



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 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 22 September 2015:

LAW no. 149 OF 30 SEPTEMBER 2015

REGULATION OF SPORTS ACTIVITIES

TITLE I

PURPOSES OF THE LAW AND STATE INTERVENTION

Art.1

(General provisions)

1. This Law shall recognise and establish the right of citizens to practice sports and motor activity, understood as the right to human, social, educational and cultural promotion, as an activity suitable for improving physical and mental capacities, as a factor of prevention and protection of public health and of any condition of discomfort, and as a means of encouraging the aggregation of individuals.
2. In order to put these principles into practice, State's commitment, while respecting and preserving the environment, shall be dedicated to sports facilities, green spaces with amenities, services and organisational structures suitable for promoting the practice and development of sports, motor and recreational activities.
3. The State shall recognise the social function of sport by enhancing the role of voluntary work and sports associations as a cultural and educational tool, promoting respect for rules and solidarity and combating social hardship.

Art.2

(Sports and school)

1. The State shall promote physical education and training in schools of all levels, by enhancing their programmes and employing qualified teaching staff.
2. The State shall also promote closer forms of cooperation between schools and the San Marino National Olympic Committee (hereinafter referred to as the CONS), in coordination with the various educational levels, with the aim of increasing the diffusion of sports activities, also by means of specific regulatory instruments providing for:

- a) promotion of initiatives aimed at the dissemination of Olympism, sports ethics and culture, fostering the cultural, civil and social development of young people;
 - b) increase of physical education hours and strengthening of practice of motor activities in schools of all levels to improve motor and coordination skills and combat physical inactivity;
 - c) prevention and overcoming of all forms of discomfort through school projects that include educational and sports activities to achieve a synergy between intellectual and motor skills;
 - d) coordination - with the various school orders -of activities for the development of psychomotor skills and greater promotion of sport;
 - e) promotion of training courses for school teaching and CONS staff in cooperation with international sports bodies, institutions, entities and universities;
 - f) organisation and conduct of student sport events;
 - g) inclusion of CONS representatives in school commissions and bodies within the framework of their mutual autonomy and competences.
3. School and the CONS may sign specific memoranda of understanding on matters of mutual interest aimed at promoting and regulating specific common competences and activities.

TITLE II NATIONAL SPORT COMMISSION

Art.3

(Establishment, nature and functions)

1. The National Sport Commission shall be established in order to organise sports initiatives and events in a coordinated manner aimed at rationalising resources, pursuing the general interest and achieving the objectives of this Law.
2. The National Sport Commission shall be a consultative body with the task of analysing the organisational, logistical, financial and technical aspects of sports events, leisure time and other activities related to sport, indicating and proposing to the CONS, schools and other competent State bodies any appropriate and suitable initiative to improve and enhance the organisation of sports events in the Republic of San Marino.

Art.4

(Composition)

1. The National Sport Commission shall be composed of the following persons:
 - a) the Minister responsible for Sport, or his/her delegate, who chairs it;
 - b) the Minister of Education and Culture, or his/her delegate;
 - c) the Minister responsible for Youth Policies or his/her delegate;
 - d) the CONS President;
 - e) the CONS Secretary General.
2. An official from the Ministry responsible for Sport shall act as secretary taking the minutes.

Art.5

(Functioning)

1. The National Sport Commission shall meet at least once a year. It shall be convened by the President of the Commission whenever he/she deems it necessary. Ministers, Presidents of National Sports Federations, Associated Sports Disciplines, Sports Associations, public and school managers and directors, consultants or experts may be invited to attend meetings in relation to matters on the agenda which fall within their competence.
2. Participation in the National Sport Commission shall be free of charge and shall not involve any remuneration or attendance fees.

TITLE III
SAN MARINO NATIONAL OLYMPIC COMMITTEE (CONS)

Art. 6
(Purposes)

1. In order to implement sports policy programmes and promote the practice of sport at all levels, the CONS shall be established, under the supervision of the Ministry responsible for Sport, as a public and autonomous body with legal personality, which brings together, groups, coordinates and supervises all affiliated National Sports Federations (FSNs) and Associated Sports Disciplines (DSAs).
2. The CONS shall be responsible for the organisation and development of sport in San Marino. CONS activities, carried out autonomously, shall be free from all religious, political, racial and economic influences and the CONS shall act against all forms of violence in the practice of sports activities.
3. The CONS, whose purpose is to develop and protect the Olympic Movement in the Republic of San Marino, shall not be involved in activities that conflict with the directives of the International Olympic Committee (hereinafter referred to as the IOC) and shall remain committed to preserving its autonomy in full compliance with the IOC Olympic Charter.
4. The purpose of the CONS shall be to promote the fundamental principles and values of Olympism in the Republic of San Marino, particularly in the field of sport and education, through the promotion of sports and education programmes for FSNs and DSAs and schools of all levels, also in cooperation with international sports organisations, physical education institutions and universities, encouraging the creation of institutions, academies, museums for the promotion of programmes, including cultural programmes, engaged in Olympic education.
5. The CONS, together with all FSNs, DSAs and the Social Security Institute (SSI) shall undertake to ensure that sports for athletes with disabilities are promoted and developed, through adequate and suitable resources, in agreement with the relevant affiliated sports organisations referred to in paragraph 4.
6. The CONS shall ensure that disabled athletes participating in the Paralympics and Special Olympics receive the same treatment as able-bodied athletes at the Olympics, in agreement with the relevant sports organisations and, to the extent of their competence, by the San Marino Paralympic Committee and Special Olympics San Marino.

Art.7
(Articles of association and role)

1. The CONS shall be obliged to follow the principles of the international sports system and the guidelines issued by the IOC and shall be responsible for the organisation and strengthening of national sports, in particular the preparation of athletes and the provision of suitable means for the Olympic Games and all other national or international sports events for Olympic preparation.
2. Within the national sports system, the CONS shall also adopt measures for the prevention and repression of the use of substances that alter the natural physical performance of athletes in sports activities. Moreover, it shall encourage the widest possible promotion of sports practice, both competitive and amateur, and support measures in the field of medical care and the protection of athletes' health.
3. The CONS shall monitor, take action against and report to the competent judicial authorities anyone who offers or promises money or other benefits or advantages to participants in a sport competition organised by the FSNs and DSAs recognised by the CONS in order to alter the conduct of the competition and/or achieve a result other than that deriving from the correct and fair conduct of the competition, or who commits other fraudulent acts for the same purpose.

4. The CONS shall recognise specific roles and responsibilities for the promotion and development of sports practiced by athletes with physical or mental disabilities to a multi-disciplinary sports organisation equivalent to a FSN, which deals with and coordinates all the activities and sports practiced by disabled people and liaises with the CONS.

5. The Articles of association of the CONS, drawn up in conformity with the national and international system, shall be adopted by a majority of the elected and ex officio members of the National Council, on the proposal of the Executive Committee. It shall be approved by the IOC and, after the IOC's approval, by the Ministry with responsibility for Sport, within sixty days of its receipt.

6. The Articles of association shall regulate the activities and organisation of the CONS in accordance with the evolution of the international sports system and with this Law, in particular by establishing the procedures for the candidature and election of the President, the Executive Committee and other bodies of the Entity.

Art.8

(Powers and responsibilities)

1. The CONS shall have the powers and responsibilities in the field of public sports activities, however and by whomsoever exercised, and in particular it shall:

- a) draw up a four-year sports policy programme to be approved by its decision-making bodies within six months of the renewal of office;
- b) be responsible for the management, maintenance and control of sports facilities granted for use by the State, to which it shall remain answerable in accordance with Article 10;
- c) draw up an overarching plan of intervention priorities for the construction, including direct construction, of new sports facilities, for the expansion of infrastructures and the improvement of existing ones, to be approved by its decision-making bodies within six months after the renewal of its offices;
- d) issue a mandatory prior opinion on projects for new public sports facilities and works on existing ones, including those intended for school use, relating to motor education activities, and a binding opinion, limited to sports regulatory provisions, for projects for new sports facilities;
- e) coordinate and take care of the organisation of sports activities on the territory of the Republic of San Marino, carried out by the organisations recognised by it, by establishing general principles for the regulation, organisation and performance of sports activities, also for the purpose of supervising the regular and proper conduct of competitions by all the FSNs and DSAs;
- f) establish the fundamental principles with which the FSNs and DSAs shall comply, in order to obtain and maintain recognition for sports purposes, by ratifying their articles of association in accordance with the directives of the International Federations;
- g) participate in the Olympic Games, sending its athletes with exclusive authority to represent the Republic of San Marino. With regard to this, it shall constitute, organise and lead delegations for participation in multi-discipline events sponsored by the IOC and shall be responsible for the behaviour of the members of its sports delegations;
- h) cooperate with the health authorities and bodies responsible for the protection of athletes' health and the prevention of doping, adopting all useful initiatives to prevent and suppress the use of substances and methods that alter athletes' performance in sports;
- i) provide, through its bodies, for the allocation and payment of financial contributions to the FSNs and DSAs, taking into account their budgets, the four-year sports policy programme referred to in letter a) above, the allocation provided for in the State Budget and the internal regulations approved in this regard by its competent bodies;

- l) have the power to decide on the allocation of contributions in favour of sports organisations not affiliated to the CONS, FSNs or DSAs, taking into account their budgets and assessing their appropriateness on the basis of the programmes and activities carried out, and allocate, through its bodies, the contributions received from the State for the financing of any other sports activities or events;
- m) promote, also in cooperation with the FSNs, DSAs and Sports Associations, training, refresher and study activities for technical and managerial staff in cooperation with international sports bodies;
- n) cooperate, in order to achieve its aims, with governmental bodies, with which it shall establish fruitful relations and may submit to the Congress of State, through the Ministry responsible for Sport, proposals and observations concerning sports legislation, taking into account the evolution of the international regulatory system.

