

1540 COMMITTEE MATRIX OF SAN MARINO

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State: San Marino

Date of Report: 13 December 2007

Date of Committee Approval:

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.	YES	if YES, relevant information (i.e. signing, accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)
1 Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 10 August 1970	
2 Nuclear Weapons Free Zone/ Protocol(s)			
3 Convention for the Suppression of Acts of Nuclear Terrorism			
4 Convention on Physical Protection of Nuclear Material (CPPNM)	X	Deposit 19 January 2015	
5 2005 Amendment to the CPPNM	X	Deposit 18 February 2015	

6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 12 March 2002	
7	Chemical Weapons Convention (CWC)	X	Deposit 10 December 1999	
8	Biological Weapons Convention (BWC)	X	Deposit 11 March 1975	
9	Geneva Protocol of 1925			
10	Other Conventions/Treaties	X	State party to 2 of the 19 universal legal instruments against terrorism, including the following relevant to resolution 1540 (2004): - International Convention for the Suppression of Terrorist Bombings (12 March 2002) - International Convention for the Suppression of the Financing of Terrorism (12 March 2002)	
11	International Atomic Energy Agency (IAEA)	X	Since 7 September 1998	
12	Hague Code of Conduct (HCOC)	X	Subscribed	
13	Other Arrangements	X	Proliferation Security Initiative (PSI)	
14	General statement on non-possession of WMD	X	State reports that it does not to have an army and has never developed, produced, acquired, possessed or stored nuclear, chemical or biological weapons and their means of delivery.	
15	General statement on commitment to disarmament and non-proliferation	X	State reports that it fully supports Resolution 1540 and is pleased to reaffirm its contribution to international and multilateral initiatives concerning the fight against the proliferation of nuclear, chemical and biological weapons. Moreover, it reiterates the need to achieve immediate and full disarmament in this field through compliance with and full implementation of multilateral treaties.	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reports that it does not provide any form of support neither to States nor to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery.	
17	Other ¹		Member of: Organisation for Security and Cooperation in Europe (OSCE) Council of Europe Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL) INTERPOL International Maritime Organization (IMO) World Health Organization (WHO) Egmont Group	

1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.

OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?	National legal framework						Enforcement: civil/criminal penalties and others						Remarks
	YES			if YES, source document of national implementation law	YES			if YES, source document					
	N W	C W	B W		N W	C W	B W						
1 manufacture/produce	X	X	X	<p>NW: 1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2 (The Republic of San Marino recognizes, as an integral part of its own regulations, generally recognized rules of international law and conforms to them its acts and conduct) 2. Decree n. 20 of 4 June 1970 on the Ratification and Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons.</p> <p>CW: 1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2 2. Decree n. 111 of 28 October 1999 on the Ratification of Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction.</p> <p>BW: 1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2 2. Decree n. 67 of 29 July 1974 on the Ratification of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.</p>	X	X	X	<p>NW: Amended Penal Code of 15 September 1865, Art. 549 NW/CW/BW: Law No.83 of 15 July 2013 (embezzlement, purchase, receipt, possession, transfer, use, transport, import, export, transformation, alienation or dispersal) CW/BW: Amended Penal Code of 15 September 1865, Art. 241</p>					
2 acquire	X	X	X	<p>NW: 1. Law n. 36 of 26 February 2002 amending</p>	X	X	X	<p>NW: Amended Penal Code of 15 September 1865,</p>					

