



# REPUBBLICA DI SAN MARINO

**REGULATION no. 11 of 29 September 2023**

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

*Having regard to Congress of State decision no. 7, adopted during its sitting of 27 September 2023;*

*Having regard to Article 5, paragraph 5 of Constitutional Law no.185/2005 and to Article 13 of Qualified Law no. 186/2005;*

*Promulgate and order the publication of the following Regulation:*

## **PROVISIONS ON THE PROTOCOL OF THE CAPTAINS REGENT**

### **Art. 1**

*(Definitions - Purposes)*

1. The protocol in general shall be the set of rules, including customary ones, governing institutional formalities. It shall lay down the rules to be followed by members of the institutions, holders of public offices and private individuals who come into contact with them. These rules shall concern the identification and use of symbols, the rank and official conduct of holders of public offices, formal relations between national and international institutions and also public relations concerning official representation.
2. On the basis of established customs and practices and in compliance with the principle of collective and impartial exercise of the powers constitutionally assigned to the Captains Regent, this Regulation shall lay down protocol rules for institutional and representative events in general in which the Captains Regent participate.
3. In order to ensure that in all circumstances the Captains Regent, as the holders of the highest office of the State, enjoy the dignity and respect due to the role of Head of State constitutionally assigned to them, this Regulation shall also contain rules of conduct that the Captains Regent are called upon to respect in their private lives when they are in public contexts or places open to the public.
4. As soon as they are elected, the Captains Regent shall be required to be familiar with this Regulation and to bring their conduct into line with it and with any instructions that may be specifically given by the Directorate of Diplomatic Protocol.

### **Art. 2**

*(Tasks of the Directorate of Diplomatic Protocol)*

1. The Ministry of Foreign Affairs, with responsibility for Diplomatic Affairs, shall be competent in matters pertaining to the State Protocol, and shall therefore be required to know,

through the Directorate of Diplomatic Protocol, the institutional activities of the Captains Regent entailing the application of such protocol, also in order to provide any guidelines and to introduce, *de iure condendo*, any rules and provisions in this regard.

2. Within the framework of the functions referred to in Article 6, paragraph 2, letter a) of Annex A to Law no. 188 of 5 December 2011, the Directorate of Diplomatic Protocol shall manage the ceremonies and events, referred to in Article 3, with reference to their organisation and conduct in accordance with the respective protocols and specific provisions.

3. The Directorate of Diplomatic Protocol shall also have the duty to manage the protocol of private audiences and private visits of the Captains Regent.

4. In the fulfilment of its functions, the Directorate of Diplomatic Protocol shall have the task of coordinating all persons and offices involved in the organisation of the events referred to in this Regulation.

5. The Directorate of Diplomatic Protocol shall be required to keep the Captains Regent constantly and thoroughly informed of the programme of national ceremonies, official audiences, institutional events and representation events, official appointments to be attended by the Captains Regent, and the relevant protocol requirements. Without prejudice to the possibility for the Captains Regent to decide on participation in public events and initiatives, the Directorate of Diplomatic Protocol shall be required to provide all appropriate indications on such participation, in order to protect the dignity and role of the Captains Regent.

6. The Directorate of Diplomatic Protocol shall also inform the Captains Regent of the conduct to be observed in public, including in their private life, and shall instruct them to adopt all the most appropriate precautions in accordance with the dignity of their role.

### **Art. 3**

#### *(Ceremonies, institutional events, representative events)*

1. These shall include, by way of example, but not limited to, ceremonies, institutional events and representation events of the Captains Regent:

- a) national ceremonies;
- b) public audiences;
- c) State visits and official visits in San Marino and abroad;
- d) the presentation of Credential Letters by foreign Heads of Mission;
- e) the swearing-in of Diplomatic and Consular Agents appointed by San Marino;
- f) the swearing-in of constitutional bodies;
- g) the six-monthly Arengo;
- h) institutional visits to San Marino entities;
- i) any other event provided for by current legislation or practice or in any case brought to the attention of the Captains Regent by the Directorate of Diplomatic Protocol.