Art.9
(Financing)

- 1. The CONS shall pursue its purposes by means of:
 - a) ordinary financial contributions provided for in the appropriate allocation of the State Budget, including those allocated to the Federations, to be distributed in accordance with the terms of this law and the criteria approved by the National Council;
 - b) extraordinary financial contributions, provided for in the appropriate allocations of the State Budget, for the preparation for and participation in the Olympic Games and other similar events for which it is responsible;
 - c) revenues from the concession, management and use of sports facilities;
 - d) contributions from other international sports bodies and/or organisations;
 - e) donations, bequests and gifts from private individuals;
 - f) profits from sports events, television rights to the extent of 80%, sponsorships and merchandising.

The establishment of subsidised sports credit for infrastructural investments and sports equipment of the CONS, the recognised FSNs and DSAs shall be provided for by a specific law.

- 2. Exclusively for the participation in and/or the organisation of international sports events, and in relation to the revenues referred to in letters d), e) and f) of paragraph 1, the CONS may allocate multi-annual provisions within its budget, subject to specific authorisation to be included annually in the Budget Law of the State and Public Entities.
- 3. The CONS, FSNs, DSAs and their affiliated Sports Associations shall enjoy special tax benefits, as established in the legislation on taxation.

Art.10
(Management and use of sports facilities)

- 1. The management and use of state-owned sports facilities may be exercised alternatively:
 - a) by means of loans for use by the CONS, which manages them directly or by delegation through special agreements with the user FSNs and/or DSAs;
 - b) by means of delegated management to private parties through the conclusion of special agreements.
- 2. The competent Ministries shall use State-owned sports facilities, for public, institutional, cultural or tourist needs, subject to agreement with the CONS and the managers referred to in paragraph 1, to whom the sports facilities are entrusted in consideration of planned sports events and activities.

3. The State shall also promote the use of public sports facilities, with the aim of fostering the right to practice sport, including non-competitive sport, by the general public, by providing:
 - a) the facilities available to Schools, outside teaching hours, in the manner laid down in the "Regulation on the loan for use of school gyms" (see Annex "A");
 - b) the facilities in concession to the CONS, FSNs and DSAs, in the manner laid down in the "Rules for the use of facilities for sports or other events" (as set out in Annex "B").
4. The regulations referred to in paragraph 3 shall be an integral part of this Law and may be amended by delegated decree.

Art.11
(Bodies)

1. All affiliated FSNs recognised by the respective International Sports Federations recognised by the IOC and DSAs shall be part of the CONS.
2. The following shall be bodies of the CONS:
 - a) the National Council;
 - b) the Olympic Council;
 - c) the President;
 - d) the Executive Committee;
 - e) the Secretary-General;
 - f) the Board of Statutory Auditors.
3. The members of the CONS bodies shall hold office for a four-year Olympic period. Those who are elected during the four-year period shall remain in office until the end of the term of office of the body to which they belong.
4. The members of the bodies of the CONS may be re-elected or re-appointed for more than one term, with the exception of the President, the Secretary General and the members of the Executive Committee, for whom a term in the same office not exceeding three consecutive four-year Olympic periods shall be envisaged. After this, they may not be re-elected to the same office unless at least four years have elapsed first.
5. In the event of early resignation, the persons referred to in paragraph 2, letters c), d) and e) shall not be re-elected to the same office until at least four years have elapsed.
6. In the event that a person referred to in paragraph 2 letters c), d) and e) holds an office for a period of less than three terms and is elected again but in a different office, the maximum duration of the new office shall be three terms starting from the date of appointment to the new office.

Art.12
(Requirements)

1. Persons holding offices in the bodies of the CONS shall meet the following requirements:
 - a) being San Marino citizens;
 - b) not having been convicted of an intentional criminal offence by a final judgement that has become res judicata and sentenced to imprisonment for a period of more than one year, or to disqualification from public offices for the same period;
 - c) not being declared an unfit party under Article 1 of Law no. 47 of 23 February 2006 and subsequent amendments and integrations;
 - d) not having been disqualified or banned from sports activities for a total of more than one year in the last two Olympic four-year periods by the CONS, an FSN/DSA or a recognised international sports body, unless they have been reinstated;
 - e) not being subject to the incompatibilities provided for in this Law.

2. Any person who has been sanctioned as a result of a violation of the CONS anti-doping sports regulations or the provisions of the World Anti Doping Code of the World Anti Doping Agency (WADA) shall not be eligible.

Art.13

(National Council: nature, composition and duration)

1. The National Council, the highest representative body of San Marino sport, shall be the decision-making, governing and supervisory body and shall harmonise the sports activities of the FSNs and DSAs .

2. The National Council shall be composed of the following ex officio members:

- a) the President of the CONS;
- b) the Presidents of Olympic, non-Olympic and service FSNs;
- c) possible San Marino members of the IOC.

3. The following shall be elected members of the National Council:

- a) the two representatives elected by the Olympic athletes, in accordance with the Olympic Charter pursuant to Article 53, paragraph 6;
- b) the members of the Executive Committee who do not hold the office of President of the Olympic, non-Olympic and service FSNs;
- c) the representatives of the DSAs, elected in accordance with the specific regulations adopted by the National Council;
- d) any San Marino presidents of International or Continental Sports Federations recognised by the IOC.

4. The ex officio and elected members of the National Council shall have the right to vote, taking into account that in accordance with the IOC Olympic Charter, the voting majority shall consist of the votes cast by the representatives of the FSNs affiliated to the respective International Federations related to sports included in the programme of the Olympic Games.

5. The two representatives elected by the Olympic athletes and any San Marino presidents of International or Continental Sports Federations, if they represent a sport included in the programme of the Olympic Games, shall be included in the calculation of this majority.

6. The articles of association of the CONS may provide for the participation of other persons in individual meetings without voting rights.

7. Delegations for participation in the works of the National Council shall only be allowed for the Vice-Presidents and Secretaries General of the FSNs.

8. The functions of Secretary of the National Council shall be performed by the Secretary General of the CONS and, in the event of his/her impediment or absence, by a member of the National Council or of the Executive Committee or by a CONS official designated by the President.

Art.14

(National Council: elections, competences and powers)

1. The ex officio members of the National Council of the CONS shall:

- a) elect the President of the CONS by an absolute majority of its members;
- b) elect a Vice-President from among the Presidents within the National Council provided that he or she has the majority of the votes of those present;
- c) elect five members of the Executive Committee by simple majority of those present, including:
 - three presidents belonging to FSNs;
 - two members who do not hold the office of President of the Olympic, non-Olympic and service FSNs;
- d) elect the Secretary General of the CONS provided that he or she has the majority of the votes of those present.

2. The articles of association of the CONS shall lay down the conditions for the election and representation of the FSNs and DSAs to comply with the Olympic Charter.
3. The National Council shall have the following functions:
 - a) adopting the articles of association, regulations and other regulatory acts within its competence, as well as the relevant interpretative and implementing guidelines;
 - b) drawing up and approving a Four-Year Sports Policy Programme and the Priority Plan for Intervention on Sports Facilities, within six months of the establishment of the new Executive Committee;
 - c) establishing the general guidelines for the Executive Committee's activities in accordance with the Four-Year Sports Policy Programme, as well as the criteria and procedures for the exercise of controls over the Sports Federations, recognised Associated Disciplines and affiliated Sports Associations;
 - d) appointing, upon proposal of the Executive Committee, the members of the Sports Tribunal;
 - e) appointing, upon proposal of the Executive Committee, the members of the Technical Commission of the CONS;
 - f) appointing the members of the National Anti-Doping Organisation (NADO) and its President and establishing additional bodies necessary for activities and disciplinary sanctions relating to doping;
 - g) examining and approving the CONS's budget and balance sheet, its variations, and the Executive Committee's report on the management of the Entity;
 - h) deciding, within six months of the submission of applications, on the affiliations of FSNs and DSAs;
 - i) ratifying the articles of association, regulations and budgets of FSNs and DSAs;
 - l) ordering investigations to ascertain irregularities in the management or operation of the FSNs or DSAs, having also consulted the International Federations, and, in the event of proven violations, appointing Extraordinary Commissioners in charge of extraordinary administration until the case is resolved;
 - m) deciding, by a two-thirds majority of its members, on the suspension and/or revocation of the affiliation of FSNs or DSAs, in accordance with the procedures set out in Article 41;
 - n) establishing, in accordance with the International Sports Regulations and within each FSN or DSA, the criteria for the distinction between amateur and professional sports activities;
 - o) deciding, upon proposal of the Executive Committee, on the administration and accounting regulations of the CONS, the FSNs and the DSAs, as well as on the control procedures for affiliated Sports Associations;
 - p) deciding on any other matter put forward by the President or the Executive Committee or whose inclusion on the agenda is requested by at least one third of the ex officio members;
 - q) issuing autonomous internal regulations of an administrative, technical and operational nature to guarantee the activities of the Entity, as well as the general criteria for the regular and proper holding of competitions in accordance with the aims of this Law and that do not conflict with the national and international sports regulations and the legislation in force;
 - r) ordering the temporary suspension or, in the event of serious reasons, the revocation of the mandate of the members of the Executive Committee by a two-thirds majority of its members;
 - s) deciding on the allocation of financial contributions to FSNs, DSAs, non-affiliated Sports Associations and any other sports activities or events;
 - t) ratifying, at its first meeting, the emergency decisions taken by the Executive Committee on its behalf.

Art.15

(National Council: convocation, constitution and decisions)

1. The National Council shall be convened by the President at least twice a year for the approval of the budget and the balance sheet and for the renewal of offices, no later than 31 March of the year following the year of the Olympic Games.
2. The National Council shall be held on first and second call. The first call shall be valid with the presence of an absolute majority of the members entitled to vote; the second call shall be valid with the presence of at least one third of the members entitled to vote and shall be convened half an

hour later on the same day and location as the first call.

3. The President or the majority of the members of the Executive Committee may convene the National Council whenever they deem it necessary and shall also convene it within thirty days if at least one third of the ex officio members of the National Council make a justified request in writing.

4. The President shall be responsible for convening the meeting. In the event of his/her absence or impediment, the meeting shall be convened, in order, by the Vice President or the oldest member of the Executive Committee or the National Council.

