

THE REPUBLIC OF SAN MARINO

INSTITUTIONS



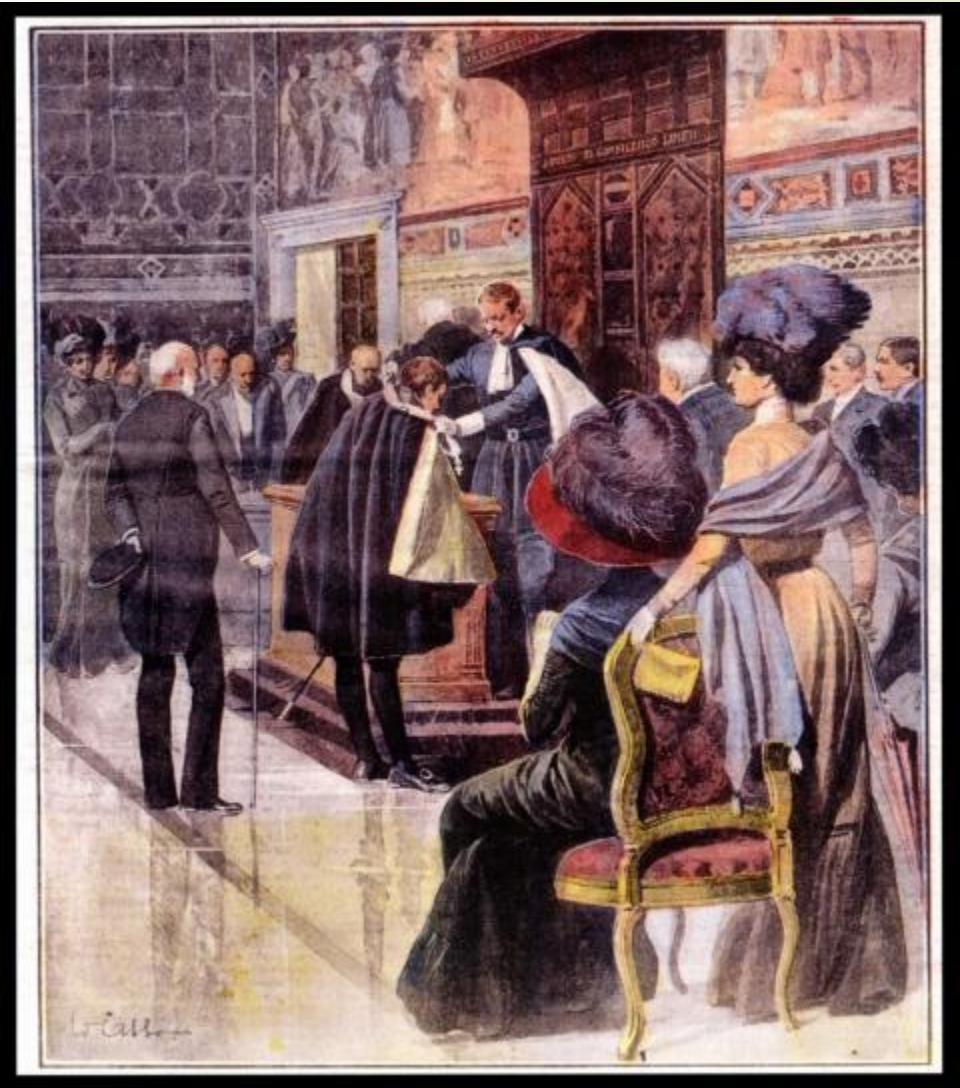
Scuola Media Statale
Centro di Documentazione di Serravalle
Prof.ssa Anna Cecchetti
Anno Scolastico 2017/2018

THE CAPTAIN'S REGENT



Nuovo costume reggenziale.





