

# Constitution of Italy

This text is the [official translation](#) as published by the Constitutional Court of Italy. The text was amended in some parts; to see the text that is currently in force please refer to the Constitutional Court site.

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## Fundamental principles

### Art. 1

Italy is a democratic republic, founded on work.

Sovereignty belongs to the people, which exercises it in the forms and within the limits of the Constitution.

### Art. 2

The Republic recognizes and guarantees the inviolable rights of man, as an individual, and in the social groups where he expresses his personality, and demands the fulfilment of the intransgressible duties of political, economic, and social solidarity.

### Art. 3

All citizens have equal social dignity and are equal before the law, without distinction of sex, race, language, religion, political opinions, personal and social conditions.

It is the duty of the Republic to remove those obstacles of an economic and social nature which, really limiting the freedom and equality of citizens, impede the full development of the human person and the effective participation of all workers in the political, economic and social organization of the country.

**Art. 4**

The Republic recognizes the right of all citizens to work and promotes those conditions which will make this right effective.

Every citizen has the duty, according to his possibilities and individual choice, to carry out an activity or a function which contributes to the material or spiritual progress of society.

**Art. 5**

The Republic, one and indivisible, recognizes and promotes local autonomies; implements in those services which depend on the State the fullest measure of administrative decentralization; accords the principles and methods of its legislation to the requirements of autonomy and decentralization.

**Art. 6**

The Republic safeguards by means of appropriate measures linguistic minorities.

**Art. 7**

The State and the Catholic Church are, each within its own order, independent and sovereign.

Their relations are regulated by the Lateran Treaties. Changes to the Treaties accepted by both parties do not require the procedure for constitutional amendment.

**Art. 8**

All religious confessions are equally free before the law.

Religious confessions other than Catholic have the right to organize in accordance with their own statutes, in so far as they are not in conflict with Italian laws.

Their relations with the State are regulated by law on the basis of an accord between the respective representatives.

**Art. 9**

The Republic promotes the development of culture and scientific and technical research.

It safeguards landscape and the historical and artistic heritage of the Nation.

**Art. 10**

Italian laws conform to the generally recognized tenets of international law.

The legal status of foreigners is regulated by law in conformity with international provisions and treaties.

The foreigner who is denied in his own country the real exercise of the democratic liberties guaranteed by the Italian Constitution has the right of asylum in the territory of the Republic, in accordance with the conditions established by law.

The extradition of a foreigner for political offences is not admitted.

#### **Art. 11**

Italy rejects war as an instrument of aggression against the freedoms of others peoples and as a means for settling international controversies; it agrees, on conditions of equality with other states, to the limitations of sovereignty necessary for an order that ensures peace and justice among Nations; it promotes and encourages international organizations having such ends in view.

#### **Art. 12**

The flag of the Republic is the Italian tricolour: green, white and red, in three vertical bands of equal dimensions.

### **Part I: Rights and Duties of Citizens**

#### **Title I: Civil Rights**

#### **Art. 13**

Personal liberty is inviolable. No form of detention, inspection or personal search is admitted, nor any other restrictions on personal freedom except by warrant which states the reasons from a judicial authority and only in cases and manner provided for by law.

In exceptional cases of necessity and urgency, strictly defined by law, the police authorities may adopt temporary measures which must be communicated within forty-eight hours to the judicial authorities and if they are not ratified by them in the next forty-eight hours, are thereby revoked and become null and void.

All acts of physical or moral violence against individuals subjected in any way to limitations of freedom are punished.

The law establishes the maximum period of preventative detention.

#### **Art. 14**

The home is inviolable.

Inspections or searches or seizures may not be carried out except in cases and manner prescribed by law in accordance with the guarantees prescribed for safeguarding personal freedom.

Controls and inspections for reasons of public health and safety or for economic and fiscal purposes are regulated by special laws.

#### **Art. 15**

The freedom and secrecy of correspondence and of every other form of communication is inviolable.

Restriction thereto may be imposed only by warrant which gives the reasons issued by a judicial authority with the guarantees established by law.

#### **Art. 16**

All citizens may travel or sojourn freely in any part of the national territory, except for general limitations which the law establishes for reasons of health and safety. No restrictions may be made for political reasons.

All citizens are free to leave and reenter the territory of the Republic, provided the legal obligations are fulfilled.

#### **Art. 17**

Citizens have the right to assemble peaceably and unarmed.

No previous notice is required for meetings, even when in places open to the public.

For meetings in public places previous notice must be given to the authorities, who may forbid them only for proven motives of security and public safety.

#### **Art. 18**

Citizens have the right to form associations freely, without authorization, for ends which are not forbidden to individuals by criminal law.

Secret associations and those which pursue, even indirectly, political ends by means of organizations of a military character, are forbidden.

#### **Art. 19**

All have the right to profess freely their own religious faith in whatever form, individual or associate, to propagate it and to exercise it in private or public cult, provided that the rites are not contrary to morality.

#### **Art. 20**

The ecclesiastical nature and the purpose of religion or worship of an association or institution may not be a cause for special limitations in law, nor for special fiscal impositions in its setting up, legal capacity and any of its activities.

#### **Art. 21**

All have the right to express freely their own thought by word, in writing and by all other means of communication.

The press cannot be subjected to authorization or censorship.

Seizure is permitted only by a detailed warrant from the judicial authority in the case of offences for which the law governing the press expressly authorizes, or in the case of violation of the provisions prescribed by law for the disclosure of the responsible parties.

In such cases, when there is absolute urgency and when the timely intervention of the judicial authority is not possible, periodical publications may be seized by officers of the criminal police, who must immediately, and never after more than twenty-four hours, report the matter to the judicial authority. If the latter does not ratify the act in the twenty-four hours following, the seizure is understood to be withdrawn and null and void.

The law may establish, by means of general provisions, that the financial sources of the periodical press be disclosed.

Printed publications, shows and other displays contrary to morality are forbidden. The law establishes appropriate means for preventing and suppressing all violations.

**Art. 22**

No one may be deprived, for political reasons, of legal status, citizenship, name.

**Art. 23**

No services of a personal or a capital nature may be imposed except on the basis of law.

**Art. 24**

Everyone can take judicial action to protect individual rights and legitimate interests.

The right to defence is inviolable at every stage and moment of the proceedings.

The indigent are assured, through appropriate institutions, the means for action and defence before all levels of jurisdiction.

The law determines the conditions and the means for the reparation for judicial errors.

**Art. 25**

No one may be moved from the normal judge preestablished by law.

No one may be punished except on the basis of a law already in force before the offence was committed.

No one may be subjected to security measures except in those cases provided for by law.

**Art. 26**

Extradition of a citizen is permitted only in cases expressly provided for in international conventions.

