

THE CONSTITUTION OF THE ITALIAN REPUBLIC, 1948
(as Amended June 12, 2003)[\[1\]](#)

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THE PROVISIONAL HEAD OF THE STATE

By virtue of the Constituent Assembly, which in the session of 22 December 1947 approved the Constitution of the Italian Republic;

By virtue of the XVIII Final Provision of the Constitution;

Promulgates the Constitution of the Italian Republic in the following text:

FUNDAMENTAL PRINCIPLES

Article 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.

Article 2

The Republic recognizes and guarantees the inviolable rights of man, as an individual, and in the social groups (*formazioni*) in which [he] expresses [his] personality, and demands the fulfillment of the unalterable duties of political, economic, and social solidarity.

Article 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 in fact limit 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.

Article 4

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

All citizens have the duty, according to their possibilities and individual choice, to carry out an activity or a function which contributes to the material or spiritual progress of society.

Article 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; adjusts the principles and methods of its legislation to the requirements of autonomy and decentralization.

Article 6

The Republic safeguards linguistic minorities by means of appropriate norms.

Article 7

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

Their relations are regulated by the Lateran Pacts.

Changes to the Pacts accepted by both parties do not require the procedure for constitutional amendment.

Article 8

There is, equally before the law, freedom of all religious beliefs (*confessioni*).

Religious beliefs other than Catholic have the right to organize in accordance with their own statutes, insofar as they are not in conflict with the Italian juridical order.

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

Article 9

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

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

Article 10^[2]

The Italian juridical order conforms to the generally recognized norms 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 admissible.

Article 11

Italy rejects war as an instrument of aggression against the freedoms of other peoples and as a means for settling international controversies; it agrees, on conditions of parity 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.

Article 12

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

PART I RIGHTS AND DUTIES OF CITIZENS

TITLE I Civil Relations

Article 13

Personal liberty is inviolable.

No form of detention, inspection or personal search is admissible, nor any other restrictions on personal freedom except by order from a judicial authority which states the reasons, and only in cases and manners provided for by law.

In exceptional cases of necessity and urgency specifically indicated by law, the police authorities may carry out temporary measures which must be communicated within forty-eight hours to the judicial authorities and, if they are not validated by them in the next forty-eight hours, are thereby revoked and are deprived of any effect.

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

The law establishes the maximum period of administrative detention.

Article 14

The domicile is inviolable.

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

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

Article 15

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

Their restriction may be imposed only by a reasoned act issued by a judicial authority along with the guarantees established by law.

Article 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 restriction may be made for political reasons.

All citizens are free to leave and re-enter the territory of the Republic, provided the legal obligations are met.

Article 17

Citizens have the right to assemble peaceably and unarmed.

No previous notice is required for meetings, even 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.

Article 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 the means of organizations of a military character, are prohibited.

Article 19

All have the right to profess freely their own religious faith in whatever form, individually or in association, to propagate it and to exercise it in private or public worship, provided that the rites are not contrary to good morals.

Article 20

The ecclesiastical character and the purpose of religion or worship of an association or institution may not be a cause for special legislative limitations, nor for special fiscal impositions in its constitution, juridical capacity and any form of activity.

Article 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 subject to authorizations or censorship.

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

In such cases, when there is an absolute urgency and when the timely intervention of the judicial authority is not possible, periodical publications may be seized by officers of the judicial police, who must immediately, and never after more than twenty-four hours has passed, make a report to the judicial authority. If the latter does not validate the act in the subsequent twenty-four hours, the seizure is considered to be withdrawn and without any effect.

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 good morals are prohibited. The law establishes appropriate means for preventing and suppressing all violations.

Article 22

No one may be deprived, for political reasons, of juridical capacity, citizenship, or name.

Article 23

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

Article 24

Everyone can take judicial action for the protection of individual rights and legitimate interests.

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

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

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

Article 25

No one may be removed from the regular judge pre-established by law.

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

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

Article 26^[3]

Extradition of a citizen can be consented to only in cases expressly provided for in international conventions.

In no case may it be permitted for political offenses.

Article 27

Criminal responsibility is personal.

The accused is not considered guilty before the definitive judgment is rendered.

Punishment cannot consist in treatments contrary to human dignity and must aim at rehabilitating the convicted (*condannato*).

The death penalty is not admissible, except in cases provided for in martial law.

Article 28

The functionaries 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-Social Relations

Article 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 established by law to guarantee the unity of the family.

Article 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 fulfillment of their duties.

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

The law sets forth the norms and limits for the ascertainment of paternity.

Article 31

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

It protects maternity, infancy and youth, promoting the institutions necessary for such purposes.

Article 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 a particular health treatment except under the provisions of the law. The law cannot, under any case, violate the limits imposed by the respect for the human person.

Article 33

There is freedom of art and science and the teaching thereof.

The Republic sets forth 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 from 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 equivalent to that of pupils in state schools.

State examinations are prescribed for admission to the various kinds and grades of schools or at their graduation (*conclusionione*) and for qualifications to exercise a profession.