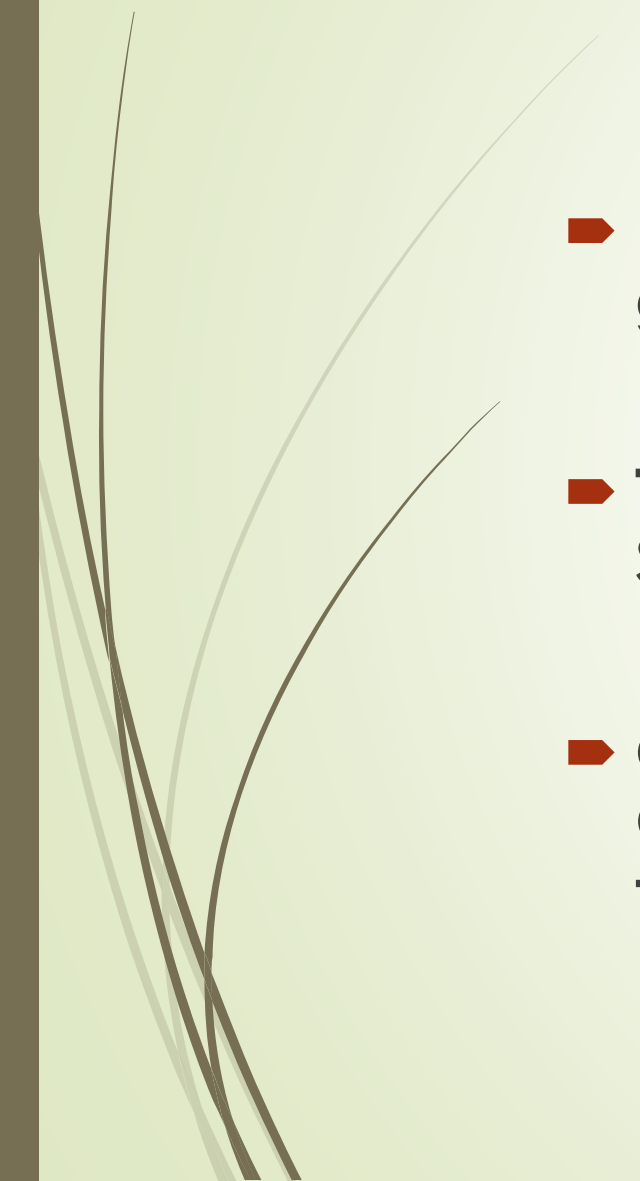
THE CAPTAINS REGENT


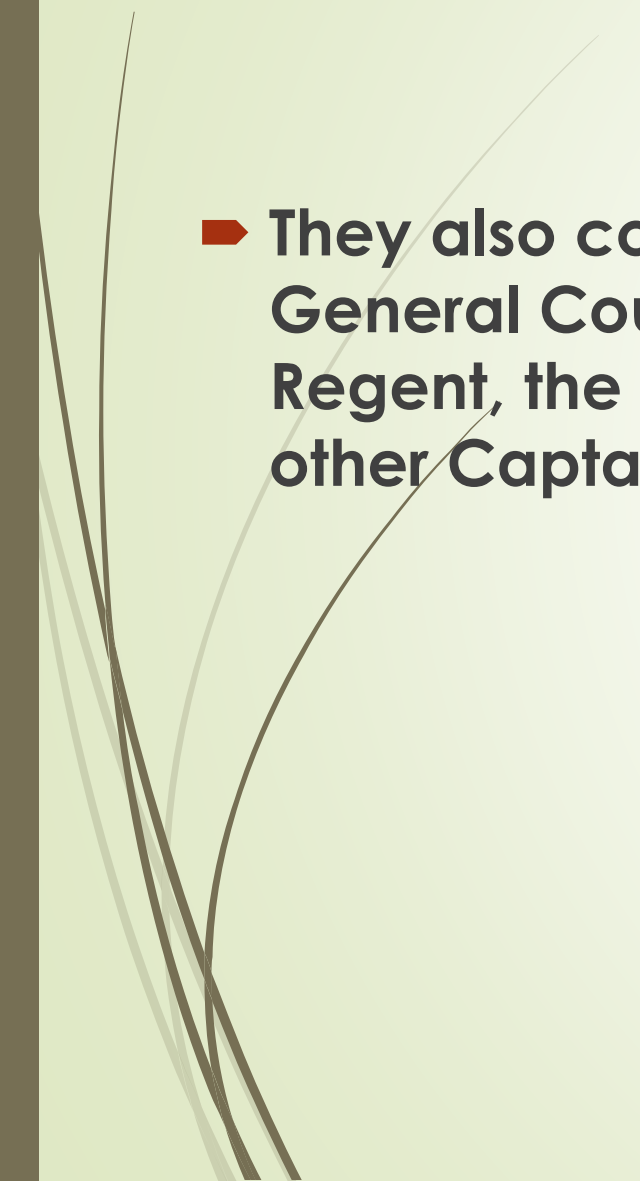
The origins of the institution of the Captains Regent date back to 1200, when the existence of two “Consules” is demonstrated.

