



Statute of the Region of Tuscany

Approved by the Regional Assembly by resolution of 6 May, 2004 and amendment of 19 July, 2004.
Published in BURT (Gazette of the Region of Tuscany) edition 12 of 11 Feb 2005, part one.

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TITLE I – The Region of Tuscany

Art. 1 (The Region of Tuscany)

1. The Tuscany regional authority is the representative body of the regional community. Its constitutional autonomy is implemented and enhanced within the unity and indivisibility of the Republic of Italy which arose from the Resistance, and within the principles of adhesion to and support of the European Union.

Art. 2 (Territory, capital, coat of arms)

1. The Region is comprised of the provinces of Arezzo, Florence, Grosseto, Livorno, Lucca, Massa Carrara, Pisa, Pistoia, Prato and Siena.

2. The capital of the Region is Florence, the city in which the seats of both the Assembly and Council of the Region are located.

3. The coat of arms and the Standard of the Region are enshrined by law.

Art. 3 (General principles)

1. The activities of the regional authority are based on the principles of the Constitution of Italy and the agreements between States on the European Constitution.

2. The objectives of the regional authority include enabling individuals to achieve the full potential of their development, and to foster the principles of freedom, justice, equality, solidarity and respect of personal dignity and human rights.

3. The regional authority upholds the principles of social and institutional subsidiarity; it seeks policy integration in autonomous municipalities and recognizes and fosters social cooperation and its free development.

4. The regional authority guarantees participation in regional political issues to all those who reside in Tuscany and to Tuscans resident outside Italy.

5. The regional authority fosters the right of all individuals who reside in Tuscany and Tuscans resident abroad to participate in regional policy issues .

6. Within the principles of the Constitution of Italy, the regional authority favours extending voting rights to immigrants.

Art. 4 (Main objectives)

1. The priority objectives that the Region pursues include:

a) The right to work and adequate protection of the dignity of workers, the right to safe workplaces and lifelong access to education and knowledge;

b) The right to pluralism of information and communication and access to culture as both an individual need and a community principle;

c) The right to healthcare;

d) The right of children to initiatives that guarantee their social protection;

e) The right of the disabled and the elderly to initiatives that provide self-sufficiency and opportunities for active involvement in community life;

f) The right to equal opportunity for both men and women and the enhancement of gender differences in social, cultural, economic and political life while favouring adequate gender representation at institutional, governmental and public body levels;

g) The preservation and enhancement of the family, based on marriage;

h) The recognition of other forms of co-habitation;

i) The promotion of science and the freedom of scientific research within the boundaries of respect

for human beings;

- l) The respect of ecological balance, protection of the environment and of natural heritage, conservation of biodiversity and the promotion of a culture that respects animals;
- m) The safeguarding and enhancement of historic, artistic and landscape heritages;
- n) The promotion of economic development within a context that favours innovation, research and training as factors of company competitiveness in accordance with principles of social cohesion and environmental sustainability;
- o) The enhancement of public and private freedom in economic endeavours and of the role and social responsibility of business;
- p) The promotion of cooperation as an instrument of economic democracy and social development and its enhancement by the most appropriate means;
- q) The protection and promotion of associations and voluntary initiatives;
- r) The promotion of the principles of peace, solidarity and dialogue between peoples, cultures and religions;
- s) The rejection of all forms of xenophobia and discrimination against ethnic groups, sexual orientation, and every other aspect of the human and social condition;
- t) Acceptance of immigrants based on solidarity in accordance with the principles of cultural pluralism, reciprocal respect and social integration;
- u) The promotion and support of initiatives against capital punishment, torture, enslavement, bodily mutilation and every act that offends the dignity of man;
- v) The recognition of the autonomy of local communities, the promotion of the system of autonomy, the enhancement of separate cultural, social and economic identities throughout the regional territory, the protection of smaller municipalities and of mountainous and insular areas.
- z) The streamlining of relations at all levels between citizens, businesses and institutions and the implementation of the principles of good governance in impartiality, transparency and fairness.

Art. 5 (Verification of principles and rights)

1. The initiatives conducted by the regional authority are based on the principles and rights specified within this Article, and their status of implementation is periodically verified.

TITLE II - Bodies of the Region

CHAPTER I - The Assembly

SECTION I - Election and duties

Art. 6 (Election)

1. The Regional Assembly is elected by direct, universal suffrage and in accordance with the ways and means set forth in the regional electoral law.
2. The regional Assembly is composed of fifty-three members except what set forth by the application of the electoral law.
(Article modified by statute regional law 1/2010).

Art. 7 (Taking office and term of office)

1. The Members of the Regional Assembly take office on the act of public proclamation. They perform their duties from the first session of the new assembly up to the first session of the successive legislature, except in the case of premature termination;
2. The Assembly validates the election within sixty days of its first session by the manner established by the Rules of Procedure;

Art. 8 (First session of the Assembly)

1. The Assembly holds its first session no later than ten days from the proclamation of those elected, and is convened by its oldest Member. Upon expiry of this term the Assembly is convened by one-fifth of all its Members.

2. The Assembly is temporarily presided over by its oldest Member while its two youngest Members act as secretaries.
3. The first item on the agenda is for the Assembly to elect its President and its Presidency Board.