In no case may it be permitted for political offences.

**Art. 27**

Criminal responsibility is personal.

The defendant is not considered guilty until final judgment is passed.

Punishment cannot consist in treatment contrary to human dignity and must aim at rehabilitating the condemned.

The death penalty is not permitted.

#### **Art. 28**

Officials and employees of the State and public entities are directly responsible, according to criminal, civil and administrative laws, for acts committed in violation of rights. In such cases the civil responsibility extends to the State and the public entities.

### **Title II: Ethical and Social Relations**

#### **Art. 29**

The Republic recognizes the rights of the family as a natural society founded on matrimony.

Matrimony is based on the moral and legal equality of the spouses within the limits laid down by law to guarantee the unity of the family.

#### **Art. 30**

It is the duty and right of parents to support, instruct and educate their children, even those born outside of matrimony.

In cases of the incapacity of the parents, the law provides for the fulfilment of their duties.

The law ensures to children born outside of marriage full legal and social protection, compatible with the rights of members of the legitimate family.

The law lays down the rules and limitations for ascertaining paternity.

#### **Art. 31**

The Republic assists through economic measures and other provisions the formation of the family and the fulfilment of its duties, with particular consideration for large families.

It protects maternity, infancy and youth, promoting the institutions necessary thereto.

#### **Art. 32**

The Republic safeguards health as a fundamental right of the individual and as a collective interest, and guarantees free medical care to the indigent.

No one may be obliged to undergo particular health treatment except under the provisions of the law. The law cannot under any circumstances violate the limits imposed by respect for the human person.

### **Art. 33**

Art and science are free and teaching them is free.

The Republic lays down general rules for education and establishes State schools for all kinds and grades.

Entities and private persons have the right to establish schools and institutions of education, without impositions for the State.

The law, in fixing the rights and obligations on non-state schools which request parity, must ensure to these schools full liberty and to their pupils scholastic treatment equal to that of pupils in State schools.

State examinations are prescribed for admission to the various kinds and grades of schools or at their termination and for qualifications to exercise a profession.

Institutions of higher learning, universities and academies, have the right to establish their own regulations within the limits laid down by the laws of the State.

### **Art. 34**

Schools are open to everyone.

Elementary education, imparted for at least eight years, is compulsory and free.

Capable and deserving pupils, even without financial resources, have the right to attain the highest levels of education.

The Republic makes this right effective through scholarships, payments to families and other provisions, which must be assigned through competitive examination.

### **Title III: Economic Relations**

#### **Art. 35**

The Republic protects work in all its forms and applications.

It provides for the training and professional improvement of workers.

It promotes and encourages international agreements and organizations whose aim is to assert and regulate labour rights.

It recognizes the freedom to emigrate, safeguarding obligations established by law in the general interest, and protects Italian labour abroad.

#### **Art. 36**

Workers have the right to wages in proportion to the quantity and quality of their work and in all cases sufficient to ensure them and their families a free and dignified existence.

The maximum working day is fixed by law.

Workers have a right to a weekly rest day and paid annual holidays. They cannot waive this right.

**Art. 37**

Working women have the same rights and, for equal work, the same wages as working men. Working conditions must allow women to carry out their essential role in the family and ensure special appropriate protection for the mother and the child.

The law establishes the minimum age for paid labour.

The Republic protects the work of minors by means of special provisions and guarantees them, for equal work, the right to equal pay.

**Art. 38**

Every citizen unable to work and without the resources necessary to live has a right to social maintenance and assistance.

Workers have the right to be provided with and assured adequate means for their needs and necessities in cases of accidents, illness, disability and old age, and involuntary unemployment.

Disabled and handicapped persons have the right to education and vocational training.

The duties laid down in this Article are provided for by organs and institutions established by or supplemented by the State.

Private assistance is free.

**Art. 39**

Trade union organization is free.

No obligations can be imposed on trade unions other than registration at local or central offices, according to the provisions of the law.

A condition for registration is that the statutes of the trade union confirm the democratic basis of the internal organization.

Registered trade unions are legal persons. They may, through a representative unit proportional to their members, enter into collective labour agreements having mandatory effect for all persons belonging to the categories referred to in the agreement.

**Art. 40**

The right to industrial action is exercised within the laws which regulate it.

**Art. 41**

Private economic initiative is free.

It cannot be conducted in conflict with public weal or in such manner that could damage safety, liberty, and human dignity.



The law determines appropriate planning and controls so that public and private economic activity is given direction and coordinated to social objectives.

**Art. 42**

Property is public or private. Economic goods belong to the State, to entities or to private persons. Private property is recognized and guaranteed by law, which prescribes the ways it is acquired, enjoyed and its limits in order to ensure its social function and to make it accessible to all.

Private property can, in such cases provided for by law and with provisions for compensation, be expropriated for reasons of the public weal.

The law establishes the regulations and limits of legitimate and testamentary inheritance and the rights of the State in questions of inheritance.

**Art. 43**

For purposes of general utility the law can reserve from the beginning or transfer, by means of expropriation and payment of compensation, to the State, to public entities or to workers communities or users, specific enterprises or categories of enterprises which relate to essential public services or sources of energy or monopolistic situations and which have the nature of primary general interest.

**Art. 44**

For the purpose of securing a rational exploitation of the soil and to establish equity in social relationships, the law imposes obligations and constraints on private ownership of land, fixes limitations to the extension thereof according to region and agricultural zone, encourages and imposes land reclamation, the transformation of large estates and the reorganization of productive units, assists small and medium-sized holdings.

The law makes provisions in favour of mountainous areas.

**Art. 45**

The Republic recognizes the social function of cooperation of a mutualistic nature and without purposes of private speculation. The law promotes and encourages them through the appropriate means and secures, through appropriate controls, their character and purposes.

The law provides measures for safeguarding and promoting handicrafts.

**Art. 46**

With the objective of economic improvements and the social betterment of labour and in harmony with the needs of production, the Republic recognizes the rights of workers to collaborate, in the ways and within the limits established by law, in the management of enterprises.

**Art. 47**

The Republic encourages and safeguards savings in all forms; it disciplines, coordinates and controls the exercise of credit.

It promotes the access of popular savings to the ownership of housing, to directly cultivated property and indirect investment in the shares of the large production complexes of the country.

#### **Title IV: Political Rights**

##### **Art. 48**

All citizens, male and female, who have attained their majority, are electors.

The vote is personal and equal, free and secret. The exercise thereof is a civic duty.

An Act of Parliament shall establish the conditions and the procedures under which Italian nationals resident abroad may exercise their right to vote in Italian elections, and shall guarantee its effectiveness. For this purpose a 'Foreign Constituency' shall be created to which Members to both Houses of Parliament shall be elected. The number of seats shall be established by a constitutional law and comply with the criteria enacted by Act of Parliament.

