

**LAW no. 157 of 3 June 1999,**

**New Norms for the Reimbursement of Expenses for Electoral Consultations and  
Abrogation of the Provisions Regarding the Voluntary Contribution to Political  
Movements and Parties.**

- - - In force starting with: 29-10-2011 - - -

The Chamber of Deputies and the Senate of the Republic have  
approved;

THE PRESIDENT OF THE REPUBLIC

Promulgates  
the following law:

Art. 1

Reimbursement of electoral expenses of political movements  
and parties

1. Political movements and parties are entitled to the reimbursement  
of the expenses incurred for elections campaign for the Senate of the  
Republic and the Chamber of Deputies, for the European Parliament and  
regional councils. (3)

1-bis. Specific provisions are included in paragraph 5-bis on the  
reimbursement for political movements or parties in connection with  
expenses incurred in the elections campaign for the foreign  
circumscription, provided in article 48 of the Constitution, for the  
election of the Parliament.

2. The provision of this reimbursement is ordered, according to the  
norms of this law, by decrees of the President of the Chamber of  
Deputies, from the internal budget of the Chamber of Deputies, in  
connection with the elections for the Chamber of Deputies, the  
European Parliament and the regional councils, as well as the  
referendum promoting committees, in the cases of paragraph 4. By  
decree of the Chairman of the Senate of the Republic, reimbursement  
is provided from the internal budget of the Senate of the Republic  
for elections for the Senate of the Republic. Political movements or  
parties that intend to use such reimbursements shall request them,  
under the penalty of losing the right, from the Chairman of the  
Chamber of Deputies or Chairman of the Senate of the Republic,  
according to their respective competence, within ten days of the  
final date for the submission of the lists for the elections of the  
bodies mentioned at paragraph 1. (2) (4)  
(8) (9) (11)

3. The reimbursement mentioned in paragraph 1 is provided by distributing among the entitled political movements and parties the various funds related to electoral expenses for the election of the bodies mentioned in paragraph 1.

4. If one or several referendums are requested under article 75 of the Constitution and is declared allowable by the Constitutional Court, promoting committees are given reimbursement equal to the amount resulting by multiplying one euro by each valid signature up to the minimum amount required for the request to be valid and up to a total maximum limit of 2.582.285 per annum, provided that the referendum has reached the voting participation quorum for its validity. A similar reimbursement shall be given, also with the limit of 5 billion liras of this paragraph, for the referendum requests under article 138 of the Constitution.

5. The amount of each of the four funds related to the bodies mentioned at paragraph 1 is equal, for each year of legislature of these bodies, to the amount resulting by multiplying the amount of 1.00 euro by the number of citizens of the Republic recorded in the electoral lists for the Chamber of Deputies elections. For the election of the Italian representatives in the European Parliament on 13 June 1999, the amount mentioned in this paragraph is reduced to L. 3,400. (10) ((12))

5-bis. For the reimbursement under paragraph 1-bis, in connection with expenses incurred for elections in the foreign circumscription, the funds under paragraph 5, related to the Senate of the Republic and the Chamber of Deputies, respectively, shall be increased by 1.5% of their amount. Each of such additional amounts mentioned above shall be divided between the sections of the foreign circumscription proportionate to its population. The share of each section is divided between candidate lists proportionately to the votes obtained in such section.

Lists that have obtained at least one elected candidate in that section or have accumulated at least 4 per cent of the validly expressed votes in that section may participate in this distribution. The provisions of article 15 paragraph 13 of Law 515 of 10 December 1993 shall apply.

6. The reimbursements of paragraphs 1 and 1-bis are provided on an annual basis, by the 31st of July of each year. Reimbursements under paragraph 4 are provided in a single installment by the 31st of July of the year during which the referendum occurs.

**((In case of anticipated elections for the Senate of the Republic or the Chamber of Deputies the payment of the annual reimbursements shall be interrupted. In such case, the political movements or parties shall be entitled exclusively to reimbursement for a number of years equal to the legislature of such bodies.))** PERIOD REMOVED BY D.L. 273 OF 30 DECEMBER 2005, CONVERTED WITH AMENDMENTS BY LAW 51 OF 23 FEBRUARY 2006.

