

LAW of 3 November 2017, no. 165

Changes to the electoral system of the Chamber of Deputies and the Senate of the Republic. Delegation to the government of the establishment of uninominal and plurinominal electoral colleges.

In force 12-11-2017.

With the approval of the Chamber of Deputies and the Senate of the Republic,

THE PRESIDENT OF THE REPUBLIC

enacts

the following law:

Art. 1

Changes to the electoral system of the Chamber of Deputies.

1. Article 1 of the consolidated act regarding the rules governing election to the Chamber of Deputies laid out in the presidential decree dated 30 March 1957, no. 361, hereafter 'presidential decree 361/1957', is replaced by the following:

"Art. 1 – 1. The Chamber of Deputies is elected by universal suffrage, with a direct, equal, free and secret vote cast in a single electoral round.

2. The national territory is divided into the electoral districts listed in Table A attached to this consolidated act. Apart from those seats assigned to the 'Foreign' district, and notwithstanding the provisions of article 2, the districts falling within the national territory shall comprise 231 uninominal colleges, divided in each district on the basis of population; the Trentino-Alto Adige / South Tyrol and Molise are divided, respectively, into six and two uninominal colleges, listed in Table A.1 attached to this consolidated Act.

3. As regards the assignment of the other seats, each district is divided into plurinominal colleges consisting, as per law, of the aggregation of the territorial areas of the adjoining uninominal colleges, with each of these being assigned, as per law, a number of seats which shall be no lower than three and no higher than eight.

4. Apart from those seats assigned to the 'Foreign' district, and notwithstanding the provisions of article 2, the seats are divided among the lists and the lists joined in coalition by assigning 231 seats to those candidates who have received the largest number of valid votes in each uninominal college and who have been proclaimed elected as per article 77. The other seats are assigned in the plurinominal constituencies on a proportional basis, as per articles 83 and 83-a, to the lists and lists joined in coalition.

2. Paragraph 1-a of article 2 of presidential decree no. 361/1957 is abrogated.

3. The following changes are made to article 3 of presidential decree no. 361/1957:

a) paragraph 2 is replaced by the following:

2. The presidential decree referred to in paragraph 1 further stipulates that the total number of seats assigned to each district in the plurinominal colleges, including those due to the uninominal colleges, will be established on the basis of the results

of the latest general census of the population, as given in the most recent official publication of the national institute of statistics.

b) Paragraph 3 is abrogated.

4. Paragraph 2 of article 4 of presidential decree 361/1957 is replaced by the following:

2. Every voter will cast a vote on a single card containing the name of the uninominal college candidate and the party symbol of each list, accompanied by the names of the candidates in the plurinominal constituency.

5. The fifth paragraph of article 11 of presidential decree 361/1957 is abrogated.

6. The following changes are made to the first paragraph of article 14 of presidential decree 361/1957:

a) in the first sentence, after the words “in the plurinominal colleges”, the following is inserted: “and in the uninominal colleges”; the words from “in the statute” to “no. 13, and” are removed; after the words: “in the individual plurinominal colleges”, the words: “and in the individual uninominal colleges” are added.

...b) in the second sentence, after the word “organised”, the following is added: “also, wherever entered in the register cited in article 4 of the decree of 28 December 2013, no. 149, converted, with changes, into the law of 21 February 2014, no. 13, the following minimum elements of transparency are to be copied over into a related statute: 1) the legal representative of the party or organised political group, the person whose name appears opposite the party symbol and the registered office within State territory; or, wherever lacking, a declaration, with the signature of the authenticated legal representative of the notary, indicating 2) the organs of the party or organised political group, their composition and their relative responsibilities.

7. Article 14-a of presidential decree 361/1957 is replaced by the following:

“Article 14-a – 1. The parties or organised political groups may declare the lists they respectively put forward to be joined in coalition. Declarations of joining in coalition must be reciprocal.

..2. The declaration of forming a coalition is made at same the time as registering the party symbol cited in article 14. The declarations of forming a coalition are effective across all lists bearing the same party symbol. In forming coalitions, those parties or organised political groups which represent recognised linguistic minorities within districts in regions whose statutory or legally constituted autonomy provides for particular care of such minorities, declare in which of the uninominal colleges of the respective district they are putting forward the same candidate as the other parties or political groups in the coalition.

3. Simultaneously with the registration of the party symbol cited in article 14, the parties or organised political groups will register their manifesto, in which they will declare the name and surname of the head of the political entity. The prerogatives of the President of the Republic set out in paragraph 2 of article 92 of the Constitution remain unchanged.

4. The requirements laid out in paragraphs 1, 2 and 3 of the present article are carried out by the persons identified in article 15, first paragraph.

5. On or before the thirtieth day before the vote, the district central offices will communicate a combined list of the admissible lists, with a copy of the relative party symbols, to the national central office which, having ascertained the declarations are valid, will have published in the Official Gazette, on or before the twentieth day before the vote, the list of admissible coalitions.

8. The following changes are made to article 16 of presidential decree 361/1957:

....a) The following sentence is added to the end of the second paragraph: “should the declaration giving the minimum elements of transparency, as per article 14, first paragraph, be incomplete, the Ministry of the Interior will invite the registering party to complete it within forty-eight hours of being notified of the fact”.

....b) The following sentence is added to the end of the third paragraph:

“Opposition made by the registering party to the Ministry’s request to complete the declaration presenting the minimum elements of transparency, as per article 14, first paragraph, are also to be submitted to the central national office.

..9. The following words are inserted after the words “plurinominal colleges” in article 17, first paragraph, of presidential decree 361/1957: “and of the candidates of the uninominal colleges”.

10. The following changes are made to article 18-a of presidential decree 361/1957:

a) in paragraph 1, the first sentence is replaced by the following: “the declaration of the presentation of candidate lists for the assignment of seats in a plurinominal college, naming the listed candidates in the uninominal colleges within the plurinominal one, must be undersigned by at least 1,500 but no more than 2,000 voters on the electoral register of the communes in the same plurinominal college; or, in the case of a plurinominal college in a single commune, by voters of the various polling districts of that plurinominal college. Each list must put forward candidates in at least two thirds of the plurinominal colleges of the region on pain of inadmissibility.

....b) The following is inserted after paragraph 1:

1-a. Those lists which have formed a coalition, as per article 14-a, shall present – notwithstanding the provisions of the last sentence of the present paragraph – the same candidate in the uninominal colleges. To this end, the names of the candidates in the uninominal colleges must be undersigned to indicate that the representatives are accepted, as per article 17, by all the lists which, combined, put forward the candidates. In lists of candidates put forward in a plurinominal college in which parties or organised political groups representing recognised linguistic minorities put forward their own candidates separately in uninominal colleges, as per article 14-a, paragraph 2, these are separately indicated and are undersigned specifically by the representatives, as per article 17, in all the lists joined in coalition.

...c) The following is inserted after paragraph 2:

....2-a. The undersigning of the candidacy of candidates in uninominal colleges indicates their acceptance. It is understood that each list puts forward candidates in all the uninominal colleges of the plurinominal college, on pain of inadmissibility. For each candidate, the name, surname, place and date of birth, tax code and name of the college for which s/he is being put forward must be stated.

....d) Paragraph 3 is replaced by the following:

....3. In every plurinominal college, each list, when put forward, presents the names of the candidates in numerical order. The number of candidates may not be lower than half, rounding up, of the seats assigned to the plurinominal college; and may not be higher than the maximum number of seats assigned to the plurinominal college. In no case may the number of candidates be lower than two or higher than four. On pain of inadmissibility, the candidates must be listed alternately by gender on the lists of the plurinominal colleges.

...e) the following is inserted after paragraph 3:

....3.1 in the national total of candidacies put forward on each list or lists joined in coalition in uninominal colleges, neither of the two genders may exceed 60%, rounding up or down. In the national total of lists presented by plurinominal colleges, neither of the two genders may be placed at the head in more than 60% of cases, rounding up or down. The national central office will ensure the requirement set out in this paragraph is respected in the course of the verifications stipulated in article 2, first paragraph, number 6-a.

..11. Article 19 of presidential decree 361/1957 is replaced by the following:

..Art 19. – 1. No candidate may present him/herself under different party symbols in plurinominal or uninominal colleges, on pain of his/her candidature being null and void.

