



REPUBLIC OF SAN MARINO

DELEGATED DECREE NO. 118 OF 2 AUGUST 2019

(Ratifying Delegated Decree no. 69 of 29 April 2019)

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

Having regard to Delegated Decree no. 69 of 29 April 2019 "Bureaucratic simplification provisions for businesses", which has been promulgated:

Having regard to Article 55, paragraph 1, letters a) and b) of Law no. 173 of 24 December 2018;

Having regard to Congress of State Decision no. 32, adopted during its sitting of 23 April 2019;

Having regard to the amendments to the above-mentioned Delegated Decree, which were introduced at the time of its ratification by the Great and General Council in its sitting of 25 July 2019;

Having regard to Decision no. 12 of the Great and General Council adopted on 25 July 2019;

Having regard to Article 5, paragraph 3 of Constitutional Law no. 185/2005 and to Article 8, paragraph 3, and Article 10, paragraph 2 of Qualified Law no. 186/2005, as well as to Article 33, paragraph 6 of Qualified Law no. 3/2018;

Promulgate and order the publication of the final text of Delegated Decree no. 69 of 29 April 2019, as amended following the approval of the Great and General Council when ratifying it:

BUREAUCRATIC SIMPLIFICATION PROVISIONS FOR BUSINESSES

TITLE I COMPANY LEGISLATION

Art. 1

(Amendments to Article 1 of Law no. 47 of 23 February 2006 and subsequent amendments)

1. The following number shall be added to paragraph 1 of Article 1 of Law no. 47 of 23 February 2006 and subsequent amendments:

"11 bis). the term "Qualified Professional" means the person registered in the Republic of San Marino in the Register of Professional Accountants holding a university degree or a high-school certificate or in the Register of Lawyers and Notaries in possession of the credentials to access the official portal of the public administration of the Republic of San Marino."

2. Paragraph 3 of Article 1 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“3. Without prejudice to Article 12 of Law no. 159 of 5 October 2011, the Certificates may be replaced by a statement, certifying that the requirements referred to in number 9 of this Article are met, by the interested party or, with reference to a legal person, by its legal representative in the manner and subject to the sanctions set forth respectively in Articles 13 and 24 of Law no. 159 of 5 October 2011 or by a sworn declaration authenticated by a notary public.”.

3. Paragraph 4 of Article 1 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“4. The Certificates, either originals or certified copies thereof, may also be drawn up in English or in another language provided they are accompanied by an Italian translation sworn in before the competent San Marino Authority and shall bear a date included between the date of signing of the company's instrument of incorporation or of purchase of the shareholding and the six months prior to that date.”.

Art. 2

(Amendments to Article 6 of Law no. 47 of 23 February 2006 and subsequent amendments)

1. Paragraph 2 of Article 6 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“2. Entries in the Register of the data referred to in paragraph 1 shall be made, with the exception of letters i) and l), by the Qualified Professional appointed by the directors or liquidators, under his responsibility with regard to the fulfilment of the formal and substantive requirements, as well as of the requirements provided for by law, through direct access to the Register in the relevant section and by simultaneously depositing with the Register the acts from which they originate and any documents requested in PDF or PDF/A format.”.

1 *bis*. Paragraph 2 *bis* shall be added to Article 6 of Law no. 47 of 23 February 2006 and subsequent amendments after paragraph 2:

“2 *bis*. The entries referred to in paragraph 2 shall be made within fifteen days from the date of the meeting, if the decisions are not subject to registration, without prejudice to the different time-limits indicated by law.”.

2. Paragraph 3 of Article 6 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“3. All deeds, documents and certificates required to be deposited with the Office for Economic Activities shall be transmitted, deposited and communicated by the Qualified Professional appointed by the directors or liquidators in PDF or PDF/A format in the relevant section of the Register. Through a specific Regulation, the Congress of State may provide instructions on how to keep and consult the Register.”.

3. Paragraphs 3 *bis*, 5, 7, 8 and 9 of Article 6 of Law no. 47 of 23 February 2006 and subsequent amendments shall be repealed.

4. Paragraph 4 of Article 6 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“4. As long as they are not entered in the Register, changes to the data referred to in paragraph 1 shall not be enforceable against third parties unless it can be proved that they were aware of them.”.