The right to vote cannot be restricted except for civil incapacity or as a consequence of an irrevocable penal sentence or in cases of moral unworthiness as laid down by law.

##### **Art. 49**

All citizens have the right to freely associate in parties to contribute through democratic processes to determining national policies.

##### **Art. 50**

All citizens may present petitions to both Houses to request legislative measures or to express collective needs.

##### **Art. 51**

All citizens of either sex are eligible for public office and for elected positions on equal terms, according to the conditions established by law.

The law may grant Italians who are not resident in the Republic the same rights as citizens for the purposes of access to public offices and elected positions.

Whoever is called to perform an elected public office has the right to have the needful time to carry out that function and to conserve his place of work.

##### **Art. 52**

The defence of the Fatherland is a sacred duty for every citizen.

Military service is obligatory within the limits and the ways set by law. Fulfilment thereof shall not prejudice a citizen's employment, nor the exercise of political rights.

The regulations of the armed forces are based on the democratic spirit of the Republic.

**Art. 53**

Everyone shall contribute to public expenditure in accordance with his means.

The system of taxation shall be based on criteria of progression.

**Art. 54**

All citizens have the duty to be loyal to the Republic and to uphold its Constitution and laws.

Those citizens to whom public functions are entrusted have the duty to fulfil such functions with discipline and honour, taking an oath in those cases established by law.

**Part II: Organisation of the Republic****Title I: Parliament****Section I: The Houses****Art. 55**

Parliament consists of the Chamber of Deputies and the Senate of the Republic.

Parliament meets in joint session of the members of both Houses only in those cases established in the Constitution.

**Art. 56**

The Chamber of Deputies is elected by universal and direct suffrage.

The number of Deputies is six hundred and thirty.

All those voters who on the day of elections have attained the age of twenty-five are eligible to be deputies.

The division of seats among the electoral districts is obtained by dividing the number of inhabitants of the Republic, as shown by the latest general census of the population, by six hundred and thirty and distributing the seats in proportion to the population in every electoral district, on the basis of whole shares and the highest remainders.

**Art. 57**

The Senate of the Republic is elected on a regional basis.

The number of Senators to be elected is three hundred and fifteen.

No region may have fewer than seven senators; Molise shall have two, Valle d'Aosta one.

The division of seats among the regions, in accordance with the provisions of the preceding Article, is made in proportion to the population of the regions as revealed in the most recent general census, on the basis of whole shares and the highest remainders.

**Art. 58**

Senators are elected by universal and direct suffrage by the electors who have completed their twenty-fifth year of age.

Electors who have completed their fortieth year are eligible to be senators.

**Art. 59**

Anyone who has been President of the Republic is a senator by right and for life unless he renounces the nomination.

The President of the Republic may nominate senators for life five citizens who have brought honour to the Fatherland through their outstanding achievements in social, scientific, artistic and literary fields.

**Art. 60**

The Chamber of Deputies and the Senate of the Republic are elected for five years.

The term for each house cannot be extended except by law and only in cases of war.

**Art. 61**

Elections for the new Houses will take place within seventy days of the end of the term of the previous Houses. The first meeting will take place not later than twenty days after the elections.

Until such time as the new Houses meet the powers of the previous Houses are extended.

**Art. 62**

The Houses shall convene by right on the first working day of February and October.

Each House may be convened in extraordinary session on the initiative of its President or of the President of the Republic or by a third of its members.

When one House is convened in extraordinary session, the other House is convened by right.

**Art. 63**

Each House shall elect from among its members its president and the Office of the President.

When Parliament meets in joint session, the President and the presiding officers are those of the Chamber of Deputies.

**Art. 64**

Each House adopts its own rules by absolute majority of its members.

The sittings are public; however, each of the Houses and Parliament in joint session of both Houses may decide to meet in secret session.

The decisions of each House and of Parliament are not valid if the majority of the members is not present, and if they are not passed by a majority of those present, unless the Constitution prescribes a special majority.

Members of the government, even when not members of the Houses, have the right, and when requested the obligation, to attend sittings. They shall be heard every time they so request.

#### **Art. 65**

The law determines cases of non-eligibility and incompatibility with the office of deputy or senator.

No one may be a member of both Houses at the same time.

#### **Art. 66**

Each House decides the qualifications for admission of its members and subsequent causes of ineligibility and incompatibility.

#### **Art. 67**

Each member of Parliament represents the Nation and carries out his duties without constraint of mandate.

#### **Art. 68**

Members of Parliament may not be required to give account of any opinions expressed or votes cast in the exercise of their functions.

Without authorization from the House to which they belong, no member of Parliament may be subjected to a personal search or have their domicile searched, neither may they be arrested or otherwise deprived of personal freedom, or kept in detention, except to enforce a final conviction, or if caught in the act of committing a crime for which arrest is mandatory.

Similar authorization is also required before members of Parliament may have their conversations or communications intercepted, or their mail impounded.

#### **Art. 69**

Members of Parliament shall receive a compensation established by law.

### **Section II: The Drafting of Laws**

#### **Art. 70**

The legislative function is exercised collectively by both Houses.

#### **Art. 71**

Legislation is initiated by the government, by each member of the houses and by those organs and bodies so empowered by constitutional law.

The people may initiate legislation by way of a proposal, by at least fifty-thousand electors, of a draft of law drawn up in articles.

#### **Art. 72**

Every draft of law submitted to one of the houses is, in accordance with its rules, examined by a committee and then by the house itself, which approves it article by article and with a final vote.

The rules establish shortened procedures for draft legislation that has been declared urgent.

They may also establish in what cases and in what manner the examination and approval of bills is deferred to committees, including standing committees, composed so as to reflect the proportion of the parliamentary groups. Even in such cases, until the moment of its final approval, the bill may be submitted to the house, if the government or one-tenth of the members of the house or one-fifth of the committee request that it be debated and voted on by the house itself or that it be submitted to the house for final approval by means of a call for votes only. The rules establish the ways in which the workings of committees are made public.

The regular procedure for examination and approval directly by the house is always followed for bills on constitutional and electoral matters and for those delegating legislature, the authorization and ratification of international treaties, the approval of budgets and expenditure accounts.

#### **Art. 73**

Laws are promulgated by the President of the Republic within one month of their approval.

If the houses, each by the absolute majority of its members, declare its urgency, a bill is promulgated in the time established by the bill itself.

Laws are published immediately after promulgation and come into force on the fifteenth day following publication, unless the laws themselves establish a different time.

#### **Art. 74**

The President of the Republic, before promulgating a law, may request of the houses in a message outlining his motives a new debate.

If the houses once more pass the bill, it must be promulgated.

