



REPUBLIC OF SAN MARINO

DELEGATED DECREE no. 10 of 18 January 2017

(Ratifying Delegated Decree no. 124 of 30 August 2016)

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

Having regard to Delegated Decree no. 124 of 30 August 2016 - - Integration to Implementing Regulation on tourism professions referred to in Title V of Law no. 22 of 27 January 2006 - Framework Law on Tourism of the Republic of San Marino - which has been promulgated:

Having regard to Article 19, paragraph 5 of Delegated Decree no. 129 of 30 September 2013;

Having regard to Congress of State decision no. 48, adopted during its sitting of 22 August 2016;

Having regard to the reiteration of the same decree ordered with Delegated Decree no. 136/2016, ratified by the Great and General Council with Decision no. 14 of 16 January 2017;

Having regard to the amendments to the above-mentioned Decree-Law, which were introduced at the time of its ratification by the Great and General Council in its sitting of 16 January 2017;

Having regard to Decision no. 25 of the Great and General Council adopted on 16 January 2017;

Having regard to Article 5, paragraph 3 of Constitutional Law no. 185/2005 and to Articles 8 and 10, paragraph 2 of Qualified Law no. 186/2005;

Hereby promulgate and order the publication of the final text of Delegated Decree no. 124 of 30 August 2016, as amended following the approval of the Great and General Council when ratifying it:

INTEGRATION TO IMPLEMENTING REGULATION ON TOURIST PROFESSIONS REFERRED TO IN TITLE V OF LAW NO. 22 OF 27 JANUARY 2006 - FRAMEWORK LAW ON TOURISM OF THE REPUBLIC OF SAN MARINO

Art. 1 *(Objectives)*

1. This Delegated Decree shall integrate the regulations governing the exercise of tourist professions referred to in Title V of Law no. 22 of 27 January 2006, and in particular the profession of conference organiser.

Art. 2 *(Conference organiser - tasks and responsibilities)*

1. The exercise of the profession of conference organiser referred to in article 31, paragraph 4 of Law no. 22 of 27 January 2006, shall be reserved for individuals holding the appropriate and specific

professional qualification, i.e. individuals included in the Register of Professional Tourism Operators for this profession, as provided for in Article 2 of Delegated Decree no. 129 of 30 September 2013.

2. It shall be the duty of the conference organiser to supervise, promote and take over the management of all conferences as defined in paragraph 3.

3. Conference events shall be all events qualified as conventions, congresses, seminars, conferences, round tables, meetings, symposia, assemblies, meetings and gatherings, i.e. public occasions for discussion, exchange, information or in-depth examination of any subject or problem of common interest, even if technical or scientific, as well as official gatherings of members or representatives of associations, organisations, business groups, sports groups, political parties, religious congregations, provided that they are organised according to a structured programme and with an offer of composite services for the realisation of the event.

4. All events involving public meetings or gatherings on the occasion of celebrations, political meetings or rallies, shows, concerts, performances, cultural readings, exhibitions, fairs, markets, historical reenactments or folklore celebrations, and training meetings and days and all events not expressly indicated as conference events within the definition set out in paragraph 3 shall not be considered as conference events.

5. All conference events as defined in paragraph 3, organised by companies, firms, entities and foundations, religious congregations, associations, including political ones, trade unions or employers' associations, business consortia or any other legal entity, whether incorporated in San Marino or not on their own account for their own specific purposes and on a non-continuous basis, may be organised also without resorting to the professional services of a conference organiser.

6. The organising Ministries or professional conference organisers holding a CMP certificate, or any other suitable certificate issued by MPI - Meeting Professionals International, and operating in a territory other than San Marino, shall be entitled to carry out their professional activity also in San Marino, provided that such activity is related to single conference events and is not carried out on a continuous basis.

7. The promotion of events that cannot be classified as conference events, as well as the mere provision of facilities for conferences, congresses and seminars, shall not fall within the tasks and exclusive powers of the conference organiser, and therefore shall not require any professional qualification.