..2. No candidate may be included in lists with the same party symbol in more than five plurinominal colleges, on pain of his/her candidature being null and void.

..3. No person may be a candidate in more than one uninominal college, on pain of his/her candidature being null and void.

..4. A candidate in a uninominal college may be a candidate, under the same party symbol, in up to five plurinominal colleges.

..5. A candidate in the Foreign district may not stand as candidate in any plurinominal or uninominal constituency within the national territory.

.. 6. No candidate may stand simultaneously for election to the Chamber of Deputies and the Senate of the Republic, on pain of his/her candidature being null and void.

12. The following changes are made to article 20 of presidential decree 361/1957:

....a) in the first paragraph, the following words are inserted after the words “plurinominal colleges”: “and the names of the candidates in the uninominal colleges”;

...b) the following paragraph is added at the end:

.....”The Ministry of the Interior, on or before the forty-fifth day before the vote, will upload on its own website a copy of the forms by which the lists, declarations and other documents previously described may be registered”.

..13. In article 21, second paragraph, of presidential decree 361/1957, the following words are inserted after the words “plurinominal colleges put forward”: “of the names of the candidates of the uninominal colleges”.

..14 In article 22, first paragraph, of presidential decree 361/1957, the following changes are made:

...a) the following is inserted after number 1):

....“1-a recuses the lists put forward by parties or organised political groups which have not registered the statute or declaration of transparency in conformity with article 14, first paragraph;

....1-c recuses the lists put forward by parties or organised political groups which have not registered their manifesto as required in article 14-a”;

...b) in number 3) the words “and at the fourth” are removed;

...c) number 4) is prefixed by the following words: “declares invalid the candidacies in the uninominal colleges and”;

d) number 5) is prefixed by the following words: “declares invalid the candidacies in the uninominal colleges and”;

....e) in number 6-a:

.....1) after the words “communicates the names of the candidates on each list”, the following is inserted: “and of the candidates in each uninominal college”;

.....2) the words “in article 19” are replaced by the following “in article 18-a, paragraph 3.1, and 19”.

..15 The following paragraph is added to the end of article 22 of presidential decree 361/1957:

....“in the event that the candidature should be declared invalid in a uninominal college, the presentation of the list in the other uninominal colleges of the district remains valid”.

..16. In article 24, first paragraph, of presidential decree 361/1957, number 2) is replaced by the following:

..“2) establishes, by means of a single draw in the presence of the delegates on the list, the order to be assigned, in all the plurinominal colleges of the district, to the single lists and lists joined in coalition and their relative party symbols, as well as, within each coalition, to the party symbols of the lists joined in coalition, including the lists presented as per article 18-a, paragraph 1-a, last sentence, which are inserted, as required by the next sentence, in a larger box which also includes the other lists joined in coalition. The party symbols of each list, together with the names of the candidates, numbered as per article 18-a, paragraph 3, and with the names of the candidates in the uninominal colleges, are written on the voting cards and posters in the order resulting from the abovestated draw.”

17. The following shall be inserted after the words “plurinominal college” in article 30, number 4) of presidential decree 361/1957: “and the names of the candidates in the uninominal colleges”.

18 Article 31 of presidential decree 361/1957 is replaced by the following:

..”Art. 31 – 1. The cards are of the same paper, and are supplied by the Ministry of the Interior with the essential characteristics of the model described in Tables A-a and A-b attached to this consolidated text, and will display a copy of the party symbols of the properly presented lists, as stated in article 24. The party symbols displayed on the forms must have a three-centimetre diameter.

..2 The form displays the names and surnames of the candidates in the uninominal college, written inside a rectangular box, under which, in another rectangular box, is displayed the party symbol of the list to which the candidate is attached. Beside the

party symbol, in the same rectangle, the names and surnames of the candidates in the plurinominal college are listed in the order they are put forward.

.. 3. Should more than one list be joined in coalition, the rectangles of each list and that of the candidate in the uninominal list are displayed inside a larger rectangle. Within this larger rectangle, rectangles containing the party symbols of the lists as well as the names and surnames of the candidates in the plurinominal college are placed below that of the candidate in the uninominal college on horizontal lines divided into two rectangles.

..4 The width of the rectangle containing the name and surname of the candidate in the uninominal college is double that of the rectangles containing the party symbols and names and surnames of the candidates in the plurinominal college. The coalitions and lists are ordered by draw, as per article 24.

5. On the front of the card, in a rectangle, the following wording will be displayed in capitals: "The vote is cast by placing a mark on the party symbol of the chosen list and is cast for this list and for the uninominal candidate connected to it. If a mark is made on the name of the uninominal candidate, then the vote is also cast for the list connected to her/him and, if more than one list is connected, the vote is divided between the lists joined in coalition in proportion to the votes obtained in the college".

6. Every card has a removable strip bearing an alphanumeric code generated in series, called an 'antifraud slip', which is removed and kept in the electoral offices before the voting card is placed in the urn.

19. The following changes are made to article 58 of presidential decree 361/1957:

...a) in the first paragraph, after the words "card and", the following are inserted: ", the progressive alphanumeric code of the antifraud slip written";

b) the second paragraph is replaced by the following:

...."The voter, with no one nearby, casts his/her vote by placing a mark on the card with the pencil on the rectangle containing the party symbol of the list and the names of the candidates of the plurinominal college. The vote is in favour of the list and for the election of the candidate of the uninominal college."

...c) The following is inserted after the second paragraph:

...."Should the mark be made only on the name of the candidate in the uninominal college, the vote is taken as being in favour of the list and for the election of the candidate of the uninominal college. Should more than one list be joined in coalition, the votes are divided among those lists in proportion to the votes obtained by each in the uninominal college."

....d) in the third paragraph, the words: "And put the card itself in the urn" are replaced by the following: "...detach the antifraud slip from the card, check that the number on it is the same as that written before it was handed over, and then place the card, without tearing it, in the urn".

20. Article 50 of presidential decree 361/1957 is replaced by the following:

..."Art. 59 – 1. Spoilt votes and blank cards are not considered in the calculation of valid votes.

21. The following changes are made to article 59-a of presidential decree 361/1957:

a) paragraphs 1 to 3 are replaced by the following:

....“1. If the voter places his/her mark on the rectangle containing the name and surname of the candidate of the uninominal college and on the rectangle containing the party symbol of the list and the names of the candidates of the plurinominal college, the vote is nonetheless valid in favour of the list and for the election of the candidate in the uninominal college.

....2. If the voter places his/her mark on the party symbol and another mark on the the list of candidates in the plurinominal college of the same list, the vote is considered to be in favour of the list and for the election of the candidate in the uninominal college.

....3. If the elector places his/her mark, however this is made, on the rectangle containing the name and surname of the candidate of the uninominal college and a mark on the rectangle containing the party symbol of a list to which the candidate is not connected, the vote is null.”

....b) paragraphs 4 and 5 are abrogated.

..22. The following changes are made to article 68 of presidential decree 361/1957:

....a) to paragraph 3:

.....1) in the third sentence, the words: “of the candidates to whom preference is attributed” are replaced by the following: “to whom the vote for election to the uninominal college is attributed”;

.....2) in the fourth sentence, the word: “or the candidates to whom the preference is given” are replaced by the following: “to whom the vote for election in the the uninominal college is attributed”;

3) the following sentence is added to the end: “Note is also taken of those votes cast in favour of the single candidate in a uninominal college linked to several lists”;

....b) in paragraph 3-a, the word “preferred” is replaced by the following: “of each candidate in the uninominal college”;

c) the following paragraph is added to the end:

“8-a. The president responsible for the operations of the polling stations will verify, during the course of the operations which are the subject of the present article, that the cards are correctly handled by the scrutineers and the secretary, preventing the improper use of pens, pencils or other writing instruments. List representatives may alert the president to any such violation, which must compulsorily be noted in the written record.”

23. In article 70, first paragraph, of presidential decree 361/1957, before the words “writing or signs”, the following is inserted: “clearly recognisable”, and the words “have known” are replaced by the following: “have identified”.

24. In article 71, first paragraph, number 2) of presidential decree 361/1957, the word “preferred” is replaced by the following: “of each candidate in the uninominal college”.