#### **Art. 75**

A popular referendum shall be held to abrogate, totally or partially, a law or an act having the force of law, when requested by five hundred thousand electors or five regional councils.

A referendum is not permitted in the case of tax, budget, amnesty and pardon laws, in authorization or ratification of international treaties.

All citizens eligible to vote for the Chamber of deputies have the right to participate in referendums.

The proposal subjected to referendum is approved if the majority of those with voting rights have voted and a majority of votes validly cast has been reached.

The law establishes the procedures for conducting a referendum.

**Art. 76**

The exercise of the legislative function may not be delegated to the government if the principles and guiding criteria have not been established and then only for a limited time and for specified ends.

**Art. 77**

The government may not, without delegation from the houses, issue decrees having the force of ordinary law.

When in extraordinary cases of necessity and urgency the government adopts provisional measures having the force of law it must on the same day present them for conversion into law to the houses which, even if dissolved, shall be especially summoned and shall assemble within five days.

The decrees lose effect from their inception if they are not converted into law within sixty days from their publication. The houses can however regulate through laws legal issues arising out of decrees not converted.

**Art. 78**

The houses decide on states of war and confer the necessary powers on parliament.

**Art. 79**

Amnesties and indults are granted by act of parliament requiring a two-thirds majority of the members of each House, voting on each single article and on the statute as a whole.

The Act granting the amnesty or the indult shall also indicate the deadlines for their application.

In every instance, amnesties and indults may never apply to any crimes committed after the date on which the Bill is tabled before the House.

**Art. 80**

The houses authorize through laws the ratification of international treaties which are of a political nature, or which call for arbitration or legal settlements, or which entail changes to national territory or financial burdens or changes in the laws.

**Art. 81**

The houses approve every year the budgets and expenditure accounts submitted by the government.

Provisional use of the budget cannot be conceded unless by law and for periods not exceeding a total four months.

With the law approving the budget it is not possible to introduce new taxes and new expenditures.

Any other law involving new or increased expenditures must specify the means for meeting them.

#### **Art. 82**

Each house may set up inquiries on matters of public interest.

For such purposes it nominates from its members a committee so composed as to reflect the proportions of the various groups. The committee of inquiry conducts its investigations and examinations with the same powers and the same limitations as a judicial inquiry.

### **Title II: The President of the Republic**

#### **Art. 83**

The President of the Republic is elected by parliament in joint session of its members.

Three delegates from every region elected by the Regional Council so as to ensure that minorities are represented shall participate in the election. Valle d'Aosta has one delegate only.

The election of the President of the Republic is by secret ballot with a majority of two thirds of the assembly. After the third ballot an absolute majority is sufficient.

#### **Art. 84**

Any citizen who has completed fifty-years of age and enjoys civil and political rights can be elected President of the Republic.

The office of president of the republic is incompatible with any other office.

Compensation and endowments of the president are established by law.

#### **Art. 85**

The President of the Republic is elected for seven years.

Thirty days before the expiration of the term, the president of the Chamber of Deputies shall summon a joint session of parliament and the regional delegates to elect the new president of the republic.

If the houses are dissolved, or there is less than three months to their dissolution, the election shall take place within fifteen days of the meeting of the new houses.

In the intervening time the powers of the president elect are prolonged.

#### **Art. 86**

The functions of the President of the Republic, in all cases in which he cannot carry them out, shall be exercised by the President of the Senate.

In cases of permanent impediment or death or resignation of the President of the Republic, the President of the Chamber of Deputies shall call an election of a new President of the Republic



within fifteen days, except for the longer term provided for if the houses are dissolved or have less than three months to their dissolution

#### **Art. 87**

The President of the Republic is the head of the State and represents national unity.

He may send messages to the Houses.

He calls elections for the new houses and fixes their first meetings.

He authorizes the presentation to the houses of draft laws initiated by the government.

He promulgates laws and issues decrees having the force of law and regulations.

He calls popular referendums in those cases provided for by the Constitution.

He nominates in those cases provided for by law the officers of the State.

He accredits and receives diplomatic representations, ratifies international treaties which have, where required, the authorization of the houses.

He is the commander of the armed forces, presides over the Supreme Council of Defence established by law, makes declarations of war which have been decided by the Chambers.

He presides over the High Council of the Judiciary.

He may grant pardons and commute punishments.

He confers the honours of the Republic.

#### **Art. 88**

The President of the Republic may, after consulting the two Speakers, dissolve one or both the Houses of Parliament.

This power may not be exercised during the last six months of the Presidential term, except when they coincide wholly or partly with the last six months of the legislature.

#### **Art. 89**

No act of the President of the Republic is valid if it is not signed by the proposing ministers, who assume responsibility for it.

The acts which have legislative value and those others laid down by law shall be countersigned also by the President of the Council of Ministers.

#### **Art. 90**

The President of the Republic is not responsible for the acts performed in the exercise of his duties, except for high treason or plots against the Constitution.

In such cases he is impeached by Parliament in joint session, with an absolute majority of its members.

#### **Art. 91**

The President of the Republic, before entering on his duties, shall take an oath of fidelity to the Republic and to uphold the Constitution before a joint sitting of Parliament.

### **Title III: The Government**

#### **Section I: The Council of Ministers**

#### **Art. 92**

The government of the Republic is made up of the President of the Council and the ministers who together form the Council of Ministers.

The President of the Republic nominates the President of the Council of Ministers and, on his proposal, the Ministers.

#### **Art. 93**

The President of the Council of Ministers and the Ministers, before entering on his duties, shall be sworn in by the President of the Republic.

#### **Art. 94**

The government must have the confidence of both houses.

Each house grants or withdraws its confidence through a motion setting out its reasons and which is voted on by roll-call.

Within ten days of its formation the Government shall come before the houses to get their confidence.

An opposing vote by one or both the Houses against a government proposal does not entail the obligation to resign.

A motion of no-confidence must be signed by at least one tenth of the members of the house and cannot be debated earlier than three days of its presentation.

#### **Art. 95**

The President of the Council conducts the general policy of the government and is responsible for it. He ensures unity in political and administrative policies, promoting and coordinating the activity of the Ministers.

The Ministers are collectively responsible for the acts of the Council of Ministers, and individually for the acts in their own Ministries.

The law establishes the rules of the Presidency of the Council and establishes the number, competence and organization of the ministries.

#### **Art. 96**

The President of the Council of Ministers and the Ministers, even if they resign from office, are subject, for crimes committed in the exercise of their duties, to normal justice, provided authorization is given by the Senate of the Republic or the Chamber of Deputies, in accordance with the norms established by Constitutional Law.

### **Section II: Public Administration**

#### **Art. 97**

Public offices are organized according to the provisions of law, so as to ensure efficiency and the impartiality of administration.

