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Framework Law relating to the discipline of the professions

We Captains Regent,
The Republic of San Marino
Promulgating and send to publish the following law approved by the Great and General Council
on February 20, 1991.

Art. 1

(Definition of profession)

The free profession consists in the pursuit of an occupation of habitual character, Predominantly intellectual, run freely with autonomy and discretion.

Art. 2

(Determination of the professional service)

, The professional services involves the completion of activities of nature mainly Intellectual and requires the possession of particular and suitable training requirements, cultural Scientific and technical such as to allow autonomy in decision-making, in the determination of how to pursuit of results, as well as the recruitment of direct responsibility and personal in relation to the professional performance.

Art. 3

(The subject of the professions)

The object of each profession and its limits of the content against other professions are determined by single jurisdictions: these indicate the fields of competence of every profession

in order to avoid any possible dispute between categories operating in fields of similar activities or similar, indicating, where appropriate, the data of differential performance relating to sectors also partially common to most professional categories.

Art. 4

(Incompatibility between different professions)

It is not allowed to exercise more intellectual professions where the respective skills Include common areas operating at different levels of training, or are likely to cause interference and conflicts of interest such as to influence the free choice of mode of completion of the professional activity, or are able to determine situations of unfair competition advantage.

Art. 5
(Incompatibility of the professional operation)

The laws of the individual intellectual professions determine the activities which are incompatible with the professional exercise.

In any case those activities that determine contrast of interest with the professional performance are incompatible with the exercise of intellectual profession, or affect the dignity and the dignity of the category of membership, as well as those that determine situations of unfair competition or entail a power to control the same performance.

Art. 6
Requirements (school)

To access to the intellectual professions it is request a training not less than secondary school with a curriculum for a period of at least 4 years and the field of activity which is object of specific powers attributed to the individual professions; this training is proven by appropriate final exam and by the related diploma or, for higher level, by a diploma issued by university or State institute of higher education or legally recognized .

The duration of the degree course must be at least four years.

The achievement of one of the titles of study considered , gives the right to use the title achieved.

Art. 7
(Apprenticeship)

In order to the access to the intellectual professions, it is also required to perform, under the control and the responsibility of the representative bodies of individual professions a period of practice, the modalities and the duration of which, in any case is not less than 12 months, and are determined by the law of individual professions.

The individual orders or colleges may, even partially, consider equivalent to the internship , professional features carried out to the Public administration or private, causing any supplementary mode, durability, and as far as the purposes referred to in art. 8 next .

The successful completion of the practical is proven by a certificate issued by competent professional component.

For the purposes of carrying out of the practice with the rules laid down by individual jurisdictions, the register of practitioners is set up at the Order

Art. 8
(Professional Qualification)

The suitability to the exercise of a intellectual profession and established by special State examination, the Completion of which is governed by a special Committee composed of six members, of whom three appointed by the Order or vocational college, two appointed by the State Congress and one in quality of Chairman appointed by the Member to Justice. The vote of the Chairman prevails in the case of equality. Candidates in possessions in possession of the title

referred to in Article 6 and the certificate of practice referred to in art. 7 are allowed to pass the State examination.

The examination under the preceding paragraph has theoretical-practical and involves the verification of Knowledge acquired in the course of training as well as the skills demonstrated in the period of Practice: it shall be held at least annually, has for its object the matters regarding the specific field of activity attributed to the corresponding professional category and enable exclusively with the completion of its performance.

In the Decrees establishing each Order or College will be recognized - where neither contribute the legal requirements from San Marino legal system - full validity professional qualification achieved in another State.

Art. 9

(Subjective Conditions for the exercise professional)

The exercise of intellectual professions involves the constant updating of knowledge necessary theoretical and practical, to adapt to scientific and technical progress of the sector of activity attributed to each category.

Every order and College shall take the appropriate steps, were agreed with senior management the National Commission I of the Liberal Professions and coordinated, if necessary, with those of other Orders and Colleges in order to facilitate the updating of professionals.

Art. 10

(Classification of occupational categories)

For the purposes provided for in this law, and in particular for the constitution of bodies and coordination between professionals working in related fields, the professional categories are classified as follows:

A) legal professions-economic, including lawyers and notaries, the doctors

Accountants, doctors in political science, actuaries, accountants, the
Employment consultants;

B) Professions technical-scientific, including inter alia the engineers, architects, chemists, the geologists, the doctors agronomists and doctors forest, surveyors, the industrial experts, the land surveyors;

(C) health professions, including doctors, dentists, pharmacists, veterinarians, the Biologists, midwife, professional nurses, healthcare assistants, the childcare opportunities of childhood, the Psychologists;

D) Professions socio-cultural, including journalists, translators, interpreters, the Teachers and lecturers, the sociologists.