The payment of the annual reimbursement under this paragraph shall also be made if a fraction of a year has passed. The amounts allocated or to be allocated under this article and any other present or future amount owed to political parties or movements can be subject to securitization and can in any case be assigned to third parties. (10)

7. For the first elections for the European Parliament after the effective date of this law and for the regional councils in years

1999 and 2000, as well as for the referendums scheduled for the year 2000, reimbursements shall be paid as a lump sum.

8. In case of failure to comply with the obligations under article 8 of law no. 2 of 2 January 1997, or in case of improper preparation of the report prepared according to the same article 8 of Law 2 of 1997, the Chairman of the Chamber of Deputies and the Chairman of the Senate of the Republic, for funds under their respective authority, suspend the provision of the reimbursement until compliance is achieved.

9. At article 10, paragraph 1 of law no. 515 of 10 December 1993, the words: "liras 200" shall be replaced by the following: "liras 800". In the same paragraph, the words: "of the inhabitants" shall be replaced by: "of the citizens of the Republic registered in the electoral lists".

10. Upon the first application and in connection with the electoral expenses for elections for the European Parliament of 13 June 1999, the period under paragraph 2 shall start upon the date of entry into force of this law. (2) (6)

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UPDATE (2)

Law no. 156 of 26 July 2002 stipulated (with article 1, paragraph 1) that "The end of the last period under article 1, paragraph 2, of law no. 157 of 3 June 1999, for the submission of the application for the reimbursement of expenses for electoral consultations in 2001 for the Chamber of Deputies and the Sicilian Regional Assembly is delayed to thirty days after the entry into force of this law". It also stipulated (with article 2, paragraph 4) that "The provisions in this law shall apply starting from the reimbursement of electoral expenses for the Senate of the Republic and the Chamber of Deputies to be granted by 31 July 2002".

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UPDATE (3)

Law no. 298 of 29 November 2004 stipulated (with article 1, paragraph 1) that "Following the entry into force of article 4 of Constitutional Law no. 2 of 31 January 2001, the reimbursement under article 1, paragraph 1 of law no. 157 of 3 June 1999, and article 6, paragraph 2, second part, of law no. 43 of 23 February 1995, in connection with electoral expenses incurred by political movements or parties for the campaign for regional councils shall be construed as referring, for the region of Trentino-Alto Adige, to the elections for the councils of the autonomous provinces of Trento and Bolzano". It also stipulated (with article 1, paragraph 3) that "The provisions under paragraphs 1 and 2 shall apply starting with the elections for the councils of the autonomous provinces of Trento and Bolzano held on 26 October 2003".

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UPDATE (4)

D.L. no. 115 of 30 June 2005, converted and amended by Law no. 168 of 17 August 2005, stipulated (with article 14-undecies, paragraph 1) that "The period of article 1, paragraph 2, third part of Law no. 157 of 3 June 1999, for the submission of the application for reimbursement for electoral consultations in connection with the ordinary Regional Councils of 3-4 and 17-18 April 2005 shall be delayed until 30 September 2005".

UPDATE (6)

D.L. no. 223 of 4 July 2006, converted and amended by Law no. 248 of 4 August 2006, stipulated (with article 39-bis, paragraph 4) that "The provisions of this article shall apply starting with the reimbursements for the electoral expenses incurred for the Senate of the Republic and the Chamber of Deputies in the elections of April 2006".

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UPDATE (8)

D.L. no. 248 of 31 December 2007, converted and amended by Law no. 31 of 28 February 2008, stipulated (with article 51-bis, paragraph 1) that "The period under article 1, paragraph 2, third part, of law no. 157 of 3 June 1999, for the submission of the application for the reimbursement of electoral expenses for the electoral consultations of 9 and 10 April 2006 for the Chamber of Deputies and the Senate of the Republic is delayed thirty days after the date of entry into force of the law converting this decree".