The regulations of the offices lay down the areas of competence, duties and responsibilities of their functionaries.

Employment in public administrations is through competitive examinations, except in those cases established by law.

#### **Art. 98**

Civil servants are exclusively at the service of the Nation.

If they are members of Parliament they may not be promoted except through seniority.

The law can set limitations to the right to become members of political parties in the case of magistrates, career military in active service, functionaries and agents of the police, diplomatic and consular representatives abroad.

### **Section III: Auxiliary Bodies**

#### **Art. 99**

The National Council for Economics and Labour is composed, as set out by law, of experts and representatives of the categories of production, in such measure as to take account of their numerical and qualitative importance.

It serves as a consultative body for the houses and the government in those matters and in those functions attributed to it by law.

It can initiate legislation and can contribute to drafting economic and social legislation according to the principles and within the limitations laid out by law.

#### **Art. 100**

The Council of State is a legal-administrative consultative body and ensures the legality of public administration.

The Court of Accounts exercises preventative control on the legitimacy of government measures, and also subsequent control on the management of the State Budget. It participates, in those cases and in ways established by law, in control of the financial management of those bodies to

which the State contributes in the ordinary way. It reports directly to the houses on the results of audits performed.

The law ensures the independence from the government of the two bodies and of their members.

#### **Title IV: The Judicial Branch**

##### **Section I: The Organization of the Judiciary**

###### **Art. 101**

Justice is administered in the name of the people.

Judges are subject only to the law.

###### **Art. 102**

Judicial proceedings are exercised by ordinary magistrates empowered and regulated by rules of judicial regulations.

Extraordinary or special judges may not be established. Only specialized sections for specific issues within the ordinary judicial bodies can be established, and include the participation of qualified citizens who are not members of the judiciary.

The law regulates those cases and the forms of the direct participation of the people in the administration of justice.

###### **Art. 103**

The Council of State and the other organs of judicial administration have jurisdiction for safeguarding before the public administration legitimate rights and, in particular matters laid out by law, also subjective rights.

The Court of Accounts has jurisdiction in matters of public accounts and in other matters laid out by law.

Military tribunals in time of war have the jurisdiction established by law. In time of peace they have jurisdiction only for military crimes committed by members of the armed forces.

###### **Art. 104**

The judiciary is an order that is autonomous and independent of all other powers.

The High Council of the Judiciary is presided over by the President of the Republic.

Members by right are the first president and the procurator general of the Court of Cassation.

Two thirds of the other members are elected by all the ordinary judges belonging to the various categories, and one third by Parliament in joint session from among full university professors of law and lawyers after fifteen years of practice.

The Council elects a vice-president from among those members designated by Parliament.

Elected members of the Council remain in office for four years and are not immediately reeligible.

They may not, while in office, be registered in professional rolls, nor serve in parliament or on a regional council.

#### **Art. 105**

The High Council of the Judiciary, in accordance with the regulations of the judiciary, has jurisdiction for employment, assignments and transfers, promotions and disciplinary measures of judges.

#### **Art. 106**

Judges are appointed by means of competitive examinations.

The law on the regulations of the judiciary allows the appointment, even by election, of honorary judges for all the functions performed by single judges.

Following a proposal of the High Council of the Judiciary it is possible for their outstanding merits to appoint as councilors in cassation, full university professors of law and lawyers with fifteen years of practice and registered in the special professional lists for the higher courts.

#### **Art. 107**

Judges may not be removed from office. Neither may they be dismissed or removed from office nor assigned to other courts or functions unless following a decision of the High Council of the Judiciary, taken either for the motives and with the guarantees of defence established by the rules of the judiciary or with their consent.

The Minister of Justice has power to originate disciplinary action.

Judges are distinguished only by their different functions.

The state prosecutor enjoys the guarantees established in his favour by the rules of the judiciary.

#### **Art. 108**

The rules governing the judiciary and the judges are laid out by law.

The law ensures the independence of judges of special courts, of state prosecutors of those courts, and of other persons participating in the administration of justice.

#### **Art. 109**

The legal authorities have direct use of the judicial police.

#### **Art. 110**

Without prejudice to the authority of the High Council of the Judiciary, it is the Minister of Justice which has responsibility for the organization and functioning of those services involved with justice.

## **Section II: Rules on Jurisdiction**

### **Art. 111**

The law shall be administered by means of a fair trial governed by Act of Parliament.

The parties to all trials may speak in their own defence in the presence of the other parties, with an equal status, before an independent and impartial court. An Act of Parliament shall lay down provisions to ensure that trials are of a reasonable length.

In the criminal process, all individuals charged with a criminal offence have the statutory right to be notified promptly and confidentially of the nature and cause of the charges made against them; they shall be given adequate time and conditions to prepare their defence; they have the statutory right to examine, or have examined, the witnesses testifying against them in court and to obtain the attendance and examination of witnesses on their behalf under the same conditions as witnesses against them, and to obtain all other evidence on their behalf; they shall be assisted by an interpreter if they cannot understand or speak the language used during the trial.

The criminal process is governed by the principle that all the parties may speak in their own defence in the presence of the other parties during the taking of evidence. Guilt shall not be established on the basis of statements made by anyone who has freely chosen not to submit to questioning by the defendant or the defendant's Counsel ad litem.

An Act of Parliament shall govern the cases in which evidence is not to be taken in the presence of both parties with the consent of the defendant or when it is objectively proven to be impossible, or as a result of proven unlawful conduct.

All judicial decisions must be motivated.

Appeals to the Court of Cassation in cases of violations of the law are always allowed against sentences and against measures on personal freedom pronounced by ordinary and special courts. This rule can only be waived in cases of sentences by military tribunals in time of war.

Appeals to Cassation against decisions of the Council of State and the Court of Accounts are permitted only for motives arising from judicial flaws.

### **Art. 112**

The public prosecutor has the duty to exercise criminal proceedings.

### **Art. 113**

Against acts of the public administration the judicial safeguarding of rights and legitimate interests before the organs of ordinary or administrative justice is always permitted.

Such judicial protection may not be excluded or limited in particular kinds of appeal or for particular categories of acts.

The law determines which judicial bodies are empowered to annul acts of public administration in the cases and with the consequences provided for in the law itself.

## **Title V: Regions, Provinces, Municipalities**

### **Art. 114**

The Republic is composed of the Municipalities, the Provinces, the Metropolitan Cities, the Regions and the State. Municipalities, provinces, metropolitan cities and regions are autonomous entities having their own statutes, powers and functions in accordance with the principles laid down in the Constitution.

Rome is the capital of the Republic. Its status is regulated by State Law.

