



REPUBLIC OF SAN MARINO

DELEGATED DECREE no. 153 of 13 October 2015

(Ratification Delegated Decree No. 133 of 4 August 2015)

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

*Having regard to Delegated Decree no. 133 of 4 August 2015 - Amendments to Law no. 125 of 29 July 2014 "Law reforming Civil Aviation" - promulgated;
Having regard to Article 71, paragraph 1, of Law 29 July 2014 n. 125;
Having regard to the Congress of State decision no. 18 adopted in its sitting of 21 July 2015;
Considered the amendments to the aforesaid decree in connection with his ratification by the Great and General Council in its sitting of 8 October 2015;
Considered the Great and General Council resolution adopted on 8 October 2015;
Having regard to Article 5, paragraph 3 of Constitutional Law no. 185/2005 and to Articles 8 and 10, paragraph 2 of Qualified Law no. 186/2005;
Promulgate and publish the final text of the Delegated Decree No. 133 on Aug. 4, 2015 as amended by the amendments approved by the Great and General Council at the time of ratification:*

AMENDMENTS TO LAW NO. 125 OF 29 JULY 2014- LAW REFORMING CIVIL AVIATION

Art. 1

(Amendment to paragraph 2, Article 7 of Law no. 125 of 29 July 2014)

1. The following letter *m bis*) shall be added to paragraph 2 of Article 7 of Law no. 125 of 29 July 2014:
“*m bis*) he may exceptionally grant an exemption from the provisions of aviation safety regulations when satisfied that there is a need and subject to compliance with any supplementary conditions considered necessary in order to ensure an acceptable level of safety in the particular case.”.

Art. 2

(Amendment to paragraph 2, Article 12 of Law no. 125 of 29 July 2014)

1. Paragraph 2 of Article 12 of Law no. 125 of 29 July 2014 shall be amended as follows:
“2. For the purposes of this Title, jurisdiction of the Republic of San Marino shall mean the jurisdiction exercised over:
 - a) civil aircraft registered in the aircraft registry of the Republic of San Marino;
 - b) any other aircraft within the jurisdiction of the Republic of San Marino from the time when

external doors are closed following embarkation of passengers up to the time of opening of one such door for disembarkation of passengers or, in the case of a forced landing, until the competent authorities bear responsibility of the aircraft and of persons and property on board.”.

Art. 3

(Amendment to paragraph 1, letter c), Article 14 of Law no. 125 of 29 July 2014)

1. Letter c) of paragraph 1 of Article 14 of Law no. 125 of 29 July 2014 shall be amended as follows:
“c) to issue licences and supervise commercial air transport, general aviation, aerial work operations and aeronautical technical training;”.

Art. 4

(Amendments to Article 18 of Law no. 125 of 29 July 2014)

1. The following paragraph 1 bis shall be added to Article 18 of Law no. 125 of 29 July 2014:
“1 bis. The Director General may designate appropriately qualified and experienced persons to conduct specific functions on behalf of the Authority.”

Art. 5

(Amendments to Article 20 of Law no. 125 of 29 July 2015)

1. Article 20 of Law no. 125 of 29 July 2014 is amended as follows:

“Art. 20

(National Safety Plan and Safety System)

1. The Director General shall draw up the National Safety Plan in order to define an appropriate level of civil aviation safety as envisaged by ICAO international regulations from time to time in force.
2. The Safety Plan shall include the following components:
 - a) safety policy and objectives;
 - b) safety risk management;
 - c) safety assurance;
 - d) safety promotion.
3. The Director General shall establish and implement a safety oversight system, which includes:
 - a) a mandatory incident reporting system to facilitate collection of information on actual or potential safety deficiencies;
 - b) a voluntary incident reporting system to facilitate collection of information on actual or potential safety deficiencies that may not be captured by the mandatory incident reporting system;
 - c) a safety database to facilitate the effective analysis of information on actual or potential safety deficiencies obtained, including that from its incident reporting systems, and to determine any actions required for the enhancement of safety;
 - d) a voluntary incident reporting system which shall be non-punitive and afford protection to the sources of the information.
4. The Director General shall ensure that identified safety issues are resolved in a timely manner through a system which monitors and records progress, including actions taken by operators in resolving such issues.”.

Art. 6

(Amendment to Article 23 of Law no. 125 of 29 July 2014)

1. The following paragraph *2 bis* shall be added to Article 23 of Law no. 125 of 29 July 2014:
“*2 bis*. In the case of airport facilities located in San Marino, instrument approach procedures shall be approved by the Director General to support takeoff and landing operations.”.

