



# REPUBLIC OF SAN MARINO

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

*Having regard to Article 4 of Constitutional Law no. 185/2005 and to Article 6 of Qualified Law no. 186/2005;*

*Hereby promulgate and order the publication of the following Qualified Law, approved by the Great and General Council during its sitting of 23 August 2016 with 43 votes in favour:*

### **QUALIFIED LAW NO. 2 OF 23 AUGUST 2016**

#### **AMENDMENTS TO QUALIFIED LAW NO. 1 OF 29 MAY 2013 AND SUBSEQUENT AMENDMENTS – PROVISIONS ON THE QUORUM AND ADMISSIBILITY OF POPULAR INITIATIVE REFERENDUM**

##### **Art. 1**

*(Amendment to Article 4 of Qualified Law no. 1 of 29 May 2013 and subsequent amendments)*

1. Paragraph 2 of Article 4 of Qualified Law no. 1/2013 and subsequent amendments shall be amended as follows:  
“2. An abrogative referendum proposal shall be approved if it obtains a majority of the votes validly cast.”.

##### **Art. 2**

*(Amendment to Article 5 of Qualified Law no. 1/2013 and subsequent amendments)*

1. Paragraph 4 of Article 5 of Qualified Law no. 1/2013 and subsequent amendments shall be amended as follows:  
“4. From the moment the application is filed, the applicant citizens shall be legally recognised as forming the referendum-promoting committee. The application shall also indicate:
  - 1) which of the applicants may jointly or severally authenticate the signatures of the signatories in accordance with Article 12, paragraph 4;
  - 2) which of the applicants is the legal representative of the committee also for the purpose of any communications and notifications.”.

##### **Art. 3**

*(Amendments to Article 12 of Qualified Law no. 1/2013 and subsequent amendments)*

1. Paragraph 1 of Article 12 of Qualified Law no. 1/2013 and subsequent amendments shall be amended as follows:

“1. With the exception of the referendum proposed by the Township Councils, the admitted referendum may be held provided that, after the ruling referred to in Article 10, it is signed by a number of voting citizens making up at least 3% (three percent) of the electorate, as resulting from the last and final annual revision of the electoral lists made pursuant to the electoral law in force.”.

2. Paragraph 4 of Article 12 of Qualified Law no. 1/2013 and subsequent amendments shall be amended as follows:

“4. For the purpose of the authenticity declaration referred to in paragraph 2, the Registrar of the Vital Statistics Office, the Court’s Registrar, the acting Notary of the State Lawyer's Office, the Director of the State Institutional Secretariat, the Director of the Executive Secretariat of the Congress of State and the referendum promoters referred to in Article 5, paragraph 4, point 1) shall collect the signatures of voting citizens on specific forms filed with them and signed by the legal representative of the referendum-promoting committee, who may also indicate notaries of his own choice. The Heads of the Township Councils, or members of the Township Councils delegated by them, may also collect signatures within their Township and declare their authenticity.”.

#### **Art. 4**

*(Amendment to Article 22 of Qualified Law no. 1/2013 and subsequent amendments)*

1. Paragraph 2 of Article 22 of Qualified Law no. 1/2013 shall be amended as follows:

“2. A propositive referendum proposal shall be approved if it obtains a majority of the votes validly cast.”.

#### **Art. 5**

*(Amendment to Article 28 of Qualified Law no. 1/2013 and subsequent amendments)*

1. Paragraph 2 of Article 28 of Qualified Law no. 1/2013 shall be amended as follows:

“2. A confirmatory referendum proposal shall be approved if it obtains a majority of the votes validly cast.”.

#### **Art. 6**

*(Entry into force)*

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

*Done at Our Residence, on 23 August 2016/1715 since the Foundation of the Republic.*

THE CAPTAINS REGENT

*Gian Nicola Berti – Massimo Andrea Ugolini*

THE MINISTER OF INTERNAL  
AFFAIRS

*Gian Carlo Venturini*