New professions will be classified by analogy in one of the aforementioned groups.

Art. 11

(Professionals do not consist in order or College)

An Order or vocational college must be composed of at least eight professionals.

within the same category may be constituted an Order or vocational college between various professions. In this case will be kept separate register.

Professionals who do not have the possibility of creation in order or College on the basis of the this legislation, are entered in a special register held directly by the National Commission of the professions, which will determine and will apply for each occupation the regulations and disciplinary procedures, i.e. , the professional regulation having identified a specifies among those taken from orders or colleges which have already been established within the same professional category .

Art. 12
(Inclusion on the agenda or College)

To be listed in the order or College and having no incompatibility to the art. 5 , you must be in possession of the following requirements:

A) be a citizen of the Republic or of any other State in which there is reciprocity in treatment of San Marino citizens;

(B) be resident in the Republic or, in the case of express provision in the regulation of the Order or College, be domiciled therein;

C) enjoy civil rights;

D) have achieved the professional qualification to practice referred to in the previous art. 8 .

Individual Statutes orders or colleges may establish specific additional requirements for entry.

Membership of the Order or College for professionals bound by a relationship of dependence on public or private, subject to certain exceptions contained in the individual Statutes and the ways in which the next paragraph, has a result

the suspension of any form of participation in the activities of the Order or College fact without prejudice, however, to the right to participate in meetings without vote and to receive all notices and Communications addressed to the other members as well as to participate in the initiatives of a cultural nature and professional.

If the single Statute provides for the presence of professionals bound by a relationship of dependence on the Council of the Order or College, the latter may not exceed, such as members, the third of actual members; consequently, from the vote for the election, the agenda or Professionals College employees, autonomously shall appoint their representatives.

While subscribers to order or College already enrolled in the Register, shall appoint their Representatives free professionals enrolled in the Register.

Art. 13
(Enrolment in the register)

For the exercise of professional activities of the present law and request the registration in special registers kept by the orders or by the colleges in their respective categories or by the National Commission of the professions in the case where they satisfy the conditions referred to in the last paragraph article 11.

They have the right to enroll in a professional register those who, in possession of the requirements referred to in the first paragraph of the previous article, intend to engage in the activity of the profession of membership and are not in situations of suspension of referred to in the third paragraph of the previous article or other provided for in this law.

Who have been removed from the register of another profession that is, with respect to the first, in one of the situations of incompatibility as indicated in article 5. may not be accepted in the register a profession.

The seniority of registration in the register is determined by the date of registration in the register.

Art. 14
(Cancellation and reinstatement)

The cancellation of the Order or College takes place when any of the requirements as per 12 points a), B), C) occurs.

The deletion from the register, in addition to the reasons referred to in the preceding paragraph, can occur for the Disciplinary reasons provided by the present law, as well as for the occurrence of one of the situations Incompatibility foreseen by the present law or by the relevant Statutes or for one of the reasons that involve the suspension of activities of the Order or College.

The measures of cancellation referred to in paragraphs that precede are adopted on the Office or on request of the concerned with compliance with the procedures for disciplinary proceedings.

The professional erased from the register may be reinstated if there are no longer reasons that neither have resulted in the cancellation policy.

Art. 15
(Structure of the register)

The professional register contains, in addition to the generality of each in writing, the date of entry, the place and the date for the attainment of the title of study and of passing the State exam.

The register is compiled according to the order of seniority of enrolment and is accompanied by an alphabetical index Indicating the order number for each in writing.

The professional register is public and is drawn up, with updates made, at least every two years: it is transmitted, under the care of the Order or College, the Department of Justice, the Court Commissary, the Administrative Tribunal and the National Commission of the Free Professions.

Art. 16
(Update the register)

The Council of the Order or College or the National Commission of the professions for the cases referred to in the last paragraph of Article 11 takes care of the constant updating the register, making the modifications of the case and to this end, periodically requires to subscribers, and the authorities of which in the previous article, the news regarding the existence of the requirements and conditions Influential on the inclusion on the register.