Art. 9 (Prerogatives of Assembly Members)

1. The Members of the Regional Assembly represent the entire Region with no constraint of mandate and cannot be brought to book for opinions expressed or votes cast in the course of their official duties.
2. Each Member of the Assembly has by mandate the right to access the offices and premises of the Region and to obtain documentation and information housed therein. Said access shall be in accordance with electoral law and privacy regulations as regards the obligation to maintain secrecy .
3. The rights of Assembly Members specified in Art 9 (2) hereof are also applicable as regards the offices and premises of other public bodies, and organisations under Regional control.
4. The Region promotes the access of members to other public and private bodies in order to obtain information useful for carrying out their duties.
5. Each Member has the right to ask questions, interpellate, propose motions, agendas or resolutions in accordance with the ways and means, and time specified by the Rules of Procedure which also specify the fixed time by which the Regional Council is to respond.
6. Members of the Assembly are empowered to launch the initiatives provided by Art. 23 hereof and to perform other duties regulated by the Statute, by law and by the Rules of Procedure.
7. Allowances, whether or not deferred, expenditure reimbursement and the salaries of Members of the Assembly are regulated by regional law.
8. Members of the Assembly are guaranteed the shared services and any ad hoc individual resources required for the full performance of their duties.

Art. 10 (Role of the opposition)

1. The opposition is guaranteed a role in planning the Assembly agenda and in earmarking time to examine individual motions, and the responses to the acts by the Supervisory Committee as well as, ultimately, the regulations concerning the composition of the Committees of Enquiry, in making the staff appointments of Assembly competence, and in composing bodies with duties of supervision and control.
2. The Rules of Procedure provide for the appointment of an opposition spokesperson for the most representative minority groupings and guarantee his/her functions.

Art. 11 (Duties of the Assembly)

1. The regional Assembly represents the community of Tuscany; it is its legislative body, it orients the direction of its political agenda and its policies and regulates their implementation.
2. The Assembly approves laws and regulations within its scope; general and sectoral acts of government programming; acts of regional territorial planning; budgets and their amendments where provided for by law; the accounts of the Region; directives for Regional bodies in all areas of intervention and in international relations; agreements signed by the regional authority with foreign States and memoranda of understanding with territorial bodies abroad; accounts of bodies, businesses and other bodies under regional control.
3. Insofar as its scope allows, the Assembly participates in the consensual consultation for acts and in drafting Community acts, agreements with the Italian government, and regional initiatives in national planning and inter-regional acts.
4. The Assembly verifies the overall economic and financial management of the Region; the correspondence of the outcome of regional policies to the targets of the Regional Council; the management of bodies, businesses and other organisms under regional control in accordance with law. Furthermore, it carries out a check at least once a year on the status of implementation of long-term planning acts..

5. The Assembly tables Bills in Parliament, it expresses its opinion to the Regional Council on the budgets of bodies, businesses and other organisms under regional control and warrants the quality of the sources of regional legislation.
6. The Assembly, in its representative role of the regional community, promotes the implementation of principles and rights sanctioned by the Statute and verifies said implementation; it rules on popular referenda; it expresses opinions as provided by Arts. 132 and 133 of the Constitution; it appoints representatives of the Region in instances where not otherwise established by the Statute or, in the case of protected interests, by law; it maintains relations with independent authorities and with representatives of Italian and foreign political bodies and encourages members of the public and residents of Tuscany to take part in its initiatives.
7. The Assembly performs the other duties assigned to it by the Constitution and the Statute or established by regional law in accordance with the statutory criteria for duty sharing among regional bodies.
8. The tasks of the Assembly may not be carried out by bodies of the Regional Council whether for reasons of urgency, or proxy.

SECTION II - Organisation

Art. 12 (President of the Regional Assembly)

1. The President of the Regional Assembly is elected by secret ballot and by a three-quarters majority of the members of the Assembly failing which, by a second ballot that requires a two-thirds majority or, failing which a third ballot by winning a straight majority of Assembly Members.
2. The President of the Assembly holds office for thirty months and can be re-elected.

Art. 13 (Duties of the President of the Assembly)

1. The President represents the Regional Assembly, convenes it and directs its work, fosters relations between it and the Assembly and other national and international institutions and bodies.
2. The President of the Assembly convenes and chairs the Presidency Board, establishes the Assembly agenda, guarantees the faculty of all Members to exercise their rights and of the opposition to perform its role, represents the Assembly in legal proceedings where provided by law and for acts within the organizational autonomy of the Assembly. The President is also empowered to declare regional Bills lapsed as provided by the Statute and by the Rules of Procedure; terminate regional bodies as provided by the Constitution and the Statute and exercise the other functions assigned to the presidency by the Statute, laws and the Rules of Procedure.
3. The President of the Assembly requests the President of the regional Council to inform the Assembly on the status of implementation of regional policies.
4. The President of the Assembly is not a member of any advisory Committee.

Art. 14 (Presidency Board)

1. The Presidency Board is composed of the President of the Assembly, two vice presidents and four secretaries, two of whom have the role of Secretary Commissioner.
2. The vice presidents, secretaries commissioner and secretaries are elected immediately after the President by secret ballot, in a separate procedure in which electors may not vote for more than one candidate. Assembly Members who win the most votes, are elected or in the case of parity the Member with most seniority.
3. The Presidency Board holds office for thirty months and can be re-elected.

