



LAW no. 142 of 21 November 1990 (published on 10 December 1990)

Regulations of the Civil Police
We the Captains Regent
of the Most Serene Republic of San
Marino

Hereby promulgate and order the publication of the following Law, approved by the Great and General Council during its sitting of 21 November 1990.

Art.1

The Civil Police is responsible for protecting the exercise of the freedoms and rights of citizens, supervising compliance with laws, regulations and measures issued by public authorities, protecting public order and security, preventing and repressing crimes, providing assistance in the event of disasters and accidents.

The members of the Civil Police shall not hold political positions that could compromise the complete impartiality of their functions. Incompatible positions shall be specified by Regency decree.

Art. 2

All members of the Corps shall be judicial police officers.

The Civil Police shall carry out functions in civil and commercial matters, with particular regard to road traffic and the exercise of trade, tourism, businesses and professions, controls on food, weights and measures and on mail.

The Civil Police shall also be entrusted with specific functions in tax matters, hygiene and social security, civil protection and fire prevention, employment protection and environmental protection and verification of population data. Moreover, they shall provide security at events, ceremonies and parades.

Art. 3

In order to ensure compliance with the requirements imposed by laws, regulations and measures of the competent authorities, the members of the Civil Police shall have the power to access and stay in the premises intended for the exercise of activities subject to administrative authorisation, during normal hours of such activities, even against the will of the persons subject to controls.

If the members of the Corps carry out the activities assigned to them wearing civilian clothes due to service needs, they shall always be provided with a special identification card to show whenever necessary.

All State bodies, corporations and offices shall be required to provide the Civil Police with news, information, research and archive data necessary to perform the institutional tasks of the Corps.

Art.4

The Civil Police shall be responsible to the Ministry of Internal Affairs and shall be part of the General Services Department referred to in Law no. 36 of 16 March 1981.

Art.5

Staffing level, requirements and qualifications to access the various ranks of the Civil Police are established in Law no. 100 of 20 November 1982 and subsequent amendments and integrations, as well as in this and the subsequent Article.

The members of the Civil Police shall be recruited following a competition. Applicants shall not be less than 1.70 m tall for men and 1.60 m tall for women. Moreover, they shall pass a physical and mental fitness test and an aptitude test assessed by the Director of the Primary Health Care Service, who then shall issue a certificate of fitness.

It shall also be mandatory to hold a category "A" and "B" driving licence. The ranks of the Civil Police shall include the following:

Commander;

Officer;

Inspector;

Sergeant;

Agent;

Auxiliary Agent.

Art.6

Recruitment of the Civil Police based on its staffing level shall be subject to Annex C of the Employment Law and to the provisions contained in Law no. 100 of 20 November 1982 with the following integrations and amendments:

- a) The written test shall focus on the professional subjects strictly related to the functions of the position announced in the notice of competition;
- b) The year of service taken into account by the Annex to Law no. 100 of 20 November 1982 for internal career shall be calculated from the date of final recruitment;
- c) A service carried out in a position immediately below that announced in the notice of competition shall be considered a closely related service.

For the service referred to in point 1, letter B) of Article 16 of Law no. 107 of 19 September 1990, 1 point shall be awarded for each year of service, up to a maximum of 8 points;

- d) The 5-year service provided by the Employment Law to participate in the competition for the Civil Police in place of the required qualification, shall be assigned 3 points, in accordance with point 1) letter A of Article 16 of Law no. 107 of 19 September 1990.

Art.7

The activity of the Corps shall be directed by the Commander and, in case of his absence or impediment, by the Officer.

The activity shall be coordinated with that of the other law enforcement agencies and other State entities, corporations and offices.

Art.8

The members of the Civil Police shall have the duty to execute exactly the lawful commands received.

They shall also be required:

- 1) To maintain conduct on duty based on the principle of legality, utmost fairness, impartiality and courtesy, to maintain an irreproachable conduct, operating with a sense of prevention and responsibility, in full awareness of the purposes and consequences of their actions in order to gain the esteem, trust and respect of the community, whose collaboration shall be considered essential for a better exercise of institutional tasks, and to refrain from any conduct or attitude that are detrimental to the respectability of the Administration;
- 2) To protect the interests of the Administration;
- 3) To keep the books for the payments of fines and then to promptly transfer the amounts collected according to the modalities established by the Command. To report any loss and refund the relevant amount to the Administration;
- 4) To use the vehicles and equipment with diligence, by ensuring their custody, keeping them clean and well-functioning;
- 5) To wear the uniform and accessories prescribed from time to time by the Command while on duty;

6) To behave, even off duty, with the utmost fairness and respectability such as not to discredit the Corps and make it difficult to fulfil the service.

Art.9

The members of the Civil Police shall strictly comply with official secrecy and shall not provide those who are not entitled thereto with information related to services of the Corps, or to measures or operations of any nature, which may damage the Administration or third parties, even if such information is not secret.

Art.10

In case of failure to comply with the obligations set forth in Articles 8 and 9 above, the disciplinary measures provided by Law no. 41 of 22 December 1972, as amended by Law no.16 of 30 January 1987, shall apply.

The application of the punishments provided for the same facts shall not be affected if such facts constitute a crime under the Criminal Law.

Art.11

The Public Administration shall provide the Civil Police with suitable clothing and accessories to ensure maximum decency and functionality.

Likewise, suitable clothing shall be provided to the Fire-fighting Section of the Civil Protection.

Art.12

Ordinary on-duty hours shall be 36 per week, split into one or more daily shifts.

The Civil Police staff shall benefit from two days of rest per week which, if not used for service needs, shall be generally used within the following week.

In case of necessity or if it is not possible to act otherwise due to unforeseen and urgent situations, the staff of the Civil Police may be required, at the end of the shift, to remain on duty until it is no longer necessary.

The members of the Civil Police shall be required to comply with on-call shifts according to schemes prepared by the Command, with the approval of the Ministry of Internal Affairs.

Civil Police members may exercise their right to strike, while safeguarding the requirements of public order and security.

Art.13

The various ranks of the Civil Police shall be distinguished as follows:

Commander:

two gold rhombuses featuring three stylized feathers inside, placed on each epaulette;

two gold coloured knurled braidings on the collar of the jacket; gold coloured braided chinstrap on the cap without loop and damask band.

Officer:

a gold rhombus featuring three stylized feathers inside, placed on each epaulette;

two gold coloured knurled braidings on the collar of the jacket; gold coloured braided chinstrap on the cap without loop and damask band.

Inspector:

two gold coloured metal bars to be placed transversally on each epaulette; gold

coloured chinstrap of mm.14 on the cap without loop, ribbed band.

Sergeant:

a gold coloured metal bar to be placed transversally on each epaulette; black chinstrap on the cap without loop, ribbed band.

In addition, regardless of the above, a distinctive sign shall be applied to the uniform of the Civil Police members as recognition for seniority of service, whose characteristics and procedures shall be specified by the Command.

The Civil Police's flag shall be white, yellow ochre and lilac.

Art.14

For anything not expressly provided for in these regulations, reference should be made to Laws no. 41 of 22 December 1972 and no. 100 of 20 November 1982 and subsequent amendments and integrations.

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

**Done at Our Residence, on 30 November 1990/1690 since
the Foundation of the Republic**

THE CAPTAINS REGENT

Cesare Antonio Gasperoni - Roberto Bucci

**THE MINISTER OF
INTERNAL AFFAIRS**

Alvaro Selva