

Italy

1. Fair	
Regulatory framework	<p>Disclosure requirements for public officials are covered by Law no. 441 of 1982; the Regulation of the Elections Commission of 1998; and the Law no. 215 of 2004, as well as in some additional administrative decisions (i.e. Decision no. 392/05/CONS of the Authority for guarantee of Communications). More recently, the Legislative Decree no. 33 of 2013 on the “Reorganization of the rules concerning the obligations of disclosure, transparency and dissemination of information by public Administrations”, also outlines disclosure requirements for those in public office whether elected or appointed, at the state, regional or local level.</p> <p>Furthermore, the National Anti-Corruption Authority (ANAC) Regulation no. 50 of 2013 contains guidelines to ensure the implementation of the new transparency measures contained in the Decree no. 33 of 2013.</p> <p>There is a new Annex to Resolution no. 243 May 15th, 2014, including recent guidelines that oblige the processing of personal data contained in records and administrative documents</p> <p>There is now an "archive" section on the corporate websites of the Authority for the safeguard of personal data (article 9, paragraph 2, of the d. lgs. n. 33/2013), which provides for full transparency. More specifically:</p> <ul style="list-style-type: none"> a) It contemplates the requirements of publishing the tax return of members of political bodies and their families (article 14 of the d. lgs. n. 33/2013); b) In addition to this, the publication of fees and compensation, acts of grants, contributions, grants and allocation of economic benefits and the list of beneficiaries are also foreseen (articles 15, 18, 26, 27 and 41 of the d. lgs. n. 33/2013). <p>The register of beneficiaries of economic providences is to be highlighted (dPR April 7, 2000).</p> <p>It should also be noted, the adoption of ANAC Resolution no. 144 of October 7th, 2014, which settles the "Publication requirements related to political bodies in public administration" - October 20th, 2014.</p>
Outreach to public officials about disclosure requirement	
Type of information disclosed	<p>Filers are required to disclose the following:</p> <ul style="list-style-type: none"> • Properties: Movable and immovable properties (including personal residence). • Investments and Liabilities: Stocks and business relationships with financial institutions. • Incomes: Value and source of incomes (as well as expenditures). • Positions: High-level positions and unpaid secondary activities. • Gifts and funded travels: N/A

	<ul style="list-style-type: none"> • Other: N/A <p>Ministers must additionally declare situations of incompatibility related to the telecommunications sector.</p> <p>Members of Parliament must declare the following:</p> <ul style="list-style-type: none"> • a statement of the rights in rem on real state and assets listed in the public registers, the shares of companies; • copy of the latest tax return; • a statement of the expenses incurred for the electoral campaign.
Other relevant information	<p>The law requires high-ranking public officials to attach their income tax forms to their declarations.</p> <p>The public administrations also publish the amounts of the payments related to public officials' positions and those relating to other positions in public bodies or private.</p>
2. Transparent	
Public accessibility of disclosed information	<p>Every citizen registered to vote has the right to access the information in the disclosures disclosed information. The completed asset declaration forms are available in a bulletin issued by each Chamber of Parliament. For information originating from the tax forms, only a summarized version is available to the public.</p> <p>Although not required by law, all Ministers from the former Government decided to publish a summarized version of their declaration forms on their respective Ministry webpages.</p>
Public access to information concerning disclosure system functioning	
Other relevant information	<p>The only tool to measure the fulfilment of publication obligations are the assessments by Independent Evaluation Bodies (IEB) of each public administration. The outcomes of the assessments are used by the National Anti-corruption Authority (ANAC) to exercise its control powers.</p>
3. Targeted at senior leaders and those in at-risk positions	
Legislative	<p>The disclosure requirement applies to Members of Parliament (MPs) and Senators from the two Chambers.</p>
Executive	<p>The Prime Minister, Ministers and their deputies must disclose. The President of the State is not subject to disclose.</p>
Judiciary	<p>Members of the Judiciary are required to disclose [point 2, 3 and 4 of law no. 441/1982, required judges to deposit a statement on the balance sheet and income (personal and <u>familiar</u>) both: when assuming their position as well as at the end of service. They also must comply with the annual tax declaration].</p>