Art. 15 (Duties of the Presidency Board)

1. The Presidency Board assists the President in performing his duties; it prepares the Assembly's autonomous year-end accounts, defines the aims and guidelines for the organization of the Assembly offices and staff management; on the recommendation of the President of the Assembly it appoints a Secretary General; it verifies the results of the Assembly management and performs all the duties assigned to it by the Rules of Procedure.

Art. 16 (Political groups)

1. Members of the Assembly are organized in political groups.
2. Each group is composed of at least two Members however if only one candidate from a party list is elected to the Assembly, then that party's group can be comprised of that single Assembly Member..
3. A Member of the Assembly who does not belong to a specific party group will enter the mixed group.
4. The Region establishes the financial and human resources, and location and service availability to the Assembly party groups according to their size in order that they may perform their duties.
5. The assignment of contributions and how they are accounted for are regulated by law.

Art. 17 (Presidents of the political groups)

1. Political groups are represented by their Presidents who are responsible for their management and who perform the duties laid down in the Statute and by the Rules of Procedure of the Regional Assembly.
2. The Conference of the Presidents of Political Groups collaborates with the President of the Regional Assembly and with the Presidency Board in organising the Assembly agenda.

Art. 18 (Advisory committees)

1. The Assembly establishes standing advisory committees the number and scope of which is laid down by the Rules of Procedure.
2. The Assembly can establish *ad hoc* committees with a set duration and scope.
3. The composition of advisory committees is proportionate to the number of Members in each party group in the Assembly in accordance with the Rules of Procedure.
4. Each Member of the Assembly is on a standing advisory committee and can participate in the sessions of every committee and have the right to speak and submit proposals .
5. The President of the Regional Council is not on any committee. The President of the Regional Council and the Councillors have the right and if so requested, the obligation, to take part in advisory committee sessions and have the right to speak and submit proposals.

Art. 19 (Powers of the standing advisory committees)

- 1., Standing advisory committees perform an investigative and reporting function within their specific areas. The Rules of Procedure also lay down that standing Committees may also perform drafting functions when authorised to do so by unanimous Assembly vote.
2. Within said specific areas, standing advisory committees also perform functions of monitoring, auditing and evaluating the effects of regional policies, including the economic and financial aspects on the implementation of Assembly directives and planning acts and on the application of the rights and principles of Title 1 hereof.
3. In performing their duties, standing advisory committees carry out investigations, seek advice from scientific specialists and bodies and agencies; they consult entities, organizations and associations; they maintain relations with all these subjects, and encourage the public and those resident in Tuscany to take part in said initiatives.

4. Standing advisory committees have rights and obligations pursuant to Art 9 (2) and (3) hereof; they are empowered to order inspections, obtain the exhibition of acts and documentation, convene office staff who are obliged to appear and who cannot plead professional secrecy.
5. Within their respective scopes, standing advisory committees express opinions on the acts performed by the Regional Council as provided by the Statute.
6. The business conducted during sessions of standing advisory committees is made public.

Art. 20 (Supervisory committee)

1. A standing committee, chaired by an Assembly Member of the opposition and established in accordance with Art. 18 hereof, is charged with monitoring the status of implementation of regional policies, and the coherence of regional, general and specific policy planning with the ensuing acts.
2. Pursuant to Art 20 (1) hereof, the committee expresses its opinion a priori on the coherence of acts with regional planning: if said opinion is negative, the committee declares the act lapsed provided the body who ruled it gives its express consent.
3. The committee also has the responsibility to report on the accounts of regional bodies and monitor the management of regional assets and bodies under regional control as established by the Rules of Procedure.
4. The Assembly Rules of Procedure regulate the composition of the supervisory committee, which can include Members of the Assembly who sit on other standing committees.

Art. 21 (Committees of enquiry)

1. The Assembly can set up committees of enquiry on matters of regional interest.
2. Committees of enquiry can be set up without an Assembly vote when no fewer than one-fifth of the number of the Members of the Assembly request it.
3. No more than two committees of enquiry set up without an Assembly vote can be established at the same time.
4. Members of the Regional Council may take part in committee of enquiry sessions if requested to do so.
5. The appointment, composition, powers and functional procedures of committees of enquiry are regulated by the Rules of Procedure.

SECTION III - Operation

Art. 22 (Rules of Procedure of the Assembly)

1. The Assembly approves the Rules of Procedure that regulate the organization and workings of the Assembly.
2. The Rules of Procedure are adopted by a three-fourths majority of Assembly votes in the first round, a two-thirds majority in the second and third polls, and by a simple majority of Members from the fourth poll onwards.

Art. 23 (Power of initiative)

1. The Regional Council, each Member of the Assembly and other subjects as provided by the Statute, are empowered to table bills and all acts within the scope of the Assembly.
2. Acts internal to the Assembly may only be tabled by Members of the Assembly.
3. Acts pertaining to the Regional year-end balance sheets and accounts may only be tabled by the Regional Council.