Art. 7

(Amendments to Article 25 of Law no. 125 of 29 July 2014)

- 1 Article 25 of Law no. 125 of 29 July 2014 shall be amended as follows:

“Art. 25

(Security of commercial air transport)

1. The Director General shall impose, with directives and regulations, security checks on passengers and goods carried on board the aircraft in order to prevent acts of violence or aerial piracy.
2. The Director General shall, also in cooperation with other States, establish a national civil aviation safety programme to safeguard civil aviation operations against acts of unlawful interference, through regulations, practices and procedures which take into account the safety, regularity and efficiency of flights.”.

Art. 8

(Amendment to letter c), paragraph 1, of Article 27 of Law no. 125 of 29 July 2014)

1. Letter c), paragraph 1 of Article 27 of Law no. 125 of 29 July 2014 shall be amended as follows:
“c) licenses.”.

Art. 9

(Amendment to Article 29 of Law no. 125 of 29 July 2014)

1. The following paragraph *2 bis* shall be added to Article 29 of Law no. 125 of 29 July 2014:
“*2 bis*. In case a foreign operator does not comply with laws, regulations and procedures applicable to the territory of San Marino, the Director General shall immediately notify the operator thereof and, if required, the State of the operator. If the State of the operator is different from the State of registry, both States shall be notified.”.
2. The following paragraph *2 ter* shall be added to Article 29 of Law no. 125 of 29 July 2014:
“*2 ter*. In case of notification to States as specified in *2 bis* above, if the issue and its resolution warrant it, the Director General shall start consultations with the State of the operator and, as applicable, with the State of registry concerning the conduct of the operator.”.

Art 10

(Amendments to Article 36 of Law no. 125 of 29 July 2014)

1. Article 36 of Law no. 125 of 29 July 2014 shall be amended as follows:

“Art. 36
(International Cooperation Agreements)

1. The Director General may enter into cooperation agreements in the field of aviation safety or aviation security with other ICAO member States. These agreements shall be ratified by the Executive Board at its earliest possible meeting.
2. The Director General may delegate certain duties, related to aviation safety or aviation security and resulting from international agreements, to San Marino or foreign persons operating in States with which the Republic of San Marino has concluded international agreements.
3. The Director General shall, also in cooperation with other States, arrange for the establishment and prompt provision of search and rescue services within the territory of San Marino to ensure assistance to persons in distress. Such services shall be provided on a 24-hour basis.”.

Art. 11
(Amendments to Article 37 of Law no. 125 of 29 July 2014)

1. The following paragraph 1 bis shall be added to Article 37 of Law no. 125 of 29 July 2014:
“1 bis. The Director General shall recognise the certificates and licenses issued or renewed by the State of the operator that has concluded an agreement on the transfer of functions with the State of registry under Article 83 bis of the Chicago Convention.”.

Art. 12
(Amendments to Article 38 of Law no. 125 of 29 July 2014)

- 1 The following paragraph 4 bis shall be added to Article 38 of Law no. 125 of 29 July 2014: “4 bis. The property deed to register aircraft shall consist of the following:
 - a) a private deed between the parties;
 - b) a declaration of sale; or
 - c) other acts envisaged by Law no. 87 of 29 October 1981;The documents referred to in letter a) and, where applicable, in letter c) shall also be required for the registration, modification and cancellation of security interests or financial leasing contracts. An uncertified copy of such deed shall be submitted to the Authority when applying for aircraft registry or for registration, modification and cancellation of security interests or financial leasing contracts.”.

Art. 13
(Amendments to Article 39 of Law no. 125 of 29 July 2014)

1. Paragraph 1 of Article 39 of Law no. 125 of 29 July 2014 shall be amended as follows:
“1. The application for registration of a financial leasing contract concerning aircraft shall be addressed to the Director General by or on behalf of the lessor.”.

Art. 14
(Amendment to paragraph 2, Article 41 of Law no. 125 of 29 July 2014)

1. Paragraph 2 of Article 41 of Law no. 125 of 29 July 2014 shall be amended as follows:

“2. The applications for registration of a mortgage in the Register shall be addressed to the Director General of the Authority by or on behalf of the mortgagee.”.

Art. 15

(Amendment to paragraph 1, Article 43 of Law no. 125 of 29 July 2014)

1. Paragraph 1 of Article 43 of Law no. 125 of 29 July 2014 shall be amended as follows:

“1. The Authority shall cancel the mortgage following the submission of a request made by or on behalf of the mortgagee.”.

