



REPUBLIC OF SAN MARINO

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

Having regard to Article 4 of Constitutional Law no. 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 15 June 2016:

LAW NO. 75 OF 16 JUNE 2016

"PROVISIONS ON ASSOCIATIONS AND VOLUNTEERING"

TITLE I PURPOSES AND DEFINITIONS

Art.1 *(Purposes)*

1. In implementation of Article 6 of the Declaration on the Citizens' Rights and Fundamental Principles of San Marino Constitutional Order, the Republic of San Marino guarantees freedom of association and promotes and supports social and cultural associations as an instrument of aggregation of citizens, which, being not-for-profit, undertake to favour socialisation, integration and cultural growth of the community.

2. The Republic of San Marino recognises the high humanitarian, solidarity, social and cultural value of volunteering as an opportunity of participation for citizens and an instrument favouring the growth of individuals and the community, and supports its promotion for social, civil and cultural purposes.

3. To achieve the above purposes, this Law shall:

- a) attribute to legally recognised associations the role of active parties making proposals in the planning, programming and management of activities with social, humanitarian, cultural, environmental aims, as well as protecting the flora and fauna, promoting the rights and having scientific, educational and recreational purposes, with a view to achieving the socio-cultural development of the Republic;
- b) promote and protect volunteer activities of people involved in solidarity initiatives for the purposes of human development, as well as the right of every person to carry out volunteer activities, either individually or through free membership in associations, without any cultural, ethnic, religious, age, gender, social and economic distinction;

- c) incorporate the obligation to implement effective measures for the prevention and countering of money laundering, establishing rules for coordination with the existing legislation.

Art.2

(Definition of association)

1. Association means a private entity with legal personality and financial autonomy, not-for-profit, other than a company, which carries out social or cultural activities and marginally economic activities exclusively supporting its aims. The activities shall be organised by several individuals operating for a common purpose directed to the pursuit of collective interests of its members or third parties through mainly personal, voluntary and free services granted by members or those cooperating with the association.
2. With regard to associations, the determining element is characterised by the activities carried out by members, who shall comply with the statutory purposes and pursue their objectives through their activities.

Art.3

(Types of associations)

1. The types of associations regulated by this Law are classified as follows:
 - a) social and solidarity voluntary associations;
 - b) social and cultural associations.
2. Political parties and movements, professional associations, trade unions and employers' associations, sports associations, ecclesiastical and religious institutions, non-profit credit institutions, trusts and foundations shall be excluded from this Law.

Art.4

(Social and solidarity voluntary associations)

1. Social and solidarity voluntary association (ONLUS) means any freely established entity aimed at carrying out social solidarity activities, including internationally, which avails itself, in a determining and prevailing manner, of personal, voluntary and free services provided by its members and which delivers services free of charge.
2. Social and solidarity voluntary associations shall carry out voluntary activities through their own facilities or in the context of public facilities or facilities with which public facilities have concluded an agreement.
3. The definition, principles, organisational modalities and special facilitation conditions beyond the general provisions applying to associations are regulated by Title IV hereunder.

Art.5

(Social and cultural associations)

1. Social and cultural associations are active in the fields of social assistance, education, training, culture, flora and fauna protection, performing arts, environment, tourism solely with respect to heritage enhancement services, not-for-profit with the exclusion of the mere remuneration for the work done. These characteristics shall be specified in the articles or in the memorandum of association of the organisation intending to be regulated by this Law.
2. These associations shall be regularly registered in the Register of Associations referred to in Article 12 hereunder and shall have been issued an Economic Operator Identification Code.

3. The members involved in the association's activities, when they are not employed as dependent workers, shall regulate their insurance and contribution position as self-employed and their registration in the employment lists shall not be incompatible.

TITLE II REQUIREMENTS AND BENEFITS

Art.6 *(Common requirements)*

1. In the agreements between members, in the memorandum and in the articles of association of the types of association referred to in Article 2 above, the following shall be expressly indicated: the not-for-profit philosophy, the organisation's democracy, the elective and free nature of the association's positions, the criteria for admission and for exclusion of members and their rights and obligations.

2. In addition, a budget shall be drawn up indicating the assets, contributions or bequests received, the procedures for budget approval by the members' meeting, the destination for social and cultural purposes of any operating surpluses and, in case of termination or extinction of the activity, the destination of the assets net of liabilities to the Fund for the promotion of non-profit activities referred to in Article 8 hereunder.