Art. 24 (Agenda of Assembly Sessions)

1. The agenda of Assembly and Committee sessions are set and organised in accordance with the Rules of Procedure.

2. The Assembly agenda is defined by the Assembly President with the assistance of the Presidency Board, the Presidents of the political groups and advisory committees and, in certain instances presidents of other bodies.
3. The Rules of Procedure provide for matters of extraordinary need and urgency to be examined directly by the Assembly.
4. Matters of substantial general interest are examined in ad hoc Assembly sessions.

Art. 25 (Summons)

1. The President of the Assembly convenes the Assembly, and defines the agenda assisted by the Presidency Board, the Presidents of the political groups and the Regional Council.
2. In cases of urgency the Assembly is convened within five days of the summons.
3. The Rules of Procedure provide other means by which the Assembly may be convened namely by request of the President of the Regional Council or by one-fifth of the Members of the Assembly or by the Presidents of at least three political groups to which no fewer than one-fifth of all Members of the Assembly belong.

Art. 26 (Procedures for rulings)

1. Rulings of the Assembly require a quorum of the majority of its Members and approval to be voted by a majority of Members present.
2. Without prejudice to Art 26 (1) hereof the alternative majorities provided by the Constitution and Statute are also valid.
3. The Assembly votes by open ballot except where a secret ballot is laid down by the Rules of Procedure.

Art. 27 (Notification of sessions)

1. Assembly sessions are open to the public, except as provided by the Rules of Procedure.

Art. 28 (Autonomy of the Assembly)

1. The Assembly is autonomous in its year-end financial statements, and in how its accounts are organised and managed.
2. The Accounting procedures of the Assembly are regulated by an ad hoc set of rules within the framework of the principles of the law on regional accounting.
3. The departmental offices of the regional Assembly guarantee the Assembly the technical assistance necessary for it to perform its duties.
4. Departmental office staff are on the Assembly personnel establishment plan.

CHAPTER II - The Council

SECTION I - The bodies

Art. 29 (Government bodies)

1. The Region is governed by the President of the Regional Council and the Regional Council.

Art. 30 (Allowances)

1. The allowances established by Art. 9 (7) hereof also apply to Members of the government bodies.

SECTION II - The President of the Regional Council

Art. 31 (Election)

1. The President of the Regional Council is elected at the same time as the Regional Assembly by direct, universal suffrage as provided by regional law.
2. The President of the Regional Council is a Member of the Assembly, and takes office upon the

act of public proclamation.

3. The President of the Regional Council does not vote in the election of the President of the Assembly nor in that of the Presidency Board.

Art. 32 (Agenda and composition of the Regional Council)

1. In the first Assembly session, the President of the Regional Council presents the Council's agenda and introduces the Vice President and other Councillors.

2. The Council's agenda must be approved within ten days from its presentation.

3. The President of the Council appoints the Vice President and the other Councillors after the agenda has been approved or in accordance with the terms provided by Art 32 (2) hereof.

4. The President performs the duties of the Regional Council until the Councillors are appointed.

Art. 33 (Term of office)

1. The President of the Regional Council remains in office throughout the entire legislature and performs the duties of his office until the act of public proclamation of his/her successor.

2. The events that bring the President's term in office to early termination are established in the Constitution.

3. A no-confidence vote in the President of the Regional Council is expressed by a reasoned motion signed by at least one-fifth of Assembly Members, and is approved by a roll-call vote of the majority of Assembly Members. The motion cannot be challenged earlier than three days or later than 20 days from its tabling.

4. The President of the Regional Council's resignation is submitted to the President of the Assembly and debated in an ad hoc session of the Assembly. It comes into force twenty days later.

5. The other reasons for terminating the President's term in office are ascertained by the Assembly by the ways and means provided by law.

6. The early termination of the President's term in office also terminates the Regional Council's term in office and, where provided by the Constitution, the dissolution of the Assembly.

Furthermore, it requires the calling of new elections to be held within three months.

7. The Regional Council and the Regional Assembly chaired by the Vice President perform the duties of the President in the period immediately after the early termination of his term in office, until the first session of the new Assembly and the act of proclamation of the new President

8. The provisions of Art 33 (7) hereof are not applicable when dissolution and removal are performed as provided by Art 126 (1) of the Constitution.

Art. 34 (Duties)

1. The President of the Regional Council represents the Region and directs manages and is responsible for council policy, he/she passes laws and issues regulations.

2. The President convenes and chairs the Regional Council appoints and dismisses Councillors and assigns them offices giving due motivation thereof to the Assembly; establishes the Council agenda and ensures its implementation; implements any urgent measures deemed necessary as provided by law; appoints heads of regional government bodies giving due motivation thereof to the Assembly; fosters judgments of constitutional legitimacy and raises issues of conflict of attribution giving due motivation thereof to the Assembly beforehand; performs the other duties assigned to the President by the Constitution and the Statute or by regional law, in accordance with the norms for distinguishing duties between regional bodies.

SECTION III - The Regional Council

Art. 35 (Composition)

1. The Regional Council is composed of the President and the Councillors. There can be no more than ten Councillors.

2. The Councillors are appointed by the President of the Regional Council.

3. (Repealed).

4. The Vice President performs the office of the President in the event of the latter's absence or temporary incapacity to perform his duties.
(Article modified by statute regional law 1/2010).