Art. 16

(Amendment to paragraph 1, Article 48 of Law no. 125 of 29 July 2014)

1. Paragraph 1 of Article 48 of Law no. 125 of 29 July 2014 shall be amended as follows:

“1. The Authority shall cancel the pledge following the submission of a request made by or on behalf of the pledgee.”.

Art. 17

(Introduction of Chapter IV bis to Law no. 125 of 29 July 2014)

1. The following Chapter IV *bis* shall be added to Law no. 125 of 29 July 2014:

“CHAPTER IV BIS
REMEDIES FOR MORTGAGEES AND LESSORS

Art. 48 bis

(Limits to application)

1. The provisions of this Chapter shall apply only with respect to aircraft mortgages, pledges of aircraft where applicable and to financing leasing contracts of aircraft validly registered under the national law of the aircraft.

2. The provisions of this Chapter shall not apply in case of bankruptcy proceedings, disposal of assets, composition with creditors, liquidation of companies and temporary crisis regulated by ad-hoc special laws.

3. The provisions of this Chapter shall not affect the application of the Cape Town Convention and its Aircraft Protocol of 16 November 2001, the provisions of which shall prevail in case of conflict with the provisions of this Chapter.

Article 48 ter

(Remedies to the benefit of mortgagees in case of default)

1. To the extent that the mortgagor has consented in writing, upon the occurrence of an event of default of the latter as agreed by the parties in the mortgage deed, the mortgagee shall be entitled to adopt, without affecting the mortgagor himself or third parties, one or more of the following remedies:

a) to take possession of the mortgaged aircraft even if it is held by third parties. This remedy may also be exercised through persons specifically entrusted by the mortgagee;

- b) to sell the mortgaged aircraft. In this case, the mortgagee concerned shall give at least 10 days' written notice to the mortgagor and the other mortgagees ranking higher and lower in priority. The sale shall not take place without the written consent of the mortgagees ranking higher in priority, who may request to the mortgagee exercising the remedy that their claims secured by the revenues from the sale be satisfied on a priority basis. Any excess revenue shall be paid to the mortgagees of lower rank and eventually to the mortgagor. The buyer shall acquire the ownership of the aircraft free from any unsatisfied lower ranking mortgages and any higher ranking mortgages for which a priority satisfaction of secured claims has been requested and obtained;
 - c) to carry out, in the event of the owner's inaction, all acts and operations required for the maintenance of the status of airworthiness and validity of the aircraft registration, including the procedures for the issuance of authorisations and certificates by the Authority;
 - d) to lease the aircraft in order to set the relevant profits against the claims secured by the mortgage. In this case, the mortgagee concerned shall give at least 10 days' written notice to the mortgagor and the other mortgagees ranking higher and lower in priority;
 - e) to collect from the mortgagor the income generated from the use of the aircraft. The relevant profits shall be set against the claim secured by the mortgage;
 - f) upon submission of a specific authorisation signed by the mortgagor, to request the Authority to cancel the mortgaged aircraft provided that, in case of several mortgagees of the same aircraft, the mortgagee shall not request the cancellation without the written consent of the higher ranking mortgagees. Once granted, this authorisation may be revoked by the mortgagor only with the prior consent of the mortgagee. The mortgagee, as the person authorised by the mortgagor, may in turn designate a person responsible for carrying out this procedure. The authorisation shall also include the right of the mortgagee to request the Authority to issue permits to fly and the Airworthiness Export Certificate in compliance with San Marino legislation and other regulations on aviation safety in force. The mortgagee shall also be entitled to initiate, in place of the mortgagor, customs export procedures with the competent San Marino offices.
2. The remedies referred to in paragraph 1 may be exercised by the mortgagee without the intervention of the Law Commissioner. This provision shall not affect, in any case, the mortgagee's right to request, alternatively, the intervention of the Law Commissioner.
3. The mortgagor and the person owning the mortgaged aircraft shall be required to cooperate with the mortgagee in the exercise of the remedies provided for in this Article. This cooperation shall extend to the possible delivery of all documents, manuals and technical records of the aircraft. In case of lack of cooperation or obstacles by the mortgagor or third parties, the mortgagee may request the intervention of the Law Commissioner to authorise one or more of the remedies referred to in paragraph 1.
4. The Authority shall register all necessary transcripts or annotations in the Registry, resulting from the exercise of the remedies provided for in paragraph 1 upon submission of a written statement by the mortgagee, together with any written consents of other higher ranking mortgagees, where envisaged. In order to facilitate these transcriptions and annotations, the Authority may draw up special internal forms.
5. The remedies referred to in paragraph 1 shall be exercised in accordance with the terms of the mortgage deed between the parties unless being manifestly unreasonable.

