive days in an appropriate venue.

Travel and subsistence expenditures for the Presidents and representatives of the Communities from the place of residence to San Marino and vice versa shall be borne by the State, which shall allocate to this end a sufficient amount to be fixed on an annual basis.

The debate and decisions shall be included in the minutes by the officials of the Foreign Affairs Department entrusted with this task. Copy of the minutes shall be transmitted to the Minister of Foreign Affairs, who shall send it to the Bureau of the Great and General Council and to the Congress of State (Government) to obtain the relevant opinions. These opinions shall be subsequently examined during the next Consulta.

The final resolutions of the Consulta shall be published on the website of the Ministry of Foreign Affairs and transmitted by e-mail to the Presidents of the Communities.

Art. 8

An internal Regulation shall govern the works and the organisation of the Consulta. Such Regulation shall be adopted by absolute majority of the members entitled to vote.

Any amendments and integrations shall be subject to the same procedure.

The new Regulation shall be approved during the first meeting following the entry into force of this Law and until that moment the current Regulation shall remain in force.

Art. 9

The relations among State bodies, public institutions, Communities and Consulta shall normally be guaranteed through telematic instruments.

Art. 10

(Transitory provisions)

The first meeting of the Assembly following the entry into force of this Law shall be convened by the Board of the Consulta in office according to the terms envisaged by Law no. 98/1997.

Art. 11

(Entry into force)

This Law shall enter into force on the fifth day following that of its legal publication.

Done at Our Residence, on 10 August 2012/1711 since the Foundation of the Republic

THE CAPTAINS REGENT
Maurizio Rattini – Italo Righi

THE MINISTER
OF INTERNAL AFFAIRS
Valeria Ciavatta