The institutions of higher learning—universities and academies—have the right to establish their own regulations within the limits established by the laws of the State.

Article 34

Schools are open to all.

Elementary education is imparted for at least eight years, [and] is obligatory and free.

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

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

TITLE III

Economic Relations

Article 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 affirm and regulate labor rights.

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

Article 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 relinquish this right.

Article 37

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

The law establishes the minimum age for paid labor.

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

Article 38

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

There is freedom of private assistance.

Article 39

There is freedom of trade union organization.

No obligations may be imposed on trade unions other than the 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 sanction the democratic basis of the internal organization.

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

Article 40

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

Article 41

There is freedom of private economic initiative.

It cannot be conducted in conflict with social utility or in a 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.

Article 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 determines 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 may be expropriated, in cases provided for by law and with provisions for compensation, for reasons of general interest.

The law establishes the rules and limits of legitimate and testamentary inheritance and the rights of the State in [matters] of inheritance.

Article 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 character of preeminent interest.

Article 44

With the object of securing a rational exploitation of the soil and establishing equity in social relationships, the law imposes obligations and constraints on private ownership of land, fixes limits to its extension 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 favor of mountain areas.

Article 45

The Republic recognizes the social function of cooperation of a mutual character 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 artisan trades.

Article 46

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

Article 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 Relations

Article 48^[4]

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” (*circoscrizione Estero*) shall be created to which Members to both Chambers of Parliament shall be elected. The number of seats shall be established by a constitutional law and according to 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.

Article 49

All citizens have the right to freely associate in parties to contribute to the democratic processes through which determine national policy.

Article 50

All citizens may present petitions to both Chambers to request legislative measures or to express common needs.

Article 51^[5]

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

For this purpose the Republic fosters, with the help of appropriate provisions, equal opportunities among women and men.

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 function has the right to have the necessary time to carry out that function and to retain one's position at work.

Article 52

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

Military service is obligatory within the limits and the ways set by law. Its fulfillment does not prejudice a citizen's employment, nor the exercise of political right.

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

Article 53

All shall contribute to public expenditure in accordance with their means.

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

Article 54

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

The citizens to whom public functions are entrusted have the duty to fulfill them with discipline and honor, taking an oath in the cases established by law.

PART II ORGANIZATION OF THE REPUBLIC

TITLE I The Parliament

Section I The Chambers

Article 55

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

The Parliament meets in a joint session [consisting] of the members of both Chambers only in the cases established in the Constitution.

Article 56^[6]

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

The number of deputies is six hundred and thirty, twelve of which are elected to the Foreign Constituency [*see* Article 48].

All 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, with the exception of the number of seats in the Foreign Constituency, 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 eighteen and distributing the seats in proportion to the population in every electoral district, on the basis of whole shares and the highest remainders.

Article 57[\[7\]](#)

The Senate of the Republic is elected on a regional basis, excepting the seats assigned to the Foreign Constituency.

The number of Senators to be elected is three hundred and fifteen, six of which are elected from the Foreign Constituency.

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

The division of seats among the Regions is obtained, with the exception the number of seats assigned to the Foreign Constituency, in accordance with the provisions of the preceding article, in proportion to the population of the Regions as revealed in the most recent general census, on the basis of whole share and the highest remainders.

Article 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.

Article 59

Anyone who has been the President of the Republic is a Senator by right and for life unless [the position] is refused.

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

Article 60[\[8\]](#)

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

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

Article 61

Elections for the new Chambers take place within seventy days of the end of the term of the previous Chambers.

The first meeting takes place no later than twenty days after the elections.

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

Article 62

The Chambers convene by right on the first working day of February and October. Each Chamber may be convened in extraordinary session on the initiative of its President or of the President of the Republic or by one-third of its members.

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

Article 63

Each Chamber elects from among its members its President and its Bureau (*l'Ufficio di presidenza*).

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

Article 64

Each Chamber adopts its own rules by an absolute majority of its members.

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

The decisions of each Chamber 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 stipulates a special majority.

Members of the Government, even when not members of the Chambers, have the right—and when requested—the obligation, to attend sittings. They must be heard every time they so request.

Article 65

The law determines the cases of ineligibility and incompatibility with the office of Deputy or Senator.

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

Article 66

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

Article 67

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

Article 68^[9]

The members of Parliament may not be made to answer for opinions expressed or votes given in the exercise of their functions.

Without the authorization of the Chamber to which he belongs, no member of Parliament may be subjected to search of his person or domicile, nor may he be arrested or otherwise deprived of his personal freedom, or held in detention, save [in the case of] the execution of a final [irrevocable] sentence of conviction, or if he be caught in the act of committing an offense, *in flagrante*, for which arrest is mandatory.

An analogous authorization is required [in order to] subject members of Parliament to the interception, in any form, of [their] conversations or communications or to the sequestering of [their] correspondence.

Article 69

Members of Parliament receive a compensation as established by law.

Section II The Drafting of Laws

Article 70

The legislative function is exercised collectively by both Chambers.