4 *bis*. Paragraph 6 of Article 6 of Law no. 47 of 23 February 2006 and subsequent amendments shall be replaced as follows:

“6. The Register shall be public and may be freely consulted by anyone. In addition to the Qualified Professional referred to in Article 1, paragraph 1, number 11 *bis*), the Register may be consulted on-line by the supervised parties pursuant to Law no. 165 of 17 November 2005 and

subsequent amendments, as well as by any other parties indicated in the Regulation referred to in paragraph 3.”.

Art. 3

(Amendments to Article 9 of Law no. 47 of 23 February 2006 and subsequent amendments)

1. Article 9 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“Art. 9

(Corporate purpose)

1. The corporate purpose shall be lawful, possible and determined.”.

Art. 4

(Amendments to Article 10 of Law no. 47 of 23 February 2006 and subsequent amendments)

1. Paragraph 3 of Article 10 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“3. At least half of the company’s initial capital contributions shall be made within 120 clear days following the date of entry in the Register and, if in money, they shall be paid into a San Marino banking institution. If the company is established by a unilateral act, all capital contributions shall be made in money and shall be paid within 120 clear days following the date of entry in the Register.”.

2. Paragraph 4 of Article 10 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“4. The payment of capital contributions shall be certified by means of a declaration made by the legal representative within thirty days of the payment in the manner and subject to the sanctions set forth respectively in Articles 13 and 24 of Law no. 159 of 5 October 2011 or by a sworn declaration authenticated by a notary public, and shall be entered within the following fifteen days of receipt of said declaration by the Qualified Professional appointed in accordance with Article 6, paragraph 2.”.

3. Paragraph 6 of Article 10 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“6. Failure to pay capital contributions within the time-limits envisaged herein shall lead to the company’s dissolution and liquidation procedures shall be carried out, without prejudice to what envisaged in the following Article 11. If directors fail to act, liquidation may be ordered *ex officio*. To this end, the Law Commissioner shall grant directors a time-limit not exceeding 60 days in advance to enter the payment of capital contributions, or to convene an ad hoc meeting in order to adopt the necessary decisions.”.

Art. 4-bis

(Amendments to Article 12 of Law no. 47 of 23 February 2006 and subsequent amendments)

1. Paragraph 4, letter c) of Article 12 of Law no. 47 of 23 February 2006 and subsequent amendments shall be replaced as follows:

“c) the capital stock has not been entirely paid up within 120 days following the date on which the company established by a unilateral act is entered in the Register or within 120 days following the date on which all shareholdings are subsequently concentrated in the hands of a single party.”.

Art. 5

(Amendments to Article 20 of Law no. 47 of 23 February 2006 and subsequent amendments)

1. Article 20 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“Art. 20

(Entry in the Register)

1. The notary who has received the instrument of incorporation of the company shall, within ten days from the date of registration of the deed, enter the company in the Register by direct access to the Register in the relevant section as provided for in Article 6, paragraph 2 and shall also attach a scan of the receipt of payment of the corporate tax.

2. If the notary fails to enter the company within the aforementioned time-limit, each shareholder or director may appoint another notary at the expenses of the company.”.

Art. 6

(Amendments to Article 22 of Law no. 47 of 23 February 2006 and subsequent amendments)

1. Paragraph 1 of Article 22 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“1. The decisions amending the Articles of Association shall be contained in a public deed; the notary who has drawn up such deed shall, within ten days of the date of registration of the deed, enter the deed in the Register in accordance with Article 6, paragraph 2.”.

Art. 7

(Amendments to Article 26 of Law no. 47 of 23 February 2006 and subsequent amendments)

1. Paragraph 2 of Article 26 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“2. The notary public who has received the deed referred to in paragraph 1 or has authenticated the signatures shall, within ten days of the date of registration, enter the changed personal details of the shareholders, indicating the percentage or amount of the share capital held by direct access to the Register in the relevant section, in accordance with the procedures laid down in Article 6, paragraph 2. Transfers in favour of Unfit Persons shall be null and void.”.

Art. 8

(Amendments to Article 28 of Law no. 47 of 23 February 2006 and subsequent amendments)

1. Paragraph 3 of Article 28 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“3. The notary public who has received the deed referred to in paragraph 1 or has authenticated the signatures shall, within ten days of the date of registration, enter the changed personal details of the shareholders, indicating the percentage or amount of the share capital held by direct access to the Register in the relevant section, in accordance with the procedures laid down in Article 6,

paragraph 2. Transfers in favour of Unfit Persons shall be null and void.”.

