REPUBLIC OF SAN MARINO

DECREE - LAW 21 March 2019 n.47
We Captain Regents
the Serenissima Republic of San Marino
Given the conditions of necessity and urgency referred to in Article 2, paragraph 2, letter b) of the Law Constitutional n.183 of 15 December 2005 and article 12 of the Qualified Law of 15 December 2005 n.184 and precisely the need and urgency to give immediate legal regulation to the hypothesis in which the very serious disability referred to in article 5-bis of Law n.137 / 2003 introduced from article 14 of Delegated Decree n.14 / 2018, as amended by paragraph 2 of article 34, of Law n.173 / 2018, disability that exceeds the age limit of 14 years request ongoing and global assistance in the individual permanent sphere from part of the parents; Given the resolution of the Congress of State n.38 adopted in the session of 18 March 2019; Given the article 5, paragraph 2, of the Constitutional Law n.185 / 2005 and the articles 9, paragraph 1, and 10, paragraph 2, of the Qualified Law n.186 / 2005; We promulgate and send to publish the following decree-law:

INTEGRATION AND EXTENSION OF SUPPORTING INTERVENTIONS OF THE FAMILY

Art. 1 *(Long paid parental leave over 14 years)*
The expectation of a maximum total duration of 2 years, even divisible into months, of which Article 5-bis of Law No. 137 of 29 October 2003 introduced by Article 14 of the Delegated Decree February 1, 2018 n.14, recognized to the subordinate mother worker or, alternatively, to the subordinate father worker, even adoptive or foster, excluding the worker domestic and home worker is also recognized even in cases where the child with age over the age of 14 has been hit by a very serious disability, falling within the hypothesis of very serious cerebro acquired lesions and very serious my injuries. The disabled patient and the parent worker must both be resident in the territory of the Republic.
2. The right referred to in paragraph 1 is recognized only if the economic situation balance sheet with an ICEE threshold, referring to the entire family, is equal to or less than 55,000.00 euros per year.
3. Moreover, the provisions of article 5- *bis itself apply* .

Art. 2
(How to apply for long paid parental leave)
1.The working parent who wishes to request the recognition of the benefit referred to in the article
1 must submit a regular request to the UOC Legal and Fiscal Medicine, through a special forms prepared for this purpose by the UOC itself.
2. All updated, necessary health documents must be attached to the application and useful for the evaluation for the purposes of granting the requested benefits, as well as the documentation proving the possession of the economic requirements.
3.
The request referred to in paragraph 1 is sent by the UOC Legal and Fiscal Medicine to
Individual Health Assessment Commission which will submit in advance to visits the severely disabled person in order to verify the existence of the required clinical requirements from article 1 as well as to organize visit sessions periodically in order to evaluate attendance of clinical requirements, except in cases of proven irreversibility of the clinical picture that does not require revisions.

4. The outcome of the evaluation will be sent to the Tax Medicine which will transmit it communication of the outcome to the interested party, who can take advantage of the expectation referred to in Article 1.

Art. 3
(Repeal)

1. Paragraph 6 of article 5- *bis* of Law n.137 / 2003 introduced by article 14 is repealed of the Delegated Decree n.14 / 2018, as amended by paragraph 2, of article 34 of the Law no.173 / 2018.

Given by Our Residence, on March 21, 2019/1718 dFR
THE REGULAR CAPTAINS
Mirco Tomassoni - Luca Santolini
THE SECRETARY OF STATE
FOR HOME AFFAIRS
Guerrino Zanotti