Art. 36 (Term of office)

1. The Regional Council remains in office for the same duration as the President who appointed it except in the case of early termination as provided by Art 33 hereof.
2. The Assembly may reject the proposed appointment of single Councillors pursuant to a reasoned motion signed by at least one-fifth of Assembly Members. The motion cannot be debated earlier than three days or later than twenty days from when it was tabled. Within twenty days the President of the Regional Council notifies his duly motivated decision to the Assembly consequent to the non approval motion .

Art. 37 (Duties)

1. The Regional Council governs within the scope of regional responsibility and within the limits laid down by law and by the Statute.
2. The Regional Council debates bills of law; approves norms within its scope and debates proposed norms within the scope of the Regional Assembly; it ensures that laws, planning acts and guidelines are implemented; it prepares and manages the regional budget; subject to Assembly assent it approves the budgets of bodies, companies and organisms under regional control and it performs the other duties assigned to it by the Constitution and the Statute, or established by the relative regional norms in accordance with statutory criteria for distinguishing the tasks attributed to regional bodies

Art. 38 (Organisation)

1. The Regional Council performs its duties collegially.
2. The Councillors cooperate with the President of the Regional Council; the offices borne by Councillors can be changed at any time by the President who gives notification thereof to the Assembly with a duly reasoned notification.
3. The working of the Regional Council is regulated by the Rules of Procedure.

TITLE III - Normative references

Art. 39 (List of References)

1. The references of norms for the Region consist of the Statute, laws, and regulations.
2. Laws and regulations are motivated as provided by law.

Art. 40 (Legislative Procedures)

1. Bills are tabled before the President of the Assembly who ensures their immediate distribution to Members of the Assembly and to the relative Committees.
2. The Assembly's Rules of Procedure establish the ways and means by which bills are examined in committee, provide priority proceedings in cases of urgency and, when deadlines are overrun, provide their inclusion in the Committee or Assembly agenda; they also govern the ways and means for ensuring the Assembly examines bills tabled by Members of the Assembly.
3. The committees refer to the Assembly on bills tabled.
4. After a general discussion on the bill, the Assembly votes on it article by article and then takes a final vote on its entirety.
5. Bills amended and re-drafted during the general debate are subject to a final vote on their entirety by the Assembly.

Art. 41 (Promulgation)

1. Laws are to be promulgated by the President of the Regional Council within ten days from their notification by the President of the Assembly.
2. The time allowed for promulgating a law subject to EU ratification runs from receipt of notification of ratification or the expiry of the term established for ratification by the EU body.
3. Non EU ratification of a law, even partial, requires that the law be tabled again under the ways and means provided by the Assembly's Rules of Procedure.

Art. 42 (Regulations)

1. The Region wields its power to regulate by directives for implementing regional laws, and laws delegated to the Region by the State as well as directives for implementing EU Acts and norms.
2. Directives for implementing regional laws are approved by the Regional Council and must have the approval of the relative advisory committee. The committee has thirty days from receipt of the directive proposal to notify its ruling after which the Council may approve the directive.
3. Norms delegated by the State are approved by the Assembly.
4. Directives for implementing EU Acts and laws are approved by the Regional Council as provided by Art 42 (2) hereof.
5. Norms are signed for promulgation by the President of the Regional Council.
6. The regional bodies can approve organisational Rules of Procedure as provided by the Statute or by law.

Art. 43 (Publication and entry into force)

1. Laws and regulations are published in The Regional Gazette within 20 days from promulgation or emanation and come into force 15 days later unless otherwise provided by law.
2. The law provides other direct means of fostering awareness of laws and regulations and their implementation.

Art. 44 (Quality of normative references)

1. The Region assures the certainty of the law and thus takes pains in the quality of regional normative references and guarantees uniformity, clarity and procedural simplicity.
2. Pursuant to Art 44 (1) hereof legislation is drafted in the form of consolidated texts concerning specific areas of interest.
3. Consolidated legislative texts are approved by law and can only be repealed or amended, whether wholly or partly by ad hoc measures.
4. The parts of consolidated texts which merely coordinate extant legislation are approved by the Assembly by a single vote.
5. Consolidated regulatory texts can only be repealed or amended, whether wholly or partly by ad hoc measures.
6. The Laws and Rules of Procedure of the Regional Assembly and Regional Council establish the requirements to be met in order to guarantee the quality of legislation and the methods of preparation approval and maintenance of consolidated texts.
7. The President of the Assembly together with the Presidency Board, declares bills lapsed which are not in accordance with the established measures for safeguarding the quality of legislation.

Art. 45 (Evaluation of Legislation)

1. The Advisory Committees conduct a priori feasibility evaluations on bills and the consequences they will have on those who will be affected by them.
2. The regional law on drafting legislation requires that laws contain clauses which enable the times and means of ascertaining said consequences to be identified .
3. The Assembly Rules of Procedure regulate the means of implementing the functions set forth in this Article.
4. The Assembly budget ensures the availability of adequate resources for it to carry out its duties.

TITLE IV - Administration

Art. 46 (Planning)

1. All regional activity is subject to planning as the means for identifying its annual and multi-year objectives.
2. The formation of planning acts and procedures and the roles played by regional bodies, local government and organisations representative of Tuscan society are laid down by law as are the ways and means of integrating local, national and EU acts and forms of participation.

