

**DECREE OF THE PRESIDENT OF THE REPUBLIC No 108 of 8 June 2007 -
Regulation reorganising of the Intercountry Adoption Commission**

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THE PRESIDENT OF THE REPUBLIC

Having regard to Article 87(5) of the Constitution; Having regard to Law No 184 of 4 May 1983 as subsequently amended; Having regard to Article 17(1) and (2) of Law No 400 of 23 August 1988, as subsequently amended;

Having regard to Articles 6 and 7 of the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption concluded at The Hague on 29 May 1993, ratified by Law No 476 of 31 December 1998;

Having regard to the Decree of the President of the Republic No 492 of 1 December 1999;

Having regard to Article 3-quinquies of Decree-Law No 136 of 28 May 2004, converted into law with amendments by Law No 186 of 27 July 2004;

Having regard to Article 1 (19-*quinquies*) of Decree-Law No 181 of 18 May 2006, converted into law with amendments by Law No 233 of 17 July 2006;

Having regard to the Decree of the President of the Council of Ministers No 312 of 30 November 2006;

Having regard to the preliminary resolution of the Council of Ministers adopted at the meeting on 16 March 2007;

After consulting the joint Conference provided by Article 8 of Legislative Decree No 281 of 28 August 1997, as subsequently amended;

After consulting the Data Protection Supervisor;

After obtaining the opinion of the Council of State issued by the Advisory Division for legislative measures at its meeting on 2 April 2007;

Having regard to the resolution of the Council of Ministers, adopted at the meeting on 17 May 2007;

Acting on the proposal of the Minister for Family Policies jointly with the Ministers of Foreign Affairs, Home Affairs, Justice, Health, Economy and Finance, and for Civil Service Reform and Innovation,

Hereby issues the following Regulation

Chapter I – General provisions

Article 1

Subject-matter and Definitions

1. This Regulation governs the composition, remit, organisation and operation of the Intercountry Adoption Commission provided by Article 38 of Law No 184 of 4 May 1983 as subsequently amended, as well as the criteria and procedures for granting, modifying and withdrawing authorisation to the bodies provided by Article 39-ter of Law No 184 of 4 May 1983, the keeping of the register and any other operational procedures

relating to them.

2. For the purposes of this regulation the following definitions shall apply:

(a) "Adoption Law" means Law No 184 of 4 May 1983, as subsequently amended;

(b) "Convention" means the Convention on Protection of Children and Co-operation in respect of Intercountry Adoption, done at The Hague on 29 May 1993 and ratified by Law No 476 of 31 December 1998;

(c) "intercountry adoption" means the adoption of foreign children in compliance with the principles and guidelines of the Convention and the Adoption Law;

(d) "Commission" means the Intercountry Adoption Commission established by Article 38 of the Adoption Law as the Central Authority for Italy;

(e) "Central Authorities" means the authorities in States signatory to the Hague Convention of 29 May 1993 that perform the tasks laid down by the Convention with regard to intercountry adoptions;

(f) "accredited bodies" means the bodies provided by Article 39-ter of the Law on Adoption and Intercountry Adoption Services and set up under Article 39-bis (2) of the same Law by the regions and the autonomous Provinces of Trent and Bolzano;

(g) "services" means the social services of local authorities, individuals and associations, welfare and healthcare authorities having responsibility for adoptions.

Article 2

Purpose and Head Office of the Intercountry Adoption Commission

1. The Commission, set up pursuant to Article 38 of the Adoption Law, is the Italian Central Authority for the purposes of Article 6 of the Convention.

2. The Commission's Head Office is located at the Prime Minister Office - Department for Family Policies.

Chapter II – Presidency, composition and remit of the Intercountry Adoption Commission

Article 3

Presidency

1. The Commission's presidency shall be held by the Prime Minister or by the Minister for Family Policies.

2. The Commission's President, hereinafter the "President", represents the Commission, coordinates its activities and oversees its work.

3. The President shall submit a biennial report to Parliament on the status of intercountry adoptions, the progress with the implementation of the Convention and the conclusion of bilateral agreements, also with countries which are not signatory to the Convention.