The modifications of the register which result in variations on the professional practice of the registered users are Posted in the seat of the Order or the College, and notified the authorities referred to in article that Foregoing.

Art. 17

(Rights and duties of the members enrolled on the register)

Membership of the association includes the right to participate in the various aspects and moments of associative life. The category and the duty to contribute to the charges, in full respect of the provisions and rules established in the individual professional systems.

Follows, in particular, the registration in the register the right to take part in electoral operations for the constitution of the governing bodies and control of the Order or College of affiliation, participate in the exhibitions and cultural events and professional.

All students enrolled in the register have the duty to contribute to the costs needed for the operation of the Order or College where they belong, to the extent provided by the respective sorting professional and with the modalities and in the terms set out therein; the costs for the operation of the Order or College or the special register, must, however, contribute, though to a lesser extent, also those who are only included in the agenda or College.

The exclusive right to be appointed experts jurors by the Court it is the responsibility of professionals enrolled individual register.

Art. 18

(Register of practitioners)

The register of practitioners provided for in paragraph 3 of Article 7 contains, in addition to the generality of each in writing, the date of the beginning of the practice or the other particulars required from professional legislation about the modality of the practice itself.

Enrolment in the register of practitioners is an indispensable requirement for the exercise of the placement of which in Article 7.

Art. 19

(Identification Card and stamp)

Individual jurisdictions professional have the release to the subscribers of a card of Recognition, with the value of document proving the inclusion in the agenda or College as well as, in purpose of the exercise of the profession in a form other than the one carried out within the framework of a Salaried, a stamp name, to be used for the professional performance that they allow.

Professionals, may on request obtain the release of a stamp name attesting to his membership in the order or College, for use in performance professional carried out within the framework of the employees.

Art. 20

(Seal of the order)

The register operators of the intellectual professions covered by this law are held by Orders and from Colleges, legally imposed or by the National Commission of Free Occupations for the cases provided for in the last paragraph of Article 11.

Art. 21
(Orders and professional colleges)

Every order or vocational college is composed of professionals enabled the completion of Benefits provided under the statute and the resulting regulations.
The Orders and the Colleges are public entities and perform the duties laid down by present law; they shall enjoy, within the framework of their respective powers, of full autonomy, without prejudice to the Vigilance powers of the bodies referred to in Article 38 of this law.

Art. 22
(Professional orders)

The intellectual professions for the exercise of which is prescribed a university education, proof by a diploma of graduation, are organized in professional associations.

Art. 23
(Professional)

The intellectual professions for the exercise of which is prescribed a formation of level not lower than one of the high school, attested by the respective diploma or a certificate or diploma legally recognized but different from diploma provided for in the preceding paragraph, are organized in professional colleges.

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Art. 23 bis

Regardless of the different titles of study prescribed by law for the membership of an Order That is a professional College, and given the opportunity to Orders and professional colleges to proceed to unification into a single and new order, where the objects of the respective professions are coincident or, however, broadly similar.
The unification must be approved by the respective assemblies and by the National Commission of liberal professions.
A decree delegate must provide detailed rules, terms and the effects of unification, as well as the relative Statute. Each item of property, movable and immovable property, the property of the Order and of the College must Be paid in the availability of the new order without the possibility of any distraction.

1 Article added by law November 29, 2010 n. 188 Articles 1

Art. 24
(Professional Ethics)

The Statutes of the individual orders or the Colleges determine the rules of behavior, which must Be observed by members of the respective professions. They are communicated to the bodies that Exercise supervision in accordance with Article 38 for the activation of the necessary procedures required under the law.

The failure to comply with the rules of professional conduct and evaluated by professional bodies competent, for the purposes
The possible adoption of appropriate disciplinary measures, within the meaning of their respective jurisdictions.

Art. 25
(Members of the Orders and Colleges)

Members of the Orders and professional colleges are the Council of the Order or the College and the Board of auditors: the number of members of the Board and from 3 to 5 members, in Report the number of members enrolled on the Register; the one of the components of the college of auditors and of the two.

The Council and the Board of auditors shall hold office for three years, beginning from the date of the Respective settlement.

Art. 26
(Fillers of the Council)

Each Council, at the time of his inauguration, the committee shall elect a majority of votes among its components a President freelance register, giving notice within the next 15 days to Department of Justice, the Court Commissary, the Administrative Court and the National Commission of the professions.

In the event of absence or impediment of the President, nor guardian the component more it is elderly for enrolled or, in the case of equal seniority of enrolment, the most senior.