25. Article 77 of presidential decree 361/1957 is replaced by the following:

“Art. 77 – 1. In carrying out the operations set forth in article 76, the central district office, with the aid, wherever deemed necessary, of one or more experts chosen by the president will:

a) establish the individual electoral figure for each candidate in the uninominal college; this figure is the sum of the valid votes achieved by the candidate in the individual polling stations of the uninominal college;

b) proclaim elected in each uninominal college the candidate who has received the largest number of valid votes; in the event of parity, the youngest candidate is elected;

c) establish the uninominal college electoral figure of each list. This figure is the sum of valid votes achieved by the list in the individual polling stations of the uninominal college and of the votes cast in favour of single candidates in the uninominal colleges linked to several lists joined in coalition, as per article 58, third paragraph, last sentence, attributed to the list after the following operations:

The Office divides the total valid votes achieved by all the lists of the coalition in the uninominal college by the number of votes cast in favour of the single candidates in the uninominal colleges, obtaining the division quotient. It then divides the total valid votes achieved by each list by this quotient. The integer part of the quotient thus obtained represents the number of votes to assign to each list; those votes remaining to be attributed are, respectively, assigned to the lists for which the last division gave the largest remainder, in decreasing order of remainders.

As concerns the division of the votes cast in favour of single candidates in the uninominal colleges linked to several lists joined in coalition, the Office excludes from the calculation those votes cast in favour of the list representing recognised linguistic minorities in the uninominal colleges where these have put forward their own candidates as per article 18-a, paragraph 1-a;

...d) establish the plurinominal college electoral figure of each list. This figure is the sum of the uninominal college electoral figures of each list;

...e) establish the percentual plurinominal college electoral figure of each list. This figure is given by the quotient resulting from the division of the plurinominal college electoral figure of each list by the total of the valid votes of the respective plurinominal college, multiplied by one hundred;

...f) establish the district electoral figure of each list. This figure is given by the sum of the plurinominal college electoral figures of that list;

...g) establish the percentual electoral figure of each candidate in a uninominal college. This figure is given by the quotient resulting from the division of the individual electoral figure of each candidate by the total of valid votes of the respective uninominal college, multiplied by one hundred;'

h) establish, for each list, the ranking of those candidates in the uninominal colleges of the district who were not proclaimed elected, in order of their respective individual percentual electoral figures. In the event of parity, the youngest candidate will prevail. Should candidates be linked to several lists, they will appear on the ranking relative to each of the lists with which the link was declared;

...i) establish the total valid votes for each district. This total is given by the sum of the district electoral figures of all the lists;

l) communicate to the national central office, by means of an extract from the written report, the district electoral figure of each list, as well as the total valid votes cast in the district.



..26 Article 83 of presidential decree 361/1957 is replaced by the following:

“Art 83 – 1. The central national office, having received the extracts of written reports from all the district central offices, wherever necessary calling on aid from one or more experts chosen by the president will:

...a) establish the national electoral figure of each list. This figure is given by the sum of the district electoral figures achieved in the individual districts by lists with the same party symbol;

....b) establish the national total of valid votes. This is given by the sum of the district electoral figures of all the lists;

c) establish the national electoral figure of each coalition of lists. This figure is given by the sum of the national electoral figures of the lists joined in coalition. Calculation of the national electoral figure of coalitions does not take account of the votes cast in favour of connected lists which have achieved, nationally, fewer than one per cent of the total, except those representing recognised linguistic minorities, as per letter e);

d) establish the district electoral figure of each coalition of lists. This figure is given by the sum of the district electoral figures of the lists joined in coalition, considered as per letter c);

e) identify, therefore:

1) lists joined in coalition which have achieved, nationally, at least 10 per cent of the valid votes cast, and which include at least one connected list which has achieved, nationally, at least three per cent of the valid votes cast, or a list joined in coalition representing a recognised linguistic minority, presented exclusively in regions whose statutory or other legally constituted autonomy provides for the particular care of such linguistic minorities, and which has achieved at least 20 per cent of the valid votes cast in the region itself, or whose candidates have been proclaimed elected in at least two uninominal colleges of the district as per article 77;

.....2) the single lists, whether part of coalitions or not, not having reached the percentage stated in number 1) but which have achieved, nationally, at least 3 per cent of the valid votes cast, as well as the single lists and the lists joined in coalition not having reached the percentage stated in number 1, representing recognised linguistic minorities, presented exclusively in a region whose statutory or other legally constituted autonomy provides for the particular care of such linguistic minorities, which have achieved at least 20 per cent of the valid votes cast in the same region or whose candidates have been proclaimed elected in at least two uninominal colleges of the district as per article 77;

f) proceed to the division of 617 seats; to this end, subtracting the 231 seats already assigned to the candidates proclaimed elected in the uninominal colleges as per article 77, paragraph 1, letter b), and proceed to the division of the remaining seats among the lists joined in coalition and the single lists as per letter e) of the present paragraph according to the national electoral figure of each of these, notwithstanding the provisions of article 92, first paragraph.

To this end, it will divide the total national electoral figures of the lists joined in coalition and the single lists as per letter e) of the present paragraph by the number of seats to be assigned, thus obtaining the national electoral quotient. This division will not take account of any fractional part of the quotient. It then divides the national electoral figure of each coalition of lists or single list by this quotient. The integer part

of the quotient thus obtained represents the number of seats to be assigned to each coalition of lists or single list.

Those seats which remain to be assigned are respectively assigned to the lists joined in coalition or single lists for which these last divisions have given the greatest remainders, in decreasing order of such remainders; in the event of parity of remainders, to those which have achieved the largest national electoral figure; in the event of parity of the latter, lots will be drawn;

g) proceed, for each coalition of lists, to the division of the seats among the lists making up the coalition which have achieved, nationally, at least 3 per cent of the valid votes cast as well as among the lists within the coalition representing recognised linguistic minorities, presented exclusively in regions whose statutory or other legally constituted autonomy provides for the particular care of such linguistic minorities, which have achieved at least 20 per cent of the valid votes cast in the region itself or whose candidates have been proclaimed elected in at least two uninominal colleges of the district as per article 77.

To this end, it will divide the sum of the electoral figures of the admitted lists by the number of seats already determined as per letter f) of the present paragraph. Such division will not take account of any fractional part of the quotient thus obtained. The national electoral figure of each admitted list is then divided by this quotient. The integer part of the quotient thus obtained represents the number of seats to be assigned to each list.

Those seats which still remain to be assigned are respectively assigned to the lists for which these last divisions have given the largest remainders and, in the event of parity, to the lists which have achieved the largest national electoral figure; in the event of parity of the latter, lots will be drawn.

... h) proceed, therefore, to the distribution in the individual districts of the seats assigned to the lists joined in coalition or single lists as per letter e). To this end, it will establish the number of seats to be assigned in each district by subtracting from the number of seats due to the district as per article 3, paragraph 1 the number of uninominal colleges in the district.

It will thus divide the sum of the district electoral figures of the admitted lists joined in coalition and single lists by the number of seats to be assigned in the district, thus obtaining the district electoral quotient.

This division will not take account of any fractional part of the quotient thus obtained. It will then divide the district electoral figure of each coalition of lists or single list by the district electoral quotient, thus obtaining the assignment quotient. The integer part of the assignment quotient represents the number of seats to be assigned to each coalition of lists or single list.

Those seats which still remain to be assigned are respectively assigned to the lists joined in coalition or single lists for which these last divisions have given the largest decimal parts and, in the event of parity, to the lists joined in coalition or single lists which have achieved the largest national electoral figure; in the event of parity of the latter, lots will be drawn.

The assignment described in the previous sentence will exclude those lists joined in coalition or single lists to which the number of seats to which they are entitled under letter f) has already been assigned. The Office then verifies that the number of seats

assigned in all the districts to each list joined in coalition or single list corresponds to the number of seats determined as per letter f). Should that not be the case, it will proceed to the following operations, starting from the list joined in coalition or single list which has the largest number of excess seats and, in the event of parity of excess seats held by several lists joined in coalition or single lists, from that which has obtained the largest national electoral figure, then proceeding with the other lists joined in coalition or single lists in decreasing order of excess seats: subtract the excess seats from the lists joined in coalition or single lists in the districts in which these obtained them with the decimal parts of the assignment quotients, in increasing order, and in which, furthermore, the lists joined in coalition or single lists which have not obtained the seats due to them have unused decimal parts of the quotients. Then, assign the seats to such lists joined in coalition or single lists. Should two or more lists joined in coalition or single lists within the same district have unused decimal parts of quotients, the seat is assigned to that with the largest unused decimal part of the quotient or, in the event of parity, to that with the largest national electoral figure.