Art. 47 (Bodies for study and research)

1. The Region collects and processes data and information useful for the performance of its duties.
2. In this regard, the Regional Assembly and the Regional Council make use of independent bodies in which the region has an interest to research and collect the data needed for them to perform their duties and for the formation of planning acts.

Art. 48 (Consensus or confrontation)

1. The President of the Regional Council is empowered to open formal phases of consensus seeking or debate with representations of institutional or social bodies on acts initiated by government bodies to seek a common ground beforehand or to ascertain their orientation concerning acts to be tabled before the Assembly. In the latter case, the Assembly, which is empowered to approve specific acts of orientation, is given sufficient information before the formal phase begins.

Art. 49 (Accounts)

1. The accounting system of the Region, the forms of coordination between budget and promulgated acts, the deadlines for presenting the year-end accounts and the modality of their approval are governed by law in accordance with the principles of regional financial autonomy and in coordination with national public finance.
2. The Assembly is empowered to authorise a provisional financial term not exceeding three months and determines expenditure limits.

Art. 50 (Bodies under regional control)

1. In accordance with the principle of subsidiarity, regional administrative functions can be also carried out by entities, business enterprises, agencies and other bodies established by and regulated by regional laws and under regional control.
2. The appointment of regional representatives to bodies and organisms under regional control is carried out by the regional government bodies and is subject to scrutiny whether or not preventative by the Assembly.

Art. 51 (Companies and associations)

1. Participation by the Region, in business enterprises, organisations, foundations, and other private bodies whether or not at the establishment stage is regulated by the law that specifies the scope of the Regional Assembly and the Regional Council, also in preliminary phases.
2. The appointment of regional representatives to companies and other bodies with regional participation falls within the responsibility of the Assembly in its role of representation and control. Said appointments are devised to ensure the presence of the Assembly minority groups within said companies and bodies.
3. Appointments and nominations for managerial posts which fall within the scope of government bodies are regulated by Art 50 (2) hereof.

Art. 52 (Offices and personnel)

1. The principles by which regional offices are organised are laid down by law.

2. Regional offices operate in the public interest in accordance with principles of legality, transparency, impartiality, and achieving results.
3. The Region holds its staff in high esteem and ensures its professional training, in order to guarantee efficacy and efficiency in administrative activities.

Art. 53 (Managers)

1. Managers are responsible for achieving their assigned objectives in accordance with the political directives issued by the regional bodies.
2. The work to be carried out by managers, the qualifications they are required to possess, the method of conferring and revoking their position and their responsibility for achieving results are regulated by law.
3. The highest-ranking managers are appointed by the appropriate regional policy-making bodies.
4. The principle is applied of separating the scope of policy-making bodies from that of the managers.
5. Regional policy-making bodies as identified by law have ad hoc offices at their disposal for their activity.

Art. 54 (Administrative Procedures and access rights)

1. The right to access to government documentation is granted to all with no need for motivation in accordance with constitutionally guaranteed interests and by the means provided by law.
2. The law ensures the right of interested parties to make their objections heard during the preparatory stages of measures which involve them and requires that a person be appointed responsible for the speediness and fairness of the procedure the conclusion of which is to be assured by a specified date.
3. All regional government acts are motivated except those of a purely executive nature.

TITLE V - Protection and Guarantee Bodies

Art. 55 (Committee for gender equality)

1. The law establishes the Committee for gender equality.
2. The Committee is an autonomous body with its seat in the Regional Assembly.
3. The scope of the Committee is to table proposals and provide consultation to regional bodies, to supervise and monitor regional policies pursuant to the implementation of non-discriminatory principles and equal opportunity for women and men, and to verify the application of art. 117 (7) of the Constitution.
4. The Rules of Procedure regulate the participation of the Committee in Assembly proceedings.

Art. 56 (Ombudsman)

1. The regional Ombudsman provides everyone with non-judicial protection in instances of bad administration, also providing mediation.
2. The office of the Ombudsman acts on its own authority or when requested to do so by request of the individuals involved.
3. The specific duties of the Ombudsman, the methods of intervention and the repercussions thereof and, in particular, the right to access are established by law.
4. The Ombudsman is appointed by the Regional Assembly by the relative majority vote established by law and by ways and means which guarantee impartiality and independence. The duration of office is six years and does not provide for re-election.
5. The law encourages the establishment of a network of local Ombudsmen.
6. The Assembly guarantees operational autonomy to the post of Ombudsman and assigns it adequate financial and personnel resources for it to perform its duties.

Art. 57 (Guarantee Board)

1. In order to ensure coherence of regional laws with the Statute, a Guarantee Board is established with its seat in the Regional Assembly.
2. A request for intervention by the Guarantee Board must be signed by the President of the Regional Council or the President of the Assembly or the Presidents of no fewer than three political groups, or no fewer than one-fifth of the Members of the Regional Assembly. The Council of Local Autonomous Bodies can also request its intervention when the Statute's provisions on local government affairs are allegedly breached.
3. Any act ruled by the Board not in conformity with the Statute shall be re-examined as provided by law.
4. The Guarantee Board also rules on the eligibility of popular referenda and, at the request of the bodies specified in Art 57 (2) hereof on conflicts of scope between regional bodies.
5. The Guarantee Board is established by a measure voted by three-quarters of the Regional Assembly; it consists of seven eminent and established authorities in the field of public law one of which is selected from a short list of three prepared by the Council of Local Autonomous Bodies; its term of office is seven years and its Members cannot be re-elected.
6. The activities of the Guarantee Board are regulated by law which also guarantees its autonomy and independence and specifies the appropriate criteria for selecting individual Members.