3. Associations may avail themselves of dependent workers or self-employed within the limits necessary to their regular operation or necessary to qualify or specialise the activities they perform.

4. In order to operate, associations shall be required to be entered in the Register referred to in Article 12 hereunder.

5. The distribution for various reasons of profits or operating surpluses, either directly or indirectly, shall be considered a for-profit activity and as such shall be prohibited as being in contrast with paragraph 1 above.

6. The transfer of assets, provision of services, sales and real estate disposals in favour of members, founders and other related natural or legal persons, as well as the payment of salaries, wages or remuneration and debt interest of entities higher than the norm shall also be prohibited.

7. The association types referred to in Article 2 above shall be subject to the provisions of Article 37 of Law no. 129 of 23 July 2010 on transparency.

8. Participation in the association as a member shall not be permitted in the case of legal persons or fiduciary companies; similarly, the association shall not acquire, either directly or indirectly, participations in any kind of for-profit undertakings and companies.

9. The majority of members shall be resident in the Republic of San Marino.

10. "Unfit persons" under Article 1 of Delegated Decree no. 82 of 10 June 2014 shall neither establish any association nor hold offices in the corporate bodies of the association.

11. Associations shall be required:

- a) to refuse sums of cash which, in a single operation or several operations linked to the same person, exceed the annual amount of € 1,000.00, unless through a person authorised to carry out reserved activities under Law no. 165 of 17 November 2005 and subsequent amendments and integrations and with the limit of € 25,000.00 per year;
- b) to make cash payments not exceeding € 1,000.00, unless through a person authorised to carry out reserved activities under Law no. 165 of 17 November 2005 and subsequent amendments and integrations and with the limit of € 25,000.00 per year;
- c) to refuse any grant, transfer, assignment, allocation, gift, sponsorship and charitable contribution whatsoever or donations of movable goods by natural and/or legal persons that are resident in a non-cooperative country, subject to monitoring

and included in the list disseminated and updated by the Financial Intelligence Agency of the Republic of San Marino.

12. The violation of the provisions in paragraphs 4, 5, 6 and 7 of this Article shall lead to the dissolution of the association. Non-compliance with the obligation to carry out financial transactions according to traceable methods, as provided for in the preceding paragraph, shall lead to the loss of the benefits granted by this Law and to the application of the sanctions envisaged by Article 68 of Law no. 101 of 1 July 2015 "Law on foundations".

Art.7

(Benefits related to taxes and charges)

1. Associations may be admitted to the management of the fund referred to in Article 95 of Law no. 166 of 16 December 2013.

2. For the purposes of indirect taxation, a 5% reduced rate shall be established with regard to import purchases made by associations for their operating needs, while the rates established by law shall apply to the purchase of instrumental goods.

3. Applications, instruments of incorporation, private documents and articles of association, copies certified by a notary, rental and lease contracts and approval of corporate books shall be exempted from registration taxes, stamp duties and court fees.

4. Performances and events organised in the territory of the Republic of San Marino by the associations registered in the Register referred to in Article 12 shall be included among those referred to in paragraph 4 of Article 12 of Law no. 174 of 17 December 2004 and shall therefore be subject to the payment of a fixed tax on public performances equal to € 50.00.

5. With regard to the right to use halls, equipment, facilities and installations of the State, associations shall benefit from special rates and assistance by the overall public sector according to the following terms:

- a) possibility to use the facilities at minimum rates for each time slot;
- b) services provided by the staff of the overall public sector at minimum rates.

Within thirty days from the entry into force of this Law, Regulation no. 6 of 8 October 2014 shall be amended to include the provisions contained in the preceding paragraph and to provide for the following:

- 1) the terms regulating cooperation between the competent Organisational Units and the associations requesting to use halls, installations, facilities and equipment of the State so that all or part of the activities related to guarding and security tasks, as well as technical assistance provided, among others, by electricians, cameramen and cashiers, may be performed by staff external to the overall public sector;
- 2) the terms under which the competent Organisational Units shall be required to publicise the booking of halls, installations, facilities and equipment of the State both by private entities and by the same Organisational Units or other State Offices.