In the event it is not possible to assign the excess seat in the same district, inasmuch as there are no lists joined in coalition or single lists in deficit which have unused decimal parts of the quotient, the Office will proceed, for the same coalitions of lists or single lists having excess seats, in increasing decimal order, to find another district until it is no longer possible to take away the excess seats and assign them to such coalitions of lists or single lists in the same district.

In the event the above operation cannot be carried out within the same district, as regards competition for the seats still to be ceded, in the district in which they have obtained the smallest decimal part of the assignment quotient, excess seats are taken away from the coalitions of lists or single lists which have them, and given to the coalitions of lists or single lists in deficit in other regions in which they have the largest decimal parts of the attribution quotient;

i) proceed therefore to the assignment in the individual districts of the seats due to the lists of each coalition. To this end, it will determine the district quotient of each coalition of lists, dividing the total of the district electoral figures of the lists eligible for division as per letter g), first sentence, by the number of seats assigned to the coalition in the district as per letter h).

This division will not take into account any fractional part of the quotient. The district electoral figure of each coalition list is thus divided by the district quotient. The integer part of the quotient thus obtained represents the number of seats to assign to each list. The seats which remain to be assigned are assigned to the lists according to the ranking in decreasing order of the decimal parts of the quotients thus obtained. In the event of parity, they are assigned to the lists with the largest district electoral figure; if there is parity in the latter, lots are drawn.

Lists to which the number of seats due following the operations in letter g) have already been assigned are excluded from the provisions of the above sentence. The Office will then verify if the number of seats assigned in all the districts to each list corresponds to the number of seats assigned it as per letter g). If not, it will proceed to the following operations, starting from the list with the largest number of excess seats and, in the event of parity of excess seats among several lists, from that which has obtained the largest national electoral figure, proceeding then with the other lists in decreasing order of excess seats.

Subtract the excess seats from the list in the districts in which it obtained them with the decimal parts of the quotients, in increasing order, and in which furthermore those lists which have not obtained the number of seats due to them have unused decimal parts of the quotient. Consequently, assign the seats to these lists. Whenever two or more lists in the same district have unused decimal quotient parts, the seat is assigned to the list with the highest unused decimal quotient part or, in the event of parity, to that with the larger national electoral figure.

In the event it is not possible to assign the excess seat in the same district, inasmuch as no lists are in deficit with unused decimal quotient parts, the Office will proceed, with the same list having excess seats, in increasing decimal order, to identify another district as long as it is no longer possible to subtract the excess seat and assign it to a list in deficit in the same district. In the event the above operation cannot be carried out within the same district, as regards competition for the seats still to be ceded, in the district in which they have obtained the smallest decimal part of the assignment quotient, excess seats are taken away from the coalitions of lists or single lists which have them, and given to the coalitions of lists or single lists in deficit in other regions in which they have the largest decimal parts of the attribution quotient;

2. The central national office will communicate to the individual central district offices the number of seats assigned to each list.

3. A written report will be typed, in duplicate, of all the operations of the national central office; a copy is sent to the General Secretary of the Chamber of Deputies, which will issue a receipt; another copy is deposited at the chancery of the Court of Appeal.

27. Paragraph 1 of article 83-a of presidential decree 361/1957 is replaced by the following:

1. "The central district Office, having received from the central national electoral Office the communications listed in article 83, paragraph 2, will proceed to the assignment of the seats due to the lists in the single plurinominal colleges. To this end, the office will establish the electoral quotient of the college, dividing the sum of the college electoral figures of all the lists by the number of seats to be assigned within the college. Such division will not take account of any fractional part of the quotient. It thus divides the college electoral figure of each list by the college quotient. The integer part of the quotient thus obtained represents the number of seats to assign to each list. The seats still remaining to be assigned are assigned to the lists according to the ranking, in decreasing order, of the decimal parts of the quotients thus obtained; in the event of parity, they are assigned to the lists with the largest district electoral figure; in the event of parity of the latter, lots will be drawn.

The Office excludes from the assignment described in the above paragraph the lists to which the number of seats assigned in the district according to the communication laid out in article 83, paragraph 2 have already been given. The Office will then ascertain if the number of seats assigned in all the colleges to each list corresponds to the number of seats assigned to it in the district by the national central electoral office. If not, it determines which list has the largest number of excess seats and, in the event of parity, which of these lists has obtained the excess seat with the smallest decimal part of the quotient. It then takes away the seat from such list in the college in which it has been obtained with the smallest decimal part of the

assignment quotients and gives it to the list in deficit which has the largest number of seats lacking, and, in the event of parity, to whichever of these lists has the largest decimal part of the quotient which did not result in the assignment of a seat; the seat is assigned to the list in deficit in the plurinominal college in which it has the largest unused decimal part of the assignment quotient. These operations are repeated until all the excess seats are assigned to the lists in deficit.

28. Article 84 of presidential decree 261/1957 is replaced by the following:

“Art 84 – 1. When the operations set out in the preceding articles are completed, the central district office will proclaim elected in each plurinominal college, within the limits of seats to which each list is entitled, the candidates named on the college list, in the order in which they were put forward.

2. Whenever there are too few candidates on a list put forward in a plurinominal college and it is thus not possible to assign all the seats to which it is entitled in that college, the central district Office assigns the seats to the list in the other plurinominal colleges within the same district in which that list has the largest unused decimal part of the quotient, in decreasing order. Whenever, such operations having been completed, seats should remain to be assigned to the list, these are assigned in the other plurinominal colleges of the same district in which that list has the largest already used decimal part of the quotient, in decreasing order.

3. Whenever the operations set forth in paragraph two are concluded and there still remain seats to be assigned to a list, these are assigned, within the original plurinominal college, to those candidates of the list in the uninominal colleges who have not been proclaimed elected according to the ranking set forth in article 77, paragraph 1, letter h).

4. Whenever the operations set forth in paragraph 3 are concluded and there still remain seats to be assigned to the list, the central national Office, having been advised of this by the central district office, identifies the district in which the list has the largest unused decimal part of the quotient and proceeds, in its turn, to communicate the same to the competent central district office. The central district office then assigns the seats as set out in paragraph 2. Should the operations set out in the preceding sentences be concluded and seats still remain to be assigned to the list, these are assigned in the other districts in which that list has the largest already used decimal part of the quotient, in decreasing order.

5. Should the operations set out in paragraph 4 be concluded and seats still remain to be assigned to a list in a plurinominal college, these are assigned, within the original plurinominal college, to the list which is part of the same coalition in deficit which has the largest unused decimal part of the quotient, in decreasing order; should there be no more lists with unused decimal parts of the quotient, they are assigned to the lists which are part of the same coalition, on the basis of already used decimal parts of the quotient, in decreasing order. Should the operations set out in the first sentence be concluded and seats still remain to be assigned to the list, these are assigned to those lists which are part of the same coalition in the other plurinominal colleges of the district, starting with that in which the coalition has the largest unused decimal part of the quotient and proceeding as set out in the first sentence above, and passing thereafter to the plurinominal colleges in which the coalition has the largest already used decimal part of the quotient, in decreasing order.

6. Should the operations set out in paragraph 5 be concluded and there still remain seats to be assigned to a list, these are assigned to the candidates of that list in the uninominal colleges who have not been proclaimed elected in the other districts, according to the ranking set out in article 77, paragraph 1, letter h). To this end, the mechanism set out in paragraph 4 will be followed.

7. Should the operations set out in paragraph 6 be concluded and there still remain seats to be assigned to a list, these are assigned to those lists which are part of the same coalition of the list in deficit in the other districts. To this end, the mechanism set out in paragraphs 4 and 5 will be followed.

8. In the event of parity of decimal parts of the quotient during the operations set out in the preceding paragraphs, lots will be drawn.

9. The president of the district central Office will send a certificate of the proclamation, based on the provisions set forth in the present article, to the deputies proclaimed elected and give immediate notice of the same to the General Secretary of the Chamber of Deputies and the individual municipal governments / local offices of the government, who will make the same public.