*Art. 48 quater
(Transfer of the mortgaged aircraft)*

1. Following the occurrence of an event of default as agreed by the parties in the mortgage deed, the interested parties may agree to transfer to the mortgagee the mortgaged aircraft to satisfy the secured claim. This agreement shall not be concluded prior to an event of default of the mortgagor and shall result from a written document to be submitted to the Authority according to the formalities set out in Article 38, paragraph 4bis. For the purposes of this Article, the expression "interested parties" shall mean the mortgagor, the requesting mortgagee and any other person

holding security interests.

2. As an alternative, the mortgagee may request to the Law Commissioner the transfer referred to in paragraph 1, without prejudice to the possible denial of this transfer if the value of the mortgaged aircraft is not considered proportionate to the secured claim, taking also into account any higher ranking mortgages.

3. By virtue of the transfer referred to in paragraphs 1 and 2, the mortgagee shall acquire the ownership of the aircraft burdened with higher ranking mortgages and free from lower ranking mortgages.

4. At any time before the transfer and sale referred to in Article 48ter, paragraph 1, letter b), the mortgagee shall be allowed to pay off the mortgage by paying the full amount due to the mortgagee requesting the transfer, without prejudice to any aircraft lease granted by the latter under Article 48ter, paragraph 1, letter d).

Art. 48 quinquies

(Mortgage restrictions on aircraft cancellation or sale on the part of the mortgagor)

1. The mortgagor may request, under Article 44, the cancellation of a mortgaged aircraft only after submission to the Authority of a written consent of the mortgagee, which might be accompanied by the revocation of the authorisation referred to in Article 48b, paragraph 1, letter f). The written consent of the mortgagee shall be required also in case of sale of the mortgaged aircraft by the mortgagor. In order to facilitate this operation, the Authority may draw up special internal forms.

Art. 48 sexies

(Remedies of the lessor in case of default in relation to the financial leasing contract)

1. Upon the occurrence of an event of default as agreed by the parties in the financial leasing contract, the lessor shall have the power to terminate the contract and to take possession or control of the aircraft leased under the financial leasing contract without the intervention of the Law Commissioner and without affecting the mortgagor or third parties. This provision shall not affect, in any case, the lessor's right to request, alternatively, the intervention of the Law Commissioner.

2. The lessee shall cooperate with the lessor in the exercise of the remedies provided for in paragraph 1. In case of lack of cooperation or obstacles by the lessee or third parties, the lessor may request the intervention of the Law Commissioner to authorise the remedies referred to in paragraph 1.

3. The authority shall register all necessary annotations in the Registry resulting from the exercise of the powers referred to in paragraph 1 upon submission of a written notice by the lessor. In order to facilitate such annotations, the Authority may draw up special internal forms.

Art. 48 septies

(Meaning of default)

1. In the absence of a specific definition in the contract between the parties, for the purposes of this Chapter the term "default" shall mean a failure as to substantially deprive the mortgagee and the lessor of what they are entitled to expect under the contract.

Art. 48 octies
(Applicable law)

1. The parties shall be free to establish the law applicable to the contract giving rise to security interests and to the financial leasing contract.
2. The law chosen by the parties shall indicate the legislative provisions in force in such State, except for conflict-of-law rules.”.

Art. 18

(Amendment to the title and to paragraph 1, Article 50 of Law no. 125 of 29 July 2014)

1. The title and paragraph 1 of Article 50 of Law no. 125 of 29 July 2014 shall be amended as follows:

“Art. 50
(Staff licences)

1. The Director General shall issue staff licenses specifying the functions authorised therein.”.

Art. 19

(Amendment to the title and to paragraph 3, Article 56 of Law no. 125 of 29 July 2014)

1. The title of Article 56 of Law no. 125 of 29 July 2014 shall be amended as follows:

“Art. 56
(Duties of operators and staff)”

1. Paragraph 3 of Article 56 of Law no. 125 of 29 July 2014 shall be amended as follows:
“3. Staff members shall observe and comply with the requirements and limitations contained in their licences.”.