6. In order to encourage participation in cultural and social initiatives, all natural persons may deduct from the general income tax, up to a maximum of € 800.00 for each tax period, as established by Delegated Decree no. 180 of 30 December 2013, the expenses incurred for registration, entry tickets and enrolments in the activities proposed by the organisations registered in the Register referred to in Article 12 hereunder.

7. The remuneration payable to the notary for the drawing up of the articles of association or the act amending the articles of association shall not be higher than the minimum established rates.

Art.8

(Fund for the promotion of non-profit activities)

1. The Fund for the promotion of non-profit activities shall be established.

2. The Fund shall consist of:

- a) payment of 3% of any operating surpluses resulting from the annual management of the organisations registered in the Register referred to in Article 12 hereunder;
- b) the associations' assets following voluntary or compulsory dissolution, unless it is arranged otherwise in the articles of association;

- c) donations of private and public entities wishing to support the growth and dissemination of voluntary and non-profit activities, to which the tax benefits provided by the legislation in force apply;
 - d) 3 per thousand of taxable income declared by individuals and explicitly devolved by them when filing the tax return to the Fund for the promotion of non-profit activities as provided for by the legislation in force;
 - e) payment of the annual State contribution under Chapter 1/07/5000 "Contributions to the Council of Associations and Cultural Cooperatives" and any additional State payments.
3. The Fund shall be managed by the Council of Non-Profit Associations set forth in Article 9 hereunder in accordance with the rules of sound and correct administration and the relevant accounting report shall be made public on a quarterly basis on the website of the Council.

TITLE III

COUNCIL AND REGISTER OF ASSOCIATIONS

Art.9

(Establishment of the Council of Non-Profit Associations)

1. The Council of Non-Profit Associations shall be established with the aim of supporting, coordinating and assisting the activities of associations established in the territory and of encouraging the dissemination of information.
2. The Council shall be composed of the presidents, or their delegates, from all associations registered in the Register of Associations referred to in Article 12 hereunder. The Council shall elect a Coordination team consisting of:
 - a) seven representatives of the associations elected by secret ballot by the Council members, who shall express a maximum of five preferences. The seven names receiving the highest number of preferences shall be elected. In case of a tie, a ballot shall be held;
 - b) the Minister of Culture and the Minister responsible for Social Affairs, or their delegates, without voting right.
3. The Council shall appoint, from among the members of the Coordination team, the President of the Council with representative functions, including of a legal nature.
4. The President and the members of the Coordination team of the Council shall remain in office for a three year period and may be re-elected for one term only. In case of removal, resignation or death of the President or a majority of members of the Coordination team, the latter shall be dissolved and new elections shall be called.

Art.10

(Promotion activities managed by the Council)

1. The Council of associations shall assist, promote and finance initiatives to raise awareness in the civil society of gratuitous, solidarity, hospitality and globalism culture. To this end:
 - a) it shall plan media campaigns, conferences, school-level initiatives and documentary material dissemination, by annually organising the general convention of the Third Sector;
 - b) it shall organise training courses for Third Sector's operators, both of a general and technical nature, in order to qualify members for specific tasks;

- c) it shall protect the right of associations to obtain information, documents, copies of research activities and papers held by the Public Administration and concerning the sectors of their interest;
- d) within the limits of the resources available in the Fund referred to in Article 8 above, it shall provide, based on a specific competition announcement, funding aimed at supporting specific projects, by favouring those involving several entities among those registered in the Register of Associations referred to in Article 12 hereunder;
- e) it shall conclude agreements with banks and their foundations for the purposes of implementing common funding plans concerning specific projects having a particular social and cultural value;
- f) it shall assist associations, upon their request, in the fulfilment of administrative, legal and accounting procedures related to their activities;
- g) it shall provide associations with the necessary space to organise meetings at the headquarters of the Council, in case they lack such space, as well as to establish their registered office and the administrative document retention service;
- h) it shall grant associations the right to use technical and electronic equipment, such as copy duplicators, computers and internet lines, at no cost other than for consumables and services by third parties used;
- i) it shall assist associations in the hiring of premises and the purchase of equipment, as well as in the conclusion of agreements in order to obtain reduced rates. To this end, the State may rent out its own immovable property at a preferential rate, authorise the Public Utilities State Corporation (A.A.S.S.) and the Public Works State Corporation (A.A.S.L.P.) to apply reduced rates for the supply of electricity, methane gas and water, for the use of theatres and of operators and electricians, agree with San Marino Poste S.p.A. the granting of subsidised postal rates, and authorise the Posting and Duplication Office to provide preferential printing services, distribution of promotional material and to give discounts for the posting of posters and announcements;
- l) it shall coordinate, in cooperation with the Ministry of Education, Culture and Cultural Institutes, respecting the autonomy of the individual associations and of the winners of tenders for creative projects, the annual planning and implementation of events and initiatives dedicated to hospitality and intercultural dialogue;
- m) it shall assist individuals carrying out volunteer activities either directly - registered in the Volunteers' Register referred to in Article 19 hereunder - or through associations - registered in the Register of Associations referred to in Article 12 hereunder - in taking out adequate insurance against accidents and illnesses related to the performance of volunteer activities, as well as third party liability insurance.