29. The following changes are made to article 85 of presidential decree 361/1957:

a) paragraph 1 is replaced by the following:

“1. A deputy elected in several plurinominal colleges is proclaimed in the college for which the list to which s/he belongs has obtained the smallest percentual electoral figure of the plurinominal college, determined as per article 77, paragraph 1, letter e)”;

b) the following is added after paragraph 1:

“1a. A deputy elected in a uninominal college and in one or more plurinominal colleges is understood to be elected in the uninominal college”.

30. The following changes are made to article 86 of presidential decree 361/1957:

a) in paragraph 1, after the words “even if it has occurred”, the following is inserted: “in a plurinominal college”; and the words “s/he who has obtained the largest number of preferences not being elected” are replaced by “the first of those not elected, according to the order in which they were put forward”;

b) in paragraph 2, the words “and 4” are replaced by: “, 4 and 5”;

c) in paragraph 3, the words “of the uninominal colleges in the districts of the Valle d’Aosta/Vallee d’Aoste and Trentino-Alto Adige/South Tyrol” are replaced by the following: “assigned in a uninominal college”.

d) paragraph 3a is abrogated.

..31. The heading of section VI of presidential decree 361/1957 is replaced by the following: “Special provisions for the Valle d’Aosta/Vallee d’Aoste college”.

32. The following changes are made to article 92 of presidential decree 361/1957:

a) in the first paragraph, numbers 1-a and 2-a are abrogated;

b) in the first paragraph, number 4) is replaced by the following:

“4) the vote will be carried out by means of the printed card issued by the Ministry of the Interior in line with the model shown in Tables F and G, attached to the law of 13 March 1980, no. 70”;

c) the second paragraph is replaced by the following:

“The voter, to vote, places a sign with the pencil on the party symbol of the candidate s/he has chosen or, in any case, in the rectangle in which it appears. A valid card represents an individual vote.”

33. Article 93 of presidential decree 361/1957 is replaced by the following:

“Art. 93 – 1. The Tribunal of Aosta, constituted as per article 13, with three magistrates present, acts as the central electoral Office.

2. The candidate who has obtained the largest number of valid votes is proclaimed elected.

3. In the event of parity, the youngest candidate is proclaimed elected.

34. Articles 93-a, 93-b and 93-c of presidential decree 361/1957 are abrogated.

35. Tables A, A-a and A0- attached to presidential decree 361/1957 are replaced by Tables A, A.1, A-a and A-b as per attachments 1, 2 and 3 of the present law.

## Article 2.

### Changes to the system of elections to the Senate of the Republic.

1. In article 1 of the consolidated act of the laws concerning the rules governing election to the Senate of the Republic, as per the legislative decree of 20 December 1993, no. 533, hereafter called “legislative decree 20 December 1993, no. 533”, paragraph 2 is replaced by the following:

“2. The national territory, with the exception of the Valle d’Aosta / Vallee d’Aoste and of Trentino-Alto Adige / South Tyrol, is divided into 109 uninominal colleges within regional districts. There is one uninominal college in the Molise region. The remaining uninominal colleges are divided among the other regions in proportion to their respective populations. In such uninominal colleges, that candidate is elected who has received the largest number of valid votes.

2-a. As regards the assignment of the other seats, each district is divided into plurinominal colleges consisting, as per law, of the aggregation of the territorial areas of the adjoining uninominal colleges, with each of these being assigned, as per law, a number of seats which shall be no lower than two and no higher than eight. Seats are assigned to the lists and lists joined in coalition in the plurinominal colleges as set out in article 17.

2b. The presidential decree referred to in paragraph 1 establishes the total number of seats assigned to each regional district in the plurinominal colleges, including those due to the plurinominal colleges, including the seats due to the uninominal colleges, will be determined on the basis of the results of the latest general census of the population, as given in the most recent official publication of the national institute of statistics.

2. The following words are added to the end of paragraph 1 of article 20 of legislative decree 20 December 1933, no. 533: “subdivided into uninominal and plurinominal colleges”.

3. The following changes are made to article 9 of legislative decree 20 December 1933, no. 533:

a) paragraph 2 is replaced by the following:

“2. The presentation of the lists of candidates for seats in the plurinominal seats, naming candidates on the lists for the uninominal colleges within the plurinominal college, is governed by the provisions set out in article 18-a of the consolidated law regarding the rules for election to the Chamber of Deputies, as per presidential decree 361/1957.

b) paragraph 3 is abrogated.

c) paragraph 4 is replaced by the following:

“in every plurinominal college each list, when put forward, is made up of a list of candidates put forward in numerical order. The number of candidates may not be lower than half, rounding up, of the seats assigned to the plurinominal college and may not be higher than the number of seats assigned to the plurinominal college. In any case, the number of candidates may not be lower than two or higher than four; in those plurinominal colleges in which a single seat is assigned, the list is made up of a single candidate. On pain of inadmissibility, candidates on the lists of plurinominal colleges must be placed alternately by gender.

4a. Of the total candidatures put forward by every list or lists joined in coalition in the uninominal colleges of the region, neither of the two genders may exceed 60%, rounding up. The regional electoral Office will ensure that the provisions set out in the present paragraph are respected, verifying that the requisites of article 22, first paragraph, numbers 3), 4) and 5) of the consolidated act governing elections to the Chamber of Deputies, as per presidential decree 361/1957, are met.”

4. The following changes are made to article 11 of legislative decree 20 December 1933, no. 533:

a) in paragraph 1, letter a) is replaced by the following:

“a) establishes, by means of a single draw taking place in the presence of the delegates on the list, the numerical order assigned to the lists and lists joined in coalition, as well as the party symbols, in all the plurinominal colleges of the regional district, and, for each coalition, the order of the party symbols within the coalition. The party symbols of each list, together with the names of the candidates, in numerical order of presentation, and with the names of the candidates in the uninominal colleges, appear on the voting cards and posters in the order resulting from the said draw”;

b) paragraph 3 is replaced by the following:

“3) The cards are of the same paper, and are supplied by the Ministry of the Interior as per the provisions set out in article 31 of the consolidated act of the laws governing rules for election to the Chamber of Deputies, as per presidential decree 361/1957. The cards will have the essential characteristics of the model described in Tables A and B attached to this consolidated act.”



5. Article 14 of article 11 of legislative decree 20 December 1933, no. 533 is replaced by the following:

“Art. 14. The voter, with no one nearby, casts his/her vote by placing a mark on the card with the pencil on the rectangle containing the party symbol of the list and the names of the candidates in the plurinominal college. The vote is in favour of the list and for the election of the candidate of the uninominal college.

Should the mark be made only on the name of the candidate in the uninominal college, the vote is taken as being in favour of the list and for the election of the candidate of the uninominal college. Should more than one list be joined in coalition, the votes are divided among those lists in proportion to the votes obtained by each in the uninominal college.

3. The provisions set out in articles 59 and 59-a of the consolidated act concerning rules for election to the Chamber of Deputies, as per presidential decree 361/1957, shall be applied.”

6. The following words: “and from the national central electoral Office” shall be added to the end of the heading of title VI of legislative decree 20 December 1933, no. 533.

