



REPUBLIC OF SAN MARINO

DELEGATED DECREE no. 125 of 30 August 2016

**We the Captains Regent
of the Most Serene Republic of San Marino**

*Having regard to Article 76 of Law no. 174 of 20 December 2013;
Having regard to Congress of State decision no. 130, adopted during its sitting of 22 August 2016;
Having regard to Article 5, paragraph 3 of Constitutional Law no. 185/2005 and to Articles 8 and 10, paragraph 2 of Qualified Law no. 186/2005;
Promulgate and order the publication of the following Delegated Decree:*

INCENTIVES FOR THE PROMOTION OF RURAL TOURISM

Art. 1 *(Objectives)*

1. The purpose of this Delegated Decree shall be to identify the projects eligible for funding referred to in Article 23 of Law no. 96 of 20 September 1989 and Article 4 of Decree no. 24 of 13 February 1990, and to establish procedures and methods for the disbursement of the relevant benefits.

Art. 2 *(Requirements for access to funding)*

1. Pursuant to Article 4 of Delegated Decree no. 132 of 22 September 2009 Rural Tourism Operators who have a valid Agricultural Operator's licence as referred in Articles 2 and 3 of Law no. 96/1989 and subsequent amendments shall be eligible for funding under this Delegated Decree.

2. Benefits for building interventions referred to in Article 9, paragraph 2 of Law no. 23 of 27 January 2006 may only be granted for the types of buildings described below:

- a) buildings of historical, environmental and cultural interest (A3) as identified by article 33 of Law no. 7 of 29 January 1992 and by article 214 of Law no. 87 of 19 July 1995 located within the farm's building, as well as historic nuclei (A2) or buildings located within historic nuclei as identified by article 33 of Law no. 7/1992 which are located within the farm or on the border with areas belonging to the farm;
- b) buildings within the farm that are more than 10 years old.

3. Benefits may also be granted for interventions to be carried out within the farm such as:

- a) interventions on small non-permanent service infrastructures, such as road facilities on the farm, pitches, outdoor toilets;

b) environmental remediation interventions, such as the creation of educational tours, the recovery of water sources and the restoration of dry stone walls.

4. Design costs, internal and external furniture and equipment, as well as external infrastructures such as pergolas, gazebos and swimming pools shall not be eligible for funding. Exclusively for the agricultural operators mentioned in paragraph 1, the aforementioned external infrastructures shall fall within the activities and functions that can be set up in agricultural areas referred in Group e), point 9, of Article 183 of Law no. 87/1995 and shall therefore be subject to the granting of a permit as per Law no. 87/1995. The applicant for a building permit shall submit the application directly to the Town Planning Office, which takes action in accordance with Article 163 of Law no. 87/1995, after receiving a prior favourable opinion from the Environmental and Agricultural Resources Management Office.

5. The benefits referred to in this Delegated Decree shall only be granted to buildings for which no public financing has been authorised in the previous 20 years or for which no other public financing is currently being granted.

Art. 3

(Procedures for the granting of funding)

1. The applications to access funding established by this Delegated Decree shall be addressed to the Commission for Environmental and Agricultural Resources and submitted to the Environmental and Agricultural Resources Management Office.

2. The Environmental and Agricultural Resources Management Office, within thirty days from the receipt of the request, shall prepare the relevant file and send it to the Commission for Environmental and Agricultural Resources and to the Rural Tourism Commission.

3. The Rural Tourism Commission, within sixty days from the receipt of the documents referred to in paragraph 1 and following the issue of the opinion referred to in Article 5 of Decree no. 132/2009, shall give its mandatory prior opinion on the eligibility for funding of the building interventions.

4. The Commission for Environmental and Agricultural Resources, having examined the applications mentioned in paragraph 1, and having obtained the mandatory prior opinion of the Rural Tourism Commission referred to in paragraph 3 above, shall decide on the amount of funding to be granted within the limits of the available budget and on the basis of the criteria established in Article 4.

5. The decisions of the Commission for Environmental and Agricultural Resources shall be communicated to the applicant, to the Environmental and Agricultural Resources Management Office, to the Credit Institution indicated by the beneficiary and to the Directorate General of Public Finance.

Art.4

(Funding)

1. Pursuant to Article 23, paragraph 2 of Law no. 96/1989, the Commission for Environmental and Agricultural Resources may grant a contribution of up to 30% of the eligible expenditure and, for the remaining part, a 10-year loan where 60% of interest shall be paid by the State. The eligible expenditure is defined on the basis of the specifications adopted by the Commission for Environmental and Agricultural Resources.

2. The benefits referred to in the above paragraph shall refer to a total eligible expenditure not exceeding € 200,000.00 (two hundred thousand/00), to be requested only once, and namely:

a) for interventions on the buildings referred to in Article 2, paragraph 2, letters a) and b), the maximum eligible expenditure shall be of € 200,000.00 (two hundred thousand/00);

b) for interventions referred to in Article 2, paragraph 3, letter a), the maximum eligible expenditure shall be of € 40,000.00 (forty thousand/00);

c) for the interventions referred to in Article 2, paragraph 3, letter b) the maximum eligible expenditure shall be of € 65,000.00 (sixty-five thousand/00).

3. Funding referred to in this Delegated Decree shall be disbursed as follows: 30% at the
 - beginning of the works;
 - 30% at the end of the works;
 - 40% after the examination by the Environmental and Agricultural Resources Management Office has been carried out and a building conformity certificate has been issued.
4. This funding shall not be combined with funding under Law no. 110 of 15 December 1994, and subsequent amendments, or with any other State funding under any other law, decree or regulation.
5. The provisions referred to in Article 10 of Decree no. 24/1990 shall apply in so far as compatible.
6. The relevant costs will be recorded in Chapter 2-5-6735 "Financing Law no. 96 of 20 September 1989 contributions and premiums".

Done at Our Residence, on 30 August 2016/1715 since the Foundation of the Republic

THE CAPTAINS REGENT
Gian Nicola Berti - Massimo Andrea Ugolini

THE MINISTER OF
INTERNAL AFFAIRS
Gian Carlo Venturini