Art.11

(Additional activities carried out by the Council)

1. The Council shall keep and manage the Register of Associations and the Volunteers' Register referred to in the following Articles 12 and 19 respectively, control the regularity of the activities carried out by associations and monitor compliance with the requirements for registration in the Register. To this end, the Council shall verify that legal recognition has been granted to the association, check compliance with the subjective and objective requirements necessary to enjoy the benefits granted by this Law and other laws, verify that the association effectively operates, and follow the starting of voluntary or compulsory dissolution procedures, by ensuring that the annual operating surpluses and assets remaining after dissolution and liquidation are transferred to the Fund referred to in Article 8.
2. The Council shall assist the Committee for Control referred to in Article 25 hereunder in all its activities, in order to facilitate and simplify compliance with the requirements for the purposes of paragraph 3, letter c) of Article 1 above by the types of associations identified by this Law.
3. The Council shall express opinions and make requests to the Great and General Council, the Congress of State and public bodies, also in order to widen the scope of this Law.

4. With a view to achieving the objectives of this Law, the Coordination team of the Council shall prepare, within two months of taking office, a three-year operational programme, to be updated annually, detailing its action with regard to the following: growth of solidarity culture, collaboration with design, planning and management activities of State services, training initiatives, relations with international volunteering, mechanisms for control of registered associations.

Art.12

(Register of Associations)

1. The Register of Associations shall be established and organised according to sections to take account of the field of activities of the association and its organisational form.

2. Registration in the Register may be requested by associations established in any legal form and operating in the territory of San Marino, which are autonomous and whose articles of association contain the principles laid down in Article 6 of this Law. When requesting to be registered, the association shall also indicate the section in which it intends to be included. Cooperatives with social and cultural purposes may request to be registered in the specific section dedicated to them.

3. Registration in the Register of Associations shall be a sine qua non condition to access government contributions, as well as to enter into agreements and to enjoy the facilitations and benefits provided for by this Law.

4. Associations requesting registration as sections or branches of international entities or having their principal office in other countries shall be established as San Marino entities in compliance with the provisions of this Law.

5. Associations wishing to be registered in the Register shall submit, together with the application signed by the president or legal representative, a copy of the articles and memorandum of association filed with the Court to obtain legal recognition and a copy of such recognition.

6. The application to be registered in the Register of Associations shall be submitted to the Coordination team of the Council and filed with the Secretariat of the Council. The Coordination team of the Council shall express, within sixty days, an opinion on the suitability of the contents and on the documents submitted. Upon expiry of this term, the principle shall apply whereby no response is treated as a positive response.

7. The associations that are registered in the Council of San Marino Cultural Associations at the time of the entry into force of this Law shall be required to apply for registration in the Register of Associations referred to in this Article, in line with the purposes specified in the articles of association.

8. Obligations and requirements to be fulfilled by registered associations, reasons for cancellation and the relevant modalities and regular reviews of registrations shall be provided for in a specific regulation issued by the Council within one hundred and twenty days from the publication of this Law and made known to members.

9. The organisations registered in the Register of Associations shall annually indicate the programme of activities for the current year, submit a report on the activities carried out during the preceding year, as well as the acts demonstrating implementation of the initiatives, and attach the balance sheet of the previous year.

10. An entity registered in the Register of Associations may be cancelled, upon express request thereof, for failure to submit, despite formal notice, the documents necessary to be registered and continue to be registered, as well as for all other cases provided for by the laws in force, and such cancellation shall be ordered by means of a reasoned act of the Council. Against the decision not to register or to cancel an entity, the latter may lodge an appeal, through official channels and within 30 days, before the Administrative Section of the Court. The possibility to lodge an appeal before jurisdictional bodies shall still apply.