### **Art. 4**

#### *(Protocol of public audiences)*

1. The public audience, a high honour granted for particular social, cultural, artistic, academic, scientific and sporting merits to individuals and/or initiatives, shall be formally requested to the Captains Regent, through a Minister, after assessing its value and appropriateness. A public audience shall in any case be granted by the Captains Regent, who shall consult the Directorate of Diplomatic Protocol.

2. Public audiences shall be held in the Hall of the Great and General Council or in the Hall of the Council of the Twelve. The Directorate of Diplomatic Protocol shall decide in this regard, also taking into account the number of speakers, guests and invitees attending. The same Directorate shall also be responsible for the seating arrangements of invitees, taking into account the rank of the offices and the confirmations of participation received by the Directorate of Diplomatic Protocol from the invitees.

3. Normally, audiences shall be structured and organised as follows:
  - a) solemn announcement of the entrance of the Captains Regent into the hall by the Institutional Operator;
  - b) speech by the Minister(s) introducing the guest(s);
  - c) speech by the guest(s);
  - d) speech by the Captains Regent;
  - e) traditional photos.
4. At the end of the speech by the Captains Regent, before the traditional photos, there may be an exchange of gifts between the Captains Regent and the guest, the introduction to the guest of the invitees participating in the audience, and the signing, by the guest, of the Book of Illustrious Guests. The Directorate of Diplomatic Protocol shall be responsible for indicating the aforementioned formalities, as well as any other more appropriate procedures, even if not provided for in this Regulation.
5. In special cases and at the discretion of the Directorate of Diplomatic Protocol, the public audience may be held as a solemn audience and thus involve a protocol other than that referred to in paragraphs 3 and 4.
6. In certain circumstances, the Captains Regent, after hearing the opinion of the Directorate of Diplomatic Protocol, may decide to hold the public audience in the Hall of the Council of the Twelve also with a less strict protocol and with a more colloquial format.
7. Public audiences shall be attended by the press and authorised media.

#### **Art. 5**

##### *(State visits and official visits)*

1. Visits by a Head of State through an exchange of official notes shall be considered State visits.
2. Visits by Heads of Government, Ministers, Presidents of Parliament, Public Bodies or International Organisations through an exchange of official notes shall be considered official visits.
3. The protocol of State visits and official visits, both within and outside the territory of San Marino, shall be drafted by the Directorate of Diplomatic Protocol and agreed with the protocol of the visiting or hosting country through diplomatic channels.

#### **Art. 6**

##### *(Ceremony of presentation of Credential Letters by foreign Heads of Mission)*

1. The presentation of Credential Letters by the Heads of Mission (Ambassadors) to the Captains Regent, signed by the Head of State of the country to which they belong, shall be the formal act by which Ambassadors, appointed by countries with which the Republic of San Marino maintains diplomatic relations, are accredited to the Republic of San Marino.
2. The Ceremony shall consist of a solemn audience including:
  - a) a speech by the Minister of Foreign Affairs;
  - b) the presentation of Credential Letters by the Ambassadors;
  - c) official photos;
  - d) signing of the Book of Illustrious Guests.
3. The Directorate of Diplomatic Protocol shall prepare the programme of the Ceremony.
4. The ceremonies for the presentation of Credential Letters shall be attended by the press and authorised media.

#### **Article 7**

##### *(Swearing-in of San Marino Diplomatic and Consular Agents)*

1. Diplomatic and Consular Agents appointed by San Marino shall take an oath before the Captains Regent.

2. The ceremony shall normally take place in the hall of the Council of the Twelve.
3. The Minister of Foreign Affairs shall read the oath formula.
4. Following the signature by the Diplomatic or Consular Agent, the Captains Regent shall sign the oath, followed by the signatures of two witnesses - San Marino citizens of full age - and the Minister of Foreign Affairs.
5. The Minister of Foreign Affairs shall introduce the Diplomatic or Consular Agent with a short speech, after which the Diplomatic or Consular Agent shall deliver his or her speech before the Captains Regent.
6. Only one expressly authorised photographer may be present.
7. The Minister of Foreign Affairs may delegate another Minister to carry out his duties during this ceremony.