5. The notice of the meeting shall be prepared by registered letter or by e-mail, and shall contain the agenda to be sent eight days before the date set for the meeting to all members of the National Council and shall be communicated to the Minister responsible for Sport and to the members of the Board of Statutory Auditors. Individual members of the National Council with voting rights shall communicate how they choose to receive the notice of meeting in a written declaration.

6. In cases of absolute necessity, the President may convene the National Council with a one-day notice, adopting the urgency procedure.

7. Decisions shall be adopted by a simple majority of those present entitled to vote, unless otherwise qualified majorities are provided for in this Law or in the articles of association. In the event of a tie the President shall have the casting vote.

Art.16

(Olympic Council: composition and decisions)

1. The Olympic Council shall be composed of the President of the CONS, who shall preside over it, the Presidents of the Olympic Federations related to a sport included in the programme of the Olympic Games, the members of the Executive Committee from outside the National Council, two representatives of the Olympic athletes and the San Marino members of the IOC, if any, and the San Marino Presidents of the continental or international Sports Federations, if the latter represent sports included in the programme of the Olympic Games.

2. The Olympic Council shall decide, by an absolute majority of its members, on the participation in the Olympic Games and all similar events and shall designate, upon indication by the Technical Commission, the sports disciplines and the athletes participating therein on the basis of the defined qualification criteria.

3. The Olympic Council shall also decide, by an absolute majority of its members, on Olympic issues, in accordance with the Olympic Charter. In the event of a tie the President shall have the casting vote.

4. Delegations for participation in the works of the Olympic Council shall only be allowed for the Vice-Presidents and Secretaries General of the Olympic Federations.

5. The functions of Secretary of the Olympic Council shall be performed by the Secretary General of the CONS and, in the event of his/her impediment or absence, by a member of the Olympic Council or of the Executive Committee or by a CONS official designated by the President.

Art.17

(President)

1. The President of the CONS shall be elected by the National Council and appointed by regency decree.

2. He/she shall remain in office for a four-year Olympic term and shall be the legal representative of the CONS, also within the framework of International Sports Organisations. He/she shall convene and preside over meetings of the National Council, the Olympic Council and the Executive Committee, implement their decisions and have the right to vote.

3. In the event of his/her absence or impediment, the President shall be replaced by the Vice President or, in his/her absence, by the oldest Federal President of the Executive Committee.

4. The President may adopt particularly urgent and necessary decisions, even without prior authorisation by the Executive Committee, subject to subsequent ratification at the earliest possible meeting.

5. The office of President shall be incompatible with managerial posts within FSNs, DSAs and affiliated Sports Associations.

Art.18

(Executive Committee: composition and incompatibilities)

1. The Executive Committee shall be composed of the President of the CONS who shall preside over it, a Vice-President, five members elected by the National Council, any San Marino members of the IOC, and the Secretary General who shall participate without voting rights.

2. All members of the Executive Committee, including the President and the Secretary General, shall be incompatible with managerial posts in DSAs and affiliated Sports Associations, with management and representative functions within political parties or movements, trade union organisations, with the office of member of the Great and General Council and the Congress of State, Presidents or Directors of Public or state-owned Entities.

3. Incompatibility with offices within the Executive Committee, with the exception of the Secretary General, shall also be extended to those who receive a prevailing personal income from sports or related activities falling within the competence of the CONS, as well as to CONS employees or officials of the Ministry responsible for Sport.

4. If the members of the Executive Committee find themselves in a situation of permanent conflict of interest, they shall be deemed incompatible with the office they hold and shall be removed from office. If the conflict of interest is limited to individual decisions or acts, the person concerned shall refrain from taking part in them.

Art.19

(Executive Committee: duration and powers)

1. The Executive Committee shall hold office for the entire four-year Olympic period and, in compliance with the laws in force and the decisions of the National Council, shall exercise its functions and have the following powers:

- a) drawing up the draft CONS articles of association to be proposed to the National Council, as well as adopting the appropriate technical and operational internal regulations to implement the Entity's purposes;
- b) providing for the governance and administrative management of the Entity in accordance with the directives of the National Council;
- c) exercising supervisory powers, on the basis of the criteria and procedures established by the National Council, over the FSNs, the DSAs with regard to the regular holding of competitions, Olympic preparation and the sports activities of Athletes of National Interest and the use of financial contributions;
- d) preparing the management report, the budget, its amendments and the balance sheet for submission to the National Council for approval;
- e) deciding on the regulation and organisation of the services and offices of the CONS and on the number of staff in the Entity, making proposals for the recruitment and management of staff to the competent Heads of Departments and to the Director of Civil Service;
- f) examining the budgets and balance sheets approved by the FSNs and DSAs, to be drawn up in accordance with a standard model, exercising control and guidance functions over the services and the recognised FSNs and DSAs;
- g) examining the articles of association and internal regulations of the FSNs and DSAs and proposing them for ratification approval by the National Council;
- h) ordering inspections in the event of alleged irregularities in the activities and administrative management of the FSNs and DSAs and affiliated Sports Associations by drawing up a report and submitting to the National Council, in the event of verified serious violations, the proposal for their extraordinary administration, in the event that they are found to be unable to operate or in

the event of failure to comply with the fulfilments necessary for the regular conduct of sports competitions or the temporary suspension or revocation of the recognition and affiliation of the CONS referred to in Article 41;

- i) adopting emergency decisions in place of the National Council and submitting them for ratification at the earliest possible meeting;
- l) proposing to the National Council the appointment of members of the Technical Commission, the Sports Tribunal and members of other bodies or committees falling within its competence, as provided for by this Law or by the articles of association of the CONS;
- m) deciding on the actions and defence of the Entity in court, as well as on all matters not expressly reserved for the National Council or the President;
- n) delegating operational responsibilities for the functions falling within its competence and establishing commissions or study-work groups, assigning tasks, determining their duration and possible remuneration;
- o) establishing the criteria for the allocation of contributions relating to the preparation and participation of athletes in the Olympic Games and other similar events within the responsibility of the CONS;
- p) making proposals for amendments and comments on sports legislation to the Ministry responsible for Sport, taking into account the needs and developments in the national and international regulations;
- q) establishing and identifying the general criteria for sports justice proceedings, proposing sports justice regulations to the National Council for approval and implementation.

Art.20

(Executive Committee: convocation of meetings and removal of members)

1. The Executive Committee shall be convened by the President normally once a month and whenever the President deems it necessary, or when at least the majority of the members with voting rights request it in writing.
2. Meetings of the Executive Committee shall be valid if the majority of its members are present.
3. Decisions shall be taken by a simple majority of those present, in the event of a tie the President's vote shall prevail.
4. If, during the four-year period, a member of the Executive Committee misses more than three consecutive meetings without a valid and justified reason reported in writing, he/she shall be deemed to have resigned ex officio or for any other reason, shall cease to hold office. At the earliest possible meeting, the National Council shall replace him/her in accordance with the procedures provided for in the Articles of Association.
5. The mandate of the members of the Executive Committee may be temporarily suspended or revoked for serious reasons by the National Council by a two-thirds majority of its members.

Art.21

(Executive Committee: replacement and removal from office of the President, Secretary General or all members)

1. In the event of resignation of the President or Secretary General of the CONS, the Executive Committee shall convene the National Council within forty days to replace them, in accordance with the procedures laid down in the articles of association.
2. In the event of simultaneous resignation and/or removal from office of the majority of the members of the Executive Committee, the President of the CONS or, on his/her behalf, the Vice President or the oldest member of the Executive Committee, shall convene the National Council within forty days to elect a new Executive Committee, in accordance with the procedures laid down in the Articles of association.

Art.22

(Minutes of the meetings of the National Council and the Executive Committee)

1. Minutes of the meetings of the National Council, the Olympic Council and the Executive Committee shall be drawn up by the Secretary General or, in his/her absence, by a member or official designated by the President and under his/her responsibility.
2. The minutes shall be made public on a special section of the CONS website and shall always be available upon request at the CONS offices.

Art.23

(Secretary General)

1. The Secretary General of the CONS shall be elected by the ex officio members of the National Council and shall be chosen from outside the National Council from among persons with appropriate technical and professional qualifications. He/she shall hold office for the Olympic cycle and may be reappointed.
2. The Secretary General shall implement the decisions of the National Council, the Olympic Council and the Executive Committee availing himself/herself of the Entity's staff, the facilities and personnel of the CONS offices.
3. The Secretary General shall coordinate the sports activities of the CONS, taking care of relations with the FSNs, DSAs and International Sports Organisations. He/she shall ensure that the minutes of the meetings of the National Council, the Olympic Council and the Executive Committee are duly kept.
4. The office of Secretary General shall be incompatible with managerial posts within FSNs, DSAs and affiliated Sports Associations.

Art.24

(Legal and economic framework of the Secretary General)

1. For the duration of his/her term of office, the Secretary General of the CONS, if employed by the State or Public Entities, shall be placed on administrative secondment, or if employed by a private employer, on leave of absence.
2. The Secretary General shall receive the remuneration provided for in Annex "F" of the Law on Public Employment, without prejudice to any more favourable treatment.
3. During the period of secondment, if he/she is a public employee, the Secretary General shall remain the holder of the post of origin, with recognition of seniority of service and incidental remuneration items and any other present and future regulatory and economic rights linked to the post of origin.
4. The resulting remuneration shall be charged to the CONS budget.

Art.25

(Composition and incompatibilities of the Board of Statutory Auditors)

1. The Board of Statutory Auditors shall consist of a President and two members appointed by the Great and General Council, whose members shall be entered in the Register of Auditors kept by the competent Ministry.
2. Incompatibilities for members of the Board of Auditors shall be the same as those laid down in Article 18, paragraphs 2) and 3), for members of the Executive Committee.

Art.26

(Term of office and powers of the Board of Statutory Auditors)

1. The Board of Statutory Auditors shall remain in office for a four-year Olympic period and shall have the following powers:

- a) carrying out checks on the management of the Entity and verifying that accounting books and records are properly kept;
 - b) supervising compliance with laws and regulations;
 - c) verifying balance sheets and budgets;
 - d) carrying out cash verifications;
 - e) drawing up the report to be submitted to the Congress of State at the end of each financial year on the accounting management of the CONS.
2. The Board of Statutory Auditors shall attend the meetings of the National Council and the Executive Committee.