Art. 27
(Elected by the Council of the Order or the College as well as the Board of auditors)

Participating in the election of the Council all the members enrolled on the register in rule with the payment of the Contributions, subject to the various provisions of individual orders or colleges referred to in the third paragraph Article 12.

The assembly for the election of the Council shall be convened by the President of the outgoing council and has place within two months prior to expiration.

The assembly shall be duly constituted, in the first convocation, if participating in elections at least two-thirds of the voters, and at the second convocation if you participate in a number of voters not less than 10% of the voters, as long as it is greater than the double of Directors to be elected.

It is allowed the presentation of lists each containing a number of candidates which does not exceed the nr of councilors to be elected, as long as signed by a number of presenters not candidates at least twice of Directors to be elected: in the presence of one or more lists, the voter expresses the vote in the context of the lists themselves and preferences within the limit of two-thirds of the Directors from Elect even if belonging to different lists that is not included in any list.

The election of the Board of Auditors takes place with the same procedures, as applicable, of those for the election of the Council.

Individual jurisdictions may prescribe special requirements for eligibility to Councilors and to Auditor, due to seniority as well as the professional status of the person concerned.

Art. 28

(Procedures for the election of the Council and Board of auditors)

The outgoing Council shall appoint a committee composed of three members not Counselors nor auditors accounts, which shall elect in their womb the President of the assembly election: the charge of component

The Committee is incompatible with the quality of candidate.

The vote is secret and is not allowed the voting proxy.

The elections are held in a single day, in which the seat remains open for at least five hours in total.

Art. 29

(Ballot and proclamation of the elect)

The operations of ballot have beginning immediately after the closing of votes and are Public.

Elected are those candidates who have received the highest number of votes: in the case of an equality of votes is elected the candidate most elderly for registration and, in the case of equal seniority of enrolment, the eldest in age.

Finished the ballot, the President of each seat forms the ranking and declares the result:

The Chairman of the Committee proceeds to the proclamation of the elect.

The results of the elections are transmitted, in fifteen days, by the President of the Committee, the Department of Justice and the National Commission of the professions.

Art. 30

(Complaint against the results of the election)

Against the outcome of the elections, each register may submit a complaint to the National Commission of the professions within the peremptory time limit of thirty days from the proclamation receipt.

The complaint does not have any suspend effect: the National Commission of the professions is Ruling on the complaint within sixty days of its receipt.

Art. 31
(House of the Order and the College)

The shareholders on the agenda or College shall be convened by the President of the Council, in the first half of each year for the approval of the annual accounts and the budget of estimates for the following year.

The assembly shall be duly constituted, in the first convocation, with the presence of at least one-third of the members enrolled on the register, and in the second convocation, which can also take place in a different day

From the first convocation, with any number of speakers having the right to vote: the deliberations are adopted by an absolute majority, excluding abstentions.
The President and the Secretary of the Council are, respectively, the President and the Secretary of the assembly.

Art. 32
(Replacing and decadence of the components of the Council)

The components of the Council and the Board of auditors have come to miss in three consecutive meetings either for death, resignation or other cause and those fallen from charging for not be spoken without justification are replaced by the first of the ranking of non-elected.
Decay also members who have lost the requirements laid down by law or by the individual Statutes. The decadence and replacement referred to in the preceding paragraph are deliberated by the Council and Communicated by the President, the Department of Justice, the Court Commissary, to the Administrative Tribunal and the National Commission of the professions.

The counselors and the auditors strapped in replacement of elected representatives come to miss or fallen remain in charge until the expiration of the component.

If, even at different times, are lacking or lapse more than half of the members of collegial bodies above elected by the assembly, the President shall convene the Assembly itself for election of the entire organ.

Art. 33
(Dissolution of the Council and appointment of the Special Commissioner)

In the event of serious dysfunction, of non-compliance with laws, regulations, or to deliberations the Executive of the National Commission of the professions, and if satisfied other serious reasons, the Council of the Order or College may be dissolved.

The dissolution of the Council and arranged by State Congress at the request of the Honorable Member to Justice, heard the opinion of the Court Commissary and the National Commission of the Free Occupations; with the measure of dissolution and appointed a special commissioner.

The Extraordinary Commissioner shall exercise the functions of the Council and shall, within the period of ninety days, the convocation of the assembly for the election of the new Council.