- The requirements to be elected Captains Regent are: to be no less than 25 years of age, not to have held this position in the previous three years (the so-called “law of prohibition”) and to be a San Marino citizen by origin.
- The Captains Regent are elected for a six-month mandate: from 1 April to 1 October and from 1 October to 1 April.



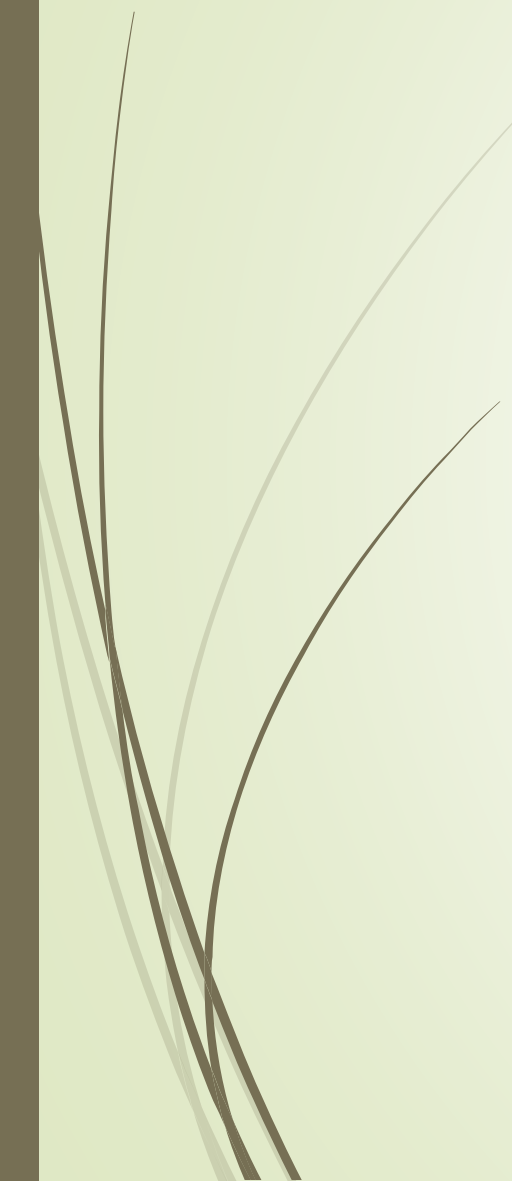
Functions



- First of all, they represent the State and are the supreme guarantors of the Republic's constitutional order.
 - They supervise the functioning of public powers and State institutions.
 - One of their tasks is to preside over the Great and General Council (Parliament), without voting right, which they represent in its entirety.
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- They also convene and preside over the Bureau of the Great and General Council. In case of impossibility of one of the two Captains Regent, the Great and General Council may be presided by the other Captain Regent individually.



The Captains Regent also perform the following tasks:

- dissolve the Great and General Council in the cases provided for by the law;**
 - convene electoral meetings for the renewal of the Great and General Council (political elections);**
 - coordinate the works of the Congress of State (Government);**
 - receive referenda proposals, popular legislative initiatives and the Istanze d'Arengo (specific popular petitions concerning matters/issues of public interest) and supervise on the correct application of the relevant procedures;**
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- - fix the dates of referenda and elections of the Heads and members of Township Councils (administrative elections);
 - accredit San Marino diplomatic representatives and receive the credential letters of foreign diplomatic representatives;
 - convene and preside over the plenary and ordinary sessions of the Judicial Council;
 - convene and preside over the Grand Mastership of the Equestrian Order of Saint Agatha;
 - confer decorations in conformity with the provisions in force;
 - preside over the Conference of the Heads of Township;