Art.27
(Remuneration)

1. The President and the members of the Executive Committee of the CONS shall receive a fixed monthly remuneration and an attendance fee, as regulated by Delegated Decree no. 47 of 31 March 2014.
2. The President and the members of the Board of Statutory Auditors shall receive a fixed monthly remuneration and an attendance fee, as regulated by Delegated Decree no. 47 of 31 March 2014.
3. Likewise, the members of the Sports Tribunal, a sports justice body appointed by the National Council, shall receive an annual remuneration determined by the Executive Committee.

Art.28
(Control over bodies and extraordinary administration)

1. By means of a decision approved by a two-thirds majority of its members, the National Council may order the removal of the President and of the Executive Committee of the CONS, for continued non-compliance with the legal provisions and for serious administrative irregularities that jeopardise the normal functioning of the Entity.
2. The National Council shall appoint an Extraordinary Commissioner, with ordinary administration powers and a six-month term of office, during which the bodies subject to revocation and/or dissolution measures shall be reconstituted.
3. An appeal against the dissolution of the bodies of the CONS may be lodged with the judicial authorities within thirty days of notification.

TITLE IV
SPORTS FEDERATIONS, ASSOCIATED DISCIPLINES AND AFFILIATED ASSOCIATIONS

Art.29
(Nature and purpose of National Sports Federations)

1. National Sports Federations (FSNs) recognised by and affiliated with the CONS shall be non-profit entities that may have legal personality, responsible for the organization and enhancement of sports, technical and athletic preparation within individual sports disciplines, the designation of athletes of national teams to participate in international competitions, and the registration of technical staff, doctors, match officials, collaborators and all others involved in federal sports activities.
2. FSNs may take on legal personality of their own initiative or upon express request of the CONS, decided by the Executive Committee and approved by the National Council.
3. Furthermore, it shall be the responsibility of the FSNs to promote, organize and coordinate, including financially, in cooperation with affiliated Sports Associations, sports activities and the various national and international events in compliance with sports regulations, the rules of the World Anti-Doping Code, in accordance with the principles of ethics and sportsmanship and with the national and international sports regulations.

4. In close cooperation with the CONS, the FSNs shall participate in the implementation of initiatives and projects reserved for them concerning the dissemination of sports culture, the strengthening and development of competitive activities with special attention to the preparation of athletes for participation in the Olympics and other similar events.

5. The FSNs shall carry out the sports and related promotional activities for which they are responsible, in accordance with the decisions and guidelines of the CONS, the IOC and the respective International Federation, provided that they are not in conflict with the decisions and guidelines of the national sports regulations.

6. FSNs shall be granted technical, organisational and management autonomy, under the supervision of the CONS.

Art.30

(Headquarters - Type)

1. FSNs shall be based in the territory of the Republic of San Marino.

2. FSNs shall consist of the affiliated Sports Associations and their members who are registered with the Federation and, only in the cases provided for by this law and/or the Articles of Association of the CONS, in relation to the particular sports activity, also of individual members.

3. FSNs affiliated to the CONS shall be of three types:

- Olympic Federation;
- Non-Olympic Federation;
- Service Federation.

4. An Olympic Federation shall be a sports federation, recognised by an International Federation recognised by the IOC, which, according to its Articles of association, shall regulate and govern a sport included in the programme of the Olympic Games.

5. A Non-Olympic Federation shall be a sports federation, recognised by an International Federation recognised by the IOC, which shall regulate and govern a sport not included in the programme of the Olympic Games.

6. A Service Federation shall be a sports organisation whose members cooperate, in various capacities and with specific competences, with the Olympic and Non-Olympic Federations, in the performance of athletes' sports activities and ensure the smooth running of sports competitions organised within and outside the Republic of San Marino.

Art.31

(Common and essential requirements for the establishment of Olympic and Non-Olympic Federations)

1. The following shall constitute common and essential requirements for establishing an Olympic or non-Olympic Federation for the purposes of recognition and maintenance of affiliation to the CONS:

- a) having one or more affiliated Sports Associations with a total of at least one hundred members, as defined below under letter f), who are registered with the Federation;
- b) being affiliated to an International Olympic Federation or otherwise recognised by the IOC;
- c) organising sports events in the territory or at an international level;
- d) having competitive athletes performing their activity both domestically and internationally;
- e) having its own technical sector;
- f) having members falling within the following categories:
 - 1) people performing non-competitive sports activities;
 - 2) competitive athletes (performing competitive activities divided into categories);
 - 3) sports managers (members of elected bodies or appointed to managerial posts by the CONS, the FSN, DSA or affiliated Sports Associations);

- 4) technical staff, instructors and coaches, with the appropriate federal licence;
 - 5) auxiliary staff (match officials, judges, referees, medical personnel and accompanying persons);
 - 6) supporters, benefactor and honorary members (or members who do not fall into the above categories).
2. Service Federations shall be exempt from the obligations provided for in this Article and a special regulation approved by the National Council shall regulate the limitations and requirements for their determination, recognition and affiliation to the CONS.

Art.32

(Registration with Olympic and non-Olympic Federations)

1. Individual registration with the Olympic and non-Olympic Federations shall mandatorily take place through membership of an affiliated Sports Association, except for the categories envisaged in Article 31, paragraph 1, letter f), points 3), 4), 5) and 6), for which the individual Federations may provide for direct or affiliated membership.
2. The affiliated Sports Associations and their individual members who expressly request it, shall acquire the status of federates.
3. With regard to Article 31, paragraph 1, letter f), point 1), an exception shall be provided for on the basis of a specific regulation approved by the National Council, limited to those San Marino athletes who reside abroad or who, although residing in the territory, perform continuous sports activities mainly only abroad or who, due to international regulations and/or bilateral agreements between the respective Sports Federations to which they belong or due to any other impediment, cannot be simultaneously registered both in a San Marino and in a foreign Sports Association.
4. Registration in more than one Sports Association affiliated to the same FSN shall not be permitted, with the exception of cases relating to Federations governing several sports disciplines that are affiliated to International Federations and to the inclusion of the same person in different categories that are compatible with the Articles of association.
5. All FSN registered members shall comply with the rules of the National and International Regulations and carry out their activities in accordance with the principles of sports ethics, fair play and sportsmanship.

Art.33

(Regulation of the FSNs)

1. For the same sports discipline, only one FSN may be established that is affiliated to an International Olympic Federation or in any case recognised by the IOC.
2. The regulation of the FSNs, both in their articles of association and in their regulations and administrative rules, shall be in harmony with the National and International Sports Regulations.
3. FSNs shall be governed by Articles of Association, approved by the General Assembly and ratified by the National Council of the CONS together with any amendments that may be necessary.
4. FSNs shall adopt their own regulations containing the technical and administrative rules relating to the functioning of the FSN and its affiliated Sports Associations and the performance of the sports activity they manage and regulate.
5. FSNs shall recognise and comply with the regulations issued by the CONS and shall annually issue or renew the federal membership card to their members and affiliates referred to in Article 31.
6. The list of affiliates and registered members shall be transmitted annually to the CONS in accordance with the terms and modalities laid down in the internal provisions approved by the Executive Committee.

Art.34

(Bodies and competences of the FSNs)

1. The essential bodies of the FSNs shall be the following:
 - a) the General Assembly;
 - b) the President;
 - c) the Federal Council.
2. Depending on the complexity of their organisation, FSNs may establish additional bodies.
3. The General Assembly shall be the highest body of the Federation. It shall be composed of all the members and/or their representatives included in the federal lists, as annually sent to the CONS, and it shall be governed by its own statutory rules based on the principle of internal democracy.
4. The managerial posts of the FSN shall be incompatible with the managerial posts of their affiliated Sports Associations.
5. Through their bodies, FSNs shall administer and manage funds, revenues and resources to pursue the aims laid down by law and by the federal articles of association, in the interests of their members.
6. All managerial posts within the FSNs, with the exception of those who dedicate themselves to the administration of the sport for consideration and without voting rights, shall be free of charge, except for the reimbursement of expenses related to the performance of their activities.

Art.35

(Election of Sports Federation Managers)

1. Managers of the Olympic, non-Olympic and service Federations may be San Marino citizens or foreigners residing in the Republic of San Marino.
2. The President of the Federation shall be a San Marino citizen.
3. San Marino and foreign members resident in the Republic of San Marino shall have the right to vote at the General Assembly for the election to federal posts.
4. The modalities, terms, forms, representations and majorities for the election of federal bodies shall be established by the individual articles of association and regulations of the FSNs, DSAs and the CONS.
5. The right to vote for non-elective Assemblies shall be regulated in terms of modalities by the individual FSNs and by the basic principles for the federal articles of association of the CONS and shall in any case be guaranteed to all regularly affiliated Sports Associations.
6. In the event of disputes concerning the results or procedures of election to the federal bodies, an appeal may be lodged with the Sports Tribunal.

Art.36

(Incompatibilities)

1. Those who hold managerial posts within a given federation shall not simultaneously hold managerial posts in a sports association affiliated to it or hold managerial posts in other FSNs or DSAs.
2. With the exception of the provisions of Paragraph 4, national competitive athletes who perform competitive activities within the framework of their Federation or athletes selected to be part of national teams for participation in international events and competitions shall not hold managerial posts in FSNs.
3. Without prejudice to the provisions of paragraph 5, coaches, technical staff, doctors, match officials, consultants and anyone who has an employment relationship with the Federation to which they belong, employees of the CONS and officials of the Ministry responsible for Sport shall not hold managerial posts in FSNs.