Art. 34
(Duties of the President of the Council)

The President of the Council has the representation of the Order or the College and exercise such other powers conferred by this act and the professional legislation.

Art. 35
(Competence of the Councils of the Orders and Colleges)

The Council of the Order or the College exercises, in addition to those of professional or by other laws, the following functions:

- 1 Provides to the keeping of the register, by arranging their memberships, cancellations, annotations and Updates;
- 2, Care compliance with the laws relating to the profession and protect the independence and the professional decorum;
- 3) Ensure that the use of the professional title and performs the appropriate initiatives for the repression
The improper exercise of the profession;
- 4 Exercises the function disciplining of the members enrolled on the register;
- 5 Fixed the code of conduct to observe in the exercise of the profession;
6. It promotes and encourages initiatives to upgrade and technical improvement and cultural
Of the members, as well as the examination of the topics of professional interest;
- 7 Can act or be sued in, or civil litigant, for the general interests of profession;
8. Suggests that the National Commission of the professions the professional fees and their
update;
- 9 Expresses opinions on the clearance of professional fees;
10. To decide the convening of the house of the Order or the College in accordance with the
provisions of this act
And of the Statute, as well as whenever you appalesi appropriately or when neither request is
made, with the indication of the topics to be covered, by a number of members determined by
sorting professional;
- 11, Establishing, in the ways indicated by relative ordering professional and still remain within the
limits Needed to cover the costs for its own operation, the measure of the annual contribution to
Load any members of the registration fee, than that for the issuance of certificates, copies and
weave, as well as for the opinion on the clearance of professional fees;
- 12 Kicks for the settlement of disputes between members enrolled on the register and between
these and their Procurers.
13. The administration of the goods of the Order or the College and the financial management,
By completing the annual budget and the annual accounts;
- 14 Shall appoint its representatives in bodies or Committees, institutions and the like, both state
and private, both national and international.

Art. 36
(Operation of the Council)

The Council shall be validly constituted if the majority of its components; acting by a majority of votes: in the event of a tie the President shall have the casting vote.
The meetings of the Council are not open to the public.

Art. 37
(Notification and appeal of the deliberations of the Council)

The deliberations of the Council concerning the registration and cancellation policy from the register, transfer from a register to each other, as well as disciplinary matters are communicated with recommended R. R. within 15 days to the interested parties, as well as the Department of Justice and the National Commission of Liberal professions.

Against such deliberations may appeal to the National Commission of the Professions within the next 30 days.

The National Commission shall decide within 30 days.

Against the decision of the National Commission, the Order or the college or anyone concerned, May appeal in accordance with article 44.

Pending the appeal, disciplinary measures, the National Commission, in the cases of greater severity, may take measure of preventive nature limited to the suspension.

Art. 38
(Powers and scope of high vigilance)

Without prejudice to the powers of the National Commission of the professions of which the Next, Article 43 (A), the high supervision of professions and exerted by the Congregation of the Justice. It involves the cognitive powers and intervention provided by this law, and may be implemented for the by means of the organs of the ordinary judicial authorities.

The high supervision applies, in respect of the autonomy of the professional bodies, for the protection of general interests of the legal system, as well as those of individual professions and the rights of Individual professionals. It involves the adoption of the measures provided for by the present law, as well as the power to activate the legality of acts by the members of the individual professions.

Art. 39
(Professional Secrecy)

The professionals referred to in this law shall be kept in the observance of secrecy, as regards the news of which has come to their knowledge in relation to its activities, as prescribed by regulation of the profession of membership.

Art. 40
(Professional Fees)

Professionals, referred to in this law, shall have the right in addition to the reimbursement for the costs incurred, the compensation for the work carried out in appropriate measure to the extent and significance of the performance and the decoration of the profession.

The measure of compensation is determined by the appropriate tariff for every single profession, with the approval of the Department of Justice and enacted by Decree, on proposal of the National Commission of the professions, heard the opinion of the individual orders or Colleges concerned.

The tariff has validity 2 years, but retains validity even after the expiry date, in absence of an express edit or update. The National Commission of the professions, on proposal of Individual orders or colleges may determine automatic updates yearly, depending on the variations of the official index of the cost of living.

The rate includes, in specific items, the compensation for individual performance and indicate, if necessary.

The general criteria for its application: the fee is fixed, where the nature of the performance permits, establishing the minimum is the maximum amount applicable in practice.