7. Article 16 of legislative decree 20 December 1933, no. 533 is replaced by the following:

“Art. 16. 1. The regional electoral Office, regarding the operations set out in article 76 of the consolidated act regarding rules for elections to the Chamber of Deputies, as per presidential decree 361/1957, no. 361, and calling on the aid, wherever deemed necessary, or one or more experts chosen by the president will:

- a) Establish the individual electoral figure of each candidate in the uninominal colleges; this figure is given by the sum of the valid votes cast for the candidate in the individual polling stations of the uninominal college in conformity with the verified results;
- b) Proclaim elected in each uninominal college the candidate who has obtained the largest number of valid votes; in the event of parity, the youngest candidate is elected;
- c) Establish the uninominal college electoral figure of each list. This figure is given by the sum of valid votes cast for the list in the individual polling stations of the uninominal college and of the votes cast in favour of sole candidates in the uninominal colleges joined in coalition with several lists, as per article 14, paragraph 2, second sentence, assigned to the list after the following operations have been carried out: the office divides the total valid votes cast for all the lists making up the coalition in the uninominal college by the number of votes cast in favour of sole candidates in the uninominal colleges, obtaining the division quotient. It then divides the total valid votes cast for each list by this quotient. The integer part of the quotient thus obtained represents the number of votes to assign to each list; those votes which remain to be attributed are respectively assigned to the lists for which these last divisions have given the largest remainders, in decreasing order of those remainders. In dividing the votes cast in favour of sole candidates in the uninominal colleges who are joined in coalition with more than one list, the office will exclude from the calculation those votes cast in favour of the list representing recognised linguistic minorities in those uninominal colleges where such have

put forward their own candidates as per article 18-a, comma 1-a, of the consolidated act as per presidential decree 361/1957;

- d) Establish the plurinominal college electoral figure of each list. This figure is given by the sum of the uninominal college electoral figures of each list;
  - e) Establish the plurinominal percentual electoral figure. This figure is given by the quotient resulting from the division of the plurinominal electoral figure of each list by the total valid votes of that plurinominal college, multiplied by one hundred;
  - f) Establish the regional electoral figure of each list. This figure is given by the sum of the plurinominal college electoral figures of the list;
  - g) Establish the percentual electoral figure of each candidate in the uninominal college. This figure is given by the quotient resulting from the division of the individual electoral figure of each candidate by the total valid votes of the respective uninominal college, multiplied by one hundred;
  - h) Establish, for each list, the ranking of candidates in the uninominal colleges of the region in order of the respective individual percentual electoral figures. In the event of parity, the youngest will prevail. Should candidates be connected with more than one list, they will be part of the ranking relative to each of the lists for which their connection has been declared;
  - i) Establish the total valid votes of the region. This total is given by the sum of the regional electoral figures of all the lists;
- l) communicate to the national central electoral Office, as per article 12 of the consolidated act of presidential decree 361/1957, by means of an extract of the written record, the regional electoral figure of each list as well as the total valid votes of the region.

“Art 16a – 1. The central national electoral Office, having received extracts of the written record from all the regional electoral Offices, and being assisted, wherever necessary, by one or more experts chosen by the president, will:

- a) Establish the national electoral figure of each list. This figure is given by the sum of the regional electoral figures achieved in the regions by lists with the same party symbol;
- b) Establish the national total of valid votes. This is given by the sum of the regional electoral figures of all the lists.
- c) Establish the national electoral figure of each coalition of lists. This figure is given by the sum of the national electoral figures of the lists joined in coalition. Votes cast in favour of lists joined in coalition which have achieved, nationally, fewer than 1 per cent of the total number of votes, do not factor in the establishment of the national electoral figures of the lists joined in coalition, except in the event that such lists have achieved in at least one region a number of valid votes which is equal to at least 20 per cent of the valid votes cast in that region or, for those lists joined in coalition which represent recognised linguistic minorities, put forward exclusively in a region whose statutory or other legally constituted autonomy provides for the particular care of such linguistic minorities, whose candidates have been proclaimed elected in at least two uninominal colleges of the regional district as per article 16;
- d) Establish the regional electoral figure of each coalition of lists. This figure is given by the sum of the regional electoral figures of the lists joined in coalition, established as per the last sentence of letter c);
- e) Establish, therefore:

- 1) those lists joined in coalition which have achieved, nationally, at least 10 per cent of the valid votes cast and which include at least one list which has achieved, nationally, at least 3 per cent of the valid votes cast, or a list which has achieved at least 20 per cent of the valid votes cast in at least one region, or a list representing recognised linguistic minorities exclusively put forward in a region whose statutory or other legally constituted autonomy provides for the particular care of such linguistic minorities, whose candidates have been proclaimed elected in at least two uninominal colleges in the regional district as per article 16;
  - 2) those individual lists, whether part or not of coalitions, which have not achieved the percentage stated in number 1) but have achieved, nationally, at least 3 per cent of the valid votes cast, and the individual lists, whether part or not of coalitions, which have not achieved the percentage stated in number 1) representing recognised linguistic minorities exclusively presented in regions whose statutory or other legally constituted authority provides for particular care of such linguistic minorities, whose candidates have been proclaimed elected in at least two uninominal colleges of the district as per article 16;
- f) communicate a combined list comprising the lists and lists joined in coalition, established as per letter e), numbers 1) and 2), by means of an extract of the written record, to the regional electoral Offices;

8. Article 17 of legislative decree 20 December 1933, no. 533 is replaced by the following:

“Art. 17. 1 The regional electoral Office proceeds to assign the seats due in the plurinominal colleges of the region to the individual lists and those joined in coalition identified by the national central electoral Office as per article 16a, paragraph 1, letter f). To this end, the Office will carry out the following operations:

- a) divide the total of the regional electoral figures of the lists joined in coalition as per article 16a, paragraph 1, letter e), number 1), and the individual lists which have achieved, nationally, at least 3 per cent of the valid votes cast or which have achieved at least 20 per cent of the valid votes cast in the region, and of the individual lists representing recognised linguistic minorities presented exclusively in a region whose statutory or other legally constituted authority provides for particular care of such linguistic minorities, whose candidates have been proclaimed elected in at least two uninominal colleges of the region as per article 16, by the number of seats to be assigned in the plurinominal colleges of the region, thus obtaining the regional electoral quotient. This division will not take account of any fractional part of the quotient. It will then divide the regional electoral figure of each individual list or coalition of lists by this quotient. The integer part of the quotient thus obtained represents the number of seats to be assigned to each coalition or lists or individual list. The seats which still remain to be assigned are respectively assigned to the coalitions of lists or individual lists to which the last division left the highest remainder and, in the event of parity of these remainders, lots will be drawn.
- b) Proceed, for each coalition of lists, to the division of the seats among those of the admitted lists which have achieved, nationally, at least 3 per cent of the valid votes cast, as well as the lists within the coalition which have achieved at

least 20 per cent of the valid votes cast in the region, as well as among the lists within the coalition representing a recognised linguistic minority, presented exclusively in a region whose statutory or other legally constituted autonomy provides for the particular care of such linguistic minorities, whose candidates have been proclaimed elected in at least two uninominal colleges of the region as per article 16. To this end, it then divides the sum of the electoral figures of the admitted lists by the number of seats, determined as per letter a). Such division will not take account of any fractional part of the quotient thus obtained. It then divides the regional electoral figure of each admitted list by this quotient. The integer part of the quotient thus obtained represents the number of seats to be assigned to each list. The seats which still remain to be assigned are respectively assigned to the lists to which the last division gave the largest remainders and, in the event of parity, to the lists which have achieved the largest regional electoral figure; in the event of parity, lots will be drawn.

- c) In the regions divided into several plurinominal colleges, it proceeds therefore to the distribution of the seats assigned to the lists in each of those plurinominal colleges. To this end, for each plurinominal college, it divides the sum of the college electoral figures of the lists to which seats have been assigned by the number of seats to be assigned in the plurinominal college, thus obtaining the college electoral quotient. This division will not take account of any fractional part of the quotient thus obtained. It then divides the college electoral figure of each list by the college electoral quotient, thus obtaining the assignment quotient. The integer part of the assignment quotient represents the number of seats to assign to each list. The seats which still remain to be assigned are respectively assigned to the lists for which these last divisions have given the largest decimal parts and, in the event of parity, to the lists which have achieved the largest college electoral figure; in the event of parity, lots will be drawn. The assignment of seats set out in the preceding sentence excludes those lists to which the number of seats due under the operations set out in letters a) and b) has already been assigned. The office then ascertains if the number of seats assigned in all the plurinominal colleges to each list corresponds to the number of seats determined as set out in letters a) and b). If not, it identifies the list which has the largest number of excess seats and, in the event of parity, which of these lists has obtained the excess seat with the smallest decimal part of the quotient; it then subtracts the seat from that list in the college in which it has been obtained with the smallest decimal part of the assignment quotients and assigns it to the list in deficit which has the largest number of deficit seats and, in the event of parity, to whichever of the lists has the largest decimal part of the quotient from which the seat was assigned; the seat is assigned to the list in deficit in the plurinominal college in which it has the largest unused decimal part of the assignment quotient; these operations are then repeated until all the excess seats are assigned to the lists in deficit.

9. Article 17-a of the legislative decree 20 December 1933, no. 533 is replaced by the following:

“Art. 17-a – 1. At the conclusion of the operations set out in the preceding articles, the regional electoral Office will proclaim elected in each plurinominal college, within

the limits of the seats to which each list is entitled, the candidates on the college lists, in the order in which they were put forward.