Article 71

The initiative of legislation belongs to the Government, to every member of the Chambers and to the organs and entities empowered by constitutional law.

The people exercise initiative in legislation by means of a proposal, by at least 50,000 electors, of a bill drawn up in articles.

Article 72

Every bill submitted to one of the Chambers is, in accordance with its rules, examined by a committee and then by the Chamber itself, which approves it article by article and with a final vote.

The rules establish shortened procedures for bills that have 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 Chamber, if the Government or one-tenth of the members of the Chamber or one-fifth of the committee request that it be debated and voted on by the Chamber itself or that it be submitted to the Chamber 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 the examination and approval directly by the Chamber is always followed for bills on constitutional and electoral matters and for those of delegated legislation, the authorization and ratification of international treaties, the approval of budgets and expenditure accounts.

Article 73

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

If the Chambers, each by the absolute majority of its members, declare such urgency, a bill is promulgated in the time under the terms 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.

Article 74

The President of the Republic, before promulgating a law, may request of the Chambers in a motivated message a new deliberation.

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

Article 75^[10]

A popular referendum shall be held to abrogate, totally or partially, a law or an act having the force of law, when requested by 500,000 electors or five Regional Councils.

A referendum is not admissible for laws on tax, budget, amnesty and pardon, [and] on the authorization or ratification of international treaties.

All citizens eligible to vote for the Chamber of Deputies have the right to participate in referenda.

The proposal submitted 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 modality for conducting a referendum.

Article 76

The exercise of the legislative function cannot 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.

Article 77

The Government cannot, without delegation from the Chambers, 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 Chambers 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 Chambers can, however, regulate through laws legal issues arising out of the unconverted decrees.

Article 78

The Chambers decide on states of war and confer the necessary powers on Parliament.

Article 79^[11]

Amnesty and indult (*indulto*) are granted by means of a law passed by a two-thirds majority of the members of each Chamber, as to each article and in a final vote.

The law which grants amnesty or indult is the final determination with respect to their application[s]. In each case, amnesty and indult are not applicable to offenses committed following the presentation of this bill.

Article 80

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

Article 81

The Chambers approve every year the budgets and the expenditure accounts presented by the Government.

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

It is not possible to establish new taxes and new expenditures with the law approving the budget.

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

Article 82

Each Chamber can 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 authority.

TITLE II

The President of the Republic

Article 83

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

From every region, three delegates are elected by the Regional Council so as to ensure that minorities are represented in the election. Valle d'Aosta has only one delegate.

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

Article 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.

The compensation and the endowment of the President are established by law.

Article 85

The President of the Republic is elected for [a term of] seven years.

Thirty days before the expiration of the term, the President of the Chamber of Deputies summons a joint session of Parliament and the regional delegates to elect the new President of the Republic.

If the Chambers are dissolved, or if there are less than three months to their dissolution, the election shall take place within fifteen days of the meeting of the new Chambers. In the intervening time the powers of the President-elect are prolonged.

Article 86

The functions of the President of the Republic, in all cases in which he cannot fulfill them, 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 Chambers are dissolved or have less than three months to their dissolution.

Article 87

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

Sends messages to the Chambers.

Calls elections for the new Chambers and fixes their first meetings.

Authorizes the presentation to the Chambers of bills initiated by the Government.

Promulgates laws and issues decrees having the force of law and regulations.

Calls popular referenda in cases provided for by the Constitution.

Nominates, in cases provided for by law, the officers of the State.

Accredits and receives diplomatic representatives, ratifies international treaties which have, where required, the authorization of the Chambers.

Has the command of the armed forces, presides over the Supreme Council of Defense established by law, declares a state of war decided by the Chambers.

Presides over the High Council of the Judiciary (*Consiglio superiore della magistratura*).

Can grant pardons and commute punishments.

Confers the honors of the Republic.

Article 88^[12]

The President of the Republic may dissolve one or both Chambers, having consulted their [respective] Presidents.

He may not exercise this power during the last six months of his term of office, except when [such six months] coincide entirely or in part with the last six months of the legislative term.

Article 89

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

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

Article 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 a joint session, with [a vote of] an absolute majority of its members.

Article 91

The President of the Republic, before assuming his functions, takes an oath of fidelity to the Republic and observance of the Constitution before a joint sitting of Parliament.

TITLE III

The Government

Section I

The Council of Ministers

Article 92

The Government of the Republic is composed of the President of the Council and the Ministers who, together, form the Council of Ministers (*Consiglio dei ministri*).

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

Article 93

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

Article 94

The Government must have the confidence of both Chambers.

Each Chamber accords or withdraws its confidence through a motion that states its reasons and which is voted on by a roll-call.

Within ten days of its formation, the Government shall come before the Chambers to obtain their confidence.

An opposing vote by one or both Chambers 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 Chambers and cannot be debated earlier than three days after its presentation.

Article 95

The President of the Council directs the general policy of the Government and is responsible for it. He maintains the 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 of their own departments.

The law provides the rules of the Presidency of the Council and determines the number, attributions and organization of the ministries.