Art. 20

(Amendment to paragraph 1, Article 58 of Law no. 125 of 29 July 2014)

1. Paragraph 1 of Article 58 of Law no. 125 of 29 July 2014 shall be amended as follows:
“1. The Director General may periodically inspect or carry out additional verifications of each civil aircraft, engine, propeller, rotor, part and appliance, structure approved for maintenance, aircraft operators, flight schools and each holder of a licence issued pursuant to Article 50.”.

Art. 21

(Amendment to paragraph 4, letter h), paragraph 6, letter d) and last part of Article 59 of Law no. 125 of 29 July 2014)

1. Paragraph 4, letter h) of Article 59 of Law no. 125 of 29 July 2014 shall be amended as follows:
“h) performs flights in prohibited areas or launches any objects from an aircraft in flight without authorisation;”.
2. Paragraph 6, letter d) of Article 59 of Law no. 125 of 29 July 2014 shall be amended as follows:

“d) on board an aircraft as a passenger, is under the effects of alcohol or drugs;”.

3. The last part of paragraph 6 of Article 59 of Law no. 125 of 29 July 2014 shall be amended as follows:

“Unless the fact constitutes an offence, any other violation of the provisions contained in this Law, in regulations or directives shall be punished with the administrative sanction from 2,000.00 to 5,000.00 euro. In the event of non-compliance with regulations issued by the Director General in order to protect internationally relevant public interests, the administrative sanction shall be doubled.”.

Art. 22

(Amendments to Article 60 of Law no. 125 of 29 July 2014)

1. Article 60 shall be amended as follows:

“Art. 60 (Offences)

1. “Anyone violating the following provisions of this Law, as well as the directives or regulations issued pursuant to it, shall have committed an offence and be subject to the criminal sanctions defined hereunder.

2. Alteration of certificates, licenses and registration marks:

- a) anyone counterfeiting or altering the certificates and licenses, the issuance of which is provided for by this Law, or using counterfeit or altered certificates or licenses shall be punished with second degree imprisonment and with a fine;
- b) anyone displaying or inducing others to display on an aircraft false or misleading marks concerning the nationality of the aircraft shall be punished with second degree imprisonment and with a fine.

3. Interference with air navigation:

- a) anyone who, for the purpose of interfering with air navigation within the territory of San Marino, unlawfully installs lights, signals or communication devices in a place or in such a manner as to be mistaken for the lights or signals envisaged by this Law, or for lights or signals of airports or other duly authorised air navigation facilities;
- b) anyone who knowingly removes, disables or interferes with the operation of envisaged lights and light signals shall be punished with second degree imprisonment and with a fine.

4. Anyone who, acting as a representative or employee of an air operator, fails or refuses to prepare or keep the reports, records and memories in the manner established by the Director General; or alters or partially cancels reports, records or memories; or deposits false reports, records or memories shall be punished with second degree imprisonment and with a fine.

5. Anyone who fails or refuses to provide the information or documents requested by the Director General shall be punished with second degree imprisonment and with a fine.

6. Anyone who, while on board an aircraft, interferes with the performance of the functions by crew members or limits their ability to accomplish these tasks, or anyone who, interfering with the performance of the functions by crew members, assaults, intimidates or threatens them shall be punished with fourth degree imprisonment and with a fine.

7. Any person who, while on board or trying to board an aircraft used or intended to be used in commercial air transport operations, carries weapons, bombs or explosive material shall be punished with fourth degree imprisonment and with a fine. This paragraph shall not apply to officials of San Marino armed forces, who are authorised and required to carry weapons within their official duties.

8. Anyone who, in order to endanger public security, interferes with the safety of operations conducted by San Marino aircraft shall be punished with fourth degree imprisonment and with a fine.

9. Anyone who, without authority, removes, conceals or hides any part of aircraft involved in accidents, or anything on board the aircraft at the time of the accident, shall be punished with second degree imprisonment and with a fine.

10. Anyone who, being aware of the provisions of this Law, carries goods, luggage or other property in violation of the provisions of international ICAO regulations on the transport of dangerous goods, from time to time in force, shall be punished with third degree imprisonment and with a fine.

11. A crew member, who exercises his duties in a state of mental and physical alteration resulting from the use of alcoholic beverages or from taking drugs or psychotropic substances or drug abuse shall be punished with third degree imprisonment and with a fine, or with one or the other of these punishments.

11-bis. The crew member, who is aware that another member of the same crew, carrying on its duties, is in a state of mental and physical alteration resulting from the use of alcoholic beverages or from taking drugs or psychotropic substances or drug abuse, fails to make prompt denunciation of the learned, to the Director General, shall be punished with third degree imprisonment and with a fine, or with one or the other of these penalties. "

Art. 23

(Amendments to Article 61 of Law no. 125 of 29 July 2014)

1. The following paragraph 4 *bis* shall be added to Article 61 of Law no. 125 of 29 July 2014:
"4 *bis*. The Director General shall establish a system for both the certification and the continued surveillance of the operator to ensure that the required standards of operations are maintained."