TITLE VI - Structure of autonomous bodies

Art. 58 (Subsidiarity principle)

1. The Region carries out its activities in conformity with the principle of subsidiarity and as such strives to bring social life and public government as close to the public as possible.

Art. 59 (Social subsidiarity)

1. The Region encourages the right of the public and its organisations to carry out activities of an acknowledged general social interest.
2. The implementation of the principle of social subsidiarity is primarily directed towards improving the quality of services, overcoming economic and social inequality, fostering the involvement of the public and of social bodies as much as possible in enhancing the individual and developing the community in a spirit of solidarity.

Art. 60 (Functional autonomous bodies)

1. The Region favours functional autonomous bodies and their participation in its activities and in those of local bodies.

Art. 61 (Standing conference on social autonomous bodies)

1. The standing conference on social autonomous bodies is regulated by law. It holds no fewer than three sessions per year to present proposals and opinions to the Assembly for the drafting of acts for economic, social and territorial planning.
2. The conference is also convened to monitor the effects of regional policies.
3. The Region guarantees the conference autonomy and the resources required for it to accomplish the tasks assigned it.
4. The seat of the conference is in the Regional Assembly.

Art. 62 (Institutional subsidiarity)

1. In accordance with the principles of subsidiarity, adequacy and differentiation, the Region assigns local entities the administrative functions for matters under its control by law.
2. By implementing the principles of Art 62 (1) hereof the Region supports municipalities who conduct their activities in an associative manner, it, promotes the cooperation between the institutions of municipalities, provinces and the metropolitan city and enhances the role of the mountain communities and territorial ambits established by regional law.

3. The Region only carries out governmental functions that respond to an acknowledged requirement of unity for the region as a whole .

Art. 63 (Legislation regulating local government bodies)

1. The organisation and implementation of tasks assigned to local government bodies is disciplined by regulations passed by these same bodies.
2. Any requirement for unity in legislation can be met by invoking the law to govern the organisation and implementation of the functions assigned.
3. Without prejudice to Art 63 (2) hereof, regional normative references may pro tempore govern the organisation and implementation of the functions assigned pending promulgation of the required autonomous regulations on the part of the local government body.

Art. 64 (Financial resources)

1. Pending implementation of Art. 119 of the Italian Constitution, the regional resources that are earmarked for financing the functions conferred on local government bodies are paid into a single fund, divided up in accordance with law; the functionality of the expenditure pursuant to said division is subject to audit conducted in accordance with local government bodies.
2. The law governs taxation levied by local government only insofar as regards subjects contemplated by statutory reserve without prejudice to the empowerment of local government to levy said taxation.

Art. 65 (Contribution by local government bodies)

1. The Region accepts local planning acts as relevant for drafting and implementing regional planning.
2. Local government bodies take part in the formal phases of consensus-seeking or confrontation provided by Art. 48 hereof and contributes guidelines to the Region for implementing its functions in which they have a interest and which are oriented towards the formation of EU acts.

Art. 66 (Council of Local Autonomous Bodies)

1. The Council of Local Autonomous Bodies, established by Assembly law, represents the system of local public bodies of Tuscany, with consultative and propositional tasks.
2. The composition, criteria of territorial representation and methods for establishing the Council of Local Autonomous Bodies are laid down by law.
3. The Council of Local Autonomous Bodies is obliged to express its opinion on the regional budget, regional planning acts and bills proposed regulations which concern the attribution and implementation of the scope of local bodies.
4. Should said opinion be negative or conditional, regional bodies may disregard it giving express motivation.
5. The Council of Local Autonomous Bodies may request the President of the Regional Council to lodge an appeal with the Constitutional Court against national laws and other acts provided prior notification thereof be given to the Regional Assembly.
6. The Council of Local Autonomous Bodies is assigned the power to nominate and appoint exponents of the system of local bodies as its representatives on regional bodies.
7. The law assures the Council of Local Autonomous Bodies the resources necessary for it to accomplish its tasks and guarantee its functional autonomy.
8. In order that the sessions and deliberations of the Council of Local Autonomous Bodies be ruled valid, the Council's Rules of Procedure require that they be in accordance with the corresponding regulations in the Regional Assembly Rules of Procedure.

Art. 67 (Joint Sessions)

1. The Regional Assembly and the Council of Local Autonomous Bodies assemble in a joint session at least once a year to examine matters of common interest.
2. The agenda is established jointly by the Presidents of the two bodies.

3. Sessions are chaired by the President of the Regional Assembly.

TITLE VII - Other Institutional Relations

Art. 68 (Relations with other Regions)

1. The Region encourages agreements with other Regions as a means towards a better deployment of its tasks and as being in the interests of inter-regional cooperation.
2. Agreements with other Regions are ratified by law; they can also establish common bodies and normative measures.
3. The Region seeks ways and means of coordination with other Regions to foster a common stance in relations vis-à-vis the State and the European Union, to reduce the imbalance in levels of development, and in order to affirm an orientation towards cohesion and social solidarity.