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UPDATE (9)

D.L. no. 194 of 30 December 2009, converted and amended by Law no. 25 of 26 February 2010, stipulated (with article 3, paragraph 8) that "The period under article 1, paragraph 2, third part, of Law no. 157 of 3 June 1999, for the submission of the application for reimbursement of expenses for electoral consultations occurring in 2008 shall be deferred until the thirtieth day after the date of entry into force of this decree; consequently, the reimbursements for 2008 obtained following an application submitted under this paragraph shall be disbursed as a lump sum within forty-five days of the expiry date of the above period and the provision of the following installments shall take place at the times specified by article 1, paragraph 6, of law no. 157 of 3 June 1999, as subsequently amended".

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UPDATE (10)

D.L. no. 78 of 31 May 2010, converted and amended by Law no. 122 of 30 July 2010, stipulated (with article 5, paragraph 4) that "Starting with the first elections for the Senate of the Republic, the Chamber of Deputies, the European Parliament and for the regional councils after the date of entry into force of this provision, the amount of one euro specified at article 1, paragraph 5 first part, of law no. 157 of 3 June 1999 shall be reduced by 10 per cent, and the first part of article 1 paragraph 6 shall be abrogated".

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UPDATE (11)

D.L. no. 225 of 29 December 2010, converted and amended by Law no. 10 of 26 February 2011, stipulated (with article 2, paragraph 24) that "The period under article 1, paragraph 2, third part, of law no. 157 of 3 June 1999, for the submission of the application for reimbursement of expenses for electoral consultations related to elections for the ordinary regional councils of 28 and 29 March 2010, shall be deferred to the thirtieth day after the date of entry into force of the law converting this decree. The reimbursements for 2010, obtained following an application submitted under this paragraph shall be disbursed as a lump sum within forty-five days of the expiry of the above-mentioned period, and the provision of subsequent installments specified by article 1, paragraph 6 of law no. 157 of 3 June 1999, as subsequently amended".

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UPDATE (12)

D.L. no. 98 of 6 July 2011, n. 98, converted and amended by Law no. 111 of 15 July 2011, stipulated (with article 6, paragraph 1) that

"Notwithstanding the spending reductions already stipulated by article 2, paragraph 275, of law no. 244 of 24 December 2007, and by article 5, paragraph 4, of the Decree-law no. 78 of 31 May 2010, converted and amended by no. 122 of 30 July 2010, the amount stipulated by article 1, paragraph 5, first part, of law no. 157 of 3 June 1999, shall be reduced by a further ten per cent, cumulating a total reduction of 30 per cent."

It also stipulated (with article 6, paragraph 3) that this change "applies starting with the first elections for the Senate of the Republic, the Chamber of Deputies, the European Parliament and the Regional Councils following the date of entry into force of this decree."

#### Article 2

Prerequisites for participation in the distribution of the amounts

1. The determination of those entitled to the distribution of funds under article 1 of this law and the criteria for the distribution of such funds (**except for amounts under paragraph 5-bis of the same article 1**) shall be regulated by articles 9 and 16 of law no. 515 of 10 December 1993, and by article 6 of law no. 43 of 23 February 1995. ((6))

2. At article 9, paragraph 3, first part of law no. 515 of 10 December 1993, the words: "at least 3 per cent" shall be replaced by: "at least 1 per cent".

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UPDATE (6)

D.L. no. 223 of 4 July 2006, converted and amended by law no. 248 of 4 August 2006, stipulated (with article 39-bis, paragraph 4) that "The provisions of this article shall apply starting to the reimbursement of electoral expenses incurred for the elections for the Senate of the Republic and the Chamber of Deputies in April 2006".

#### Art. 3.

Resources to increase active participation of women in politics

1. Each political party or movement shall allocate at least 5 per cent of the reimbursements received for each of the funds under article 1 paragraphs 1 and 5 for initiatives aimed at increasing the active participation of women in politics.