The fee indicated in the tariff and binding on both the professional and the employer, private or public: the measures minimum and maximum determined are limit however mandatory.

Art. 41

(The establishment of new orders, Register and Colleges)

For the establishment of new orders and Colleges as well as for the insertion of professionals in the Register, Special referred to in the last paragraph of Article 11, where conditions are right, the Department of the Justice, on the basis of a proposal of the National Commission of the professions, appoints a Extraordinary Commissioner with the task to provide the first formation of the register and its statute, or propose the professional regulation applicable to the meaning of the last paragraph Article 11.

The Department of the Justice, evaluated the proposals of the extraordinary commissioner and heard the opinion of the Commissary Court and the National Commission of the professions, where neither the conditions of the law, will ask the legal recognition of the Order or College by Decree

Art. 42

(National Commission of the professions)

The National Commission of the Professions consists by the presidents of the Orders and professional colleges and is chaired by a President elected by a majority in the National Commission itself among its components.

The President of the National Commission of the Professions lasts for three years and is re-elected on the condition that this duration remains as chairman of the Order or Professional College corresponding.

The meetings of the National Commission may participate in - without the right to vote - the MEP to Justice or person.

The National Commission of the professions will follow an internal regulation adopted by Decree. The National Commission will be established by the President within 120 days from Legal recognition of the Orders and Colleges referred to in Article 53.

Art. 43

(Powers of the National Commission)

The National Commission shall exercise, in addition to those reported in previous articles, the following responsibilities:

- A. shall exercise supervision of individual trades and skills of the Councils of the Orders and the Colleges referred to in Article 35 of the present law, with powers and cognitive intervention;
- B. represents the professional interests and moral categories of safeguarding the decoration and The independence;
- C. coordinates the activity of the Orders and Colleges by ensuring, through special directives, the necessary uniformity;
- D. shall act the regulations relating to its operation;
- E. shall designate its representatives on committees, agencies and national organizations and International;
- F. represents the occupations in scientific events and cultural character of national and International;
- G. promotes and coordinates initiatives of professional nature and in particular those aimed to upgrade, and technical improvement and cultural by students to orders;
- H. care and promotes relations with associations and professional bodies foreigners;
- I. expresses opinions on the designs of the law and regulation regarding the professions felt the individual Orders or colleges concerned;
- L. expresses the opinion on the constitution, new orders, and colleges;
- M. decides on conflicts of jurisdiction between bodies, and between orders and colleges;
- N. decides to administrative appeals against the decisions of the Councils of the Orders and Colleges regarding the keeping of the register as well as disciplinary matters and election;
- O. determines the measure of the annual contribution due from the Orders or colleges for your Operation;
- P. establishes and updates on proposal of the individual orders or colleges concerned professional fees, by sending where necessary the Department of the Justice for any measures of Competence.

Art. 44

(Appeal of decisions of the National Commission)

The decisions of the National Commission of the professions are actionable by concerned persons within the peremptory time limit of 60 days of the communication, before the Administration Tribunal under the Law of June 28, 1989 n. 68.

Art. 45

(Disciplinary action)

It is the object of evaluation for disciplinary purposes the behavior of the professional in the exercise of his work, or outside of it, where it can damage its professional dignity or to the decoration and independence of the category of membership.

The disciplinary action is taken by the Council of the Order or College e of the public register in where the professional is in writing.

Disciplinary action may be brought on the office, on the initiative of the judicial authority or on complaint to any interested party.

Disciplinary action shall be subject to a limitation period of five years.
The statutes of the various orders or colleges will be able to establish the precautionary measures to be taken on a slope for disciplinary action.

Art. 46
(Penalties)

The Council of the Order or the College, if considered necessary , may adopt, In relation to the nature and severity of the behavior by applying in the the principle of gradualism, the following sanctions:

- The return
- The complaint
- The suspension of the exercise professional
- The cancellation from the register
- The radiation from the profession.

Art. 47
(Recall)

The recall is placed in the event of an infringement excusable and minor: it consists in the relief of the non-compliance of the behavior of the concerned with the principles of absolute fairness and full respect for professional ethics and in the warning not to persist in the behavior itself and it is communicated to the seller in writing by the President of the Council of the Order or the College. The callout is strictly personal and may not be subject to disclosure or publication. The measure of the recall and acted without compliance with the rules relating to the process specification: the professional however may, within thirty days from the notice, request that regular disciplinary proceedings is established.