Art. 9

(Amendments to Article 31 of Law no. 47 of 23 February 2006 and subsequent amendments)

1. Paragraph 6 of Article 31 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“6. During the first month of each semester, the directors shall issue the shares due to the bondholders who have applied for the conversion during the previous semester. Within the following month, it shall be certified, with a declaration made by the legal representative in the manner and subject to the sanctions set forth respectively in Articles 13 and 24 of Law no. 159 of 5 October 2011 or before a notary public, to be registered within ten days by the Qualified Professional appointed in accordance with Article 6, that the share capital has been increased by the amount corresponding to the nominal value of the shares issued.”.

Art. 10

(Amendments to Article 44 of Law no. 47 of 23 February 2006 and subsequent amendments)

1. Paragraph 1 of Article 44 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“1. The General Meeting shall be convened by the directors of the company by sending a registered letter to the shareholders’ address for service at least eight days prior to the meeting.”.

2. Paragraph 2 of Article 44 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“2. The Articles of Association shall establish the rules governing the formal procedures and functioning of the General Meeting, including the voting procedures and, also by way of derogation from paragraph 1, the procedures for convening the meeting; with regard to the latter, the Articles of Association may envisage the notice convening the meeting to be sent by electronic mail with acknowledgement of receipt or that the meeting be convened by notice sent to the Office for Economic Activities in electronic format and entered in the Register on the official portal of the Public Administration of the Republic of San Marino in the relevant section at least eight days before the meeting by the Qualified Professional appointed by the directors.”.

3. Number 3 of paragraph 3 of Article 44 of Law no. 47 of 23 February 2006 and subsequent amendments shall be repealed.

Art. 11

(Amendments to Article 72 of Law no. 47 of 23 February 2006 and subsequent amendments)

1. Paragraph 5 of Article 72 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“5. The books indicated in the previous paragraph shall be kept in the registered office of the company for its entire duration, in compliance with Section LXXI of Book II of the Statutes. However, it shall be possible to deposit such books, as well as the books and documents referred to in paragraphs 1 and 2 above, with the office of a Lawyer and Notary or of an Accountant holding a university degree or a high school certificate enrolled in the relevant professional register. The person with whom the books are deposited shall in any case be required to show them to judicial, administrative and control bodies upon their simple request.

Failure to show the documents shall result in the application of the sanction referred to in paragraph 7.”.

Art. 12

(Amendments to Article 90 of Law no. 47 of 23 February 2006 and subsequent amendments)

1. Paragraph 3 of Article 90 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“3. The draft terms of merger shall be deposited with the registered office and the date of such deposit shall be entered in the Register by the Qualified Professional appointed in accordance with the provisions of Article 6, paragraph 2. The draft terms of merger shall simultaneously be attached thereto and may be accessed by any interested person at the Office for Economic Activities.”.

Art. 13

(Amendments to Article 95 of Law no. 47 of 23 February 2006 and subsequent amendments)

1. Paragraph 2 of Article 95 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“2. The merger decision shall be entered in the Register within thirty days, in accordance with the procedures set out in Article 6, paragraph 2.”.

Art. 14

(Amendments to Article 98 of Law no. 47 of 23 February 2006 and subsequent amendments)

1. Paragraph 2 of Article 98 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“2. The merger deed shall be entered in the Register within thirty days of its registration, and in any case no later than sixty days from the date of its signing, by and under the responsibility of the notary who has received the deed, through direct access to the Register in the relevant section, in accordance with the procedures set out in Article 6, paragraph 2. The merger deed relating to the company resulting from the merger or the acquiring company shall not be registered before the merger deeds of the other companies involved in the merger.”.

Art. 15

(Amendments to Article 103 of Law no. 47 of 23 February 2006 and subsequent amendments)

1. Paragraph 5 of Article 103 of Law no. 47 of 23 February 2006 and subsequent amendments shall be amended as follows:

“5. The draft terms of division shall be deposited with the registered office and the date of such deposit shall be entered in the Register by the Qualified Professional appointed, in accordance with the provisions of Article 6, paragraph 2.”.