8. The conference organiser shall bear full responsibility for the conference event as defined in paragraph 3 and shall be accountable for the economic, logistical and organisational aspects as well as for the health and safety aspects limited to the provisions of Law no. 31 of 18 February 1998, as the person responsible for the temporary use of the halls and venues where the conference events are held. The organiser shall be accountable for his actions in accordance with the applicable regulations and shall be obliged, in order to exercise his profession, to stipulate an adequate insurance policy for professional liability.

9. The conference organiser, in the exercise of its activities, shall be fully entitled to delegate all or part of its tasks and duties in accordance with the complexity of the conference event being organised, notwithstanding the permanence of his liability referred to in the preceding paragraph.

10. The conference organiser may carry out his tasks and duties on his own account or on behalf of third parties, in which case the promoter of the conference event shall be the client of the conference organiser.

11. In order to ensure correct information on the conference event, the conference organiser shall be obliged to indicate his name as the technical organiser of the event on the communication materials and send a copy of these materials to the Office for Tourism no later than the date of the start of works.

Art. 3

(Event organising companies)

1. Pursuant to the provisions of Article 14, paragraph 1, of Delegated Decree no. 129/2013, companies whose purpose is to organise events, including conferences, shall be required to resort to staff, including those employed by the company, holding the appropriate and specific professional qualification as conference organisers, or, if the staff does not have an employment contract with the company, to establish collaborations with subjects included in the Register of Professional Tourism Operators for the profession of conference organiser.
2. The requirement of professional qualification as a conference organiser on the part of the owners or employees of the company shall not be a necessary condition for the granting of an operating licence.
3. Newly-established event organising companies, or those established after 1 January 2016 may, on a temporary and transitional basis, and only for the first 24 months from the date of issue of the operating licence and the start of their activity, also resort to persons not holding a specific professional qualification as conference organisers, provided they hold a CMP certificate or another suitable certificate issued by MPI - Meeting Professionals International, after notifying the Office for Tourism thereof. After this period of time, companies shall be required to resort to conference organisers holding a specific professional qualification, or conference organisers listed in the Register of Professional Tourism Operators, in accordance with Article 2.

Art. 4

(Sanctions)

1. In the event of failure to transmit the communication materials referred to in Article 2, paragraph 11, the Office for Tourism, if in possession of documents proving the organisation of a conference event as defined in Article 2, paragraph 3, shall impose an administrative pecuniary sanction of 500.00 Euros on the promoter of the conference event.
2. If the communication materials referred to in Article 2, paragraph 11 do not include the name of the conference organiser, where this is deemed mandatory by this Delegated Decree, the Office for Tourism shall impose an administrative pecuniary sanction of 500,00 Euros on the promoter of the conference event.
3. If the conference organiser whose name appears on the communication materials referred to in Article 2, paragraph 11, does not hold the appropriate and specific professional qualification, or is not listed in the Register of Professional Tourism Operators, or if the conditions set out in Article 3, paragraph 3, or Article 5, paragraph 1, are not met, the Office for Tourism shall impose an administrative pecuniary sanction of 500.00 Euros on said person, and an administrative pecuniary sanction of 500.00 Euros on the person promoting the conference event.

Art. 5

(Transitional provisions)

1. Until 31 December 2016 or, in any case, until the date on which the first session of the professional qualification exams for conference organisers is held, the activity of conference organiser shall be permitted, after notifying the Office for Tourism, also to persons not holding a professional qualification, provided that they are employees of event organisation companies established before the date of entry into force of this Delegated Decree

and possess adequate professional experience and the requirements referred to in Article 2, paragraph 2, of Delegated Decree no. 129/2013.

2. By way of derogation of the provisions of Article 5, paragraph 1, letter a) of Delegated Decree no. 129/2013, admission to the professional qualification exams for conference organisers shall also be permitted to non-San Marino citizens provided they already have a stable employment relationship with event organisation companies or are legal representatives of such companies at the time of entry into force of this Delegated Decree.

Done at Our Residence, on 18 January 2017.

THE CAPTAINS REGENT
Marino Riccardi – Fabio Berardi

THE MINISTER OF
INTERNAL AFFAIRS
Guerrino Zanotti