Art. 24

(Amendments to Article 62 of Law no. 125 of 29 July 2014)

1. The following paragraph 4 *bis* shall be added to Article 62 of Law no. 125 of 29 July 2014:
"4 *bis*. The Authority shall recognize as valid an air operator certificate issued by another Contracting State, provided that the requirements under which the certificate was issued are at least equal to the applicable ICAO Standards."

Art. 25

(Amendments to Article 64 of Law no. 125 of 29 July 2014)

1. Article 64 of Law no. 125 of 29 July 2014 shall be amended as follows:

"Art. 64

(Rules pertaining to import)

1. The registration in the Aircraft Registry shall constitute a prerequisite for the payment of the single-stage import tax unless the aircrafts are owned by non-residents registered in accordance with Article 38, paragraph 3, letter c), paragraph 3.

2. The single-stage import tax of aircraft to be used as tangible fixed assets for San Marino companies shall be established by Art. 5 of Decree no. 135 of 27 October 2003 and subsequent amendments."

Art. 26

(Amendment to paragraph 1, Article 65 of Law no. 125 of 29 July 2014)

1. Paragraph 1 of Article 65 of Law no. 125 of 29 July 2014 shall be amended as follows:
 - “1. Paragraph 2 of Article 5 of Decree no. 135 of 27 October 2003, as amended by Article 100 of Law no. 194 of 22 December 2010 shall be replaced by the following:
“Aircraft to be used as tangible fixed assets for San Marino companies shall benefit from a reduced tax rate of 2%.”.

Art. 27

(Repeal of Article 66 of Law no. 125 of 29 July 2014)

1. Article 66 of Law no. 125 of 29 July 2014 shall be repealed.

Art. 28

(Introduction of Article 67 bis to Law no. 125 of 29 July 2014)

1. The following Article 67 bis shall be added to Law no. 125 of 29 July 2014:

“Art. 67 bis
(Insurance tax)

1. Insurance relating to aircraft registered in the San Marino Registry shall be exempt from the insurance tax established by Article 33 of Law no. 150 of 21 December 2015 as applied by Delegated Decree no. 89 23 July 2013.”.

Art. 29

(Introduction of Article 67 ter to Law no. 125 of 29 July 2014)

1. The following Article 67 ter shall be added to Law no. 125 of 29 July 2014:

“Art. 67 ter
(Extraordinary tax on luxury goods)

1. The extraordinary tax on luxury goods established by Article 54 of Law no. 194 of 22 December 2010 shall not apply to San Marino companies engaged in commercial air transport, owning an aircraft or using it under a financial leasing contract, which have obtained from the Authority the air operator certificate (AOC) under Article 61 or have been certified by the same Authority as a facility for flight training in accordance with Article 53.”.

Art. 30

(Introduction of Article 70 bis to Law no. 125 of 29 July 2014)

1. The following Article 70 bis shall be added to Law no. 125 of 29 July 2014:

“Art. 70 bis
(Prohibitions relating to electronic devices called "Jammer")

1. It shall be prohibited to manufacture, put into circulation, hold for the purpose of circulating electronic devices called “jammer”.

2. It shall be prohibited to use or transport electronic devices called “Jammer”, except for Police Forces specifically authorised by the Commander of the Gendarmerie for security reasons.
3. Anyone contravening the prohibitions referred to in the preceding paragraphs shall be punished with second degree imprisonment or second degree arrest.”.

Art. 31

(Amendments to Article 71 of Law no. 125 of 29 July 2014)

1. Paragraph 1 of Article 71 of Law no. 125 of 29 July 2014 shall be amended as follows:
“1. In order to allow for the continued alignment of San Marino legislation with relevant international standards, amendments to this Law shall be provided for by means of a delegated decree. Any coordinated texts, including all amendments, shall be established by means of a delegated decree.”.

Art. 32

(Entry into force)

1. The provisions of Article 30 shall become effective as from 4 September 2015.

Done at Our Residence, on 4 August 2015/1714 since the Foundation of the Republic.

THE CAPTAINS REGENT
Lorella Stefanelli – Nicola Renzi

THE MINISTER OF
INTERNAL AFFAIRS
Gian Carlo Venturini