### **Art. 115**

(Repealed)

### **Art. 116**

Friuli-Venezia Giulia, Sardinia, Sicily, Trentino-Alto Adige/Südtirol and Valle d'Aosta/Vallée d'Aoste have special forms and conditions of autonomy pursuant to the special statutes adopted by constitutional law.

The Trentino-Alto Adige/Südtirol Region is composed of the autonomous provinces of Trent and Bolzano.

Additional special forms and conditions of autonomy, related to the areas specified in art. 117, paragraph three and paragraph two, letter l) - limited to the organisational requirements of the Justice of the Peace - and letters n) and s), may be attributed to other Regions by State Law, upon the initiative of the Region concerned, after consultation with the local authorities, in compliance with the principles set forth in art. 119. Said Law is approved by both Houses of Parliament with the absolute majority of their members, on the basis of an agreement between the State and the Region concerned.

### **Art. 117**

Legislative powers shall be vested in the State and the Regions in compliance with the Constitution and with the constraints deriving from EU-legislation and international obligations.

The State has exclusive legislative powers in the following subject matters:

- a) foreign policy and international relations of the State; relations between the State and the European Union; right of asylum and legal status of non-EU citizens;
- b) immigration;
- c) relations between the Republic and religious denominations;
- d) defence and armed forces; State security; armaments, ammunition and explosives;
- e) the currency, savings protection and financial markets; competition protection; foreign exchange system; state taxation and accounting systems; equalisation of financial resources;
- f) state bodies and relevant electoral laws; state referenda; elections to the European Parliament;

- g) legal and administrative organisation of the State and of national public agencies;
- h) public order and security, with the exception of local administrative police;
- i) citizenship, civil status and register offices;
- l) jurisdiction and procedural law; civil and criminal law; administrative judicial system;
- m) determination of the basic level of benefits relating to civil and social entitlements to be guaranteed throughout the national territory;
- n) general provisions on education;
- o) social security;
- p) electoral legislation, governing bodies and fundamental functions of the Municipalities, Provinces and Metropolitan Cities;
- q) customs, protection of national borders and international prophylaxis;
- r) weights and measures; standard time; statistical and computerised co-ordination of data of state, regional and local administrations; works of the intellect;
- s) protection of the environment, the ecosystem and cultural heritage.

Concurring legislation applies to the following subject matters: international and EU relations of the Regions; foreign trade; job protection and safety; education, subject to the autonomy of educational institutions and with the exception of vocational education and training; professions; scientific and technological research and innovation support for productive sectors; health protection; nutrition; sports; disaster relief; land-use planning; civil ports and airports; large transport and navigation networks; communications; national production, transport and distribution of energy; complementary and supplementary social security; harmonisation of public accounts and co-ordination of public finance and the taxation system; enhancement of cultural and environmental assets, including the promotion and organisation of cultural activities; savings banks, rural banks, regional credit institutions; regional land and agricultural credit institutions. In the subject matters covered by concurring legislation legislative powers are vested in the Regions, except for the determination of the fundamental principles, which are laid down in State legislation.

The Regions have legislative powers in all subject matters that are not expressly covered by State legislation.

The Regions and the autonomous provinces of Trent and Bolzano take part in preparatory decision-making process of EU legislative acts in the areas that fall within their responsibilities. They are also responsible for the implementation of international agreements and EU measures, subject to the rules set out in State law which regulate the exercise of subsidiary powers by the State in the case of non-performance by the Regions and autonomous provinces.

Regulatory powers shall be vested in the State with respect to the subject matters of exclusive legislation, subject to any delegations of such powers to the Regions. Regulatory powers shall be vested in the Regions in all other subject matters. Municipalities, provinces and metropolitan cities have regulatory powers as to the organisation and implementation of the functions attributed to them.



Regional laws shall remove any hindrances to the full equality of men and women in social, cultural and economic life and promote equal access to elected offices for men and women.

Agreements between a Region and other Regions that aim at improving the performance of regional functions and that may also envisage the establishment of joint bodies shall be ratified by regional law.

In the areas falling within their responsibilities, Regions may enter into agreements with foreign States and with local authorities of other States in the cases and according to the forms laid down by State legislation.

#### **Art. 118**

Administrative functions are attributed to the Municipalities, unless they are attributed to the provinces, metropolitan cities and regions or to the State, pursuant to the principles of subsidiarity, differentiation and proportionality, to ensure their uniform implementation.

Municipalities, provinces and metropolitan cities carry out administrative functions of their own as well as the functions assigned to them by State or by regional legislation, according to their respective competences. State legislation shall provide for co-ordinated action between the State and the Regions in the subject matters as per Article 117, paragraph two, letters b) and h), and also provide for agreements and co-ordinated action in the field of cultural heritage preservation.

The State, regions, metropolitan cities, provinces and municipalities shall promote the autonomous initiatives of citizens, both as individuals and as members of associations, relating to activities of general interest, on the basis of the principle of subsidiarity.

#### **Art. 119**

Municipalities, provinces, metropolitan cities and regions shall have revenue and expenditure autonomy.

Municipalities, provinces, metropolitan cities and regions shall have independent financial resources. They set and levy taxes and collect revenues of their own, in compliance with the Constitution and according to the principles of co-ordination of State finances and the tax system. They share in the tax revenues related to their respective territories.

State legislation shall provide for an equalisation fund - with no allocation constraints - for the territories having lower per-capita taxable capacity.

Revenues raised from the above-mentioned sources shall enable municipalities, provinces, metropolitan cities and regions to fully finance the public functions attributed to them.

The State shall allocate supplementary resources and adopt special measures in favour of specific municipalities, provinces, metropolitan cities and regions to promote economic development along with social cohesion and solidarity, to reduce economic and social imbalances, to foster the exercise of the rights of the person or to achieve goals other than those pursued in the ordinary implementation of their functions.

Municipalities, provinces, metropolitan cities and regions have their own assets, which are allocated to them pursuant to general principles laid down in State legislation. They may resort to indebtedness only as a means of financing investment expenditure. State guarantees on loans contracted for this purpose are not admissible.

#### **Art. 120**

The Regions may not levy import or export or transit duties between Regions or adopt measures that in any way obstruct the freedom of movement of persons or goods between the Regions. Regions may not limit the right of citizens to work in any part whatsoever of the national territory.

The Government can act for bodies of the regions, metropolitan cities, provinces and municipalities if the latter fail to comply with international rules and treaties or EU legislation, or in the case of grave danger for public safety and security, or whenever such action is necessary to preserve legal or economic unity and in particular to guarantee the basic level of benefits relating to civil and social entitlements, regardless of the geographic borders of local authorities. The law shall lay down the procedures to ensure that subsidiary powers are exercised in compliance with the principles of subsidiarity and of loyal co-operation.

#### **Art. 121**

The organs of the Region are: the Regional Council, the Regional Executive and its President.