## **Article 8**

### *(Swearing-in of members of constitutional and institutional bodies)*

1. The swearing-in of members of constitutional and institutional bodies - Members of the Great and General Council, Ministers, members of the Guarantor's Panel, Magistrates, Government Syndics, Heads and Members of the Township Council - shall be the official ceremony by which the office and related powers are formally assumed, by taking the oath before the Captains Regent at the Government Building.
2. The Minister of Internal Affairs, or another Minister expressly delegated by him, shall be responsible for officiating the ceremony and reading the oath.
3. The oath formula may be read out by the person taking the oath or by the Minister through the reading of the oath referred to in paragraph 2. Following the reading of the oath, this shall be signed at the end by the person who took the oath, the Captains Regent, two witnesses with the required legal qualifications and, finally, the Minister of Internal Affairs or the delegate of the Minister who officiated the ceremony.
4. The oath may be preceded by the presentation of the person taking the oath by a Minister, which may be followed by a speech by the person taking the oath.
5. After the oath, the Captains Regent may deliver a speech.
6. The highest offices of the State shall be invited to the ceremony. After hearing the opinion of the Directorate of Diplomatic Protocol, the Captains Regent may invite additional guests.
7. The oath ceremony shall be attended by the press and authorised media.
8. After consulting the Directorate of Diplomatic Protocol, the State Institutional Secretariat may, for special circumstances and taking into account consolidated practices, lay down further requirements.

## **Article 9**

### *(Other oaths)*

1. The provisions of Article 8 shall also apply to oaths provided for by law or practice, including, but not limited to, the oath of naturalised citizens.

## **Article 10**

### *(Six-monthly Arengo)*

1. At noon on the first Sunday following the investiture of the Captains Regent, San Marino citizens of age may submit Istanze d'Arengo (popular petitions) to the Captains Regent, in accordance with the provisions of the *Leges Statutae* and Law no. 72 of 24 May 1995 and subsequent amendments.
2. The ceremony shall take place in the Hall of the Great and General Council with the Guards of the Great and General Council standing in the centre.

3. The ceremony shall be attended by the Minister of Internal Affairs, or another Minister delegated by him, who shall be responsible for reading out all the petitions.
4. The ceremony shall be attended by the press and authorised media.

### **Article 11**

*(Institutional visits in the territory, participation in events in the territory, inaugurations)*

1. The Captains Regent may participate in public events in the territory organised by public bodies and/or private entities if they are sponsored by public institutions or organised in cooperation with such institutions. Except in the aforementioned cases, the Captains Regent may decide to attend public events in the territory, after having consulted the Directorate of Diplomatic Protocol in advance for reasons of expediency.
2. The body or entity organising the event shall issue a formal invitation to the Captains Regent well in advance through the Directorate of Diplomatic Protocol or the State Institutional Secretariat, which shall promptly inform the above Directorate.
3. If the Captains Regent decide to participate, the Directorate of Diplomatic Protocol shall indicate to the Captains Regent the most appropriate protocol requirements for the event.
4. The Captains Regent may carry out institutional visits in the territory, both to public and private entities of particular social, scientific, cultural, artistic, economic and sporting relevance. In this case, too, the Captains Regent shall consult the Directorate of Diplomatic Protocol.
5. If the visit is requested by the public or private entity, the request shall be formally forwarded to the Captains Regent in the manner set out in paragraph 2. If, on the other hand, the visit follows a self-initiative of the Captains Regent, the Directorate of Diplomatic Protocol, after informing the Captains Regent about the expediency of the initiative, shall inform the host organisation well in advance in order to verify its availability and to communicate any protocol details that the Directorate deems appropriate in relation to the specific place and circumstances.
6. The Captains Regent may attend inaugurations, solemn celebrations, unveiling of works, plaques and other similar events if they are related to initiatives promoted by State Institutions or in the public interest.
7. The Captains Regent may also promote institutional events to be celebrated outside the Government Building, in institutional buildings or other State facilities, if these are initiatives of particular social, sporting, cultural, scientific or artistic relevance. In this case too, it shall be up to the Directorate of Diplomatic Protocol to deliver an opinion on the expediency of the event as well as to draw up the relevant protocol.
8. At every event referred to in this Article the Captains Regent shall be accompanied by the Director or an official of the Directorate of Diplomatic Protocol and a Minister or his delegate; the Head of the Township Council of the Township in which the event is held or his delegate shall also always be present.