Art. 15-bis

(Sanctions)

1. The sanctions referred to in Article 5 of Law no. 98 of 7 June 2010 and subsequent amendments shall also apply to failure to comply with the registration requirements laid down in Law no. 47 of 23 February 2006 and subsequent amendments.

Art. 15-ter

(Provisions on real estate companies and car rentals)

1. The deadline for payment of the share capital referred to in Article 1, paragraph 1, letter c) of Delegated Decree no. 77 of 25 June 2007 and Article 5, paragraph 2, letter b) of Delegated Decree no. 94 of 1 June 2011 shall be 120 days.

Art. 16

(Transitional provisions)

1. The required technical adjustments for registration through direct access by the Qualified Professionals to the Company Register shall be made within 30 days of the issue of this Delegated Decree; the implementation of the service shall be notified by the Office for Economic Activities by means of a circular.
2. The provision referred to in Article 4, paragraph 1 shall apply to the companies registered in the Company Register after the entry into force of this Delegated Decree.

TITLE II

LEGISLATION ON BUSINESS ACTIVITY

Art. 17

(Amendments to Article 2 of Law no. 40 of 31 March 2014 and subsequent amendments)

1. Paragraph 2 of Article 2 of Law no. 40 of 31 March 2014 and subsequent amendments shall be amended as follows:
“2. Any economic operator may hold one or more licences provided that they are of various types, that is to say industrial, service, retail and wholesale trade licences, without prejudice to incompatibilities between economic activities provided for by special laws. Economic operators holding handicraft licences may hold a maximum of two licences.”.
2. Paragraph 3 of Article 2 of Law no. 40 of 31 March 2014 and subsequent amendments shall be amended as follows:
“3. Economic operators holding several licences may carry out the relevant activities in a single place of business, provided that it is suitable for each activity to be carried out.”.
3. Paragraph 4 of Article 2 of Law no. 40 of 31 March 2014 and subsequent amendments shall be repealed.

Art. 18

(Amendments to Article 6 of Law no. 40 of 31 March 2014 and subsequent amendments)

1. Letter l) of paragraph 1, of Article 6 of Law no. 40 of 31 March 2014 and subsequent amendments shall be amended as follows:

"l) has been granted a relevant authorisation by the Congress of State when he/she intends to pursue an activity in the sectors for which such authorisation is required by the legislation in force, with the exclusion of the economic activities falling within the scope of the Agreement between the Republic of San Marino and the Italian Republic on the Mutual Regulation of International Carriage, done in San Marino on 7 May 1997 and ratified by Decree no. 73 of 21 July 1997 and subsequent amendments."

Art. 19

(Amendments to Article 9 of Law no. 40 of 31 March 2014)

1. Letter d), paragraph 1, of Article 9 of Law no. 40 of 31 March 2014 and subsequent amendments shall be repealed.
2. Paragraph 3 of Article 9 of Law no. 40 of 31 March 2014 and subsequent amendments shall be repealed.
3. Letter a) of paragraph 4 of Article 9 of Law no. 40 of 31 March 2014 and subsequent amendments shall be amended as follows:
"a) have access to a place of business for their exclusive use, owned or by virtue of a registered contract, within sixty days from the issue of the licence; such place of business shall comply with building regulations and be suitable for the activity to carry out. Applicants for a licence covering a business that, given its nature, may be performed without a fixed place of business shall be exempted from the above obligation. In this latter case, the place of business to which notifications shall be sent shall be the one specified in Article 24, paragraph 1 below;"

Art. 20

(Amendments to Article 13 of Law no. 40 of 31 March 2014 and subsequent amendments)

1. Letter d), of paragraph 2, of Article 13 of Law no. 40 of 31 March 2014 and subsequent amendments shall be amended as follows:
"d) included in the list of activities for which an ad-hoc authorisation shall be granted by the Congress of State, unless the authorisation has been obtained".
2. The second sub-paragraph of paragraph 8 bis of Article 13 of Law no. 40 of 31 March 2014 and subsequent amendments shall be amended as follows:
"Foreign companies that carry out ordinary and extraordinary maintenance of the company's instrumental and ancillary goods shall also be exempt from obtaining the authorisation. The San Marino company in which the foreign company's workers are employed shall notify in advance the Office for Economic Activities, through the Public Administration portal, of the start and end of the works, the type(s) of the works to be carried out and the names of the seconded workers, whose insurance shall be valid in the territory of the Republic of San Marino and shall be shown in case of checks by the officials of the Office for Control Activities. This paragraph may be amended by a delegated decree."