The Regional Council shall exercise the legislative powers attributed to the Region as well as the other functions conferred by the Constitution and the laws. It may submit bills to Parliament.

The Regional Executive is the executive body of the Region.

The President of the Executive represents the Region, directs the policy-making of the Executive and is responsible for it, promulgates laws and regional statutes, directs the administrative functions delegated to the Region by the State, in conformity with the instructions of the Government of the Republic.

#### **Art. 122**

The electoral system and the cases of ineligibility and incompatibility of the President, the other members of the Regional Executive and the Regional councillors shall be established by a regional law in accordance with the fundamental principles established by a law of the Republic, which also establishes the term of elective offices.

No one may belong at the same time to a Regional Council or to a Regional Executive and to one of the Houses of Parliament, to another Regional Council, or to the European Parliament.

The Council shall elect a President amongst its members and a Bureau.

Regional councillors are not answerable for the opinions expressed and votes cast in the exercise of their functions. The President of the Regional Executive shall be elected by universal and direct suffrage, unless the regional statute provides otherwise. The elected President shall appoint and dismiss the members of the Executive.

#### **Art. 123**

Each Region shall have a statute which, in harmony with the Constitution, shall lay down the form of government and basic principles for the organisation of the Region and the conduct of its business. The statute shall regulate the right to initiate legislation and promote referenda on the laws and administrative measures of the Region as well as the publication of laws and of regional regulations.

Regional statutes are adopted and amended by the Regional Council with a law approved by an absolute majority of its members, with two subsequent deliberations at an interval of not less than two months. This law does not require the visé of the Government commissioner. The Government of the Republic may submit the constitutional legitimacy of the regional statutes to the Constitutional Court within thirty days from their publication.

The statute is submitted to popular referendum if one-fiftieth of the electors of the Region or one-fifth of the members of the Regional Council so request within three months from its publication. The statute that is submitted to referendum is not promulgated if it is not approved by the majority of valid votes.

In each Region, statutes regulate the activity of the Council of local authorities as a consultative body on relations between the Regions and local authorities.

#### **Art. 124**

(Repealed)

#### **Art. 125**

Administrative tribunals of the first instance shall be established in the Region, in accordance with the rules established by the law of the Republic. Sections may be established in places other than the regional capital.

#### **Art. 126**

The Regional Council may be dissolved and the President of the Executive may be removed with a reasoned decree of the President of the Republic in the case of acts in contrast with the Constitution or grave violations of the law.

The dissolution or removal may also be decided for reasons of national security. The aforementioned decree is adopted after consultation with a committee of Deputies and Senators for regional affairs which is set up in the manner established by a law of the Republic.

The Regional Council may adopt a reasoned motion of no confidence against the President of the Executive that is undersigned by at least one-fifth of its members and adopted by roll call vote with an absolute majority of members.

The motion may not be debated before three days have elapsed since its introduction.

The adoption of a no confidence motion against a President of the Executive elected by universal and direct suffrage, and the removal, permanent inability, death or voluntary resignation of the President of the Executive entail the resignation of the Executive and the dissolution of the Council. The same effects are produced by the contemporary resignation of the majority of the Council members.

#### **Art. 127**

The Government may submit the constitutional legitimacy of a regional law to the Constitutional Court within sixty days from its publication, when it deems that the regional law exceeds the competence of the Region.

A Region may submit the constitutional legitimacy of a State or regional law or measure having the force of law to the Constitutional Court within sixty days from its publication, when it deems that said law or measure infringes upon its competence.

**Art 128**

(Repealed)

**Art 129**

(Repealed)

**Art. 130**

(Repealed)

**Art 131**

The following Regions shall be established:

Piedmont;

Valle d'Aosta;

Lombardy;

Trentino-Alto Adige;

Veneto;

Friuli-Venezia Giulia;

Liguria;

Emilia-Romagna;

Tuscany;

Umbria;

The Marches;

Latium;

Abruzzi;

Molise;

Campania;

Apulia;

Basilicata;

Calabria;

Sicily;

Sardinia.

#### **Art. 132**

By a constitutional law, after consultation with the Regional Councils, a merger between existing Regions or the creation of new Regions having a minimum of one million inhabitants may be decided upon, when the request has been made by a number of Municipal Councils representing not less than one-third of the populations involved, and the request has been approved by referendum by a majority of said populations.

The Provinces and Municipalities which request to be detached from one Region and incorporated in another may be allowed to do so, following a referendum and a law of the Republic, which obtains the majority of the populations of the Province or Provinces and of the Municipality or Municipalities concerned, and after having heard the Regional Councils.

#### **Art 133**

Changes in provincial boundaries and the institution of new Provinces within a Region are regulated by the laws of the Republic, on the initiative of the Municipalities, after consultation with the Region.

The Region, after consultation with the populations involved, may establish through its laws new Municipalities within its own territory and modify their districts and names.

### **Title VI: Constitutional Guarantees**

#### **Section I: The Constitutional Court**

#### **Art. 134**

The Constitutional Court shall pass judgment on:

Controversies on the constitutional legitimacy of laws and enactments having the force of law issued by the State and the regions;

Conflicts arising from allocation of powers of the State and those allocated to State and regions, and between regions;

Accusations made against the President of the Republic, according to the provisions of the Constitution.

#### **Art. 135**

The Constitutional Court shall be composed of fifteen judges, a third nominated by the President of the Republic, a third by Parliament in joint sitting and a third by the ordinary and administrative supreme courts.

The judges of the Constitutional Courts shall be chosen from among judges, including those retired, of the ordinary and administrative higher courts, from full university professors of law and lawyers with at least twenty years practice.

Judges of the Constitutional Court shall be nominated for nine years, beginning in each case from the day of their swearing in, and they may not be reappointed.

At the expiry of his time the constitutional judge shall cease his appointment and the exercise of the functions thereof.

The Court shall elect from among its members, in accordance with the rules established by law, a President who shall remain in office for three years and may be reelected, respecting in all cases the expiry term for constitutional judges.

The office of constitutional judge shall be incompatible with membership of parliament, of a regional council, the exercise of the profession of lawyer and with every appointment and office indicated by law.

In impeachment of the President of the Republic, apart from the ordinary judges of the Court, there shall also be sixteen members chosen by lot from among a list of citizens having the qualification necessary for election to the Senate, which the Parliament prepares every nine years through election using the same procedures as those in appointing ordinary judges.

#### **Art. 136**

When the Court declares the constitutional illegitimacy of a law or enactment having the force of law, the law ceases to have effect from the day following the publication of the decision.

The decision of the Court shall be published and communicated to the Houses and to the regional councils concerned, to that, wherever they deem it necessary, they shall act in conformity with constitutional procedures.