				<p>the Law n. 59 of 8 July 1974, Art. 2 2. Decree n. 20 of 4 June 1970 on the Ratification and Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons.</p> <p>CW: 1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2 2. Decree n. 111 of 28 October 1999 on the Ratification of Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction.</p> <p>BW: 1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2 2. Decree n. 67 of 29 July 1974 on the Ratification of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.</p>			<p>Art. 549 NW/CW/BW: Law No.83 of 15 July 2013 (embezzlement, purchase, receipt, possession, transfer, use, transport, import, export, transformation, alienation or dispersal)</p>			
3	possess	X	X	X	<p>NW: 1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2 2. Decree n. 20 of 4 June 1970 on the Ratification and Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons.</p> <p>NW/CW/BW: Law No.83 of 15 July 2013 (embezzlement, purchase, receipt, possession, transfer, use, transport, import, export, transformation, alienation or dispersal)</p>	X	X	X	<p>NW: Amended Penal Code of 15 September 1865, Art. 549: retain NW/CW/BW: Law No.83 of 15 July 2013 (embezzlement, purchase, receipt, possession, transfer, use, transport, import, export, transformation, alienation or dispersal)</p>	
4	stockpile/store		X	X	<p>CW: "1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2 2. Decree n. 111 of 28 October 1999 on the</p>	X	X	X	<p>NW/CW/BW: Law No.83 of 15 July 2013 (embezzlement, purchase, receipt, possession, transfer, use, transport, import, export, transformation, alienation or dispersal)</p>	

					<p>Ratification of Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction.</p> <p>BW:</p> <p>1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2</p> <p>2. Decree n. 67 of 29 July 1974 on the Ratification of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.</p>				
5	develop		X	X	<p>CW:</p> <p>1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2</p> <p>2. Decree n. 111 of 28 October 1999 on the Ratification of Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction.</p> <p>BW:</p> <p>1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2</p> <p>2. Decree n. 67 of 29 July 1974 on the Ratification of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.</p>	X	X		<p>CW/BW:</p> <p>Amended Penal Code of 15 September 1865, Art. 241</p>
6	transport	X	X	X	<p>NW/CW/BW:</p> <p>Law No.83 of 15 July 2013 (embezzlement, purchase, receipt, possession, transfer, use, transport, import, export, transformation, alienation or dispersal)</p>	X	X	X	<p>NW/CW/BW:</p> <p>Law No.83 of 15 July 2013 (embezzlement, purchase, receipt, possession, transfer, use, transport, import, export, transformation, alienation or dispersal)</p>
7	transfer		X	X	<p>CW:</p>	X	X	X	<p>NW/CW/BW:</p> <p>Law No.83 of 15 July 2013 (embezzlement,</p>

				<p>1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2</p> <p>2. Decree n. 111 of 28 October 1999 on the Ratification of Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction.</p> <p>BW: Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2</p>				<p>purchase, receipt, possession, transfer, use, transport, import, export, transformation, alienation or dispersal)</p>			
8	use		X	X	<p>NW:</p> <p>CW: 1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2 2. Decree n. 111 of 28 October 1999 on the Ratification of Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction.</p> <p>BW: Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2 Final declaration of the sixth review conference</p>	X	X	X	<p>NW: Amended Penal Code Art. 524. CW/BW: Amended Penal Code, Art. 335. NW/CW/BW: Law No.83 of 15 July 2013 (embezzlement, purchase, receipt, possession, transfer, use, transport, import, export, transformation, alienation or dispersal)</p>		
9	participate as an accomplice in abovementioned activities		X	X	X	X	X	X	<p>NW, CW: 1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2 2. Amended Penal Code: 86. 3. Law n. 28 of 26 February 2004 on combating terrorism, money laundering and abuse of privileged information</p> <p>BW: 1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2 2. Amended Penal Code, Arts. 86 and 88.- 3. Law n. 28 of 26 February 2004 on combating terrorism, money laundering and abuse of privileged information</p>	<p>NW: 1. Law n. 28 of 26 February 2004 on combating terrorism, money laundering and abuse of privileged information 2. Amended Penal Code 524.</p> <p>BW: 1. Amended Penal Code of 15 September 1865, Art. 241, 335. 2. Law n. 28 of 26 February 2004 on combating terrorism, money laundering and abuse of privileged information</p>	