Article 4

Composition

1. The Commission shall comprise:

(a) One vice-president appointed by Decree of the Prime Minister, acting on a proposal of the President, who shall be a magistrate with experience in children's matters or a senior executive from the central or regional civil service with similar experience, and shall have the remit referred to in paragraph (2);

(b) Three representatives of the Office of the Prime Minister, of whom one appointed by the Minister for Civil Service Reform and Innovation and one by the Minister for Rights and Equal Opportunities;

(c) One representative of the Minister of Social Solidarity;

(d) One representative of the Ministry of Foreign Affairs;

(e) One representative of the Ministry of Home Affairs;

(f) Two representatives of the Ministry of Justice;

(g) One representative of the Ministry of Health;

(h) One representative of the Ministry of Economy and Finance;

(i) One representative of the Ministry of Education;

(l) Four representatives of the Joint Conference provided by Article 8 of Legislative Decree No 281 of 28 August 1997, as subsequently amended;

(m) Three representatives appointed according to the criteria laid down by an ad hoc Decree of the Prime Minister or a Decree of the Minister for Family Policies, by national family associations, of which at least one shall be appointed by the Forum of family associations, except for the bodies provided by Article 39-ter of the Adoption Law;

(n) Three experts appointed by the Prime Minister or by the Minister for Family Policies, chosen from among persons with proven experience in the subject matter of adoption law;

2. The vice-president shall stand in for the President when the latter is absent or prevented from attending and shall perform any functions delegated to him or her by the President; he or she shall authorise the entry and permanent stay of the foreign child who is adopted or placed in foster care for adoption purposes. In urgent cases preventing a timely convocation of the Commission, the Vice-President may adopt any measures within its remit; such measures shall cease to be effective since the time of their adoption if they are not ratified by the Commission at its first meeting thereafter.

3. The indemnity already payable to the President under Article 3-*quinquies* of Decree Law No 136 of 28 May 2004, converted with amendments into Law No 186 of 27 July 2004, shall be paid to the Vice-President for the performance of the tasks entrusted to him or her under this Regulation. The other Commission members shall be entitled to reimbursement of their travel and accommodation expenses. For members who are not civil servants the mentioned reimbursement shall be the same as for second-level executives of the civil service.

Article 5

Commissioners' Appointment and Term of Office

1. The members of the Commission shall be appointed by Decree of the Prime Minister, acting on a proposal of the respective Ministers, with regard to the representatives referred to in Article 4 (1), (c), (d), (e), (f), (g), (h) and (i); of the Joint Conference with regard to the representative referred to in Article 4 (1), and of the national family associations with regard to the representatives referred to in Article 4 (m).
2. The representatives referred to in Article 4 (1) (b), (c), (d), (e), (f), (g), (h) and (i) shall be chosen from civil service executives, taken from their respective posts, who for reasons of their office or service have acquired specific expertise in the area of child welfare; they liaise and coordinate with their own government departments to facilitate the Commission's work, and for this purpose they shall be vested with all necessary powers.
3. The Vice-President and the members of the Commission shall remain in office for three years, and may be reappointed once only. The term of office of the Vice-President and the members shall begin on the date of the decree appointing them. The Vice-President's term of office shall lapse at the end of each parliament if it is not confirmed by the government within six months of the date of the vote of confidence. The Vice-President and the Commissioners who have elapsed from office shall remain in place until the confirmation or appointment of their successors, in compliance with the legislation in force.
4. By way of derogation from paragraph (3), the tenure of experts pursuant to Article 4 (1) (n) shall be confirmed annually.
5. Commissioners shall cease to hold office:
 - (a) if they resign, with effect from the date on which the President is notified;
 - (b) if they can no longer perform their activities due to an impediment, either permanent or lasting more than six months; the impossibility shall be ascertained and declared by the President.