4. In their articles of association, FSNs may provide for the establishment of an Athletes Commission and the election of one of their representatives to the Federal Council with the right to vote, elected from among the athletes who are members of the same Sports Federation.
5. In their Articles of Association, FSNs may provide for the election of a representative of the technical staff and the coaches to the Federal Council with the right to vote, elected from among the technical staff and the coaches who are members of the same Sports federation.
6. Incompatibility to hold managerial posts, with the exception of representatives elected to the Federal Council of a Federation pursuant to paragraphs 4 and 5, shall also be extended to those who:
 - a) earn a prevailing personal income from the related sports activity;
 - b) are lineal relatives and relatives by affinity in the first degree and collateral relatives and relatives by affinity in the second degree, spouses and non-marital cohabitants of elected or appointed employees and managers in the same Federation.
7. In the event of conflicts of interest that are temporary or limited to individual decisions, the Federal Council members concerned shall abstain from taking part in the decisions.
8. If members of the Federal Council find themselves in situations of incompatibility or permanent conflict of interest, they shall resign from their post within one month. If they fail to do so, they shall be removed from office by a decision of the Federal Council adopted at its first possible meeting.

Art.37

(Renewal of elective posts)

1. The FSNs, the DSAs, the Athletes Commissions and the Olympic Athletes Commission, shall renew their managerial posts no later than 31 January of the year following the celebration of the Summer Olympic Games, in accordance with the procedures laid down in their own statutes, articles of association, regulations and the provisions issued by the CONS.

Art.38

(Application for affiliation)

1. FSNs affiliated to the respective International Federations related to sports included in the programme of the Olympic Games or that are otherwise recognised by the IOC and have been active for at least two years may apply to the CONS for recognition and affiliation in direct or associated form.
2. The application for recognition shall be made in writing and accompanied by the following documents:
 - a) Articles of Association, an updated list of Affiliated Sports Associations and their members, the names of the members of the Federal Council with an attached certified copy of the minutes of the meeting during which they were elected;
 - b) documented report of the sports activity carried out, participation in and/or organisation of events, results achieved and activity programmes.
3. The presence of specific sports facilities in the territory and any international technical-sports cooperation agreements shall constitute elements for further consideration and evaluation, although these are not binding.
4. The National Council shall decide on applications for affiliation within six months of the filing of the application for affiliation, amendment or revocation of affiliation.
5. Sports Federations that do not meet the sufficient legal requirements to apply for recognition and affiliation with the CONS as an FSN or DSA shall nevertheless be obliged, insofar as they are compatible, to comply with the rules of this Law and with the national and international sports regulations.

Art.39
(Forms of affiliation)

1. If the request for affiliation is made by a Sports Federation that is not related to a sport that is part of the programme of the Olympic Games, the application for affiliation shall be submitted, in the first instance, in associated form with a National Sports Federation already affiliated to the CONS and considered to be more similar in terms of type of discipline and sports activity than the International Federation.
2. If this is not possible, the Sports Federation may apply, in the second instance, for recognition and affiliation, in direct association with the CONS, as an Associated Sports Discipline in accordance with Article 40.
3. A special regulation prepared by the Executive Committee and approved by the National Council shall govern the recognition and affiliation procedures in both cases.

Art.40
(Associated Sports Disciplines)

1. The CONS may recognise Associated Sports Disciplines (DSA) as sports organisations equivalent to FSNs, which carry out their activities without any profit-making purpose, either by affiliating them to an already recognised FSN or by associating them directly with the CONS
2. Without prejudice to the provisions of Article 39, DSAs may apply for affiliation in associated form to the CONS on the basis of the regulation referred to in the last paragraph of that Article.
3. The application for recognition and affiliation of the DSA shall be subject to the following conditions:
 - a) the sports discipline in question shall not already be the subject of an FSN already recognised by the CONS;
 - b) it shall have an appropriate organisational and management structure including the possibility of having legal personality;
 - c) it shall have a statutory and regulatory system, which shall refer to the national sports system, to the rules of the CONS and to the International Federation of reference, if any, subject to specific derogations provided for in the special regulations for DSAs;
 - d) it shall have been continuously involved in sports activities for at least two years, including participation with its own athletes in sports events within and outside the Republic of San Marino.
4. DSAs may participate in the works of the National Council in the manner laid down in a specific regulation, which shall also regulate the number of representatives and voting rights in the National Council.

Art.41
(Suspension, modification and revocation of affiliation)

1. If there is a well-founded suspicion of dysfunctions, non-compliance with the rules and statutory purposes, with particular regard to the performance of sports activities and administrative correctness by the FSNs and DSAs, the National Council shall instruct the Executive Committee, if the latter has not already done so autonomously, to arrange for investigations and checks, in order to draw up a preliminary report.
2. In the event that, after an initial summary examination, the alleged dysfunctions and non-compliances prove to be justified, the National Council shall adopt a decision notifying the alleged violations by registered letter with acknowledgement of receipt to the FSN or DSA under investigation, and scheduling a hearing to be held in cross-examination no earlier than fifteen days after the notification.

3. FSNs or DSAs shall be entitled to submit evidence by means of witnesses and documents as well as defence allegations up to a further 15 days following the hearing.
4. The National Council, at the end of the investigation procedure, shall adopt by a majority of two-thirds of its members, the act of acquittal from the charges or of temporary suspension or revocation of affiliation to be notified within fifteen days, by registered mail, to the FSN or DSA concerned.
5. An appeal against the above decisions may be lodged with the Sports Tribunal within 30 days of notification.
6. The proceedings referred to in the preceding paragraphs shall be without prejudice to the adoption of an extraordinary administration measure, as referred to in Article 14, paragraph 3, letter l).
7. The maintenance or change of the modality of affiliation to the CONS as an FSN/DSA shall be governed by specific regulations issued by the Executive Committee and approved by the National Council.

Art.42

(Sports Associations - nature and purpose)

1. Sports Associations shall be organised private groups with non-profit purposes and governed by articles of association; they shall constitute the primary form of aggregation for the development, promotion and performance of sports and motor activities.
2. Membership and resignation shall be voluntary and access to corporate positions shall be by election, in accordance with the articles of association and the relevant rules if the association is affiliated to the relevant FSN or DSA.
3. Sports Associations may apply for affiliation to the relevant FSN or DSA on which they depend from a technical and discipline-related as well as administrative point of view.
4. Sports Associations with legal personality shall be obliged to comply with the rules on bookkeeping, including the obligation to draw up a budget, a list of members and the keeping of minutes, in the manner laid down by law.
5. Sports Associations without legal personality that intend to become affiliated with FSNs or DSAs if this option is provided for in their articles of association, shall submit the required administrative documents, including the report on activities and funding, as provided for by the federal or DSA rules.
4. All Sports Associations shall make available to their respective FSNs or DSAs the national athletes selected to be part of the federal national teams in accordance with the rules of the CONS, the National and International Sports Regulations.
6. Multi-sports Associations may apply for affiliation to the relevant FSN or DSA according to the sector of activity.
7. Multi-sports Associations shall comply with the obligations set out in the preceding paragraphs.
8. In the event of denial of affiliation by the FSN or DSA, the Sports Associations concerned shall be allowed to appeal to the Sports Tribunal.

Art. 43

(Financing of Federations, Associated Disciplines and Sports Associations)

1. The FSNs and DSAs shall pursue their aims by means of the financial support provided annually by the CONS, pursuant to Article 9, paragraph 1, letter a), as well as by any income from the management of sports facilities, contributions from other public or private Entities, international sports organisations, donations and gifts from private individuals, income from sports events, television rights, sponsorship and merchandising.
2. Sports Associations that are not affiliated to Sports Federations or Associated Disciplines or other legally recognised sports organisations may receive contributions from the CONS pursuant to Article 8, paragraph 1, letter l).

3. FSNs, DSAs and Sports Associations may also access subsidised sports credit for infrastructure investments, as well as enjoy tax benefits established by the State and determined by tax law.

Art. 44

(Commission for the Organisation of International Sport Events)

1. The Commission for the Organisation of International Sports Events shall be established and shall consist of one member designated by the Ministry responsible for Sport and one member designated by the CONS Executive Committee. The President of the relevant FSN or DSA or his/her delegate shall be invited to participate on a case-by-case basis.

2. If the Commission deems it necessary, it may invite directors, consultants or specially delegated representatives of the Police Forces to attend meetings in connection with the matters falling within their competence that are on the agenda of the meetings.

3. The Commission shall grant prior authorisation for the organisation of major international sports events on San Marino territory or in equivalent venues. The Commission's authorisation shall be binding for the relevant FSNs or DSAs. For the purpose of granting the authorisation, the Commission shall convene the promoters applying for the organisation of major sports events, and issue a mandatory prior opinion on the availability of funding, facilities, services, organisational capacity, security and public order.

4. It shall meet upon initiative of the Ministry responsible for Sport, based on requests made by the promoters of the event.

5. The authorisation shall be issued prior to the formal involvement of the promoters of the event at an international level.

Art. 45

(Register of Affiliated Sports Associations)

1. In order to certify the regular affiliation of Sports Associations to FSNs or DSAs, a Register of Affiliated Sports Associations shall be set up at the CONS.

2. The inclusion in the Register of Affiliated Sports Associations shall be compulsory to confirm the status of sports association affiliated to an FSN or DSA recognised by the CONS in order to access public funding and enjoy the tax benefits provided by law in the field of sport.

3. Registration shall be annual and shall be carried out with the transmission by the FSNs/DSAs of the Articles of Association of the Sports Association, subsequent amendments and modifications and a signed declaration of the business name, the statutory purposes, together with the names of the President or legal representative and the members of the Board of Directors with decision-making powers.

4. Multi-sports Associations shall register for each of their sections relating to a sports activity attributable to the various Federations or Associated Disciplines and indicate the sports managers, with decision-making powers, who shall be the contact persons for each FSN or DSA recognised by the CONS.

5. A special CONS regulation shall establish the terms and methods of access to the Register of Affiliated Sports Associations, as well as the method of transmitting data and the necessary administrative documents.

Art. 46

(Technical Commission)

1. The CONS Technical Commission shall be appointed by the National Council upon proposal of the Executive Committee.

2. The members of the Technical Commission shall perform the tasks listed in the relevant job description, carrying out study, organisational and technical supervision activities under the coordination of a delegate of the Executive Committee.

3. Within the Technical Commission, service relationships, working methods, schedules, timetables and anything else shall be agreed upon according to flexibility criteria that shall in any case guarantee the fulfilment of the planning commitments undertaken, which shall be assessed by the competent bodies of the CONS .