### **Article 12**

*(Other events)*

1. For any other event not referred to in this Regulation, envisaged by the legislation in force or by established practice, or even for any new institutional and representation initiative involving the Captains Regent, the Directorate of Diplomatic Protocol shall be responsible for expressing its opinion on the expediency of such event and indicating any useful protocol requirements.

### **Art. 13**

*(Private Audiences of the Captains Regent)*

1. Private audiences shall be formally requested to the Directorate of Diplomatic Protocol or to the State Institutional Secretariat, which shall immediately forward them to the aforesaid Directorate. The latter shall forward them, together with an assessment of expediency, to the

Captains Regent, who shall decide whether to grant them. The granting of an audience, even a private one, shall take into account every aspect in order to ensure the utmost protection of the role and dignity of the Captains Regent.

2. Depending on the number of guests, private audiences shall normally take place in the Private Office of the Captains Regent or in the Hall of the Council of the Twelve.

3. The presence of the press and media shall not be permitted, unless the Captains Regent consider it appropriate after consulting the Directorate of Diplomatic Protocol. The Captains Regent may request the presence of a photographer or similar operator to take pictures for private use.

#### **Art. 14**

##### *(Private visits outside the territory)*

1. Visits to sites, exhibitions, expositions and participation in public events of a sporting, cultural, social, artistic or similar nature not consequent to an official invitation pursuant to Article 5 shall be considered private visits outside the territory of San Marino.

2. For such visits, the country in which the event takes place shall not be required to implement the official protocol nor to provide for logistical support or other protocol formalities. Therefore, such visits may only be carried out in those countries where there is a San Marino diplomatic or consular representation.

3. By way of derogation to the provisions of paragraph 2, if the representation referred to in paragraph 2 is not present in the country, the possibility of a private visit outside the territory shall be carefully assessed by the Captains Regent after hearing the opinion of the Ministry of Foreign Affairs and the Directorate of Diplomatic Protocol. In the event that the Captains Regent decide to carry out such visit, they shall be accompanied by a delegation of officials capable, in terms of number and expertise, to compensate for the absence of a diplomatic or consular representation.

4. According to international practice, whenever a Head of State leaves the national territory, either officially or privately, the Authorities of the States of transit and destination shall be notified through diplomatic channels by the Directorate of Diplomatic Protocol. It shall be up to such States to decide whether or not to grant customary courtesies, on the basis of the protocols they apply.

5. In accordance with the constitutional principle of collegiality of the office of Captains Regent, even during private visits outside the territory both Captains Regent shall be present, unless it is impossible for proven reasons of force majeure, which may also justify the cancellation of the visit.

#### **Art. 15**

##### *(Dress code for the Captains Regent)*

1. During National Ceremonies, if provided for by the relevant protocols, the Captains Regent shall wear the traditional Ceremonial Costume of the Captains Regent and the Collar of pro tempore Grand Master of the Equestrian Order of Saint Marino.

2. During the ceremonial and representative events referred to in this Regulation, during visits or trips outside the territory, whether official or private, as well as during all the institutional activities for which the Captains Regent are responsible, they shall wear a dark suit with the institutional pin.

3. The use of other types of clothes, such as, by way of example, a tuxedo or special formal wear, as well as of the Collar of the pro tempore Grand Master of the Equestrian Order of Saint Marino, shall be decided by the Directorate of Diplomatic Protocol taking into consideration the event attended and of the related protocol rules, customs and practices.

4. On particular occasions, an exception to the dark suit shall be permitted, provided, however, that the Captains Regent wear formal and simple clothes.