2. Political movements and parties referred to in paragraph 1 shall introduce a special item in the report under article 8 of law no. 2 of 2 January 1997, in order to explicitly state the allocation of the reimbursement percentages mentioned in the same paragraph 1.

#### Art. 4.

Donations

1. At article 13-bis, paragraph 1-bis of the consolidated income tax text, approved by decree of the President of the Republic no. 917 of 22 December 1986, as subsequently amended, the words: "between 500,000 and 50 million liras" shall be replaced by: "between 100,000 and 200 million liras".

Art. 5.

Fiscal discipline for activities of political movements and parties  
and facilities

1. In article 13-bis of the decree of the President of the Republic no. 641 of 26 October 1972, as subsequently amended, the following paragraph shall be added at the end:

"1-bis. The constitutive acts, statutes and any other document required for the fulfillment of the obligations of political movements or parties arising from legislative or regulatory provisions shall also be exempted from taxes on government concessions".

2. In the table in annex B attached to the decree of the President of the Republic no. 642 of 26 October 1972, as subsequently amended, the following article shall be added at the end:

"Art. 27-ter. Constitutive acts, statutes and any other document required for the fulfillment of the obligations of political movements or parties arising from legislative or regulatory provisions".

3. In the table attached to the consolidated text approved by decree of the President of the Republic no. 131 of 26 April 1986, as subsequently amended, the following article shall be added at the end:

"Art. 11-ter. - 1. Constitutive acts, statutes and any other document required for the fulfillment of the obligations of political movements or parties arising from legislative or regulatory provisions".

4. In article 3 of the consolidated text approved by decree-law no. 346 of 31 October 1990, n. 346, the following paragraph shall be added at the end:

"4-bis. Transfers in favor of political parties and movements are not subject to the tax".

5. The temporary occupation of public land, with temporary duration not exceeding thirty days by political movements and parties for their activities shall be subject to the facilities stipulated in the municipal income regulations, within the meaning of article 63, paragraph 2, point e), of the legislative decree no. 446 of 15 December 1997.

6. Municipal and provincial councils, according to the rules stipulated by law no. 142 of 8 June 1990, can include in their regulations forms for the free use of municipal and provincial structures suitable to host events and initiatives of the political parties. Municipal and provincial regulations also govern the general provisions for guaranteeing to political parties forms of access to structures under this paragraph according to the principles of transparency, pluralism and equality. The costs for using such structures shall be borne by the budgets of the respective entities.

7. Political parties or movements having their own representatives elected in political, regional, provincial or municipal elections or elections for the European Parliament shall be entitled to the facilities under paragraphs 5 and 6.

Art. 6.

Amendments and additions to article 4 of law no. 2 of 2 January 1997

1. At article 4 of law no. 2 of 2 January 1997, after the paragraph 1-quater, the following shall be added:

"1-quinquies. Political movements and parties that have received contributions for the financial year 1998 shall be held, under paragraph 1-bis, to settle the amounts already received that may be in excess of the amounts actually due. To this end, starting with 2000, the Ministry of Treasury, Budget and Economic Planning, by its decree, to be taken in consultation with the Minister of Finance, determines any amount in excess of the funds and approves a plan for the distribution of the amounts that the political movements and parties referred to in paragraph 1-bis shall return as settlement for the contributions already received. The return of such amounts shall be made in annual installments over a period not exceeding ten years. The amount of the annual installments may not be lower than 10 per cent of the amounts already received in excess of the amounts actually due. Political movements and parties that are not entitled to reimbursement of electoral expenses shall pay the amounts in excess annually, over a period of five years, 20 per cent per annum on the total of the cumulative amounts owed.

1- sexies. If it is verified that one or more political movements or parties have been dissolved before the full payment of the compensation owed under paragraph 1 -quinquies, the respective amounts remaining to be paid shall be subtracted from the funds referred to in articles 9 and 16 of law no. 515 of 10 December 1993".

