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Art. 7-vicies. ter. [7-23]

Issuing documents in electronic format

1. From January 1st, 2006:

- a) The paper visa is replaced, when an application is made, by an electronic visa in accordance with Council regulation (EC) No. 334/2002 of February 18th, 2002;
- b) The paper residence permit is replaced, when an application is made for a first issue or a subsequent renewal, by an electronic residence permit in accordance with Council regulation (EC) No. 1030/2002 of June 13th, 2002;
- c) The paper passport is replaced by an electronic passport in accordance with Council regulation (EC) No. 2252/2004 of December 13th, 2004.

2. From the same date referred to in paragraph 1, the paper identity card is replaced, when an application is made for a first issue or a subsequent renewal, by the electronic identity card, classified as stamped paper, in accordance with article 36 of the consolidation act referred to in Presidential Decree No. 445 of December 28th, 2000. In view of this, the municipalities which have not yet not complied will ensure that the necessary connections with the INA (National Personal Data Registries) at the CNSD (National Demographic Services Center) are established by October 31st, 2005, and that the security plan for managing the issuing offices is drafted, in accordance with the technical regulations supplied by the Ministry of Internal Affairs, by the same date.

References to legal or regulatory provisions:

- Council regulation (EC) No. 334/2002 of February 18th, 2002, entitled ‘Council Regulation in amendment of EC Regulation No. 1683/95 which introduces a standardized format for visas’ is published in the European Community Official Gazette of February 23rd, 2002, No. L53, and comes into force on March 15th, 2002.
- Council regulation (EC) No. 1030/2002 of June 13th, 2002, entitled ‘Council Regulation introducing a standardized format for residence permits issued to citizens of non-member countries’ is published in the European Community Official Gazette of June 15th, 2002, No. L157, and comes into force on June 15th, 2002.

- Council regulation (EC) No. 2252/2004 of December 13th, 2004, entitled ‘Council Regulation regarding the rules governing safety features and biometric identifiers in passports and travel documents issued by Member States’ is published in the European Community Official Gazette of December 29th, 2004, No. L385, and comes into force on January 18th, 2005.
- The text which is still in force from art. 36 of Presidential Decree No. 445 of December 28th, 2000 (consolidation act of the legislative and regulatory provisions relating to administrative documentation) is reproduced below:

‘Art. 37 (L) – (*Electronic identity cards and documents*) – 1. The characteristics and the methods for issuing electronic identity cards, electronic identity documents and national services cards are defined in a Prime Ministerial Decree, adopted on the recommendation of the Minister of Internal Affairs, with the agreement of the Minister for the Civil Service, the Minister for Innovation and Technology and the Minister for the Economy and Finance, after hearing representations from the Data Protection Authority.

2. The electronic identity card and the equivalent document which is issued after the report of the birth and prior to the fifteenth birthday, must contain the following:

- a) details identifying the person;
- b) the tax code.

3. The identity card and the electronic document may contain the following:

- a) an indication of the blood group;
- b) options relating to healthcare as defined by law;
- c) the biometric data indicated in the decree referred to in paragraph 1, but notwithstanding this it shall not include DNA;
- d) all other data useful for the purpose of streamlining and simplifying the administrative process and the services provided to citizens, including those services provided via portals, subject to the regulations regarding confidentiality;
- e) the IT procedures and the data which can or must be known by the public administration bodies and by other subjects, needed for the electronic signature.

4. The electronic identity card and the national services card can be used for making payments between private individuals and public administration bodies, using the methods set out in a Prime Ministerial Decree or, by delegation from the Prime Minister, a Decree by the Minister for Innovation and Technology, with the agreement of the Minister for the Economy and Finance, after hearing representations from the Bank of Italy.

5. The technical rules and security rules in relation to the technology and materials used in producing the electronic identity cards, electronic identity documents and national services cards are set out in a decree made by the Minister of Internal Affairs, the

Minister for Innovation and Technology and the Minister for the Economy and Finance, after hearing representations from the Data Protection Authority and the State-Cities and Local Autonomies Conference.

6. Subject to the general regulatory framework established by the decrees referred to in this article and subject to the current provisions in relation to personal data protection, the public administration bodies, in giving effect to the respective orders concerning them, may experiment with methods of using the documents referred to in this article for the provision of additional services or facilities.

7. The holder of an existing paper identity card may renew it from the one hundred and eightieth day before its expiry.'

Art. 7-vicies quater [7.24]

Provisions relating to the stamped documents

1. On issue by the competent public administration bodies of the stamped documents covered by article 7-vicies ter, the applicants are required to pay a sum at least equal to the costs of producing and issuing them and also the necessary running costs for providing the associated services. The sum and the methods of payment are determined annually by decrees of the Minister for the Economy and Finance, with the agreement of the Minister of Internal Affairs, the first of which shall be adopted within sixty days of the coming into force of the Act giving this decree legislative status.
2. The sums received from the public administration bodies under paragraph 1 are paid into the state coffers and allocated by Decrees of the Ministry for the Economy and Finance, with the agreement of the Ministry of Internal Affairs, in addition to sums previously allocated for basic budgetary unit 3.1.5.17 – State Printing services – under the budgeting forecasts of that Ministry.
3. In order to control the prices for assigning the stamped documents and the costs of activation, production and issue of documents and running costs of the document management centers, the State Printing Works and the State Mint may enter into agreements or call for tenders with the public administration bodies and even with private individuals, including cases where the purpose is to extend the functions of the stamped cards for the provision of services, including services of a private nature. The agreements are subject to ratification by the Ministry for the Economy and Finance, with the agreement of the Ministry of Internal Affairs.
4. The State Printing Works and the State Mint will continue to receive support from the Government Lawyers, in accordance with Chapter I of the consolidation act referred to in Royal Decree No. 1611 of October 30th, 1933, and subject to article 417-bis, paragraphs 1 and 2, of the Civil Procedure Code.
5. Royal Decree No. 401 of March 7th, 1926 is repealed.
6. The public revenue must not be required to pay new or higher charges as a result of giving effect to article 7-vicies ter and this article.