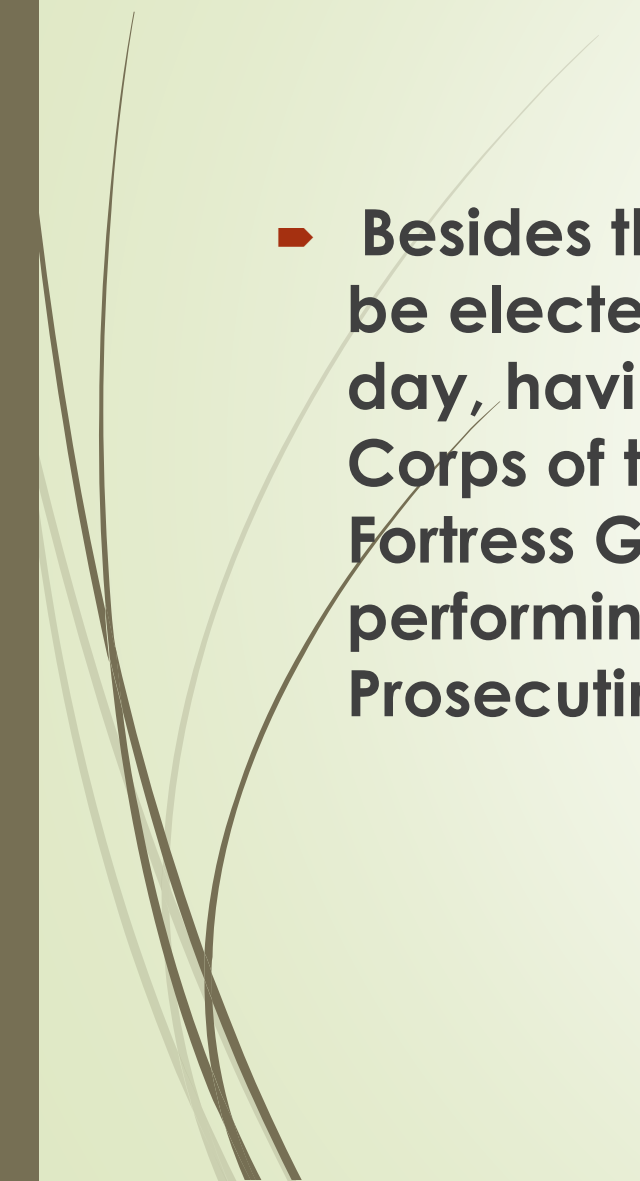
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- The Captains Regent also have the power to promulgate and order the publication of the laws approved by the Great and General Council.
 - The Captains Regent cannot be prosecuted in any way during their mandate. At the end of their mandate, the Captains Regent are subject to the Regency Syndicate. The procedure provides that, within fifteen days after the conclusion of their mandate, every citizen registered in the electoral lists may submit claims against the Captains Regent “for what they have and have not done” during their mandate.



THE GREAT AND GENERAL COUNCIL

The Parliament



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- **The Great and General Council, composed of 60 Parliamentarians, is the legislative body and is elected every 5 years by universal suffrage. It can be considered a parliamentary body of a constitutional, collegial, representative and unicameral nature.**
 - **The Parliamentarians are elected by universal and direct suffrage for the duration of the legislature. Their mandate ends with the dissolution of the Council or in case of incompatibilities or disqualification.**

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- Besides the requirements to vote, the necessary requirements to be elected are: having attained 21 years of age on the election day, having resided in the Republic, not being a member of the Corps of the Gendarmerie, Civil Police, Uniformed Unit of the Fortress Guard, not being a diplomatic or consular Agent, not performing the functions of Magistrate or Procuratore del Fisco (a Prosecuting Magistrate).

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- It elects the principal State bodies:
 - The Captains Regent
 - The Congress of State
 - The Council of the Twelve
 - Guarantors' Panel on the Constitutionality of Rules