Art. 6-bis

**(Guarantee**

**1. The resources allocated to parties under this law shall constitute, within the meaning of article 2740 of the Civil Code, a guarantee for the proper fulfillment of the obligations undertaken by the political movements or parties benefitting of such resources. Creditors of political parties and movements referred to in this law may not directly claim from their administrators the fulfillment of the obligations of the political party or movement unless they acted with malice or gross negligence.**

**2. For the satisfaction of debts of the political parties and movements maturing before the entry into force of this law, a guarantee fund is established, receiving funds from the 1 per cent of the resources allocated to funds under article 1. The management and operation of this fund shall be determined by decree of the Minister of Economy and Finance).**

Art. 7.

Transitional provisions

1. For the financial year 1999, the Minister of Treasury, Budget and Economic Planning, in consultation with the Minister of Finance, by its decree, to be taken according to article 3, paragraph 1 of law no. 2 of 2 January 1997, the amount of the fund to be distributed among eligible political parties and movements, based on statements made by contributors in 1998, pursuant to article 1 of the aforementioned law no. 2 of 1997.

2. With the same decree referred to in paragraph 1, the fund is distributed between political parties and movements meeting the

requirements of paragraph 1 of article 2 of the above-mentioned law no. 2 of 1997. The allocation of the amounts based on the above distribution shall take place during the financial years 2000, 2001 and 2002, within the limits of availability determined by application of article 9 of this law. The Minister of Treasury, Budget and Economic Planning shall be authorized to issue, by decree, the necessary budget changes.

3. From the amounts due to any political movement or party under paragraphs 1 and 2 of this article, an amount is withheld for any contributions that may have been received in excess for the financial year 1998, compared to statements made by contributors in 1997, for the purpose of the compensation mentioned at article 4, paragraph 1-bis, of the aforementioned law no. 2 of 1997.

Art. 8.  
Consolidated text

1. The Government is mandated to issue, within one hundred and twenty days of the entry into force of this law, a legislative decree containing a consolidated text compiling and coordinating all applicable rules of law regarding:

- a) the reimbursement of electoral expenses and financing for political parties, movements, candidates and holders of elected office;
- b) facilities for the same subjects as point a);
- c) controls and penalties stipulated by the law. ((1))

2. The legislative degree draft, following the preliminary deliberations by the Council Of Ministers, shall be sent, after consulting with the Council of State, to be given within thirty days of receiving the decree draft, at least sixty days prior to the end of the period indicated at paragraph 1, to the Parliament for the opinion of the relevant commissions, which must be expressed within forty-five days; should this period lapse without action, the opinion shall be deemed given.

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UPDATE (1)

Law no. 340 of 24 November 2000 stipulated (with article 18, paragraph 2) that the deadline for exercising the delegation under paragraph 1 of this article shall be set in eight months after the date of entry into force of the same law.

Art. 9.  
Financing

1. The costs arising from the application of this law, amounting to 208 billion liras for 1999, 198 billion liras for 2000 and 257 billion liras per annum starting with 2001, shall be covered from resources arising from the removal of expenditure authorizations under laws no. 659 of 18 November 1981, no. 515 of 10 December 1993, no. 43 of 23 February 1995, and no. 2 of 2 January 1997.

Art. 10.  
Abrogation

1. Starting with the date of entry into force of this law, the following shall be abrogated:

- a) articles 1, 2 and 3, as well as article 8, paragraphs 15, 16 and 17, and article 9, paragraph 1, of law no. 2 of 2 January 1997 except as provided in article 7 of this law;

b) articles 1 and 2 of law no. 195 of 2 May 1974.

Art. 11.  
Entry into force

1. This law shall enter into force on the day following its publication in the Official Gazette of the Republic of Italy. This law, bearing the seal of the State, shall be included in the Official Collection of Legislative Acts of the Republic of Italy. It is mandatory for all concerned to observe it and enforce it as Law of the State.

Made in Rome, on 3 June 1999

CIAMPI

D'Alema, President of the Council of Ministers

Seen by the Keeper of the Seals: Diliberto