2. Should insufficient candidates have been put forward on a list in a plurinomial college and it is therefore impossible to assign all the seats due to it in that college, article 84 of the consolidated act of the laws regarding election to the Chamber of Deputies, as set out in presidential decree 361/1957, will be applied, with the exception of the provisions set out in paragraphs 4, 6 and 7.

3. If a candidate is elected in more than one college, the provisions set out in article 85 of the consolidated act of the laws regarding election to the Chamber of Deputies, as set out in presidential decree 361/1957, will be applied.

10. Article 19 of the legislative decree 20 December 1933, no. 533 is replaced by the following:

“Art. 19 – 1. Should a seat in a uninominal college remain vacant, for whatever reason, supplementary elections will be held for which the provisions set out in article 21-c will, insofar as they are compatible, be followed.

2. Should a seat in a plurinomial college remain vacant, for whatever reason, article 86 of the consolidated act regarding laws for the election to the Chamber of Deputies, as set out in presidential decree 361/1957, will be applied.

11. The heading of title VII of the legislative decree 20 December 1933, no. 533 is replaced by the following: ‘Special dispositions for the Valle d’Aosta / Vallee d’Aoste and Trentino-Alto Adige / South Tyrol regions’.

12. In article 20, paragraph 1 of the legislative decree 20 December 1933, no. 533 is abrogated.

13. Article 21-a of the legislative decree 20 December 1933, no. 533 is abrogated.

14. In Article 21-c of the legislative decree 20 December 1933, no. 533, paragraph 7 is abrogated.

15. Tables A and B attached to the legislative decree 20 December 1933, no. 533 are replaced by Tables A and B of attachment 4 of the present law.

### Art. 3

#### Delegation to the government of the establishment of plurinomial and uninominal colleges

1. For elections to the Chamber of Deputies, the government is empowered to pass, within thirty days of the date at which the present law comes into force, as per article 14 of the law of 23 August 1988, no. 400, a legislative decree for the establishment of the uninominal and plurinomial colleges within each region in Table A attached to presidential decree 361/1957, replaced by the present law, on the basis of the following guiding principles and criteria:
  - a) Apart from the Valle d’Aosta / Vallee d’Aoste region, 231 uninominal colleges are constituted in the remaining districts of the national territory for elections to the Chamber of Deputies. In the Trentino-Alto Adige / South Tyrol and Molise districts, respectively, six and two uninominal colleges are constituted, defined, territorially, by the legislative decree 20 December 1933, no. 535 regarding the establishment of the uninominal colleges of the Senate of the Republic; among the other districts within the national territory, as per table A

of presidential decree 361/1957, replaced by the current law, the number of uninominal colleges is in proportion to the respective population determined on the basis of the results of the latest general census as published in the most recent official publication by the national institute of statistics;

- b) Excluding the Valle d'Aosta / Vallee d'Aoste region, in each of the other districts within the national territory, plurinominal colleges are constituted by aggregating the adjoining uninominal colleges; the number of plurinominal colleges constituted in each district and the territory of each of these are determined so that each plurinominal college, on the basis of the resident population calculated as per letter a), is assigned a number of seats determined by the sum of the number of uninominal colleges of which it is composed and of a further number of seats, by law, no lower than three and no higher than eight, so as to minimise the number of plurinominal colleges which have a number of seats lower than the average; Molise is assigned a seat which may itself be assigned proportionally as per presidential decree 361/1957. Each uninominal college in the district is part of a plurinominal college. In the regions of Trentino-Alto Adige / South Tyrol, Umbria, Molise and Basilicata, a single plurinominal college is constituted which covers all the uninominal colleges of the district;
  - c) The population of each uninominal college and of each plurinominal college may deviate from the population average of, respectively, the uninominal and plurinominal colleges of the region by no more than 20 per cent above or below;
  - d) The formation of uninominal and plurinominal colleges must respect the administrative integrity of each college, and, where necessary, the integrity of its local systems and, by law, its socioeconomic and historico-cultural nature, as well as its territorial integrity except in those cases where it encompasses islands. Uninominal and plurinominal colleges, by law, may not split the territory of communes except in the case of those communes which, for demographic reasons, contain more than one college. In those areas where there are recognised linguistic minorities, the demarcation of the colleges, even if derogating from the guiding principles and criteria of the present paragraph, must accommodate the need to include them in as few colleges as possible. The guiding principles and criteria being the same for the establishment of the plurinominal colleges, in the regions in which the number of uninominal colleges is equal to that provided for in the cited legislative decree 535/1993, the uninominal and plurinominal colleges are formed with reference, wherever possible, to the demarcations of the colleges as set out in the same legislative decree 535/1993.
  - e) In the Friuli Venezia Giulia region, one of the uninominal colleges is constituted so as to favour access to candidates representing the Slovene linguistic minority, as per article 26 of the law of 23 February 2001, no. 38.
2. The government is empowered to establish, with the same legislative decree cited in paragraph 1, uninominal and plurinominal colleges for election to the Senate of the Republic, within each region, on the basis of the following guiding principles and directives:
- a) Notwithstanding that set out as regards the districts of Valle d'Aosta / Vallee d'Aoste and Trentino-Alto Adige / South Tyrol, in each of the remaining districts 109 uninominal colleges are constituted. The territory of the region of Molise constitutes a single uninominal college. In the other

regions, the uninominal colleges are divided proportionally to the respective populations, determined on the basis of the latest general census, as reported in the most recent publication of the national institute of statistics.

- b) Notwithstanding that set out as regards the districts of Valle d'Aosta / Vallee d'Aoste and Trentino-Alto Adige / South Tyrol, in each of the remaining districts plurinominal colleges are constituted by aggregating the territorial area of the adjoining uninominal colleges; the number of plurinominal colleges constituted in each region and the territorial area of each is on the basis of the resident population calculated as per letter a), to each of which is assigned a number of seats determined by the sum of the number of uninominal colleges of which it is constituted and a further number of seats which, by law, may not be lower than two or higher than eight, so as to minimise the number of plurinominal colleges which have a number of seats lower than the average. Each uninominal college of the region is included in a plurinominal college.
  - c) The population of each uninominal college and of each plurinominal college may deviate from the population average of, respectively, the uninominal and plurinominal colleges of the region by no more than 20 per cent above or below;
  - d) The formation of uninominal and plurinominal colleges must respect the administrative integrity of each college, and, where necessary, the integrity of its local systems and, by law, its socioeconomic and historico-cultural nature, as well as its territorial integrity except in those cases where it encompasses islands. Uninominal and plurinominal colleges, by law, may not split the territory of communes except in the case of those communes which, for demographic reasons, contain more than one college. In those areas where there are recognised linguistic minorities, the demarcation of the colleges, even if derogating from the guiding principles and criteria of the present paragraph, must accommodate the need to include them in as few colleges as possible.
  - e) In the Friuli Venezia Giulia region, one of the uninominal colleges is constituted so as to favour access to candidates representing the Slovene linguistic minority, as per article 26 of the law of 23 February 2001, no. 38.
3. To carry out that set out in the legislative decree cited in paragraphs 1 and 2, the government will make use of a commission composed of the president of the national institute of statistics and ten experts in matters relevant to the calculations that the commission is called on to make, without any new or onerous charges to the national budget.
  4. The legislative decree cited in paragraphs 1 and 2 is presented to the Chambers in order that the opinions of the competent parliamentary commissions may be expressed within fifteen days of its presentation. Should the legislative decree not conform to parliamentary opinion, the government, at the same time as publishing it, must send to the Chambers a report expressing its reasons for so doing.
  5. Should the parliamentary opinion referred to in paragraph 4 not be expressed within the given term, the legislative decree may in any case be enacted.
  6. Every three years, the government will update the composition of the commission nominated as per paragraph 3. As regards the results of the general census of the population, the commission will indicate any revisions to be made to the uninominal and plurinominal colleges according to the criteria

set out in this article, and will make them known to the government. The government will introduce a bill to the chambers for the revision of the uninominal and plurinominal colleges.

7. Within six months of the present law coming into force, by decree from the Ministry of the Interior, the Ministries of Finance and the Economy and of Regional Affairs, in agreement with the first ministry for the sake of simplification and good public administration, will agree as to how to introduce an experiment in the digital undersigning of the presentation of candidates and of lists, potentially by the use of digital signatures and qualified electronic signatures. The opinion of competent parliamentary commissions will be sought on the outline of the decree, which must be given within forty-five days.