Article 96[\[13\]](#)

The President of the Council of Ministers and the Ministers, even if they have left office, are subject to the offenses committed in the exercise of their function to the ordinary jurisdiction, with the prior authorization by the Senate of the Republic or by the Chamber of Deputies, according to the norms established by the constitutional law.

Section II Public Administration

Article 97

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

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

Employment in public administrations is attained through competitive examinations, except in the cases specified by law.

Article 98

Public officials 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 for members of the judiciary, career military [personnel] in active service, functionaries and agents of the police, diplomatic and consular representatives abroad.

Section III The Auxiliary Organs

Article 99

The National Council of the Economy and Labor (*Consiglio nazionale dell'economia e del lavoro*) is composed, as established 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 organ for the Chambers and the Government in matters and functions attributed to it by law.

It has legislative initiative and can contribute to the drafting of economic and social legislation according to the principles and within the limitations established by law.

Article 100

The Council of State (*Consiglio di Stato*) is a juridical-administrative consultative organ and ensures the legality of [public] administration.

The Court of Accounts (*Corte dei conti*) exercises preventive control over the legitimacy of Government measures, and also subsequent control over the management of the State Budget. It participates, in cases and in forms established by law, in the control over the financial management of the entities to which the State contributes in the ordinary way. It reports directly to the Chambers on the results of audits performed.

The law ensures the independence of the two institutions and of their members from the Government.

TITLE IV

The Judiciary

Section I

The Organization of the Judiciary

Article 101

Justice is administered in the name of the people.

Judges are subject only to the law.

Article 102

The judicial function is exercised by ordinary judges instituted and regulated by norms concerning the judicial organization.

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

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

Article 103

The Council of State and the other organs of administrative justice have jurisdiction for safeguarding before the public administration: legitimate rights, and in particular matters specified by law as well as subjective rights.

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

The 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.

Article 104

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

The High Council of the Judiciary (*Consiglio superiore della magistratura*) is presided over by the President of the Republic.

Members [of the Council] by right are the First President and the Attorney-General (*procuratore generale*) of the Court of Cassation (*Corte di cassazione*).

Of the other members: two-thirds are elected by all the ordinary judges belonging to the various categories, and one-third [are elected] by Parliament in joint session from among university full professors of law and lawyers with fifteen years of practice.

The Council elects a Vice-President from among the members designated by Parliament.

The elected members of the Council remain in office for four years and are not immediately re-eligible.

They cannot, while in office, be registered in professional Rolls (*albi professionali*), nor serve in Parliament or on a Regional Council.

Article 105

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

Article 106

The appointment of judges takes place by means of competitive examinations.

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

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

Article 107

Judges are irremovable. They cannot be dismissed or suspended from their service nor assigned to other courts or functions unless following a decision of the High Council of the Judiciary, taken either for reasons and with the guarantees of defense established by the rules of the judiciary or with their consent.

The Minister of Justice (*Ministro della giustizia*) has the authority to originate disciplinary action.

Judges are distinguished only by the diversity of functions.

The state prosecutor (*pubblico ministero*) enjoys the guarantees regarding them established by the rules of the judicial organization.

Article 108

The rules concerning the judiciary and the judges are established by law.

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

Article 109

The judicial authority directly [oversees] the judicial police.

Article 110

Without prejudice to the competence of the High Council of the Judiciary, the Minister of Justice has responsibility for the organization and functioning of the services concerned with justice.

Section II
Rules on Jurisdiction

Article 111[14]

The law is administered by means of a fair trial governed by the law.

Parties to all trials may speak in their own defense in the presence of the other parties, under conditions of parity, before an independent and impartial court. The law ensures a reasonable duration.

In the criminal process, the law ensures that persons charged with a criminal offense have the 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 defense; they have the right to examine, or to 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 defense in the presence of the other parties during the taking of evidence. Guilt of the accused shall not be established on the basis of statements made by anyone who has freely chosen not to submit to questioning by the accused or the Counsel of the accused.

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

All judicial decisions must be motivated.

Against sentences and against measures on personal freedom pronounced by ordinary and special courts, appeals to the Court of Cassation in cases of violations of the law are always allowed. 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 inherent in the jurisdiction.

Article 112

The public prosecutor has the duty to institute criminal proceedings.

Article 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 organ of jurisdiction can annul acts of public administration in the cases and with the consequences provided for in the law itself.

TITLE V

The Regions, The Provinces, and Municipalities

Article 114[\[15\]](#)

The Republic is constituted by Municipalities, Provinces, the Metropolitan Cities, and the Regions and the State.

The Municipalities, the Provinces, the Metropolitan Cities and the Regions are autonomous entities with their own statutes, powers and functions in accordance with the principles established in the Constitution.

Rome is the Capital of the Republic. The law of the State regulates its organization.

Article 115[\[16\]](#)

Article 116[\[17\]](#)

Friuli-Venezia Giulia, Sardinia, Sicily, Trentino-South Tyrol (*Trentino-Alto Adige/Südtirol*) and the Valle d'Aosta/Vallée d'Aosta dispose of particular forms and conditions of autonomy, in accordance with the special statutes adopted by constitutional law.