11. The Register of Associations shall be kept at the Secretariat of the Council referred to in Article 14 hereunder.

Art.13*(Sections of the Register of Associations)*

1. The Register of Associations shall be composed as follows:
 - a) section of social and solidarity voluntary associations;
 - b) section of social and cultural associations;
 - c) section of cooperatives with social and cultural purposes regulated by Law no. 149 of 29 November 1991.
2. For information purposes, the Coordination team of the Council shall prepare and update, as an appendix to the Register, the list of de facto associations or associations established in a simple form, without any legal recognition.

Art. 14*(Secretariat of the Council)*

1. The Secretariat of the Council shall be established. The Secretariat shall be part of the Department of Tourism and Culture and directly responsible to the Director of the Department. It shall work closely with the Council and with the Ministry of Education and Culture, apply its guidelines to support the activities of individual associations registered in the Register and activities of common interest, and perform the tasks entrusted to the Council and referred to in Articles 9 and 10 of this Law.
2. The Secretariat of the Council shall work closely with the organisations registered in the Register of Associations, in particular to fulfil procedures and all administrative tasks.
3. The Secretariat of the Council shall be composed of at least two staff members with expertise in the accounting, administrative and legal fields, as well as in cultural promotion and communication. The specific roles and functions shall be established upon approval of the staffing requirements of the overall public sector or through integration thereof under Article 63, paragraph 4 of Law no. 188 of 5 December 2011. The Secretariat shall be located at the headquarters of the Council of Associations provided by the State.
4. The staff of the Secretariat shall be chosen from among permanent employees of the overall public sector and shall be assigned to the Secretariat for a period of three years, renewable only once. Such assignment shall be made in compliance with the current regulations on staff mobility by resorting, as a priority, to the list of supernumerary employees of the overall public sector to be established following the approval of the first staffing requirement.

**TITLE IV
VOLUNTEERING****Art.15***(Definition of volunteering and solidarity activities)*

1. "Volunteer" means anyone who spontaneously carries out activities, either individually or through an association or a project, without any legal duties or obligations and without any individual profit, including indirect, and devotes his/her time, skills and attitudes in the interest of the group or of third parties, solely for the purposes of solidarity.
2. Solidarity activities shall be identified as follows:
 - services supporting the elderly, disabled or socially excluded persons;
 - transport and accompaniment services by own means or by means made available by the public administration in favour of children, the elderly or disabled;

- services supporting elderly people living in residential facilities owned by the State or with which the State has concluded an agreement, or temporarily hospitalised;
- surveillance at schools to better meet users' needs in terms of access times;
- monitoring and support services at the Social Centre for the Elderly, Minors' Service and Disabled People's Service;
- support and custody services at the Cultural Institutes;
- support and assistance services to most disadvantaged populations or populations hit by natural disasters, through activities in the social interest, supporting the economy and aimed at social, cultural and development promotion;
- assistance and organisational support for social, cultural and sports initiatives and to promote tourism in the territory;
- supervision and support in the custody and maintenance of green areas;
- supervision and support in the activities and services organised to protect the environment and landscape;
- voluntary services in the field of civil protection.

Art.16

(Not-for-profit volunteering)

1. Voluntary activity shall not be subject to any kind of remuneration, not even by the beneficiary. Volunteers may only be reimbursed, by any organisations of which they are members, the actual costs incurred for the activity carried out, within the limits previously established by the organisations.
2. The status as volunteer shall be incompatible with any form of dependent work or self employment relationship and with any other relationship of a financial nature with the organisation of which the volunteer is a member.

Art.17

(Agreements with the State and public bodies)

1. The State and other public bodies may enter into agreements with individual volunteers and voluntary associations that are registered, respectively, in the Register referred to in Article 19 and the Register of Associations referred to in Article 12 and that demonstrate the necessary attitude and operational capabilities.
2. The agreements shall include provisions ensuring that the conditions are met to carry out on an ongoing basis the activities indicated in the agreement, as well as respect for the rights and dignity of users. They shall also provide for the verification of services and control of their quality, as well as the procedures for any reimbursement of expenses.
3. Insurance coverage for individuals and associations carrying out volunteer activities against injuries and illnesses related to such activities, as well as for civil liability towards third parties, shall be an essential element of the agreement and the related costs shall be borne by the State or other public body.