Art. 69 (Relations with the State)

1. The Region takes part in the processes of drafting and promulgating the laws and acts passed by the Italian Parliament in accordance with law, and in a spirit of loyal cooperation.

Art. 70 (Relations with the European Union)

1. Regional government bodies and the Regional Assembly take part in the decision-making process of drafting and promulgating EU acts of regional pertinence in accordance with law.
2. The President of the Regional Council and the President of the Regional Assembly notify each other about their respective activities conducted in the ambit of the EU pursuant to their respective areas of competence.

Art. 71 (International relations)

1. The Region promotes and develops international relations with the purpose of furthering principles of dialogue and friendship among peoples, cultural cooperation and exchange, economic and social cooperation, support of the rights and principles of the Tuscan identity in accordance with the national interest.
2. In matters of regional responsibility, the Region is empowered to stipulate agreements with States and sub-state territorial bodies within the terms provided by the Italian Constitution and the sources from which it has drawn.

TITLE VIII - Participation

Art. 72 (Principles)

1. In accordance with the principles of Art. 3 hereof, the law fosters the participation of Italian citizens, residents in Tuscany and the various forms of organised social bodies in a variety of ways: in the form of autonomous initiatives vis-à-vis government, as free propositional contributions towards regional initiatives, in the form of participation in the consultation stages and in the form of contributions to the verification of the consequences of regional policies.
2. In order to foster said participation, the Region guarantees the activation of policies that simplify procedures and promote administrative transparency and the efficient channelling of information.
3. Political parties are fundamental to participation.

Art. 73 (Obligation to notify)

1. The Region establishes the ways and means of empowering individual and associated citizens to exercise their right to access the most extensive and impartial information on regional matters.
2. In order to foster participation, the law provides ways and means of notification regarding the preliminary phases of acts of particular interest to the regional community.

Art. 74 (Popular initiative)

1. Laws can be initiated by popular acclaim provided they are backed by five-thousand regional

voters, by at least three City Councils, by each Provincial Council, by the metropolitan city or by the Council of Local Autonomous Bodies.

2. Proponents of said initiatives are admitted to their preliminary examination stages in accordance with Rules of Procedure.

3. The Assembly votes on said initiatives no later than nine months from their presentation.

Art. 75 (Law-repealing referenda)

1. A referendum to repeal a regional law or regulation is initiated by a petition signed by forty thousand regional voters.

2. A referendum may also be called to repeal a specific part of a regional law or regulation, provided it is identifiably complete.

3 The Statute, budget and taxation laws and the relative implementation directives, the Rules of Procedure of regional bodies and laws and regulations on international or inter-regional agreements and understandings are not subject to law-repealing referenda.

4. The motion to repeal a law by referendum is approved provided a quorum consisting of the majority of voters of the previous regional election participates in the referendum vote and provided the referendum wins the majority of valid votes.

5. Should the referendum be defeated, whether or not by failure to reach the quorum, the same law or regulation may not be subjected to a further law-repealing referendum during the term of the same legislature or in any case not before three years have lapsed from the date of the vote.

Art. 76 (Consultative referenda)

1. A consultative referendum can be called regarding matters of special public interest by a petition signed by thirty thousand regional voters .

2. A motion approved by two-thirds of the regional Assembly can subject a Bill to consultative referendum in accordance with the Rules of Procedure.

Art. 77 (Laws on Referenda)

1. The law establishes the limits of admissibility, the procedure, the ways and means of conducting a referendum and its consequences; it provides procedural facilitations and assistance to be given by the Region to those promoting the referendum .

2. The law establishes the ways and means of conducting referenda for setting up new municipalities, changing the boundaries of constituencies, municipal denominations and referenda concerning the regional Statute and its amendment and repeal.

Art. 78 (Admissibility of Referenda)

1. The lawfulness and admissibility of referenda is ruled on the by the Board of Statutory Guarantees

TITLE IX – Provisional and Concluding Regulations

Art. 79 (Amendments to the Statute)

1. Each member of the regional assembly or the regional government may table a motion to amend the Statute.

2. The Rules of Procedure of the Assembly regulate the ways and means by which the Council of Local Autonomous Bodies, and other representative organisations of Tuscan society be consulted concerning proposals to amend the Statute.

3. Proposals to repeal the Statute in its entirety without a replacement are inadmissible.

Art. 80 (Coming into force)

1. This Statute comes into force the day after the publication of the promulgated text and the same day as the abrogation of the preceding Statute which is annulled concurrently.

2. The Assembly amends its Rules of Procedure within six months from the coming into force of the Statute.

Art. 81 (Provisional Regulations)

1. Arts. 6 (2) and (35) (1) and (3) hereof are applicable from the first election of the Regional Assembly to be held in accordance with regional electoral law.
2. The Regional Assembly rules on the lawfulness and admissibility of referenda, until the Board of Statutory Guarantees is established.

Art. 82 (Equality of terms)

1. In the original Italian version of this Statute, the use of the masculine gender referring to bearers of rights, public officials and legal statuses are to be understood as referring to both genders and are used merely to simplify the text.