#### **Art. 137**

A constitutional law shall establish the conditions, the forms, the terms of proposability of judgments on constitutional legitimacy, and the guarantees of the independence of the constitutional judges.

Ordinary laws shall establish the other necessary provisions necessary for the constitution and the functioning of the Court.

Against the decision of the Constitutional Court no appeals are allowed.

### **Section II: Amendments to the Constitution. Constitutional Laws**

#### **Art. 138**

Laws amending the Constitution and other constitutional laws shall be adopted by each House after two successive debates at intervals of not less than three months, and shall be approved by an absolute majority of the members of each House in the second voting.

The said laws are submitted to a popular referendum when, within three months of their publication, such request is made by one fifth of the members of a House or five hundred thousand electors or five region councils. The law submitted to referendum shall not be promulgated if not approved by a majority of valid votes.

A referendum shall not be held if the law has been approved in the second voting by each of the Houses by a majority of two-thirds of the members.

#### **Art. 139**

The form of Republic shall not be a matter for constitutional amendment.

#### **Transitory and Final Provisions**

##### **I**

With the implementation of the Constitution the provisional Head of the State shall exercise the attributions of President of the Republic and assume that title.

##### **II**

If at the date of the election of the President of the Republic all the regional councils shall not have been set up, only members of the two Houses shall participate in the election.

##### **III**

For the first composition of the Senate of the Republic, deputies to the Constituent Assembly who possess all the requisites by law to be senators and who:

had been presidents of the Council of Ministers or of legislative Assemblies; had been members of the dissolved senate;

had been elected at least three times including the Constituent Assembly;

had been dismissed at the sitting of the Chamber of Deputies of 9 November 1926;

had been imprisoned for not less than five years by a sentence of the special fascist tribunal for the defence of the State;

shall be appointed senators.

Those also shall be appointed senators, by decree of the President of the Republic, who had been members of the dissolved Senate and who had been part of the Consulta Nazionale.

The right to be appointed senator may be renounced before the signing of the decree of appointment. Acceptance of candidacy in political elections shall constitute renunciation of the right to be appointed senator.

##### **IV**

For the first election of the Senate Molise shall be considered a region in itself, having the due number of senators on the basis of its population.

## **V**

The provisions of Article 80 of the Constitution on the question of international treaties which involve budget expenditures or changes in the law, shall become effective as from the date of convocation of Parliament.

## **VI**

Within five years after the Constitution has come into effect the special jurisdictional bodies still in existence shall be revised, excluding the jurisdiction of the Council of State, the Court of Accounts, and the military tribunals.

Within a year of the same date a law shall provide for the reorganization of the Supreme Military Tribunal according to Article 111.

## **VII**

Until such time as the new law on the judiciary in accordance with the Constitution shall have been issued, the provisions in force shall continue to be observed. Until such time as the Constitutional Court begins its functions, the decision on controversies indicated in Article 134 shall be conducted in the forms and within the limits of the provisions already in existence before the implementation of the Constitution.

## **VIII**

Elections of the regional councils and the elected bodies of provincial administration shall be called within one year of the implementation of the Constitution.

The laws of the Republic shall regulate for every branch of public administration the passage of the state functions attributed to the regions. Until such time as the reorganization and redistribution of the administrative functions among the local bodies has been accomplished, the provinces and the municipalities shall retain those functions they then exercise and those others which the Regions may delegate to them.

Laws of the Republic shall regulate the passage to the regions of functionaries and employees of the State, including those from central administrations, which shall be made necessary by the new provisions. In setting up their offices the Regions shall, except in cases of necessity, draw their personnel from among State local bodies' employees.

## **IX**

The Republic, within three years of the implementation of the Constitution, shall adjust its laws to the needs of local autonomies and to the legislative jurisdiction attributed to the Regions.

## **X**

To the Region of Friuli-Venezia Giulia, as per Article 116, shall be applied temporarily the general provisions of Title V of the second part, without prejudice to the protection of linguistic minorities in accordance with Article 6.

## **XI**



Up to five years after the implementation of the Constitution other regions may, by constitutional laws, be established, thus amending the list in Article 131, and without the conditions requested by the first paragraph of Article 132, without prejudice however the obligation to consult the peoples concerned.

## **XII**

It shall be forbidden to reorganize, under any form whatever, the dissolved fascist party.

Notwithstanding Article 48, the law has established, for not more than five years from the implementation of the Constitution, temporary limitations to the right to vote and eligibility for the leaders responsible for the fascist regime.

## **XIII**

The members and descendants of the House of Savoy shall not be electors and they shall not hold public office nor elected offices. To the ex-kings of the House of Savoy, to their consorts and their male descendants shall be forbidden access and sojourn in the national territory.

The goods, existing on national territory, of the ex-kings of the House of Savoy, of their consorts and of their male descendants shall revert to the State. Transfers and the establishment of royal rights on the said goods which happened after 2 June 1946, shall be null and void.

## **XIV**

Titles of nobility shall not be recognized.

The predicates of those existing before 28 October 1922 shall serve as part of the name.

The Order of Saint Mauritius shall be preserved as a hospital corporation and shall function in the ways established by law.

The law shall regulate the suppression of the Heraldic Council.

## **XV**

With the implementation of the Constitution, the legislative decree of the Lieutenant of the Realm No. 151 of 25 June 1944 on the provision organization of the State shall pass into law.

## **XVI**

Within one year of the implementation of the Constitution shall begin the revision and coordination therewith of the preceding constitutional laws which had not at that moment been explicitly or implicitly abrogated.

## **XVII**

The Constituent Assembly shall be called by its President to decide, before 31 January 1948 on the law for the election of the Senate of the Republic, on the special regional statutes and on the law governing the press.

Until the day of the election of the new Houses, the Constituent Assembly may be called, when it is necessary to decide on matters attributed to its jurisdiction by Article 2, paragraphs one and two, and Article 3, paragraphs one and two, of legislative decree No. 98 of 16 March 1946.

At that time the permanent committees shall maintain their functions. Legislative committees shall send back to the Government those bills, sent to them, with their observations and proposals for amendments.

Deputies may present questions to the Government with request for written answers.

The Constituent Assembly, in accordance with the second paragraph of this Article, shall be called by its President at the documented request of the Government or at least two hundred deputies.

## **XVIII**

The present Constitution shall be promulgated by the provisional Head of State within five days of its approval by the Constituent Assembly and shall come into force on 1 January 1948.

The Text of the Constitution shall be deposited in the town hall of every Municipality of the Republic and there exposed, for the whole of 1948, so as to allow every citizen to know of it.

The Constitution, bearing the seal of the State, shall be included in the Official Records of the laws and decrees of the Republic. The Constitution must be faithfully observed as the fundamental law of the Republic by all citizens and bodies of the State.