#### **Art. 16**

*(Dress code requirements for persons attending institutional and representative events of the Captains Regent)*

1. Persons attending the ceremonies and institutional events referred to in Articles 4, 5, 6, 7, 8, 9, 10 and 13 - guests, invitees, officials, service personnel, including press officers, cameramen, photographers - shall be required to wear formal and simple clothes appropriate to the occasion. In particular, men shall be required to wear a jacket, shirt, tie and appropriate trousers; women shall wear a jacket with a skirt or trousers or a dress that is not sleeveless and preferably long-sleeved. Revealing dresses, jeans, trainers or other footwear not in line with the formality and simplicity of the attire shall not be permitted.
2. The provisions of paragraph 1 shall not apply to members of sports teams, athletes and, in general, to all guests whose role involves wearing a uniform.
3. Appropriate attire shall be an essential condition for participating in the aforementioned ceremonies and events. The Institutional Operators shall be responsible for preventing persons wearing attire that does not comply with the requirements contained in this article from entering the room where the ceremony or event is being held.

#### **Art. 17**

*(Rules of Conduct for the Captains Regent to be observed in their private life)*

1. Pursuant to Article 1, paragraph 2, the Captains Regent shall also be required to observe the rules of conduct set out in paragraph 2 in their private life, when they are in a public place or in a place open to the public.
2. The Captains Regent shall:
  - a) refrain from personally driving their motor vehicle;
  - b) refrain from handling money;
  - c) avoid going to public entertainment venues such as, but not limited to, bars or nightclubs. If they enter such premises, the Captains Regent shall do so with an escort, and shall adopt a conduct that ensures the dignity of the role;
  - d) refrain from using personal social network accounts;
  - e) not go out unaccompanied;
  - f) not get involved in discussions of any kind;
  - g) not express their personal convictions and not make public or private and personal statements that may be in conflict with the impartial role of the Captains Regent which they shall respect in all circumstances;
  - h) not take part in conventions, conferences, parties, demonstrations and public events in general organised by political parties or movements;
  - i) not participate in private events, such as inaugurations of private facilities or business activities;
  - l) wear, in public and, in any case, in any place and circumstance that is not strictly private, attire appropriate to their role - formal, simple and elegant - without prejudice to the possibility of wearing sportswear for physical training activities or for holidays outside the territory.
3. With discretion and moderation, the Captains Regent may engage in physical activity or exercise.

#### **Art. 18**

*(Private - personal exits from the national border)*

1. With the exception of brief visits to relatives, for medical reasons or other cases of necessity, leaving the territory of San Marino shall not be considered a conduct in compliance with the rules

and provisions set forth in this Regulation, the established and good practices to be adopted by the Captains Regent even in their private life.

2. Any event occurring as a consequence of the provisions of paragraph 1 shall fall under the exclusive personal responsibility of the Captain Regent, and not of the Directorate of Diplomatic Protocol and the State Institutional Secretariat.

**Art. 19**  
*(The Majordomo)*

1. The Majordomo, already provided for in the *Leges Statutae*, shall be the person who, also by established practice and at the discretion of the Captains Regent, accompanies them on all occasions, both public and private. The assignment is honorary and without remuneration.

2. Unless otherwise agreed between the elected Captains Regent, the choice of the Majordomo shall be the responsibility of the second Captain Regent, who shall select a person with a basic institutional knowledge, seriousness, composure, confidentiality and full availability to carry out the duties that will be assigned to him or her.

**Art. 20**  
*(Duties of the Majordomo)*

1. As part of the Protocol of the Investiture Ceremony of the Captains Regent, specifically at Palazzo Valloni where the presentation of the accredited Diplomatic and Consular Corps and of the Official Speaker takes place, it shall be the duty of the Majordomo to announce clearly and in a solemn tone the list of Guests gathered there to pay tribute to the elected Captains Regent.

2. During the parades, the Majordomo shall stand immediately after the Captains Regent.

3. The Majordomo, following the instructions of the Captains Regent, may accompany them to the events and occasions referred to in this Regulation.