10	assist in above-mentioned activities	X	X	X	<p>NW:</p> <p>1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2</p> <p>2. Amended Penal Code Art. 88</p> <p>3. Law n. 28 of 26 February 2004 on combating terrorism, money laundering and abuse of privileged information</p> <p>CW/BW:</p> <p>1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2</p> <p>2. Amended Penal Code Art. 88</p> <p>3. Law n. 28 of 26 February 2004 on combating terrorism, money laundering and abuse of privileged information</p>	X	X	X	<p>NW:</p> <p>1. Law n. 28 of 26 February 2004 on combating terrorism, money laundering and abuse of privileged information</p> <p>2. Amended Penal Code 524.</p> <p>CW/BW:</p> <p>1. Amended Penal Code of 15 September 1865, Art. 241, 335.</p> <p>2. Law n. 28 of 26 February 2004 on combating terrorism, money laundering and abuse of privileged information</p>
11	finance above-mentioned activities	X	X	X	<p>NW, CW:</p> <p>1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2</p> <p>2. Law n. 28 of 26 February 2004 on combating terrorism, money laundering and abuse of privileged information</p> <p>BW:</p> <p>1. Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2</p> <p>2. Law n. 28 of 26 February 2004 on combating terrorism, money laundering and abuse of privileged information</p>	X	X	X	<p>NW:</p> <p>1. Law n. 28 of 26 February 2004 on combating terrorism, money laundering and abuse of privileged information</p> <p>2. Amended Penal Code 524.</p> <p>CW:</p> <p>Law n. 28 of 26 February 2004 on combating terrorism, money laundering and abuse of privileged information</p> <p>BW:</p> <p>Law n. 28 of 26 February 2004 on combating terrorism, money laundering and abuse of privileged information</p>
12	above-mentioned activities related to means of delivery ²			X	<p>BW:</p> <p>Law n. 36 of 26 February 2002 amending the Law n. 59 of 8 July 1974, Art. 2</p>				
13	involvement of non-State actors in above-mentioned activities	X	X	X	<p>NW/CW/BW:</p> <p>Law n. 28 of 26 February 2004 on combating terrorism, money laundering and abuse of privileged information</p>	X	X	X	<p>NW/CW/BW:</p> <p>Law n. 28 of 26 February 2004 on combating terrorism, money laundering and abuse of privileged information</p>
14	Other								

2. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials³

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework			Enforcement: civil/criminal penalties and others			Remarks		
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W*		N W	C W			B W
1	Measures to account for production	X		?	NW: INFCIRC/575 CW: BW: Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution, Art. 2			?	BW: Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution Authority, Arts. 13 and 14	
2	Measures to account for use	X		?	NW: INFCIRC/575 CW: BW: Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution, Art. 2			?	BW: Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution Authority, Arts. 13 and 14	
3	Measures to account for storage	X		?	NW: INFCIRC/575 BW: Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution, Art. 2			?	BW: Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution Authority, Arts. 13 and 14	

4	Measures to account for transport									
5	Other measures for accounting									
6	Measures to secure production			?	BW: Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution, Art. 2			?	BW: Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution. Arts. 13 and 14	
7	Measures to secure use			?	BW: Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution, Art. 2			?	BW: Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution Arts. 13 and 14	
8	Measures to secure storage			?	BW: Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution, Art. 2			?	BW: Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution Arts. 13 and 14	
9	Measures to secure transport									
10	Other measures for securing									
11	Regulations for physical protection of facilities/ materials/ transports	X	X	X	NW/CW: Law No. 53 of 28 April 1999 on the licensing of industrial activities BW: Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution, art. 4	X	X	X	NW/CW: Office of Industry and Handicraft BW: 1. Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution Art. 15 2. Law No. 53 of 28 April 1999 on the licensing of industrial activities, Art. 24.3	
12	Licensing/registration of installations/facilities/ persons/entities/use/	X	X	X	NW/CW: Law No. 53 of 28 April 1999 on the licensing of industrial activities	X	X	X	NW/CW: Office of Industry and Handicraft	

	handling of materials				BW: 1. Law No. 53 of 28 April 1999 on the licensing of industrial activities 2. Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution				BW: 1. Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution Art. 15 2. Law No. 53 of 28 April 1999 on the licensing of industrial activities, Art. 24.3	
13	Reliability check of personnel	X	X	X	NW/CW: Law No. 53 of 28 April 1999 on the licensing of industrial activities BW: 1. Law No. 53 of 28 April 1999 on the licensing of industrial activities, Art. 2.2 2. Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution, Art.	X	X	X	NW/CW: Office of Industry and Handicraft BW: Law No. 69 of 25 May 2004 on the authorization and accreditation of sanitary institution Art. 15	
14	Measures to account for/secure/ physically protect means of delivery									

3. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument))

OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)

	Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National regulatory authority					
2	IAEA Safeguards Agreements	X	INFCIRC/524, in force: 21 September 1998 and SQP, Amended: 13 May 2011	X	INFCIRC/524, in force: 21 September 1998 and SQP, Amended: 13 May 2011	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Expressed support	X	Expressed support	
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources	X	Expressed support	X	Expressed support	
5	IAEA Incident and Trafficking Database	X	Participates	X	Participates	
6	Other Agreements related to IAEA					
7	Additional national legislation/regulations related to nuclear materials including CPPNM					
8	Other					

OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials (CW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	Ministry of Foreign Affairs, Division of Political Affairs	X	Ministry of Foreign Affairs, Division of Political Affairs	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Reported	X	Reported	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials					
5	Other					

OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials (BW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work					
2	Other legislation/ regulations related to safety and security of biological materials					
3	Other					

OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of NW, CW and BW, including Related Materials

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework					Enforcement: civil/criminal penalties, and measures of implementation, etc					Remarks
		YES			if YES, source document	YES			if YES, source document			
		N W	C W	B W		N W	C W	B W				
1	Border control	X	X	X	<p>NW/CW/BW: Agreement between EU and San Marino for trade and customs union in force since 28 of March 2002 1. Council Regulation 2913/1992 (Community Customs Code) 2. Commission Regulation 2454/1993 (Implementing provisions to the Community Customs Code) 3. EU Regulation no. 648 of 13 April 2005 (Security Amendment) 4. Regulation (EC) No 1889/2005 of the European Parliament and of the Council of 26 October 2005 on controls of cash entering or leaving the Community</p>	X	X	X	<p>NW/CW: 1. Ministry of Interior 2. Police forces 3. Guardia di Rocca 4. Italian customs agency 5. Italian navy</p> <p>BW: Consultative Committee composed of Ministry of Foreign Affairs, of International Trade, of Defence, of Interior, of Finance (including Customs Agency), of Communications, of University and Scientific Research</p>			
2	Technical support of border control measures	X	X	X	<p>NW/CW/BW: 1. Integrated text of Customs Laws no. 43 of 23 January 1973, Arts. 28-30 (Guardia di Finanza) 2. MoU between Customs Agency and Guardia di Finanza, General Headquarters of Carabinieri, Ministry of Productive Activities, of Agriculture, of Environment, oh Health</p>	X	X	X	<p>NW/CW/BW: Scanners installed by the Italian Customs</p>			

3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items	X	X	X	NW/CW/BW: 1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, Art. 5 2. Legislative Decree No 96/2003 (currently being amended)
4	Enforcement agencies/authorities	X	X	X	NW/CW/BW: 1. Delegate Decree n. 102/2010 that puts in force the Decision N. 1/2010 "OMNIBUS" of the UE - San Marino Cooperation Committee of the 29 March 2010 establishing several implementation measures of the Agreement on Cooperation and Customs Union with the European Union signed on 16 -12-1991, in force since 28-3- 2002	X	X	X	NW/CW/BW: Decision N. 1/2010 "OMNIBUS" of the UE - San Marino Cooperation Committee of the 29 March 2010, Annex II (for dual use items and war material, In cooperation with Italian Customs agency offices) -
5	Export control legislation in place	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items 3. Legislative Decree 96 of 2003 (currently being amended) 4. Law no. 185 of 9 July 1990 - New rules of the control of export, import and transit of weapons materials	X	X	X	NW/CW/BW: 1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, Art. 5 2. Legislative Decree 96 of 2003 3. Law no. 438 of 15 December 2001
6	Licensing provisions	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items 3. Legislative Decree 96 of 2003 (currently being amended) 4. Law no. 185 of 9 July 1990 -	X	X	X	NW/CW/BW: 1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, Art. 5 2. Legislative Decree no. 96 of 09 April 2003, Article 16
7	Individual licensing	X	X	X	NW/CW/BW: 1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for	X	X	X	NW/CW/BW: 1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for