Art. 20-bis

(Coworking)

1. After Article 17 of Law no. 40 of 31 March 2014 and subsequent amendments, the following Article 17bis shall be added:

“Art. 17-bis
(Coworking)

1. Coworking shall be based on the sharing of common spaces among different economic operators, in places suitable for this; economic operators may use all or part of the same goods necessary for the business activity and present in the shared premises.
2. Coworking shall be possible in premises complying with building regulations and suitable for the activity to be carried out, excluding residential buildings.
3. Coworking shall be possible for sole proprietorships and/or partnerships and/or companies with share capital and a sole shareholder. They shall hold a service licence covering activities that do not produce noise, dust or odours and do not require to start production, which may be assimilated to administrative activities or intellectual services, without any employees other than the owner or the shareholder.
4. The maximum number of licenses that may be operated in coworking premises shall be calculated on the basis of the size of the premises considered at least 10 square meters per person established and in compliance with workplace safety and hygiene regulations.
5. The use of the premises for business activities in a coworking environment shall result from a specific contract signed between the economic operator and the owner of the building".

Art. 20-ter

(Place of business at the residence address)

1. After Article 17-bis of Law no. 40 of 31 March 2014 and subsequent amendments, the following Article 17-ter shall be added:

“Art. 17-ter

(Place of business at the residence address)

1. At the request of the entrepreneur, the Office for Economic Activities shall issue the business licence at the residence address of the holder, when the following conditions are met:
 - a) It is a sole proprietorship;
 - b) It is a service licence covering activities that do not produce noise, dust or odours and do not require to start production, which may be assimilated to administrative activities or intellectual services;
 - c) It is an economic activity that does not hire any employees, with the exception of the owner;
 - d) The relationship, the supply of the service and the conclusion of contracts with customers and suppliers take place physically outside the premises of the business, also by using IT tools.
2. In case of business activities carried out at the residence address, this shall be considered to be the place of business for the purposes of the controls provided for by the provisions on business activities. The offices responsible for such controls shall draw up a protocol on the modalities of intervention, taking into account that it is also the residence of the entrepreneur."

Art. 21

(Amendments to Article 18 of Law no. 40 of 31 March 2014 and subsequent amendments)

1. Article 18 of Law no. 40 of 31 March 2014 and subsequent amendments shall be amended as follows:

“Art. 18
(Secondary places of business)

1. Economic operators wishing to set up a secondary place of business shall apply to the Office for Economic Activities, which shall proceed as provided for in Article 10. The application shall be assigned an identification number.
2. The requirements of the place of business shall be those specified in letters a) and c), paragraph 4 of Article 9.
3. The setting up of a secondary place of business shall be authorised upon receipt of the relevant application by the Office for Economic Activities, if the application complies with the Services Charter. Applicants shall be entitled to request that the secondary place of business be authorised at a later date, which, however, shall not exceed 30 days following the application.
4. The Office for Economic Activities and the other Offices involved in the procedure for the setting up of a secondary place of business shall perform controls under Article 11, paragraph 1.
5. If non-compliance with the requirements results from the controls referred to in the preceding paragraph, Article 11 shall apply.”.

Art. 22
(Temporary secondary places of business in Historic Centres)

1. Holders of a retail trade licence during the Christmas and Easter holidays, the summer period or in conjunction with events involving the Historic Centres of the Republic, may apply to the Review Committee for the possible setting up of a temporary secondary place of business in said historic centres, without being required to pay the fee due, provided that the licence fee has been paid.
2. The duration of the secondary place of business shall not exceed 90 current days.