Art. 47

(Athletes of national interest)

1. The Technical Commission shall identify and indicate to the Executive Committee any Athletes of National Interest (AIN), who shall be designated periodically by the CONS on the basis of proven international competitive achievements.

2. If the necessary technical and competitive prerequisites are met, intervention programmes shall be defined for AINs by the CONS in order to enhance their performance and promote their sports growth.

3. For the accomplishment of these purposes, the Public Administration, and mainly the School, shall be committed to offer, upon request of the CONS, their cooperation in connection with the AINs' participation in specifically implemented and approved long-term sports projects for the pursuit of high-value competitive achievements. The School shall also undertake to offer individualised teaching programmes, in compliance with the educational objectives set out in the school programme, with a view to the pursuit of competitive results, in a manner to be defined together with the school directorate concerned.

4. With regard to this, the CONS may propose initiatives aimed at fostering and developing the projects referred to in paragraph 3, also to Autonomous and State-owned Entities, Military and Police Corps, as well as private companies, including agreements and memoranda of understanding with public or private managers and contact persons.

TITLE V

AMATEUR AND PROFESSIONAL SPORTS ACTIVITIES

Art.48

(Professional and amateur sports activities)

1. Sports activity, whether carried out individually or collectively, professionally or as an amateur, shall be free, recognised and protected.

2. For the purposes of this law, all activities carried out by FSNs, DSAs and Sports Associations affiliated to them shall be considered amateur activities with the exception of the provisions of paragraph 3.

3. Professional sportspeople shall be athletes, coaches, technical and sports managers, athletic trainers and collaborators who, mainly operating in the sports sector, perform their sports activities for consideration on an ongoing basis within the framework of the disciplines regulated by the CONS. They shall obtain the necessary qualification from the competent FSN or DSA, in accordance with the rules issued by them, in compliance with the directives established by the CONS for the distinction between amateur and professional activities.

4. The performance of sports activities for consideration shall constitute the subject of a contract of employment, governed by the applicable legal system, when it is continuous and represents the prevailing source of income.

Art.49

(Professional sports clubs and multi-discipline league)

1. Professional sports clubs shall be those clubs that participate in the respective professional, national and international championships and whose athletes predominantly perform sports activities.
2. Only Sports Associations constituted in the form of joint-stock companies or limited liability companies may enter into contracts with professional athletes, in accordance with Law no. 47 of 23 February 2006 and subsequent amendments and integrations. They may do so only after having obtained, for their sports discipline, the prior authorisation of the respective competent FSN, after hearing the opinion of the CONS.
3. The Sports Association shall obtain affiliation from one or more FSNs recognised by the International Federation governing the sports activity covered by the contract. Affiliation may be revoked by the FSN for serious violations of the law or sports regulations.
4. The revocation of affiliation of the sports association shall lead to a ban on the performance of the professional sports activity in question.
5. In the performance of their activities, Sports Associations shall be obliged to apply the principle of sports and economic solidarity in favour of amateur sport with a special focus on youth sectors.
6. For the purpose of co-ordination and in order to foster the development and organisation of professional sports activities, the Sports Associations referred to in paragraph 2 may establish a Multi-Discipline League.
7. A special regulation, proposed by the Sports Associations constituting the Multi-Discipline League and approved by the National Council, shall lay down the operating rules and management bodies, in which each member Sports Association shall have one seat and one FSN representative, one for each sport discipline in question.

Art.50

(Conduct of professionals and supervision)

1. All persons practising professional sports shall comply with this law and all domestic and international regulations governing the sports activity in question.
2. Supervision and control over the organisational, disciplinary and administrative regularity of professional activities shall be exercised by the competent FSN or DSA and the CONS.
3. FSNs and DSAs shall be obliged to introduce rules on the regulation of professional sport in their articles of association.

Art.51

(Sports Performance Relationship)

1. Sports performance relationships for consideration shall be established through the conclusion of a contract in written form, under penalty of nullity, between the sportsperson and the Sports Association receiving the sports performance, in accordance with the contract drawn up by the competent FSN/DSA, which shall contain the sportsperson's obligation to comply with the technical instructions and prescriptions for the achievement of his/her competitive objectives.
2. The written contract referred to in paragraph 1 shall be filed with the competent public offices and a copy shall be sent to the relevant FSN or DSA and for information to the CONS.
3. Without prejudice to the voluntary and free nature of the sports movement, for the performance of particular technical and sports activities, the FSNs and DSAs may avail themselves, where necessary, of the work of hired staff or self-employed workers, on the basis of private-law relationships in accordance with the legal provisions in force concerning employment.

4. The related costs shall be charged to the budgets of the respective beneficiary sports organisations.

Art.52

(Benefits and tax and regulatory treatment of sports activities)

1. In line with the provisions of Article 7, paragraph 1, letter o) of Law no. 166 of 16 December 2013, contributions of up to EUR 5,000.00 per year and/or documented reimbursements of expenses paid to non-professional athletes by the CONS and its affiliated Federations and Associations shall be exempt from tax.

2. Such benefit shall also be extended to sports managers, technical staff and non-professional collaborators, up to a maximum amount of EUR 5,000.00 per year.

3. Public and private employees who provide their services, within the framework of amateur sports activities carried out at the CONS, FSN, DSA and affiliated Associations, outside working hours and without prejudice to service obligations, may receive, for such purposes, contributions and reimbursement of expenses, documented in the manner and within the limits indicated in paragraphs 1 and 2, without giving rise to incompatibilities or cases of impediment provided for by the legal provisions on employment.

4. This prerogative of non-incompatibility shall be recognised, within the limits set out in paragraphs 1 and 2, for recipients of pension income or other social security benefits, disability allowances, mobility allowances and subsidies of socially useful workers.

TITLE VI

REGISTRATION OF ATHLETES, MANAGERS, TECHNICAL STAFF AND MATCH OFFICIALS

Art.53

(Athletes - National Athletes Commissions - Olympic Athletes Commission)

1. Athletes shall be registered with Sports Associations, FSNs and DSAs and participate in competitions in accordance with the principles of sportsmanship and fair play, in conformity with national and international sports regulations.

2. National competitive athletes selected for national teams shall respond to invitations from the CONS, the FSNs and DSAs to which they belong and honour the role assigned to them. They shall also undertake to respect the anti-doping rules contained in the WADA World Code and the rules governing sports competitions organised by the IOC, the CONS, International Sports Federations, FSNs and DSAs.

4. Athletes may establish a National Athletes Commission at the CONS and in the context of the various sports, Federal Athletes Commissions of the individual FSNs and DSAs, with autonomous operational rules governed by guiding criteria approved by the National Council, in order to make proposals, suggestions and improvements to the governing bodies of the various sports organisations.

5. In application of the principles laid down by the IOC, the Olympic Athletes Commission shall be established within the CONS, coordinated by two representatives elected from among San Marino athletes who have participated in the Olympic Games, in accordance with the provisions of the IOC Olympic Charter.

6. The two representatives of the Olympic Athletes Commission, who co-ordinate its activities on the basis of special rules of procedure, drawn up by the athletes and ratified by the Executive Committee, shall participate in the works of the National Council, with the right to vote.

7. In order to achieve the aims of the Olympic Athletes Commission, the National Athletes Commission and the Federal Athletes Commissions of the individual FSNs and DSAs, they may avail themselves of the facilities and resources of the CONS and of the FSNs and DSAs where they are present, in compliance with the allocations provided for in the respective budgets of the competent sports organisations.

Art.54

(Sports Managers - Technical staff - Match Officials)

1. Elected members of the CONS, FSNs, DSAs and Sports Associations who, by appointment or on the basis of a specific task conferred by a decision-making body, exercise their activity in view of the technical-sporting, social, educational and cultural growth of the members of the sports organisation they are called upon to lead, shall be considered sports managers.
2. The sports managers in the various bodies of the CONS, the FSNs, the DSAs and the Sports Associations, shall exercise their function, in compliance with and enforcing the national and international sports regulations, without any profit-making purpose and without receiving remuneration, except in the cases provided for by the law, the articles of association or regulations of the individual sports organisations concerned.
3. The technical staff, coaches and physical trainers employed by Sports Associations, FSNs and DSAs and by the CONS shall carry out their activities in compliance with the national and international sports regulations and anti-doping rules, with a view to the technical-sporting, educational growth of athletes.
4. Within the framework of the CONS, FSNs and DSAs, a coordination body of sports technical staff may be established and regulated.
5. Match officials, who are members of their respective FSNs and DSAs, may participate, in their assigned capacity, in sports events to ensure their regularity in accordance with national and international regulations.
6. FSNs and DSAs may recognise groups or associations of match officials.
7. Match officials shall perform their duties in accordance with sportsmanship and in compliance with the principles of objectivity, impartiality and independence of judgement.
8. For the performance of their sports activities, sports managers, technical staff and match officials may receive allowances and reimbursement of expenses according to their qualifications and technical-sporting requirements, in the forms, modalities and arrangements provided for by this Law.

TITLE VII

SPORTS MEDICINE - NATIONAL ANTI-DOPING ORGANISATION

Art.55

(Health protection)

1. Health protection for all participants in competitive, non-competitive and recreational sports activities shall be ensured by the State, as for other health services, through the facilities of the Social Security Institute (SSI) or at accredited and licensed private health facilities.
2. Medical examinations for the issue of the certificate of fitness to practise competitive sports activities carried out at the SSI services shall be free of charge for minors and for disabled athletes, with the exception of persons practising professional competitive sports.
3. The CONS and the SSI may cooperate to arrange for the implementation of further initiatives in the field of health protection in sport, establishing management criteria and intervention modalities and periodically exchanging views to verify the performance of the services implemented.

Art.56

(Type of controls and certificates of fitness)

1. For the purposes of health protection, all those who are preparing for or practising competitive and non-competitive sports activities, within the framework of the activities organised by the CONS, the FSNs, the DSAs and affiliated Sports Associations, shall undergo periodic checks on their specific fitness for the sports discipline they intend to perform or are performing.