				the control of exports, transfer, brokering and transit of dual-use items 2. Legislative Decree no. 96 of 09 April 2003, Article 4				the control of exports, transfer, brokering and transit of dual-use items, Art. 5 2. Legislative Decree no. 96 of 09 April 2003, Articles 16/1, 16/2, 16/4, 16/6 and 16/7	
8	General licensing	X	X	X	NW/CW/BW: 1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items 2. Legislative Decree no. 96 of 09 April 2003, Articles 4 and 6 3. Legislative Decree of 4 August 2003 on the National General Authorisation	X	X	X	NW/CW/BW: Legislative Decree no. 96 of 09 April 2003, Articles 16/1, 16/2, 16/4, 16/6 and 16/7
9	Exceptions from licensing	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items) Possibility of National General Authorisation for intra-Community trade	X	X	X	NW/CW/BW: An authorisation shall be required for intra-Community transfers of dual-use items listed in Annex IV. Items listed in Part 2 of Annex IV shall not be covered by a general authorisation
10	Licensing of deemed export/visa								
11	National licensing authority	X	X	X	NW/CW/BW: 1. Legislative Decree no. 96/2003 (dual use items) 2. Law 9 July 1990 n.185, as amended by the law 17 June 2003, n. 148 on controls on exports, imports and transit of strategic materials.	X	X	X	NW/CW/BW: 1. Ministry of Economic Development - International Trade - 2. Ministry of Foreign Affairs in consultation with the Committee established under art. 7 together with the Ministry of Finance
12	Interagency review for licenses	X	X	X	NW/CW/BW: 1. Legislative Decree no. 96/2003 (dual use items) 2. Law 9 July 1990 n.185, as amended by the law 17 June 2003, n. 148 on controls on exports, imports and transit of strategic materials. Art 6	X	X	X	NW/CW/BW: 1. Consultative Committee composed of Ministry of Foreign Affairs, of International Trade, of Defence, of Interior, of Finance (including Customs Agency), of Communications, of University and Scientific Research 2. Inter-ministerial Committee for trade in

								strategic materials (CISD)	
13	Control lists	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items	X	X	X	NW/CW/BW: Consultative Committee composed of Ministry of Foreign Affairs, of International Trade, of Defence, of Interior, of Finance (including Customs Agency), of Communications, of University and Scientific Research
14	Updating of lists	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items	X	X	X	NW/CW/BW: The list of dual-use items set out in Annex I shall be updated in conformity with the relevant obligations and commitments, and any modification thereof, that Member States have accepted as members of the international non-proliferation regimes and export control arrangements, or by ratification of relevant international treaties.
15	Inclusion of technologies	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items	X	X	X	NW/CW/BW: Legislative Decree no. 96/2003, Art. 8
16	Inclusion of means of delivery	X	X	X	NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items	X	X	X	NW/CW/BW: Legislative Decree no. 96/2003, Art. 8
17	End-user controls	X	X	X	NW/CW/BW: 1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items 2. Legislative Decree no. 96/2003, Article 12	X	X	X	NW: Legislative Decree no. 96/2003, Art. 16 (false declaration and information) CW/BW: Consultative Committee composed of Ministry of Foreign Affairs, of International

								Trade, of Defence, of Interior, of Finance (including Customs Agency), of Communications, of University and Scientific Research	
18	Catch all clause	X	X	X	NW/CW/BW: 1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items 2. Legislative Decree no. 96/2003, Article 9	X	X	X	NW/CW/BW: Legislative Decree no. 96/2003, Art. 16
19	Intangible transfers	X	X	X	NW/CW/BW: 1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items 2. Legislative Decree no. 96/2003, Article 9	X	X	X	NW/CW/BW: Legislative Decree no. 96/2003, Art. 16 (transfer of intangibles outside the Community through fax, phone and other technological means included internet)
20	Transit control	X	X	X	NW/CW/BW: 1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items 2. EU Regulation no. 648 of 13 April 2005 (Security Amendment), Article 1.14: At any stage, the competent customs authority is entitled to proceed with the necessary controls including physical inspection of the means of transport and the consignments 3. Law no. 185 of 9 July 1990: armaments 2. Integrated text of Customs Laws no. 43 of 23 January 1973, Art.146				NW/CW/BW: Law no. 185 of 9 July 1990, Arts. 23-26
21	Trans-shipment control	X	X	X	NW/CW/BW: 1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items	X	X	X	NW/CW/BW: Law no. 185 of 9 July 1990, Arts. 23-26