4. The Majordomo, at the discretion of the Captains Regent, may accompany them on official visits abroad, within the limits of the protocol requirements of the event.

**Art. 21**  
*(Conduct of the Majordomo)*

1. If he/she is the sole escort, during private events, the Majordomo may sit next to the Captains Regent, while at public events, he/she shall sit where the protocol indicates.

2. The provisions of paragraph 1 shall also apply when the Majordomo accompanies the Captains Regent outside the territory of San Marino or when he/she is part of a delegation accompanying the Heads of State on an official visit.

3. The Majordomo shall wear attire appropriate to his/her role - formal, simple and elegant. He/she shall comply with and follow the instructions and prescriptions of the Directorate of Diplomatic Protocol.

4. Also for reasons of safety of the Captains Regent, the Majordomo shall maintain strict confidentiality on the activities of the Captains Regent and on all that he/she learns by reason of his/her office. He/she shall refrain from disclosing news and pictures related to this activity as well as from any public statements or comments on it, including through social networks. He/she shall also refrain from engaging in political activity, and avoid any public statements or comments of a political nature.

5. During the entire duration of his/her office and in any situation, whether public or private, the Majordomo shall adopt a conduct appropriate to the role held in order not to harm in any way the prestige and dignity of the Captains Regent.



6. All expenses related to the functions performed by the Majordomo while accompanying the Captains Regent may be charged to the Autonomous Captains Regent Fund.

**Art. 22**  
*(Institutional Operators)*

1. The Institutional Operators (OPSI) - a job specification assigned to the State Institutional Secretariat - shall assist and accompany the Captains Regent.
2. Pursuant to Article 6 of Regulation no. 16 of 23 September 2021, each OPSI shall have adequate knowledge of this Regulation and of the general rules of the Protocol that he is called upon to observe and apply in the performance of his duties, on the basis of the instructions provided by the Directorate of Diplomatic Protocol.
3. Pursuant to Article 4 of Annex B of Delegated Decree no. 162 of 20 September 2021 as amended by Article 13 of Delegated Decree no. 10 of 24 January 2022, for the performance of duties related to the State Protocol, the Institutional Operators shall be under the functional authority of the Director of the Diplomatic Protocol.

**Art. 23**  
*(National ceremonies - Reference)*

1. The following shall be National ceremonies:
  - a) 1 April and 1 October: Investiture Ceremony of the Captains Regent
  - b) 5 February: Anniversary of the Republic's Liberation from the Alberoni's occupation - St. Agatha National holiday
  - c) 25 March: Anniversary of the Arengo - Celebration of the Militia;
  - d) Thursday of the second week after Pentecost: Religious ceremony of Corpus Christi;
  - e) 28 July: Freedom Day - Fall of Fascism;
  - f) 31 July: Ceremony commemorating the escape of Garibaldi;
  - g) 3 September: Anniversary of the Foundation of the Republic - Celebration of patron Saint Marino
  - h) 4 December: Saint Barbara ceremony.
2. The Congress of State shall be responsible for adopting a regulation containing the protocols of the individual national ceremonies within 12 months. Until such day, the provisions contained in the publication "The Protocol of the State", integrated by the provisions introduced over time by the Directorate of Diplomatic Protocol and by established customs and practices, shall apply to the ceremonies referred to in paragraph 1.

**Art. 24**  
*(Final Provisions)*

1. For matters not governed by this Regulation, reference shall be made to customs, established practice and the publication "The Protocol of the State".
2. The Directorate of Diplomatic Protocol, also after consulting the Ministry responsible for Diplomatic Affairs, may at any time, for special events not expressly provided for or regulated, establish specific protocol requirements.

**Art. 25**  
*(Application)*

1. This Regulation shall start to apply from the XXXI Legislature.

*Done at Our Residence, on 29 September 2023/1723 since the Foundation of the Republic*

CAPTAINS REGENT  
*Alessandro Scarano – Adele Tonnini*

THE MINISTER  
OF INTERNAL AFFAIRS  
*Gian Nicola Berti*