2. The relevant FSNs and DSAs, in accordance with the national and international sports regulations, shall determine the qualification of those who carry out competitive and non-competitive activities, while recreational-sports activity shall mean any activity freely carried out, on a purely personal and private basis, by citizens in general.
3. The fitness assessment, referred to in paragraph 1, shall be determined on the basis of the assessments of the certifying doctors in relation to the sport practiced, taking into account the indications contained in the specific health protocol prepared by the SSI.
4. The delegated decree shall also indicate the necessary specialisation of the competent certifying doctors according to the type of fitness certified, the specificity of the examinations required, the duration of validity and the frequency of the checks, as applicable, also on the basis of the procedural rules indicated by the relevant International Sports Federations.
5. The Health Authority shall keep a list of doctors authorised to issue certificates of fitness at public and private health facilities accredited by it.
6. The submission of the aforementioned certificate of fitness by the person concerned to the requesting sports organisation shall be a prerequisite for participation in competitive and non-competitive sports activities.
7. An appeal against the failure or denial to issue the certificate of fitness referred to in paragraph 3 may be brought before a special commission established by the SSI, as defined in the health protocol referred to in paragraph 3.

Art.57

(Anti-Doping Organisation - NADO San Marino: functions and composition)

1. In accordance with the purposes and references contained in this law, the NADO San Marino shall be established within the CONS as the National Anti-Doping Organisation (NADO), with operational autonomy and jurisdiction in the Republic of San Marino.
2. The NADO San Marino shall be vested with the authority and responsibility to plan, cooperate, propose, coordinate, supervise, prevent and repress doping, in accordance with the WADA World Anti-Doping Code and the provisions of this law, the IOC and CONS regulations, i.e. the voluntary administration or ingestion by the athlete of substances and methods prohibited by the WADA World Code, for the purpose of artificially and unfairly enhancing physical performance and performance in competitive and non-competitive activities.
3. The following shall be members of NADO San Marino, with a four-year mandate:
 - a) a representative of the CONS, appointed by the National Council, who chairs it;
 - b) a representative designated by the Ministry responsible for Sport, chosen from among the members of the Register of Lawyers of the Republic of San Marino;
 - c) a medical representative designated by the Ministry of Health;
 - d) a representative of the FSNs;
 - e) a representative of the Sports Associations;
 - f) a representative of the Olympic Athletes Commission or the National Athletes Commission;
4. The NADO San Marino shall have its own Rules of Procedure, approved by the Executive Committee and ratified by the National Council, in line with the WADA provisions, issued to all the National Olympic Committees, International Federations and other Sports Organisations, and which shall be recognised and applied by all the FSNs, DSAs and their affiliated Sports Associations, recognised by the CONS under penalty of suspension and/or revocation of the affiliation to the Entity.
5. NADO San Marino shall be responsible for all disputes, including sanctions to be imposed on athletes, managers and technical and support staff of the athlete or teams.

6. Appeals against the sanctions of NADO San Marino may be addressed to the National Anti-Doping Tribunal referred to in Article 59, as a judicial body, for decisions concerning the violation of the provisions of the anti-doping regulations of the CONS and the Sports Federations, if any, or of the provisions of the WADA World Code.
7. The Executive Committee shall establish a specific annual allocation for all NADO San Marino activities, in accordance with budgetary allocations and upon submission of a detailed annual and planning report.

TITLE VIII INSURANCE

Art.58 *(Insurance)*

1. FSNs, DSAs and Sports Associations shall be obliged to insure all their registered members, whether competitive athletes or amateurs taking part in recreational sports activities, against injuries resulting from accidents occurring in the performance of sports activities.
2. The same insurance shall also apply to all managers, technical staff, doctors, collaborators and all registered members of affiliated sports associations who are duly registered with the FSNs, DSAs and individuals registered members of the latter, as defined in Article 31.
3. This insurance shall cover the risks associated with transfers from home to the meeting place made either by one's own means or by collective means. The costs arising from the envisaged insurance shall be covered through the participation of the above-mentioned individual federates and members.
4. The civil liability of the CONS, the FSNs, the DSAs, the Sports Associations as well as their managers, technical staff, athletes and federates in connection with the activities provided for by this Law shall be covered by adequate insurance. The costs arising from the insurance referred to in this paragraph shall be borne by the CONS .
5. Sports events and tournaments of any kind and the related competitions and trials shall not be authorised unless the competent sports organisation has taken out adequate insurance for civil liability towards third parties and participants at its own expense.
6. In the event of civil liability towards the persons referred to in paragraph 1 by the persons referred to in paragraph 2, the compensation paid by the accident insurer shall be taken into account in any increased compensation due pursuant to civil liability.
7. The insurance companies, for the compensation due under paragraph 1, shall have no recourse action against the civilly liable parties insured under paragraph 2.
8. The items and maximum amounts of the insurance referred to in the preceding paragraphs may not be lower than the minimum amounts periodically established by the CONS Executive Committee in relation to the risks of each individual sports discipline.

TITLE IX SPORTS JUSTICE

Art. 59 *(Sports Tribunal and National Anti-Doping Tribunal)*

1. A Sports Tribunal shall be established at the CONS with conciliation and judging functions. It shall be governed by the Regulation on Sports Justice issued by the National Council; it shall carry out its functions in accordance with the principles of objectivity, autonomy and independence of judgement and evaluation.
2. The following shall be bodies of the Sports Tribunal appointed by the National Council:
 - a) a Sports Judge of First Instance , as a single-judge body;

- b) a Sports Judge of Second Instance or of Appeal, as a collegiate body, consisting of two members.
3. The National Council shall appoint one or more Sports Judge(s) acting as alternate members in the event of replacement of the full members for reasons of incompatibility or inappropriateness.
4. The Sports Tribunal shall have jurisdiction, with a final judgement, over disputes between an FSN or DSA and affiliated entities, Sports Associations or individual registered members or persons with a sports licence, provided that the FSN's or DSA's internal appeals have been brought before the respective justice bodies, if any.
5. With regard to the disputes referred to in paragraph 4, the articles of association and regulations of the FSNs and DSAs shall provide for a compulsory attempt at conciliation and possible arbitration proceedings. The articles of association and regulations of the FSNs shall also envisage the possibility of compulsory arbitration once the internal appeals have been exhausted and before resorting to the Sports Tribunal.
6. Each sports justice body shall deliver its judgement, under penalty of forfeiture of the measure, within one month of receipt of the appeal.
7. The Sports Tribunal shall have no jurisdiction in doping matters, for which the National Anti Doping Tribunal shall be responsible. The latter's composition, competence and jurisdiction shall be regulated in the CONS Anti Doping Regulation adopted upon indication by the NADO San Marino and approved by the National Council.

Art. 60

(Regulation on Sports Justice)

1. The Regulation on Sports Justice, approved by the National Council upon proposal of the Executive Committee, shall regulate the general rules of the proceedings and establish:
- a) principles, rules of access to sports justice proceedings and the CONS administrative organisation;
 - b) the appointment and jurisdiction of the sports justice bodies of the Federations and the CONS;
 - c) the attempt at conciliation between the parties during the judicial proceedings;
 - d) the rules of recourse to arbitration;
 - e) the guarantee fees to be paid at the beginning of each instance by the applicants;
 - f) the payment of the costs of the proceedings incurred by the Sports Tribunal;
 - g) sanctions and disciplinary measures and the relevant register;
 - h) modalities and deadlines for measures of clemency.
2. The above rules shall not apply in cases of participation of athletes, clubs and Federations in championships and competitions that, although held in San Marino, are already governed by international regulations.
3. The provisions set forth in this Article with reference to FSNs and DSAs shall also apply in their entirety to the Sports Associations affiliated to the latter. All members of the Sports Organisations within the CONS, FSNs, DSAs, Sports Associations and individual affiliates and registered members shall be obliged to resort to the justice bodies of the sports system, before taking legal action, having exhausted all the instances of sports justice.

TITLE X

MAINTENANCE OF SPORTS FACILITIES

Art.61

(Financing of ordinary and extraordinary maintenance works on facilities)

1. The ordinary maintenance of public sports facilities and adjacent areas, entrusted by the State to the CONS, shall be the responsibility of the Entity within the framework of the appropriate allocations and in accordance with the regulations provided for by this Law, in particular Articles 8 and 10, without prejudice to individual provisions laid down in the agreements relating to the management of sports facilities entered into by the State or the CONS, pursuant to Article 10, paragraph 1.

2. The extraordinary maintenance of public sports facilities shall be the responsibility of the State, whose interventions shall be charged, as far as building and technical-structural interventions are concerned, to specific items of the State Budget as provided for in Article 7 of Regulation no. 6 of 29 October 2013.

3. Regulations adopted by the Congress of State shall define the construction, ordinary maintenance and extraordinary maintenance works, falling within the responsibility of the CONS and the State, respectively, referred to in paragraphs 1 and 2.

4. The periodic analysis of extraordinary maintenance works, with special attention to the securing of facilities and the elimination of architectural barriers, shall be based on a Plan of Priority Intervention on Sports Facilities approved by the National Council referred to in Paragraph 3, letter b) of Article 14 and after discussions between the CONS and the relevant Ministries.

TITLE XI

TECHNICAL-ADMINISTRATIVE PROVISIONS AND CONS PERSONNEL

Art.62

(CONS personnel)

1. In order to perform its functions, the CONS shall normally employ personnel with a public employment relationship or other forms of contract regulated by the Public Administration.

2. Furthermore, with regard to inter/intra-departmental mobility and administrative secondments, the CONS may avail itself of other personnel from the Public Administration, Public Entities and State-owned private companies for the necessary collaborations, upon specific request of the Executive Committee, for the management and organisation of events of particular importance and for sports development projects pursuant to Article 47 or in relation to the implementation of the four-year policy programme approved by the National Council.

3. During the period of administrative secondment, the employees concerned shall retain all present and future rights linked to their respective positions in the Public Administration or Military Corps, Public Entities and State-owned private companies. For the duration of the administrative secondment, any duty allowance related to the original position shall not be paid.

