



REGULATION OF THE SUPERVISORY BOARD

Art. 1

(Purposes of the Regulation)

1. In implementation of the provisions of Article 7, paragraph 5, of Law no. 211 of 5 December 2014, this Regulation shall govern the activities of the Supervisory Board and of radio and television programmes during political and local elections and referendums.

TITLE I

DUTIES AND FUNCTIONING OF THE SUPERVISORY BOARD

Art. 2

(Duties and functions)

1. The Supervisory Board shall be responsible for defining and regulating radio and television programmes during political and local elections and referendums, pursuant to Article 7 of Law no. 211/2014.
2. The Board shall be inspired by the principles of Law no. 59 of 8 July 1974, and subsequent amendments, while respecting freedom, pluralism, the equal dignity of the lists participating in general elections and their representativeness in Parliament.
3. The Board shall perform its duties in accordance with the rules of this Regulation and shall report to the Great and General Council on the activity delegated to it, after each consultation referred to in paragraph 1 of Article 7 of Law no. 211/2014, .
4. The Board shall also be responsible for knowing in advance the structure of the six-monthly institutional radio and television programming. In this regard, the Board may convene the Directorate-General and the Presidency of the Public Radio and Television Broadcaster, providing suggestions and observations with reference to the show schedule: satellite (TV and Radio), digital terrestrial (TV and Radio) and RTV web.

Art. 3

(Appointment, composition, duration)

1. The Board shall be composed of seven members, citizens registered in the electoral lists, and be appointed by the Great and General Council at the beginning of each legislature, according to the criterion of proportionality of Council representations.
2. The Board shall remain in office for the duration of the legislature.
3. The inaugural meeting shall be convened upon request of the Captains Regent.



Art. 4

(Replacement of members)

1. In the event of resignation, the members of the Supervisory Board shall be replaced by the Great and General Council according to the criteria referred to in the previous article.

Art. 5

(Appointment and duties of the President)

1. During its inaugural meeting, the Supervisory Board shall elect its President.
2. The President of the Supervisory Board, who represents the Opposition Groups, shall represent the Board, convene it, chair its meetings and organise its works, regulating debates and votes in accordance with the provisions of this Regulation and the general principles established for Parliamentary Commissions.
3. In case of impediment of the President, his or her duties shall temporarily be performed by the oldest member of the Board.

Art. 6

(Secretariat and minute-taking)

1. Secretariat functions shall be performed by an official of the State Institutional Secretariat. Such official shall also act as secretary taking the minutes of the meetings.
2. The minutes shall include the Board's decisions and a summary of the debate.
3. Each member of the Supervisory Board shall be entitled to record statements, opinions and positions in the minutes.
4. The minutes shall be sent as an annex to the letter of convocation of the next meeting and shall be approved and signed by the President during such meeting.
5. Each member of the Supervisory Board shall be entitled to make comments and clarifications to the text of the minutes: these shall either be added immediately before approval or be included in the minutes of the next meeting.

Art. 7

(Convocation and agenda)

1. The Board shall be convened on the instructions of the President by means of a notice to be sent personally to its members, including by e-mail, at least five days before the meeting. The notice shall contain the agenda, place, day and time of the meeting. Any member may propose to the Board the inclusion of an item on the agenda to be examined at the next meeting.



2. The Board may decide to suspend a meeting or to continue it even after a few days, with the same agenda.
3. The Board may be convened in extraordinary session upon request of the Minister of Internal Affairs or the Minister responsible for Information or four members of the Board.
4. In case of urgency, the President may convene the Commission in the following hours.

Art. 8

(Validity of meetings and decisions)

1. The meetings shall be valid provided that four members are present.
2. The Board's decisions shall be taken by a majority of those present. In the event of a tie, the President or, if absent, the person acting on his or her behalf shall have the casting vote.

Art. 9

(Counselling)

1. The Board may rely on the offices of the Administration and the free counselling of experts to deal with individual problems requiring special expertise.

TITLE II

REGULATION OF RADIO AND TELEVISION PROGRAMMES DURING ELECTIONS OR REFERENDUMS

Art. 10

(The fora)

1. During the electoral or referendum campaign, the radio and television broadcasting service referred to in Law no. 41 of 27 April 1989 shall provide for spaces, in the form of fora, dedicated to illustrating the programmes or positions adopted by all the lists and coalitions taking part in the elections or by the Committees provided for by law.
2. The fora referred to in paragraph 1 shall be the following:
 - a) electoral forum during general and local elections;
 - b) referendum forum.