Art. 23
(Amendments to Article 19 of Law no. 40 of 31 March 2014 and subsequent amendments)

1. Article 19 of Law no. 40 of 31 March 2014 and subsequent amendments shall be amended as follows:

“Art. 19
(Transfer of the place of business)

1. Economic operators wishing to transfer their place of business shall apply to the Office for Economic Activities, which shall proceed as provided for in Article 10. The application shall be assigned an identification number.
2. The requirements of the place of business shall be those specified in letters a) and c), paragraph 4 of Article 9.
3. The transfer of the place of business shall be authorised upon receipt of the relevant application by the Office for Economic Activities, if the application complies with the Services Charter. Applicants shall be entitled to request that the transfer become effective at a later date, which, however, shall not exceed 30 days following the application.
4. The Office for Economic Activities and the other Offices involved in the procedure for the transfer of the place of business shall perform controls under Article 11, paragraph 1.
5. If non-compliance with the requirements results from the controls referred to in the preceding paragraph, Article 11 shall apply.
6. The authorisation for the transfer of the place of business shall entail full effectiveness of the notifications made to the new place of business. However, notifications shall also be sent to the registered office of legal persons if different from the place of business.”.

Art. 24

(Amendments to Article 23 of Law no. 40 of 31 March 2014 and subsequent amendments)

1. Paragraph 1 of Article 23 of Law no. 40 of 31 March 2014 and subsequent amendments shall be amended as follows:

“1. A licence shall be suspended at the request of the licence holder, when the Office for Economic Activities receives the relevant application, provided that the latter complies with the Services Charter. The suspension of the licence shall not prevent the economic operator from obtaining further licences in accordance with Article 2.”.

2. Paragraph 5 of Article 23 of Law no. 40 of 31 March 2014 and subsequent amendments shall be amended as follows:

“5. In the event of reactivation of the licence, the provisions of Article 11 shall apply. The licence shall not be further suspended before the inspection is carried out pursuant to Article 29, paragraph 1, letter d).”.

Art. 25

(Amendments to Article 29 of Law no. 40 of 31 March 2014 and subsequent amendments)

1. Letter a) of paragraph 1 of Article 29 of Law no. 40 of 31 March 2014 and subsequent amendments shall be amended as follows:

“a) If the licence fee has not been paid once 60 days have elapsed from the expiration of the relevant time-limit; in such a case, the licence shall be suspended until payment of the amount due. In any case, the licence shall be revoked once 120 days have elapsed from the expiration of the time-limit established for the regular payment of the fee;”.

2. The following letter shall be added after letter a) paragraph 1, of Article 29 of Law no. 40 of 31 March 2014 and subsequent amendments:

“a bis) If the economic operator fails to pay the annual licence fee for two consecutive years; in this case, if the annual licence fee is not paid for the second consecutive time after ninety days from the expiration of the time-limit for its payment, the licence shall be suspended until payment of the amount due. In any case, the licence shall be revoked once 180 days have elapsed from the expiration of the above mentioned time-limit;”.

Art. 26

(Amendments to Article 1 of Annex B to Law no. 40 of 31 March 2014 and subsequent amendments)

1. Article 1 of Annex B to Law no. 40 of 31 March 2014 and subsequent amendments shall be amended as follows:

“Art. 1

All economic activities organised in corporate form shall be subject to a licence fee, which shall be paid within 120 days from the date of issue, and to the annual licence fee to the extent set out in this Annex.”.

Art. 26-bis

(Official collection on companies and business activities)

1. Within two months of the ratification of this Delegated Decree, the Congress of State shall, by its own decision, approve an official collection on companies and business activities aimed at enabling users to access a systematic and updated text on the matter.

Art. 26-ter

(Rental of business branches)

1. The special provisions governing the rental of business branches referred to in Delegated Decree no. 89/2019 and subsequent amendments may also apply, by way of derogation from the general rules, outside shopping centres, if the provisions are expressly referred to by the contractual parties.

Art. 27

(Repeal)

1. Delegated Decree no. 170 of 28 October 2014 shall be repealed.
2. Article 12 of Law no. 40 of 31 March 2014 and subsequent amendments shall be repealed.
3. Paragraph 3 of Article 24 of Law no. 40 of 31 March 2014 and subsequent amendments shall be repealed.
- 3 bis. Article 26, paragraph 3, of Law no. 58 of 29 May 2013 shall be repealed.
- 3 ter. Article 39, paragraph 2, third sub-paragraph of Law no. 130 of 26 July 2010 shall be repealed.

Done at Our Residence, on 2 August 2019/1718 since the Foundation of the Republic

THE CAPTAINS REGENT
Nicola Selva – Michele Muratori

THE MINISTER OF
INTERNAL AFFAIRS
Guerrino Zanotti