Article 6

Remit

1. The Commission shall perform the functions and the tasks attributed to it by the Adoption Law and by this Regulation, and notably, it shall:
 - (a) co-operate with the Central Authorities for intercountry adoption of other States, also by gathering the necessary information to implement international adoption Conventions;
 - (b) propose the conclusion of bilateral agreements on intercountry adoption to the Office of the Prime Minister;
 - (c) lay down the criteria for authorising the activities of the bodies pursuant to Article 39-ter of the Adoption Law; authorise, on the basis of the aforementioned criteria, the activities of these bodies; keep the register and check it at least every three years; oversee the work of the bodies; check that the bodies are accredited in the foreign country for which an authorisation has been granted; restrict, if necessary, the activities of the

agencies in relation to special situations of international character; revoke the authorisations already issued in the event of serious non-compliance, inadequacy or infringement of the legislation in force; more specifically, it shall revoke the authorisation should the results achieved demonstrate poor performance of the body. The same functions shall be performed by the Commission in relation to the activities of the intercountry adoption services under Article 39-bis of the Adoption Law, according to the procedures agreed by the Joint Conference provided by Article 8 of Legislative Decree No 281 of 28 August 1997, as subsequently amended;

(d) endeavour to guarantee the even distribution of accredited bodies throughout the country and of their representatives abroad, fostering coordination and mergers so as to reduce their total number and improve their effectiveness and quality;

(e) keep all the documents and information relating to intercountry adoption procedures;

(f) foster cooperation among all the stakeholders working in the field of intercountry adoption and child welfare;

(g) promote training schemes for those working, or intending to work, in adoption;

(h) acknowledge the authorisation to enter or permanently stay in Italy issued to foreign adopted children or children to be placed in pre-adoption foster care, issued by the Vice-President;

(i) certify that adoption complies with the Convention, as provided by Article 23 (1) of the Convention;

(l) as for information and training activities, it shall co-operate with entities other than those provided by Article 39-ter of the Adoption Law;

(m) examine any reports, claims or complaints relating to ongoing adoption procedures;

(n) inform the public on intercountry adoption, procedures, bodies in charge of the adoption procedure, countries in which the latter can work, indicating the average costs and time needed to complete the procedures, update the information regularly by breaking it down according to the children's country of origin; develop appropriate instruments for private and public interested parties to access information;

(o) consult every six months with the national family associations identified according to the criteria adopted by the Prime Minister or the Minister for Family Policies, pursuant to Article 4 (1) (m);

(p) where necessary require that the bodies perform the activities and produce the documents that are essential for post-adoption follow-up; to this end the services shall also co-operate as decided by the Joint Conference pursuant to Article 8 of Legislative Decree No 281 of 28 August 1997, as subsequently amended;

(q) decide on the procedures for coordinating co-operation abroad to protect and promote children's rights and provide training to operators as well as to give information, acting also on the basis of the investigations performed by experts jointly with representatives of the Regions and local authorities at the Joint Conference provided by Article 8 of Legislative Decree No 281 of 28 August 1997, as subsequently amended.

2. The decision of the accredited body not to agree with the foreign authority on the appropriateness of an adoption shall be submitted to the Commission for its examination at the request of the interested couple; should the Commission not confirm the previous

denial, it may proceed directly or through another body or office, to perform the duties provided by Article 31 of the Adoption Law.

3. The Commission shall hold regular meetings with representatives of the accredited bodies to examine emerging issues and coordinate the scheduling of actions to implement the Convention principles.

4. For the performance of its statutory duties the Commission shall undertake missions abroad and take part in international meetings with the central authorities of other States, also for the purpose of proposing bilateral agreements.

Chapter III – Organisation and Operation of the Commission

Article 7

Data collection

1. For statistical or study, information and research purposes, the Commission shall collect anonymous data on the children who have been adopted or placed in pre-adoption foster care whose entry into the country it authorises, and any other information which is deemed useful to understand intercountry adoption. Every year, it shall also gather anonymous data and assessments on intercountry adoption from Juvenile Courts, regional governments and accredited bodies.

2. In order to publish the anonymous statistical data on international adoption and information on its own activity, the Commission shall avail itself of the services of the National Centre for Documentation and Analysis on Children set up pursuant to Article 3 of Law No 451 of 23 December 1997, as subsequently amended.