The Region of Trentino-South Tyrol is constituted by the autonomous Province of Trento and Bolzano.

Other forms and particular conditions of autonomy, concerning the matters referred to in Article 117, paragraph 3, and the matters indicated in Article 117, paragraph 2 up to letters (l) limiting the organization of the justice of peace, (n) and (s), can be attributed to other Regions, with a law of the State, on the initiative of the interested Region, having heard the local entities, with respect to the principles stated in Article 119. The law is approved by the Chambers by an absolute majority of its components, on the basis of an agreement between the State and the concerned Region.

Article 117[18]

Legislative power is exercised by the State and the Regions in accordance with the Constitution, subject to the limitations derived from the [European] Community's legal order and international obligations.

The State has exclusive legislative power with respect to the following matters:

- a) foreign policy and international relations of the State; relations of the State with the European Union; the right of asylum and the juridical condition of the citizens of States who do not belong to the European Union;
- b) immigration;
- c) relations of the Republic and the religious faiths;
- d) defense and armed forces; security of the State; arms, munitions and explosives;
- e) money, safeguarding of savings and financial markets, safeguarding of competition, the currency system, the currency and accounting system of the State; the equalization of financial resources;
- f) the organs of the State and their relative electoral laws; state referenda; elections to the European Parliament;
- g) the administrative ordering and administration of the State and of the national public entities;
- h) public order and security, with the exclusion of local administrative police;
- i) citizenship, civil status and the registry of residence;
- l) jurisdiction and procedural norms, the civil and penal order, the administration of justice;
- m) the determination of the essential levels of well-being concerning civil and social rights which must be guaranteed on the entire national territory;
- n) general norms concerning education;

o) social security;

p) electoral legislation, organs of government and fundamental functions of Municipalities, Provinces and Metropolitan Cities;

q) customs, protection of the national boundaries and international boundaries (*profilassi internazionale*);

r) weights, measures and determination of standard time; coordination of statistical information and information on data of state, regional and local administration; intellectual property; [and]

s) the protection of the environment, the ecosystem and the cultural heritage (*beni culturali*).

Matters of concurrent legislation are those relative to: international relations and relations with the European Union, relations of the Regions; foreign trade; protection and safety of work; education with the exclusion of the autonomy of schools and other institutions of vocational training; professions; scientific research and technology and support for innovations in the productive sectors; protection of health; food; regulations of sports; civil protection; territorial government; ports and civil protection; territorial government; ports and civil airports; great routes of transportation and navigation; regulation of communication; production, transport and national distribution of energy; complementary and integrative pension (schemes); harmonization of public accounts and the coordination of public finance and the tax system; promotion of the environmental and cultural heritage; promotion and organization of cultural activities; savings banks; rural banks; credit institutions for agriculture and land development of regional character. In matters of concurrent legislation, the legislative power belongs to the Regions except for the determination of fundamental principles which is reserved to the legislation of the State.

The Regions have the legislative power with respect to any matter not expressly reserved to the legislation of the State.

The Regions and the autonomous Provinces of Trento and Bolzano shall participate in the decision-making process leading to the adoption of European Union legislative measures in areas falling within their competence. They shall provide for the implementation (*attuazione*) and execution of international obligations and European Union measures, subject to the procedural rules set out in State law on the exercise of the power of the State to substitute its action for that of the Regions and autonomous Provinces in case of non-performance of their obligations (*in caso di inadempienze*).

The regulatory power belongs to the State in matters of exclusive legislation, unless it delegates it to the Regions. The regulatory power in any other matter belongs to the Regions. The Municipalities, the Provinces and the Metropolitan Cities have the regulatory power with respect to the organization and the implementation of the functions attributed to them.

The regional laws shall remove all obstacles which block the full equality between men and women in social, cultural and economic life and shall promote parity of access between women and men to elective offices.

Regional laws shall ratify the agreements reached by a Region with another Region for the better exercise of their functions, including the creation (*individuazione*) of joint organs.

In matters of their competence, a Region may conclude accords with states and agreement with territorial entities of another state, in cases and forms specified (*disiplinati*) by laws of the State.

Article 118[19]

The administrative functions are attributed to the Municipalities, except those which, with the aim of ensuring their uniform exercise, are attributed to the Provinces, the Metropolitan Cities, the Regions and the State in accordance with the principles of subsidiarity, differentiation and proportionality.

The Municipalities, the Provinces and the Metropolitan Cities carry out their own administrative functions as well as those functions which are conferred upon them by State or regional law, in accordance with their respective competences.

The State law shall specify the forms of coordination between the State and the Regions in matters referred to in Article 117, paragraph 2, letters (*b*) and (*h*) and specifies other forms of agreement and coordination in the matter of the protection of the cultural heritage.

The State, the Regions, the Metropolitan Cities, the Provinces and Municipalities shall promote the autonomous initiative of the citizens, in their capacity both as individuals and as members of associations, with regard to general interest activities, on the basis of the principle of subsidiarity.