Art.18

(Employment relationship and flexibility in working hours)

1. Workers registered in the Volunteers' Register referred to in Article 19 hereunder or who are members of social and solidarity voluntary associations referred to in Article 2 above, shall be entitled, in order to carry out voluntary activities, to benefit from the forms of flexibility in working hours or of shifts envisaged in collective agreements or contracts, consistently with the organisation of the firm.

2. For the purposes of this Law, the requests for mobility shall be considered by the competent bodies in the spirit of volunteering, consistently with projects and functionality of services.

Art.19

(Volunteers' Register)

1. The Volunteers' Register shall be established. All those wishing to dedicate part of their time and their capacities to volunteering shall be required to register in this Register, although they already perform such service or are members of associations and/or organisations at the time of entry into force of this Law.

2. Upon registration, volunteers shall declare their availability, skills and experience by providing a brief personal curriculum vitae, which shall form an integral part of the Volunteers' Register, in order to facilitate search by interested associations, institutions or organisations.

3. The Republic of San Marino shall adopt what indicated by the United Nations and shall recognise the "red V" as the universal symbol for volunteering. Each individual volunteer shall be recognised through a specific ID issued by the Secretariat of the Council referred to in Article 14 above.

4. The Volunteers' Register shall be kept at the Secretariat of the Council referred to in Article 14 above.

TITLE V

INTERNATIONAL VOLUNTEERING

Art.20

(International Organisations)

1. The provisions contained in this Law shall also apply:

- 1) in case of participation in volunteer projects promoted by international organisations of which San Marino is a member or which it recognises;
- 2) to projects of Non-Governmental Organisations (NGOs).

2. Those involved in these projects shall enjoy the following rights:

- a) to maintain any job that they hold;
- b) to enjoy insurance and social security rights referred to in Law no. 15 of 11 February 1983 and subsequent amendments, as well as any other social security benefits reserved for San Marino citizens and residents;
- c) to obtain recognition of career, registration and points in employment lists in connection with the passing of time.

3. In application of the above, employers shall be authorised to temporarily hire any substitutes.

Art.21

(Volunteers in International Organisations)

1. For the purposes of this Law, the volunteers referred to in Article 20 above shall include anyone who, either employed in the Public Administration or not, commits to working in a project approved by the State on the basis of bilateral or multilateral agreements, without receiving any regular remuneration.

2. Volunteers working in the context of solidarity programmes and projects, duly verified and approved by the International Volunteering Coordination team referred to in Article 23 hereunder and promoted by organisations established in the territory and registered in the Register, or by international organisations formally or de facto recognised by San Marino State, shall enjoy the rights provided for in Articles 18 and 20.

3. A condition for the enjoyment of the aforementioned treatments by volunteers shall be the inclusion of volunteering programmes and projects in specific bilateral or multilateral agreements of the State or that they are offered by specialised organisations providing guarantees of rigour and seriousness and in particular that they are accepted by the country where the programmes and projects will be implemented.

Art.22

(Procedures to verify solidarity programmes and projects)

1. The projects and the programmes referred to in paragraph 3 of the preceding Article 21, accompanied by data necessary for the verification of the requirements, the identification of costs, names and characteristics of the persons involved and of any other element necessary for their assessment, shall be submitted to the International Volunteering Coordination team referred to in Article 23 hereunder by the relevant organisations and institutions by August of each year. Late submissions shall be considered only exceptionally and on condition of availability of funds envisaged in the budget but not used.

2. Duty time, where the specific project does not provide for a shorter time, shall have a minimum duration of two years renewable for a maximum of a further two years.

3. Volunteers indicated in the projects or programmes shall have adequate mental, physical and occupational characteristics for the tasks they will perform. They shall also have received a specific training related to the project.

4. The financing of the activities referred to in this Law shall be decided by the Congress of State upon proposal of the Ministry of Foreign Affairs, which relies on the advice of International Volunteering Coordination team.