THE CONGRESS OF STATE


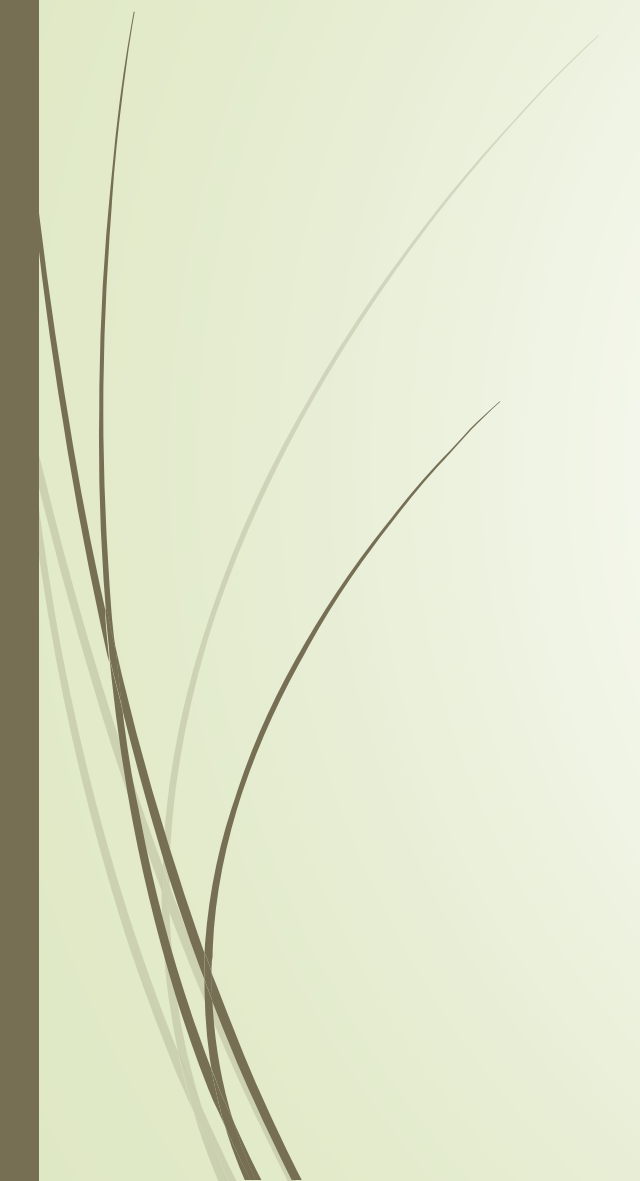


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- According to the San Marino constitutional order, the Congress of State (Government) is vested with the executive power.

The Congress of State has the following tasks:



- it collegially implements international policies, as well as international treaties and agreements concerning general international policies and matters relevant for the State's security
- it determines the general administrative policies by defining the relevant objectives and general programmes and by issuing the necessary general directives of the Public Administration, without prejudice to its autonomy recognized by law

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- it settles any conflicts among the Ministers concerning their attributions;
 - it is entrusted with the legislative initiative by drafting the laws to be submitted to the Great and General Council for their approval;
 - it decides on any other matter concerning the implementation of the Government programme.

Council of the twelve



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- The Council of the Twelve, "Consilium duodecim virorum", is a collegial body composed by twelve members. It is appointed at the beginning of each legislature by the Great and General Council choosing among its members in proportion to the Parliamentary Groups that compose it.
 - The meetings of the Council of the Twelve are held once a month. Case files are examined in chronological order of submission. Traditionally, rejected requests cannot be submitted again before at least three following meetings have been held.



These are the powers exercised

- ☐ authorising the purchase of real estate by foreigners - accepting inheritance of immovable property
- ☐ authorising the purchase of real estate by companies
- ☐ controlling and supervising over the management of non commercial companies and foundations
- ☐ legal recognition of San Marino Communities abroad. The only type of company for which the legal recognition by the Council of the Twelve still remains is that of San Marino Communities abroad
- ☐ authorising the reopening of a civil case declared time-barred

TOWNSHIP COUNCILS



San Marino Coats of Arms



Acquaviva



Borgo Maggiore



Chiesanuova



San Marino



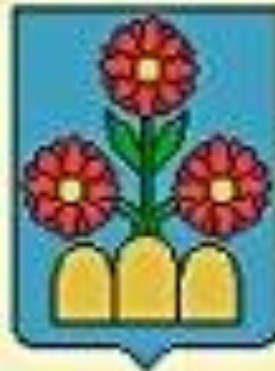
Domagnano



Faetano



Fiorentino



Montegiardino





Serravalle





The territory of the Republic of San Marino is divided into the following nine districts called Townships:


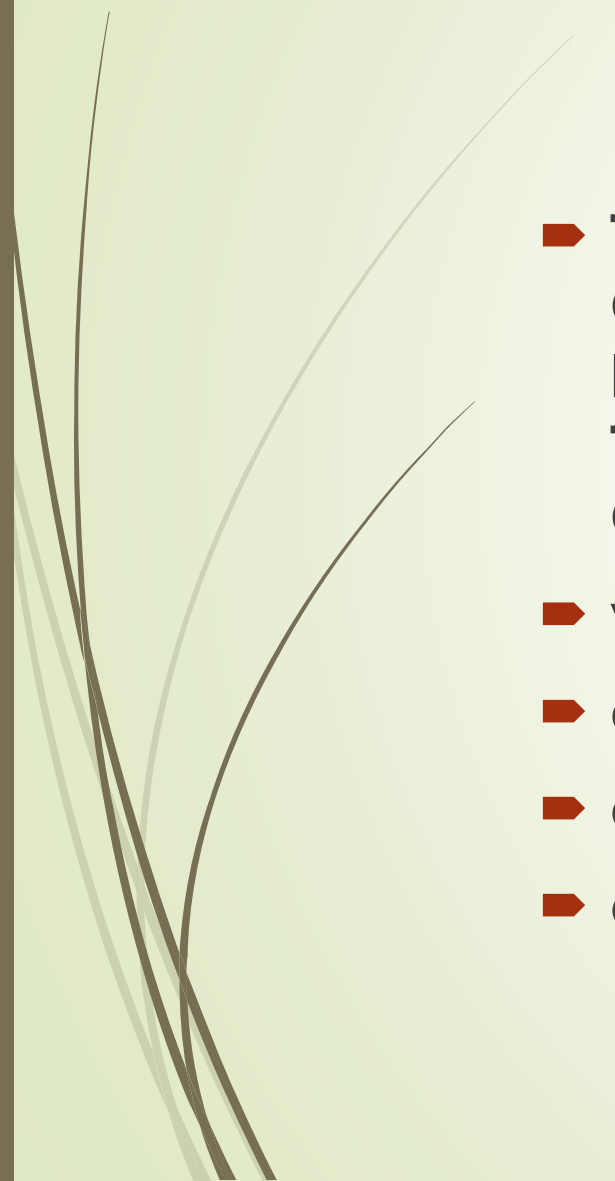
- **San Marino City**
- **Borgo Maggiore**
- **Serravalle**
- **Acquaviva**
- **Chiesa Nuova**
- **Domagnano**
- **Faetano**
- **Fiorentino**
- **Montegiardino**

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- Each district has a Township Council presided over by a Head of Township Council.
 - The Township Councils are composed by nine members for the townships with a population equal to or exceeding 2,000 inhabitants, or by seven members for the townships with less than 2,000 inhabitants.
 - The Township Councils and the Heads are elected every five years by direct vote of San Marino citizens over 18 who reside in the Townships.
 - The Township Councils perform decision-making, promotional and advisory tasks and functions, and they are also responsible for the management and control of local services. The Township Councils promote decisions of the institutional bodies on general issues or on matters of interest of the Township.

Guarantors



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- The Panel is composed of three effective members (one performing the function of President) and three substitute members. All members are elected by a two-thirds majority of the Great and General Council's members from among university professors of legal subjects, magistrates and law graduates with at least twenty years of experience in the field of law.

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- The Guarantors' Panel on the Constitutionality of Rules (Italian: Collegio Garante della Costituzionalità delle Norme) is the highest court of San Marino in matters of constitutional law. The functions of the Guarantors' Panel are similar to those of a Constitutional Court and, more precisely, it shall:
 - verify the conformity of laws
 - decide on the acceptability of referenda proposals
 - decide in case of conflicts between constitutional bodies
 - act as 'Regency Syndacate'

Plurilinguismo (Inglese)

ADDENDUM SAMMARINESE: *Le Istituzioni della Repubblica*

- Tutte le notizie e le immagini utilizzate per questa presentazione sono tratte da:
- Siti dedicati alla Repubblica di San Marino
- Pubblicazioni varie

Realizzazione: Prof.ssa Anna Cecchetti

Centro di Documentazione di Serravalle

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