Article 119[20]

The Municipalities, the Provinces, the Metropolitan Cities and the Regions have financial autonomy of revenues and expenditures.

The Municipalities, the Provinces, the Metropolitan Cities and the Regions have autonomous resources. They establish and levy their own taxes and revenues in conformity with the Constitution and according to the principles of co-ordination of public finances and the tax system. They receive a share (*compartecipazione*) of the tax revenues related to their territory.

The law of the State shall establish an equalization fund (*fondo perequativo*), without restrictions concerning the allocation of the fund money, for [the benefit of] the territories with lesser fiscal capacity per inhabitant.

The revenues that are derived from the sources referred to in the previous paragraphs shall enable the Municipalities, Provinces, the Metropolitan Cities and Regions to finance integrally the public functions attributed to them.

In order to promote the economic development, the social cohesion and social solidarity, to remove the economic and social inequalities (*squilibri*), to promote the effective exercise of human rights (*diritti della persona*), or to realize objectives other than those pursued in the normal exercise of their functions, the State allocates (*destina*) additional (*aggiuntive*)

resources and adopts special measures in favor of specific Municipalities, Provinces, Metropolitan Cities and Regions.

The Municipalities, Provinces, Metropolitan Cities and Regions have their own assets, attributed to them according to general principles determined by State law. They may incur debts only in order to finance expenditures for investment. Any guarantee by the State for such loans is excluded.

Article 120[\[21\]](#)

The Region may not levy import, export or transit duties between Regions nor adopt measures that obstruct in any way the free circulation of persons or goods between the Regions, nor limit the exercise of the right to work in any part of the national territory.

The Government can substitute its action for that of the competent organs of the Regions, Metropolitan Cities, Provinces and Municipalities if the latter fail to comply with international norms and treaties or community law, or in case of a serious threat to public safety and security, and whenever such substitutive action is required for the preservation of legal or economic unity, and in particular the preservation of elementary benefit levels relating to civil and social entitlements, regardless of the territorial boundaries of the local governments. The law shall define the procedures to ensure that the subsidiary power of the State is exercised with respect for the principles of subsidiarity and of loyal cooperation.

Article 121[\[22\]](#)

The organs of the Region are: the Regional Council, the Regional Executive (*la Giunta*) and its President.

The Regional Council exercises the legislative powers vested in the Region and the other functions vested in it by the Constitution and by the laws. It may propose bills to the Chambers of Parliament.

The Regional Executive is the executive organ of the Region.

The President of the Regional Executive represents the Region, directs the policies of the Executive for which he is responsible, promulgates the laws and regional regulations and directs the administrative functions delegated to the Region by the State, in conformity with the instructions of the Government of the Republic.

Article 122[\[23\]](#)

The system for electing the President and the other Members of the Regional Executive, and the cases of ineligibility or incompatibility are governed by a Regional Statute in accordance with the fundamental principles established by the laws of the Republic, which also determine the term of office of the elected organs.

No one may simultaneously be a member of a Regional Council or a Regional Executive and a member of either Chamber of Parliament, of another Regional Council or of the European Parliament.

The Council elects a President from among its members and its Bureau (*un ufficio di presidenza*).

Regional Councilors cannot be held liable for any opinions expressed and any votes cast in the exercise of their functions.

The President of the Regional Executive, save where the regional statute provides otherwise, is elected by universal and direct suffrage. The elected President appoints and dismisses the members of the Executive.

Article 123[\[24\]](#)

Each Region shall have a Statute which, in harmony with the Italian Constitution, determines the form of government and the fundamental principles for its organization and functioning. The Statute governs the exercise of the Region's right to initiate legislation and referenda on regional administrative measures and Statutes and the publication of Regional Statutes and Regulations.

The Statute shall be approved and modified by a law adopted by the Regional Council with an absolute majority of its Members, with two successive votes at intervals of not less than two months. Such a law does not require clearance by the Government Commissioner (*Commissario del Governo*). The Government of the Republic may refer Regional Statutes to the Constitutional Court challenging their constitutional legitimacy within thirty days of publication.

The Statute shall be put to a referendum if one-fiftieth of the electorate of the Region or one-fifth of the Members of the Regional Council so request within three months of its publication. The Statute put to a referendum shall not be promulgated unless it is approved with a majority of valid votes.

In every Region, the Statute shall provide for a Council of local authorities as a consultative organ between the Region and the local entities.

Article 124[\[25\]](#)

Article 125[\[26\]](#)

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

Article 126[\[27\]](#)

With a reasoned Decree of the President of the Republic, the Regional Council may be dissolved and the President of the Regional Executive may be removed from office if they have committed acts contrary to the Constitution or serious offenses against the law. The dissolution of the Council and the removal of the President may also be ordered for reasons of national security. The Presidential decree shall be adopted after consultation with the Joint Committee for Regional Affairs of the Chamber of Deputies and the Senate, established in the form and modalities prescribed by Act of Parliament.