Art. 23

(International Volunteering Coordination Team)

1. The President of the Council of San Marino Associations, together with the Minister of Foreign Affairs and the Minister responsible for Social Affairs, or their delegates, and two representatives from among those registered in the Volunteers' Register, shall form the International Volunteering Coordination team, which avails itself of the Secretariat of the Council to perform the following tasks:

- a) to establish, year by year, the number of posts available to carry out voluntary activities, also taking into account budget forecasts;
- b) to verify the requirements of institutions or associations wishing to engage in solidarity programmes and projects;
- c) to verify, through existing instruments in the territory or outside the territory, the professional, psychological and physical suitability of candidates, or to take notice of certificates issued by qualified bodies;
- d) to develop projects and express opinions on projects submitted and to verify that they comply with the law, and then to propose any funding thereof;
- e) to establish the volunteer status under this Law for the purposes of guaranteeing the related legal, economic and social security treatments;
- f) to promote initiatives for the purposes of international solidarity education and awareness, as well as cooperation projects and centres preparing to volunteering;
- g) to organise and supervise the conduct of the programmes and the behaviour of volunteers, with the power to interrupt the safeguards provided for in this Law in case of non-compliance with the commitments undertaken;

- h) to adopt internal regulations establishing the modalities for the implementation of this Law.

Art. 24

(Hearing of evidence in the context of solidarity projects and programmes)

1. The judicial authority may refer to the solidarity programmes and projects referred to in this Law in case it orders the hearing of evidence in favour of defendants in the context of criminal proceedings.

TITLE VI

CONTROL OF AND AUTHORISATIONS TO ASSOCIATIONS

Art. 25

(Committee for Control)

1. The types of associations referred to in this Law that have obtained legal recognition shall be subject to the control and supervision of the Committee for Control established by Article 42 of Law no. 101 of 1 July 2015 "Law on foundations".
2. The Committee for Control shall verify, on a sample basis, the registration of data and information regarding funding and funds received by the associations referred to in paragraph 1 of this Article and use thereof.
3. The Committee for Control may request from the associations referred to in paragraph 1 of this Article any information and document, including of a banking nature, relating to the activity and management of the association.
4. All types of associations referred to in Article 2 of this Law shall be required:
- a) to request to the Committee for Control the authorisation to accept grants, transfers, allocations, gifts, sponsorships and charitable contributions whatsoever or donations of movable goods whose value, in a single operation or several operations linked to the same person, also split, exceeds € 25,000.00 per year according to the modalities and procedures provided for in Article 50 of Law no. 101 of 1 July 2015 "Law on foundations";
 - b) to request to the Committee for Control the authorisation to open current accounts abroad or in any case to establish and/or execute banking, financial and insurance relationships with foreign authorised entities according to the modalities and procedures laid down in Article 51 of Law no. 101 of 1 July 2015 "Law on foundations";
 - c) to request to the Committee for Control the authorisation to register an immovable property located abroad according to the modalities and procedures laid down in Article 52 of Law no. 101 of 1 July 2015 "Law on foundations";
 - d) to request to the Committee for Control the authorisation to buy, at any title, an immovable property whose value exceeds € 25,000.00;
 - e) to request to the Committee for Control the authorisation to merge and split with other associations;
 - f) to provide, at the simple request of the Committee for Control or the Financial Intelligence Agency for the functions attributed to it by Law no. 92 of 17 June 2008, the recording of data and information on funding and funds received and use thereof;
 - g) to file annually with the Committee for Control the balance sheet and the prospectus "Summary of Funding and Uses", as per Annex B of Law no. 101 of 1 July 2015 "Law on foundations";
 - h) to provide, at the simple request of the Committee for Control and the Financial Intelligence Agency, any information and/or documents relating to the management, administration and use of the association's resources.

Art. 26*(Transitional rules)*

1. Within ninety days following publication of this Law, the Council of Non-Profit Associations shall appoint the Coordination team according to the modalities referred to in the preceding Article 9, paragraph 2.

Art. 27*(Repeal)*

1. Law no. 97 of 20 September 1989 and Law no. 99 of 25 July 1991, as well as any legal provision not expressly referred to and in conflict with this Law shall be repealed.

Art. 28*(Entry into force)*

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

Done at Our Residence, on 16 June 2016/1715 since the Foundation of the Republic

THE CAPTAINS REGENT

Gian Nicola Berti - Massimo Andrea Ugolini

THE MINISTER OF
INTERNAL AFFAIRS

Gian Carlo Venturini