Other	Members of sub-national bodies, such the regional, district and city councils are required to disclose.
Risk-based approach to the disclosure requirement	<p>Regardless of their specific position, the law also encompasses CEOs and directors of companies directly appointed by a Minister, as well as those chiefs of undertakings that are either publicly owned or run (and whose budget is at least 50% public funds and/or above a minimum of 500 million euros).</p> <p>Tax and custom officials are required to disclose their income source and amount, paid and non-paid outside positions, and previous employment. The disclosed information on income source and amount is publicly available upon request. The disclosed information on paid and non-paid outside positions as well as previous employment is publicly available online or in print.</p> <p>Officials of the Financial Authorities are required to disclose their assets, liabilities, income source, income amount, paid outside positions, and previous employment. The disclosed information is not publicly available.</p>
Other relevant information	<p>Disclosure by family members of public officials is up to the discretion of the filer.</p> <p>The same disclosures are published for holders of political office's partners (not separated) and relatives (within the second degree) if they agree to the publication.</p>
4. Supported with adequate resources	
Main agency/agencies involved in disclosure	<p>The disclosure system for public officials has two subcategories. MPs, Ministers and other elected or appointed public officials submit a declaration of assets which includes a copy of their tax forms; Ministers also submit a declaration of incompatibilities (in the media sector).</p> <p>Legislative: The declarations of assets (including those of declaring Ministers) are handed to the office of the leader for the respective Chamber. MPs submit their declarations to the <i>Presidenza della Camera dei Deputati</i> (www.camera.it/730); Senators and "other figures" (such as non-elected Ministers, CEO of State run companies, etc.) to the <i>Consiglio di Presidenza del Senato</i> (http://www.senato.it/1085).</p> <p>The office of the leader for each Chamber of Parliament, is an independent organ composed of a President, vice-Presidents, as well as other members. The competencies of these offices include the management of the budget, its staff, and the organization of political working groups, planning of the Chamber agenda, as well as for issuing sanctions and reprimands to MPs.</p> <p>Executive: In addition to their asset declaration, Ministers, must also submit a declaration of incompatibilities to the <i>Autorita' per le garanzie nelle comunicazioni</i> (www.agcom.it/Home.aspx) which receives and checks this documentation. This an independent body, with its own budget, personnel and structure, which reports to the Parliament. It is composed of a President, commissions and a council. Its main tasks are the oversight of the telecommunication market and actors, with the goal of ensuring that it is free, competitive and transparent. It is a regulatory entity, with power to examine potential conflict of interests, issue decision and/or regulations, and impose sanctions.</p> <p>Judiciary: N/A</p>
Other entities	The National Anti-corruption Authority (ANAC) oversees the implementation of the disclosure requirements, including the publication of declarations, their verification and addressing non-compliance.

Other relevant information	
5. Useful	
Frequency of filing requirement	<p>Declaration forms are submitted within three months of election or appointment, when leaving office, and upon a change in circumstances.</p> <p>For Ministers, the declaration of incompatibilities is made on an <i>ad-hoc</i> case only.</p> <p>Furthermore, for the 3 years following the termination of the mandate, former senior public officials must continue to submit declarations on their income and their employment positions.</p>
Validation & verification	<p>For the declarations of assets, the leaders of the two Chambers monitor that each MP/Senator files their disclosure.</p> <p>For the declaration of incompatibilities by Ministers, the Communications Regulatory Authority has the responsibility to verify that no incompatibilities exist. All these statements are verified.</p> <p>In each government department, a person is appointed to ensure the department's compliance with corruption prevention measures and this includes disclosure compliance by public officials. The National Anti-Corruption Authority (ANAC) oversees the exact fulfilment of the requirements for publication, exercising powers of inspection and ordering the adoption of the acts or measures required by law, or the removal of behaviours or acts contrary to the plans and rules on transparency. The Authority reports to the administration concerned the cases of non-compliance with the obligations for the purpose of eventual activation of the disciplinary proceedings. The Authority monitors and makes known cases of non-implementation of the obligations of the publication referred to in article 14, by publishing the names of the persons for whom there has not been the publication.</p>
Uses of disclosed information	
Other relevant information	
6. Enforceable	
Types of applicable sanctions	<p>A public official that does not comply with the obligation to submit may receive a warning which serves as a reminder and/or be given an administrative fine. If the situation persists, then his/her name may be published in the Official Gazette.</p>
Mechanism and entities	<p>Failure to declare by a MP or Senator justifies a warning by the leader of the respective Chamber to comply with the disclosure obligations within 15 days. Should the omission continue, a statement</p>

<p>responsible for enforcing measures</p>	<p>is publicly addressed to the Chamber. In some cases, this statement may also be published in the Official Gazette.</p> <p>In addition, missing or incomplete disclosure of information gives rise to administrative fines ranging from 500 to 10,000 Euros imposed on public officials. The decision to fine is also published on the website of the administration or body concerned.</p> <p>As far as incompatibilities are concerned (for Ministers), the Authority has the power to ascertain whether a conflict of interest exists. The findings are summarized in a report presented to Parliament. The same body can issue sanctions (these are not specified), and only in so far as the abuse of the conflicting position has been clearly established.</p>
<p>Other relevant information</p>	<p>The failure to fulfil the disclosure requirements established by law represents an element of assessment of the managerial responsibility. In case of failure to publish the information provided the payment of the amount determines the responsibility of the manager who ordered it, established as a result of disciplinary proceedings, and determines the payment of a penalty equal to the amount paid.</p>