The Regional Council can approve a vote of no-confidence in the President of the Regional Executive in the form of a reasoned motion signed by at least one-fifth of its Members and approved by roll-call vote with an absolute majority of the Members. The debate on the motion may not be held during the three-day period following its presentation.

In the event of a vote of no-confidence in the President of the Executive elected by direct universal suffrage and the removal from office, permanent incapacity, death or voluntary resignation of the President trigger the resignation of the whole Executive and the dissolution of the Council. The same also applies in the event that the majority of the members of the Regional Council resign simultaneously.

Article 127[\[28\]](#)

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

Whenever it deems that a State or regional law or an act having the force of a State or regional law has infringed upon its sphere of competence, a Region may raise (*può promuovere*) the question of constitutional legitimacy before the Constitutional Court within sixty days of the publication of the law or of the act having the force of law.

Article 128[\[29\]](#)

Article 129[\[30\]](#)

Article 130[\[31\]](#)

Article 131[\[32\]](#)

The following Regions are established:

Piedmont

Valle d'Aosta

Lombardy

Trentino-South Tyrol (*Trentino-Alto Adige*)

Veneto

Friuli-Venezia Giulia

Liguria

Emilia-Romagna

Tuscany

Umbria

The Marches

Latium

Abruzzi

Molise

Campania

Apulia

Basilicata

Calabria

Sicily

Sardina

Article 132[\[33\]](#)

A merger between existing Regions or the creation of new Regions having a minimum of 1,000,000 inhabitants may be authorized by constitutional law after consultation with the Regional Councils, provided that the request has been made by a number of Municipal Councils representing not less than one-third of total population involved, and the request has been approved in a referendum by a majority of the said population.

Provinces and Municipalities may be detached upon their request from one Region and incorporated into another after consultation of the Regional Council and in accordance with a law of the Republic, if the request is backed by a majority of the population of the Province or Provinces and of the Municipality or Municipalities concerned.

Article 133

Changes of provincial boundaries and the establishment 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 interested populations, may establish through its laws new Municipalities within its own territory and modify their boundaries and names.

TITLE VI

Constitutional Guarantees

Section I

The Constitutional Court

Article 134[\[34\]](#)

The Constitutional Court decides:

on controversies concerning the constitutional legitimacy of laws and acts having the force of law, [emanating] from the State and the Regions;

on conflicts [arising] over the attribution of powers within the State, and between the State and the Regions, and between the Regions;

on the impeachment of the President of the Republic according to the norms of the Constitution.

Article 135[\[35\]](#)

The Constitutional Court is composed of fifteen judges, one-third of whom are nominated by the President of the Republic, one-third by Parliament in joint session, and one-third by the members of the ordinary and administrative supreme courts.

The judges of the Constitutional Court are chosen from among the magistrates of the high and administrative courts, including those in retirement, university full professors of law, and attorneys who have been in practice for a minimum of twenty years.

The judges of the Constitutional Court are appointed for a period of nine years, as from the date upon which each shall be sworn and they may not be reappointed to this office.

At the end of this term, a judge of the Constitutional Court shall withdraw from his office and [relinquish] the exercise of his functions.

The [Constitutional] Court shall elect from among its own members, according to the established norms of the law, a President, who shall remain in office for a period of three years and may be reelected but only within the period of his juridical office.

The office of a judge of the [Constitutional] Court is incompatible with that of a member of Parliament, Regional Council, the practice of law or with any other office as proscribed by law.

In the case of proceedings against the President of the Republic, those taking part, other than the ordinary judges of the court, [shall be] sixteen members chosen at random from election rolls of citizens possessing the necessary qualifications for election to the Senate, which Parliament shall compile every nine years by means of the same manner established for the appointment of ordinary judges.

Article 136

When the Court declares the constitutional illegitimacy of a law or of an act having the force of law, the norm 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 Chambers and to the Regional Councils concerned, so that, wherever they deem it necessary, they shall act in conformity with constitutional procedures.

Article 137

A constitutional law shall establish the conditions, the forms, the terms of “proposability” (*proponabilità*) of judgments on constitutional legitimacy, and the guarantees of the independence of the judges of the Court.

With ordinary laws, the other provisions necessary for the constitution and the functioning of the Court shall be established.

Against the decision of the Constitutional Court, no appeals are admissible.

Section II

Amendments to the Constitution, Constitutional Laws

Article 138

Laws amending the Constitution and other constitutional laws shall be adopted by each Chamber after two successive debates within a period of three months, and shall be approved by an absolute majority of the members of each Chamber in the second voting.

The laws themselves are submitted to a popular referendum when, within three months of their publication, such a request is made by one-fifth of the members of a Chamber or 500,000 electors or five Regional Councils. The law submitted to referendum shall not be promulgated if is 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 Chambers by a majority of two-thirds of the members.

Article 139

The republican form [of the State] cannot be a matter of constitutional revision.

TRANSITORY AND FINAL PROVISIONS

I

With the entry into force of the Constitution, the provisional Head of the State shall exercise the attributes 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 constituted, only members of the two Chambers shall participate in the election.