Art. 11

(Rules for participants in the fora)



1. Each participant in the fora shall have full freedom of assessment and judgement. This freedom shall be bound by the relevant rules in force and the general principles of fairness and decency in the democratic dialogue.

Art. 12
(Electoral forum)

1. Electoral fora during general elections shall be reserved to the lists and coalitions of lists taking part in the general elections. The time shall be divided equally between such lists and coalitions. The order in which the lists and coalitions take the floor shall be determined by drawing lots at a meeting of the Supervisory Board, in the presence of the representatives of all the competing lists and coalitions, convened by means of a notice, including by e-mail, at least five days in advance.
2. Electoral fora during local elections shall be reserved to the lists taking part in the local elections. The time shall be divided equally between such lists. The order in which the lists take the floor shall be determined by drawing lots at a meeting of the Supervisory Board, in the presence of the representatives of all the competing lists, convened by means of a notice, including by e-mail, at least five days in advance.

Art. 13
(Referendum forum)

1. Referendum fora shall be reserved to the representatives of the Promoting Committee and the Committee contrary to the referendum (if any), the political forces represented in the Great and General Council - including the Mixed Group - and the political forces which participated in the last elections for the renewal of the Great and General Council Recognised associations and bodies that request it shall also be able to participate. They may request to participate through the Council of Associations, which shall provide for a space for the registered recognised associations on the basis of the themes and topics covered by the referendum.
2. Participation time shall be allocated as follows:
 - a) 25% to the Promoting Committee and 25% to the Committee contrary to the referendum. If a Committee contrary to the referendum is not established, the Promoting Committee's share shall become 35% and the remaining 15% shall not be allocated;
 - b) 40% to the political forces referred to in paragraph 1. The members of Parliament who belong to the Mixed Group may decide whether to divide up their time individually or to use it completely, taking turns;
 - c) 10% to recognised associations and bodies. If there is no request, this space shall not be allocated.

Art. 14



(Host)

1. The host of the fora shall be chosen by the Director of the Radio and Television Broadcaster.
2. The host, in agreement with the Director, shall be responsible for organizing the fora, which shall be recorded in advance. Live broadcasting shall only be used in special cases and in agreement with the Supervisory Board.
3. During the fora, the host shall essentially act as moderator and ensure that they run smoothly on the basis of equal opportunities, impartiality and ethics. In case of clear need, the host may interrupt the recording of the broadcast.

Art. 15

(Recording of fora)

1. Fora shall be recorded in the "San Marino RTV studios" at least one day before they are broadcast, unless specific rules on the individual forms of fora provide otherwise.
2. In case of violation of the rules referred to in Article 11, the host may intervene during the recording to interrupt it and to have it resume from the point where the incident occurred, after verbally referring the incident to the President of the Supervisory Board or the person acting on his or her behalf.
3. Any cuts that may have to be made to the recording of the broadcast, in order to comply with the general rules referred to in Article 11 or with the time limits, shall be decided by the host, after consulting the President of the Supervisory Board or the person acting on his or her behalf.

Art. 16

(Specific rules)

1. Specific regulations for individual forms of fora shall be issued by the Supervisory Board, if necessary.

Art. 17

(Requests for rectification)

1. Any requests for rectification addressed to the Radio and Television Broadcaster for statements made during any election or referendum forum shall be decided upon by the Supervisory Board at an urgent meeting or at the next ordinary meeting, according to the opinion of the President or the person acting on his or her behalf.

TITLE III



POLITICAL PROGRAMMES AND/OR SELF-MANAGED POLITICAL SPACES

Art.18

(Political programme)

1. Political programmes shall be a regular feature on the occasion of meetings of the Great and General Council and government crises. All political forces represented in the Great and General Council, including the Mixed Group, shall have a right of access. 30% of the time of the programme shall be divided equally between all the Parliamentary Groups and 70% in proportion to the respective representations of the Parliamentary Groups. The members of Parliament who belong to the Mixed Group may decide whether to divide up their time individually or to use it completely, taking turns.
2. Information on political forces shall be transmitted starting with the political force with the smallest number of members of Parliament and proceeding in ascending order.
3. When the programme takes the form of a debate or self-managed space, all political forces shall be given equal time.

TITLE IV

FINAL PROVISIONS

Art.19

(Transitional rule)

1. For matters not covered by this Regulation, the provisions of the Regulation approved by the Great and General Council on 26 January 1995 shall remain in force, insofar as they are applicable.

Approval San Marino on 30 July 2015