				<p>2. EU Regulation no. 648 of 13 April 2005 (Security Amendment), Article 1.14: At any stage, the competent customs authority is entitled to proceed with the necessary controls including physical inspection of the means of transport and the consignments</p> <p>3. Law no. 185 of 9 July 1990: armaments</p> <p>2. Integrated text of Customs Laws no. 43 of 23 January 1973, Art.146</p>					
22	Re-export control	X	X	X	<p>NW/CW/BW:</p> <p>1. Council regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items</p> <p>2. EU Regulation no. 648 of 13 April 2005 (Security Amendment), Article 1.14: At any stage, the competent customs authority is entitled to proceed with the necessary controls including physical inspection of the means of transport and the consignments</p> <p>3. Law no. 185 of 9 July 1990: armaments</p> <p>2. Integrated text of Customs Laws no. 43 of 23 January 1973, Art.146</p>	X	X	X	<p>NW/CW/BW:</p> <p>Law no. 185 of 9 July 1990, Arts. 23-26</p>
23	Control of providing funds	X	X	X	<p>NW/CW/BW:</p> <p>1. Law no. 197 of 5 July 1991 as amended by Legislative Decree no. 56 of 2004: screening and control of all transactions</p> <p>2. Law no. 185 of 9 July 1990: armaments (communication of export, import and transit transactions to Ministry of Treasury)</p>	X	X	X	<p>NW/CW/BW:</p> <p>Legislative Decree no. 56 of 2004, Art. 7 (administrative sanctions)</p>
24	Control of providing transport services	X	X	X	<p>NW/CW/BW:</p> <p>ADR 2007 in force 01 January 2007, Annex B (Provisions concerning transport equipment and transport operations)</p>	X	X	X	<p>NW/CW/BW:</p> <p>1. Land Transport Department under Ministry of Transport</p> <p>2. Agency for the Protection of the environment and for the Technical Services (APAT)</p>

25	Control of importation	X	X	X	NW/CW/BW: Law no. 185 of 9 July 1990: armaments	X	X	X	NW/CW/BW: 1. Law no. 185 of 9 July 1990: armaments 2. Text of Customs Laws no. 43
26	Extraterritorial applicability								
27	Other								

OP 6, 7 and 8 (d) - Control lists, Assistance, Information

Can information be provided on the following issues ?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)			
2	Control lists - other			
3	Assistance offered			
4	Assistance requested			
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)			
7	Work with and inform industry	X	All Laws and Parliamentary Decrees ratifying international agreements are published in the Official Bulletin of the Republic of San Marino and in the electronic database available on the web site www.consigliograndeegenerale.sm in Italian, so as to guarantee that the major stakeholders involved in this legislation, as well as the general public, are duly informed about the deriving obligations. Moreover, the web site of the Secretariat of State for Foreign Affairs, Political Affairs and Economic Planning (www.esteri.sm) .contains all information on the International Organizations of which San Marino is a State party, as well as on the international treaties to which it has acceded.	
8	Work with and inform the public	X	All Laws and Parliamentary Decrees ratifying international agreements are published in the Official Bulletin of the Republic of San Marino and in the electronic database available on the web site www.consigliograndeegenerale.sm in Italian, so as to guarantee that the major stakeholders involved in this legislation, as well as the general public, are duly informed about the deriving obligations. Moreover, the web site of the Secretariat of State for Foreign Affairs, Political Affairs and Economic Planning (www.esteri.sm) .contains all information on the International Organizations of which San Marino is a State party, as well as on the international treaties to which it has acceded.	
9	Point of Contact			

10	Other ⁴			
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4. Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.