

REPUBLIC OF SAN MARINO

Liability of the members of the Guarantors' Panel

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

Hereby promulgate and order the publication of the following Constitutional Law, approved by the Great and General Council during its sitting of 27 May 2003.

Art.1

(Disqualification)

The Great and General Council shall disqualify the members of the Guarantors' Panel from office in the cases provided for by Article 5, paragraph 2 of Qualified Law no. 55 of 25 April 2003.

The existence of the grounds for disqualification shall be assessed by the Guarantors' Panel by an absolute majority of its full members and alternates.

The issue shall be included in the Agenda of the earliest possible sitting of the Great and General Council. The Council shall declare the disqualification of a member of the Panel by acknowledging the above assessment.

Art.2

(Removal and suspension)

The members of the Guarantors' Panel may be removed or temporarily suspended from office only upon an ad-hoc decision made by the Great and General Council by a two thirds majority of its members, following a proposal of the Guarantors' Panel by absolute majority of its full members and alternates.

The proposal of the Guarantors' Panel shall be included in the Agenda of the earliest possible sitting of the Great and General Council.

The removal or temporary suspension shall take effect from the decision adopted by the Great and General Council.

Art.3

(Liability of the members of the Guarantors' Panel in the exercise of constitutional and jurisdictional functions)

The members of the Guarantors' Panel shall not be removed or suspended from office, except in case of physical or civil incapacity, serious failures in the exercise of their functions or when they have compromised the respect and moral and professional esteem that they shall deserve.

The members of the Guarantors' Panel suspended from office shall not receive the remunerations they are entitled to for the entire duration of their suspension.

The Regulation referred to in Article 38 of Qualified Law no. 55 of 25 April 2003 shall govern suspension.

Art.4

(Civil liability of the members of the Guarantors' Panel in the exercise of the functions referred to in the Transitional Rule of the Declaration on the Citizens' Rights)

In the performance of the functions referred to in the Transitional Rule of the Declaration on the Citizens' Rights, the members of the Guarantors' Panel shall be subject to the provisions on civil liability of Magistrates in accordance with Article 15 of Law no. 83 of 28 October 1992.

Art.5

(Absolute immunity)

The full members and alternates of the Guarantors' Panel shall not be punishable for the opinions expressed and the votes cast in the exercise of their functions.

Art. 6

(Entry into force)

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

Done at Our Residence, on 30 May 2003/1702 since the Foundation of the Republic

THE CAPTAINS REGENT

Pier Marino Menicucci - Giovanni Giannoni