Art.63

(Officials and employees)

1. According to their respective profiles, roles and qualifications, officials and employees shall carry out coordination, secretarial and accounting, administrative and technical tasks for the management of the sports facilities entrusted by the State to the CONS, the organisation of sports events and initiatives promoted directly by the CONS and support those promoted by the FSNs and DSAs.

2. The number of officials and employees assigned to the Entity shall be that resulting from Law no. 106 of 17 September 1993, which shall be replaced by the periodic definition of staffing needs by the Directorate General of Civil Service, in accordance with the rules set out in Law no. 188 of 5 December 2011.

3. The first staffing needs of the CONS shall include the job specification of Head of Operational Unit (RESUNIOP), who is entrusted with the administrative and accounting powers of the Entity and related responsibilities. The Secretary General shall perform the functions of Head of Personnel of the Entity, assisted by the Administrative Accounting Officer, in accordance with the guidelines issued by the Directorate General of Civil Service. The above-mentioned position of Administrative Accounting Officer shall be filled in accordance with the legislation in force.

Art.64

(Salaried personnel)

1. The CONS may employ salaried personnel for the services, custody and maintenance of the sports facilities and adjacent areas, which are entrusted to the CONS and managed directly by it.
2. The employment relationship, with regard to both regulatory and economic aspects, shall be the subject of specific negotiations between the Public Administration and the trade unions, taking into account the flexibility of the services required and the particular operating conditions of the CONS in relation to its activities.
3. Salaried personnel or personnel at the disposal of the CONS shall depend from an administrative and disciplinary point of view on the CONS, in accordance with labour regulations.

Art.65

(Determination of staffing needs)

1. The determination of staffing needs shall be agreed by the Secretary General with the Directorate General of Civil Service, also taking into account the special needs and requirements requested and indicated by the Executive Committee, after ensuring the relevant funding, in accordance with the provisions of Law no. 188/2011.

Art.66

(Personnel with whom the CONS has concluded an agreement)

1. In order to perform the activities for which it is responsible, the CONS may, in any case, enter into special agreements for self-employment services on the basis of the Four-Year Sports Policy Programme, in compliance with the applicable regulations and the budget allocations.

Art.67

(Secondment of personnel for sports purposes)

1. For organisational, technical and competitive needs, the CONS may request the secondment of employees of the Public Administration, Public and State-owned Entities and private companies and employers for sports purposes.
2. The requests forwarded by the Secretary General of the CONS shall be examined by the Director of Civil Service, the Director of Human Resources and Organisation, the Directors of the Entities and Corporations of the Overall Public Sector and individual private employers, respectively. Any refusal of secondment for sports purposes shall be justified in relation to unpostponable service requirements.
3. The secondment of employees shall not affect their remuneration, with the exception of any duty allowances, nor the development of the seconded employee's relationship. Such employees shall be entitled to return to their previous position, with recognition of the service provided in terms of economic and legal effects.
4. Self-employed workers shall also be eligible for secondments for sports purposes, and shall receive an allowance set by the CONS Executive Committee.
5. Wages and contributions related to the careers of public and private employees and daily allowances for self-employed workers shall be charged to the CONS budget.

Art.68

(Duration and regulation of secondments for sports purposes)

1. The CONS may avail itself of the secondment referred to in Article 67 up to a maximum cumulative limit of working hours equal to one month of the year for each FSN and each affiliated Associated Sports Discipline.
2. The calculation of the number of hours shall not include staff from the Overall Public Sector or on administrative secondment pursuant to the second paragraph of Article 62.
3. The duration of the secondment and the modalities thereof shall be agreed on a case-by-case basis with the Directors acting as Heads of Personnel of the Overall Public Sector and the private employer.
4. With regard only to the Athletes of National Interest referred to in Article 47, an exception may be made, if necessary, to the number of hours referred to in paragraph 1, depending on the available budget.
5. Requests for secondments for sports purposes by the FSNs and DSAs and the approval by the CONS shall be examined in accordance with the special regulations drawn up by the Executive Committee.

Art.69

(Extraordinary paid leave for sports activities)

1. Athletes, managers, technical staff, health workers, collaborators and match officials of the CONS or affiliated FSNs or DSAs, upon request of the Secretary General of the CONS, may be granted extraordinary paid sports leave, whether they are employees of the Overall Public Sector or employees of private employers, up to a maximum of five days per calendar year, to participate in competitions or meetings at an international level.
2. In the year of the Olympic Games, Mediterranean Games, European Games and Games of the Small States of Europe, the maximum duration of extraordinary paid sports leave shall be increased to fifteen days.
3. The remuneration related to extraordinary sports leave granted to employees of the Overall Public Sector and employees of private employers shall be charged to the CONS budget.
4. Self-employed workers who are summoned by the Secretary General of the CONS on behalf of the Entity or the FSNs and DSAs to take part in the competitions and meetings referred to in paragraphs 1 and 2 shall receive a daily allowance set by the Executive Committee also charged to the CONS budget.
5. The application of the provisions of paragraph 3 shall take place starting from the 2016 Financial Year.

TITLE XII FINAL PROVISIONS

Art.70

(Transitional provisions)

1. Upon the entry into force of this Law, the National Council of the CONS, shall carry out the following elections and appointments within ninety days:
 - a) election of two new members to complete the Executive Committee;
 - b) appointment of the Sports Judges of the Sports Tribunal referred to in Article 59.
2. The continuing validity of the offices referred to in Article 11, paragraph 4, shall not be retroactive and shall commence from the four-year Olympic period following the date of approval of this Law.

3. Pending applications on the date of the entry into force of this Law submitted by FSNs or DSAs for affiliation with the CONS shall only be examined after the approval of the appropriate regulation referred to in Article 39, paragraph 3.

4. After the inclusion of the members referred to in point a) of paragraph 1, the Executive Committee shall draw up a proposal for the Articles of association of the CONS within one hundred and eighty days, submitting it to the National Council and the IOC for their approval, before transmitting it for ratification to the Ministry responsible for Sport.

5. The current Articles of association of the Federations and the regulations of the CONS, as well as the regulations of the Federations, shall be brought into line with the new rules introduced by this Law, within eighteen (18) months of its entry into force and in any case by the end of the term of office of the current CONS bodies for the current four-year Olympic period.

Art.71

(Repealed or amended laws)

1. Any provision contrary to this Law shall be repealed, and in particular Law no. 32 of 13 March 1997.

2. The tax benefits provided for in Article 52 shall apply starting from the tax period following the year of approval of this law.

Art.72

(Entry into force)

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

Done at Our Residence, on 30 September 2015/1715 since the Foundation of the Republic.

THE CAPTAINS REGENT
Andrea Belluzzi – Roberto Venturini

THE MINISTER OF
INTERNAL AFFAIRS
Gian Carlo Venturini

ANNEX A to Law no. 149 of 30 September 2015

REGULATION ON THE LOAN FOR USE OF SCHOOL GYMS

Art.1

In order to enable the full and rational use of state-owned school gyms, the management of sports activities in school gyms outside school hours, including selected and extra-curricular activities, shall be entrusted to the CONS.

The use of the gyms shall not, in any way, constitute a constraint for the school service, which shall be given priority in the use of the facilities in accordance with the provisions of the school authority.

Art.2

The cleaning of the facilities used outside school hours shall be carried out by the personnel mandatorily made available by the FSNs, DSAs and Sports Associations to which the use of the facility is granted.

Art.3

FSNs, DSAs and Sports Associations wishing to use school gyms for sports or motor activities or for training, courses or competitive activities shall submit a request to the CONS in which the following shall be specified:

- a) name and address of the person in charge to whom the facility is temporarily entrusted;
- b) type of activity to be carried out;
- c) days and times for which the loan for use is requested;
- d) any fees charged.

Art.4

Loan for use requests shall be examined by the CONS offices according to the chronological order in which they are submitted, adopting the criterion of fair distribution but taking into account the priority to be given to competitive activities and subsequently, to amateur and leisure activities.

Art.5

The appointed managers of FSNs, DSAs and affiliated Sports Associations shall ensure compliance with the following rules:

- a) compliance with agreed timetables;
- b) respect for the facility used;
- c) compliance with rules and regulations on the use of gyms;
- d) immediate compensation to the CONS for any damage caused.

Art.6

If an assignee does not use the assigned gym, he/she shall immediately inform the CONS.

Art.7

The CONS shall supervise the way in which the gyms are used and may revoke the loan for use of the facility in the event of non-compliance with the commitments undertaken.

Art. 8

In the event that the request to use school gyms is submitted by organised non-profit groups, the CONS shall assess the requests on a case-by-case basis.

ANNEX B to Law no. 149 of 30 September 2015

REGULATION ON THE USE OF FACILITIES FOR SPORTS EVENTS OR OTHER ACTIVITIES

Art.1

With the aim of protecting the right of all citizens to practice and participate in sports and non-competitive sports activities, in accordance with Article 1 of the Law "Regulation of sports activities", public sports facilities shall be open to the public at least one day a week.

On the day indicated by the FSN, DSA and affiliated Sports Associations, non-competitive sports may also be practiced at the same time as the scheduled competitive activity, provided that safety conditions are in place for the participants and for public safety.

Where applicable, users may use the sports facilities upon reservation, in compliance with the rules for their use and payment of any applicable fee, established in agreement between the CONS, the FSN, DSA, Sports Associations and/or delegated managers.

Art.2

FSNs and DSAs may promote courses or sports activities, also through affiliated Sports Associations, using State-owned facilities or in any case facilities managed by the CONS, charging hourly rates or course fees that shall be communicated to the Ministry responsible for Sport and to the CONS.

Art.3

All revenues and expenditure, if any, relating to the promotion of sports courses or activities subject to payment shall be included in the Administrative Report of National Sports Federations, Associated Disciplines or Sports Associations affiliated to them.

Art.4

The timetables for the use of sports facilities shall be periodically reviewed by the CONS in order to ensure that, as far as possible, the facilities can be used in accordance with the needs of sportspersons and those practicing sports activities.

Art.5

In the event that sports facilities are used for sports or other events organised by private Entities/Organisations, subject to the issuing of the required authorisations by the competent offices, the CONS shall establish the conditions and fees that shall be communicated to the Ministry responsible for Sport.