#### Article 4 Transparent elections

1. In one section of the website of the Ministry of the Interior, called “Transparent Elections”, within ten days of the expiry of the term allowed for the registration of party symbols as per article 15, first paragraph, of presidential decree 361/1957, and as per article 8 of the legislative decree of 20 December 1993, no. 533, the following information must be published in a way that is easily accessible for each party, movement or organised political group which has put forward its list:
  - a) The registered party symbol, with the name of the person who has authorised its registration as per article 15, first paragraph, of presidential decree 361/1957;
  - b) The statute or declaration of transparency, registered as per article 14, first paragraph, of presidential decree 361/1957, as modified by article 1 of the present law;
  - c) The manifesto with the name and surname of the person named as head of the political movement, registered as per article 14-a, first paragraph of presidential decree 351/1957, as replaced by article 1 of the present law.
2. In the same section as that cited in paragraph 1, within ten days of the expiry of the term for the lists of candidates to be presented, the lists of candidates put forward by each party, movement or political group in each college must be published.

#### Art. 5

#### Budgetary restrictions

1. The provisions set out in the current law will be effected within the current human, administrative and financial resources available to legislation already in force, and, in any case, without new or onerous charges on the public budget.

#### Art. 6 Temporary dispositions. Date of coming into force



1. The following is inserted after article 2, paragraph 36, of the law of 6 May 2015, no. 52, after “and successive changes”: “by the Chamber of Deputies and by the Senate of the Republic”, and the words “1st January 2014” are replaced by the following: “15 April 2017”.
2. The following changes are made to the law of 27 December 2001, no. 249:
  - a) In article 4-a, paragraph 2, the words “within ten consecutive days of the publication date of the decree convoking electoral committees” are replaced by the following: “on or before the thirty-second day before the date at which the electoral consultation will take place”;
  - b) In article 8:
    - 1) In paragraph 1, letter b) is replaced by the following:  
Voters resident in Italy may be candidates in only one division of the Foreign district; voters resident abroad may be candidates only in the division in which they reside of the Foreign district;
    - 2) The following paragraph is added to the end:  
“4a. Voters who hold or have held government posts or elected political posts at any level or posts within the judiciary or armed forces of another state within the five years before the elections are held may not be candidates for election to the Chamber of Deputies or the Senate of the Republic in the Foreign district;
    - 3) For the first elections following the date at which the present law comes into force, the number of signatures for the presentation of candidates for election to the Chamber of Deputies, as per article 18-a, paragraph 1, of presidential decree 361/1957, as changed by the present law, is reduced to half.
    - 4) For the first elections following the date at which the present law comes into force, the number of signatures for the presentation of candidates for election to the Senate of the Republic, as per article 9 of the legislative decree 20 December 1993, no. 533, as changed by the present law, is reduced to half for the lists which put forward candidates in plurinominal colleges in all the regional districts.

5. Further to paragraph 4, the representatives described in article 17 of presidential decree 361/1957 will present to the chancery of the court of appeal or the highest regional court, within forty-eight hours of the presentation of the lists, the documentation which proves the lists have been presented in all the regional districts.

6. The following changes are made to article 14, paragraph 1, of the law of 21 March 1990, no. 53:

a) in the first sentence, the words “mayors and town and provincial councillors” are replaced by the following: “metropolitan mayors, mayors, town and provincial councillors, members of the metropolitan conference”.

7. For the first elections to the Chamber of Deputies and Senate of the Republic following the entry into force of the present law only, those persons named in article 14 of the law of 21 March 1990, no. 53, as changed by the present law, may authenticate the signatures in the electoral procedure, as may legal aid lawyers registered with the higher courts of a division within the electoral district.

8. The present law comes into force the day after its publication in the Official Gazette.

The present law, stamped with the seal of State, will be inserted in the official compilation of the legislative acts of the Republic of Italy. It is incumbent upon all to observe it and ensure it is observed as state law.

Dated Rome, 3rd November 2017

MATTARELLA

Silveri Gentiloni, President of the Council of Ministers

Witnessed: Orlando, Guard of the Seals

Attachment 1

(article 1, paragraphs 1 and 35)

Table A

(article 1, paragraph 2)

The numbers in the second column correspond to those of the uninominal colleges as provided for in the legislative decree of 20 December 1993, no. 535, regarding the establishment of the uninominal colleges of the Senate of the Republic.

	District		Seat of the central district Office
1	Piedmont 1	Piedmont 1,2,3,4,5,6,7,8,9	Turin
2	Piedmont 2	Piedmont 10,11,12,13,14,15,16,17	Turin
3	Lombardy 1	Lombardy 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16	Milan
4	Lombardy 2	Lombardy 17,18,19,20,21,34,35	Milan
5	Lombardy 3	Lombardy 22,23,24,25,31,32,33	Milan
6	Lombardy 4	Lombardy 26,27,28,29,30	Milan
7	Veneto 1	Veneto 1,2,3,4,5,6,7	Venice
8	Veneto 2	Veneto 8,9,10,11,12,13,14,15,16,17	Venice
9	Friuli Venezia Giulia	Entire regional territory	Trieste
10	Liguria	Entire regional territory	Genoa
11	Emilia Romagna	Entire regional territory	Bologna
12	Umbria	Entire regional territory	Florence
13	Tuscany	Entire regional territory	Perugia
14	Marche	Entire regional territory	Ancona
15	Lazio 1	Lazio 1,2,3,4,5,6,7,8,9,10,11,15,20,21	Rome
16	Lazio 2	Lazio 12,13,14,16,17,18	Rome
17	Abruzzo	Entire regional territory	L'Aquila
18	Molise	Entire regional territory	Campobasso
19	Campania 1	Campania 1,2,3,4,5,6,7,8,9,10,11,12	Naples
20	Campania 2	Campania 13,14,15,16,17,18,19,20,21,22	Naples
21	Puglia	Entire regional territory	Bari
22	Basilicata	Entire regional territory	Potenza

23	Calabria	Entire regional territory	Catanzaro
24	Sicily 1	Sicily 1,2,3,4,5,6,7,8,9,10	Palermo
25	Sicily 2	Sicily 11,12,13,14,15,16,17,18,19,20	Palermo
26	Sardinia	Entire regional territory	Cagliari
27	Valle d'Aosta	Entire regional territory	Aosta
28	Trentino-Alto Adige	Entire regional territory	Trento

Attachment 2  
(article 1, paragraphs 1 and 35)

Table A.1  
(article 1, paragraph 2)

The names of the uninominal colleges printed on the right correspond to the names of the uninominal colleges established by the legislative decree 20 December 1993, no. 535 concerning the establishment of uninominal colleges by the Senate of the Republic.

Region of TRENINO-ALTO ADIGE/SOUTH TYROL  
TRENINO-ALTO ADIGE/SOUTH TYROL CHAMBER 1 - Trentino-Alto  
Adige/South Tyrol 1  
TRENINO-ALTO ADIGE/SOUTH TYROL CHAMBER 2 - Trentino-Alto  
Adige/ South Tyrol 2  
TRENINO-ALTO ADIGE/ SOUTH TYROL CHAMBER 3 - Trentino-Alto  
Adige/ South Tyrol 3  
TRENINO-ALTO ADIGE/ SOUTH TYROL CHAMBER 4 - Trentino-Alto  
Adige/ South Tyrol 4  
TRENINO-ALTO ADIGE/ SOUTH TYROL CHAMBER 5 - Trentino-Alto  
Adige/ South Tyrol 5  
TRENINO-ALTO ADIGE/ SOUTH TYROL CHAMBER 6 - Trentino-Alto  
Adige/ South Tyrol 6  
Region of MOLISE  
MOLISE CHAMBER 1 - Molise 1  
MOLISE CHAMBER 2 - Molise 2».

Attachment 3  
(article 1, paragraphs 18 and 35)

Table Aa  
(article 31, paragraph 1)

Partly provided in graphic form

Attachment 4  
(article 2, paragraphs 4 and 15)

Table A  
(article 11, paragraph 3)

Partly provided in graphic form

Table B

(article 11, paragraph 3)

Partly provided in graphic form