III

For the first composition of the Senate of the Republic, the President of the Republic, by decree, shall appoint to be Senators Deputies to the Constituent Assembly who possess all the requisites by law to be Senators and who:

have been presidents of the Council of Ministers or of legislative Assemblies;

have been members of the dissolved Senate;

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

were dismissed at the sitting of the Chamber of Deputies of November 9, 1926; [and]

have been imprisoned for not less than five years by a sentence of the Special Fascist Tribunal for the Defense of the State.

Those appointed also shall be, by decree of the President of the Republic, Senators 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 imply the 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 the convocation of the Chambers.

VI

Within five years after the Constitution has come into effect, the special jurisdictional organs still in existence shall be revised, with the exception of 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[36]

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 entry into force of the Constitution.

VIII

Elections of the Regional Councils and the elected organs of provincial administration shall be called within one year of the entry into force 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 others which the Regions 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 the employees of the State and local entities.

IX

The Republic, within three years of the entry into force of the Constitution, shall adjust its laws to the needs of the local autonomies and to the legislative competence attributed to the Regions.

X

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

XI[37]

Up to five years after the entry into force of the Constitution other Regions may, by constitutional laws, be established, thus modifying the list in Article 131, and without the conditions requested by Article 132, first paragraph, however, without prejudice to the obligation to consult the interested population.

XII

It is 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 entry into force of the Constitution, temporary limitations to the right to vote and eligibility for the leaders responsible for the fascist regime.

XIII[38]

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

XIV

Titles of nobility are not recognized.

The predicates [of nobility] of those existing before October 28, 1922 serve as part of the name.

The Order of Saint Mauritius is 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 entry into force of the Constitution, the legislative decree of the *Lieutenant of the Realm No. 151 of June 25, 1944* on the provisional organization of the State is converted into law.

XVI

Revision and coordination of the preceding constitutional laws which had not at that moment been explicitly or implicitly abrogated shall begin within one year of the entry into force of the Constitution.

XVII

The Constituent Assembly shall be called by its President to decide, before January 31, 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 Chambers, the Constituent Assembly may be called, when it is necessary to decide on matters attributed to its competence by Article 2, paragraphs 1 and 2, and Article 3, paragraphs 1 and 2, of *Legislative Decree No. 98 of March 16, 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 200 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 January 1, 1948.

The Text of the Constitution shall be deposited in the town hall of every Municipality of the Republic and there shall remain on view, 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 organs of the State.

Given in Rome this 27th Day of December 1947

ENRICO DE NICOLA

Countersigned:

President of the Constituent Assembly
UMBERTO TERRACINI

President of the Council of Ministers
ALCIDE DE GASPERI

Witnessed: Keeper of the Seal, GRASSI

NOTES

[1] The *Constitution of the Italian Republic* was adopted December 22, 1947, signed by Enrico de Nicola (then, the Provisional Head-of-State) on December 27, 1947 and entered into force on January 1, 1948.

[2] As amended June 21, 1967.

[3] As amended June 21, 1967.

[4] As amended January 17, 2000.

[5] As amended May 30, 2003.

[6] As amended February 9, 1963; January 23, 2001.

[7] As amended March 9, 1961; February 9, 1963; December 27, 1963; January 23, 2001.

[8] As amended February 9, 1963.

[9] As amended October 29, 1993.

[10] As amended March 11, 1953.

[11] As amended March 6, 1992.

[12] As amended November 4, 1991.

- [\[13\]](#) As amended January 16, 1989.
- [\[14\]](#) As amended November 22, 1999.
- [\[15\]](#) As amended October 18, 2001.
- [\[16\]](#) Abrogated October 18, 2001.
- [\[17\]](#) As amended October 18, 2001.
- [\[18\]](#) As amended October 18, 2001.
- [\[19\]](#) As amended October 18, 2001.
- [\[20\]](#) As amended October 18, 2001.
- [\[21\]](#) As amended October 18, 2001.
- [\[22\]](#) As amended November 22, 1999.
- [\[23\]](#) As amended November 22, 1999.
- [\[24\]](#) As amended November 22, 1999; October 18, 2001.
- [\[25\]](#) Abrogated October 18, 2001.
- [\[26\]](#) Partly abrogated October 18, 2001.
- [\[27\]](#) As amended November 22, 1999.
- [\[28\]](#) As amended October 18, 2001.
- [\[29\]](#) Abrogated October 18, 2001.
- [\[30\]](#) Abrogated October 18, 2001.
- [\[31\]](#) Abrogated October 18, 2001.
- [\[32\]](#) As amended December 27, 1963.
- [\[33\]](#) As amended October 18, 2001.
- [\[34\]](#) As amended January 16, 1989.
- [\[35\]](#) As amended November 22, 1967; January 16, 1989.
- [\[36\]](#) As amended November 22, 1967.
- [\[37\]](#) As amended March 18, 1958.

[\[38\]](#) As amended October 23, 2002. The reform repealed paragraphs 1 and 2 of the provision which had the following wording:

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.

Oceana™
198 Madison Avenue
New York, NY 10016
(212) 726-6000