Art. 48
(Censorship)

The censure is arranged in the case of infringement which, although of considerable size, is not such as to affect the dignity of the professional or the decoration of the category of membership and involves the conviction, deriving from the seriousness of the fact, of the degree of responsibility, from the previous disciplinary and from subsequent behavior, that the accused does not incur in another infringement: it consists in a formal reprimand for the misconduct and is arranged with the observance of the rules of which In Article 52.

Art. 49
(Suspension)

The suspension from registration in the register is arranged in the case of serious offense is of such a nature as to infringe the dignity of the professional or the decoration and the independence of the category of membership: it is temporary ban on the practice of the profession and in the relative loss of seniority register for a period from one month to two years. In the period of suspension the Professional is not involved in the events of the community life of the Order or the College, and in particular does not enjoy active and passive voting rights. The suspension is also arranged in the case of a prolonged nonpayment of the practitioner in the payment Of contributions payable to the Order or College to which he belongs.

Art. 50
(Erase)

The deletion from the register is arranged in the case the member behavior has seriously compromised the professional dignity or the decoration and the independence of the category of membership or, after having suffered for two times the penalty of suspension, the member has committed other serious infringement: the cancellation policy is permanent ban of exercise the profession and the cessation of membership in the order or vocational college. The deletion can also be arranged in the case of non payments as per the last paragraph of the previous article, and he persists in not fulfill its fiscal obligations.

Art. 51
(Radiation)

The radiation from the profession is arranged in case the member has reported with irrevocable judgment , conviction for transgression for a period exceeding two years, the penalty of imprisonment, For the same period the member has the interdiction in public offices or turned off from the Profession. It is confirmed the radiation: condemnation, judgment irrevocable, for one of the crimes provided for by article 295, 296, 354, 358, 361 of the Penal Code, whatever penalty applied in Concrete.

Art. 52
(Method)

The measures referred to in the preceding articles 48, 49, 50 and 51 may not be adopted if not as result of disciplinary proceedings. Single jurisdictions professional determine the forms and procedures of the disciplinary proceedings, by ensuring in every case, the observance of the principles of proportionality of the sanction to the gravity of the offense committed, the obligation of the contestation of the accusation to the person concerned and the law he defense on the part of the latter.

Art. 53
(Reinstatement and readmission)

The professional erased from the register may obtain to be reinstated, when they have spent at least three years from the measure, only if it is kept, during the same period, blameless conduct.

The professional struck from profession can obtain to be readmitted, if both intervened the rehabilitation and it turns out that the person concerned has held blameless conduct

Art. 54
(Transitional standard)

The entry into force of the present law will be appointed by the Congress of been a extraordinary Commissioner with the task of setting up within a year, in collaboration with the Orders and the professional Associations, existing statutes and regulations of the orders or colleges, which – after favorable opinion of the Department of Justice - must receive, within two months, Legal recognition by the Decree.

Are considered members of the individual orders or colleges and related register those who at the time of the enactment of the Decree are in possession of the requirements for registration provided by the present law and By the Decree establishing, with the exception of the examination referred to in Article 8, which is considered passed with The effective exercise of the profession is free and in the form employee.

Enrollment is done at the request of the concerned with deliberation of the extraordinary commissioner.

It is open to appeal to the Administrative Court in the case of not accepting the application.

Art. 55
(Repeals)

From the moment of the constitution of the new orders or colleges, are hereby repealed all the rules and provisions in contrast with the present law and in particular:

- Law may 26, 1914 n.17 and subsequent amendments;
Article 4, reads June 5, 1923 n.13 ;
- Law October 31, 1968 n.39;
- Law may 4, 1979 n.24.
- Law March 28, 1979 n.11 and subsequent amendments.

Similarly, from the moment of the constitution of the new orders or colleges, the Associations of Professionals currently existing, which have had the legal recognition by the Council of the XII, lapse of law within 60 days.

There remains however, the possibility to request in accordance with Article 4 of the Law of 13 june 1990 n. 68 and within the time limit indicated above, a new legal recognition in the form of free Association, with the necessary statutory adjustments.

Art. 56
(Entry into force)

The present law shall enter into force on the 5 day following that of its legal publication.

Date from our residence, 21st February 1991/1690 -

THE CAPTAINS

Cesare Antonio Gasperoni - Roberto Bucci

THE SECRETARY OF STATE

FOR INTERNAL AFFAIRS

Alvaro Selva