3. All measures and documents on intercountry adoption procedures acquired pursuant to Article 6(1)(e) shall be kept at the Security Secretariat of the Technical Secretariat provided by Article 9 of this Regulation. Personal data shall be retained for a period that shall not exceed the time required to complete adoption procedures and the subsequent formalities.

4. Access to measures and documents is regulated by the general provisions of Law No 241 of 7 August 1990, as subsequently amended. This Article is without prejudice to the provisions of Legislative Decree No 196 of 30 June 2003, as subsequently amended, governing access to personal data, and to the provisions specifically governing the knowability of personal data and information concerning adoption.

5. The Commission may also process sensitive and judicial data which it receives pursuant to the Adoption Law and this Regulation in compliance with the procedures provided by Articles 20 and 21 of Legislative Decree No 196 of 30 June 2003, as subsequently amended, and in relation to the objectives of major public interest it pursues under Articles 64, 67, 68 and 73 of Legislative Decree No 196 of 2003; more specifically, the Commission may process sensitive and judicial data relating to children, their families of origin and their adoptive parents. Without prejudice to the restrictions expressly provided by the Adoption Law, sensitive and judicial data, in relation to the institutional remit of the Commission, may be gathered, recorded, organised, stored, processed - also in paper form - selected, extracted, compared and collated, used, cross-referenced, blocked, communicated, deleted and destroyed, and may be notified to

accredited bodies, Italian embassies abroad and foreign diplomatic missions in Italy, juvenile courts, judicial police and police headquarters, Italian and foreign government departments, and Italian and foreign nationals interested in intercountry adoption procedures, although in the latter case only data which is indispensable for performing individual adoption procedures may be shared; anonymous data may be circulated for statistical, study, information and research purposes.

6. For the purposes of issuing and revoking authorisations to bodies, the Commission shall process the judicial data on the legal representative, management bodies and staff when it verifies that they possess the appropriate moral qualities and the other requirements, pursuant to Article 11 (1) (a) and (b).

7. In adoption procedures and in the case of consequent data storage, only indispensable personal data may be processed and used exclusively for adoption purposes.

8. To process data the Commission may use computer systems and programmes configured so as to make the most limited use of personal and identifying data, so that processing may be excluded if the objectives pursued in individual cases may be achieved by using, respectively, anonymous data or appropriate forms enabling the identification of the affected party only if necessary.

9. With regard to the security measures to be adopted in relation to the processing of sensitive and judicial data pursuant to Legislative Decree No 196 of 30 June 2003, as subsequently amended, the Commission shall ensure the recorded traceability of every operation accessing personal data stored in the archives.

10. This Article is without prejudice to the provisions of the Decree of the Prime Minister No 312 of 30 November 2006.

Article 8

Operating methods

1. The Commission shall be convened by the President who shall set the agenda and appoint the speakers; it may also be convened if a member makes a reasoned application requesting that a particular item be put on the agenda.

2. The quorum for the Commission to validly adopt resolutions shall be achieved if attended by the President or the Vice-President, who shall direct its work, and at least nine Commissioners. Resolutions shall be adopted in an open vote by a simple majority; in the event of a tie, the President, or if absent the Vice-President, shall have the casting vote.

3. The secretary shall be an official from the Technical Secretariat appointed by the Head of the Secretariat.

4. The Commission may hold hearings of entities working in the field of intercountry adoption and the protection of children.

Article 9

Technical Secretariat and activities to support the Commission

1. The President, the Vice-President and the Commission shall avail themselves of a

general executive grade office called the «Technical Secretariat» to perform the activities under the law and this Regulation.

2. The Technical Secretariat shall consist of an Adoptions Service and an Administrative and Accounting Service, headed by two second-level executives.

3. The Adoptions Service shall see to, in particular:

- (a) preparing the documentation for Commission meetings;
- (b) performing the formalities for the preparation of the Commission's official documents;
- (c) providing the translation of foreign documents;
- (d) recording the official documents and information relating to adoption procedures;
- (e) assisting the Commission in its work of promotion, co-operation, information and training pursuant to Article 6 (1) (f), (g) and (l);
- (f) handling relations with government departments and accredited bodies;
- (g) handling the formalities for the keeping of the Register and the supervision and oversight over accredited bodies;
- (h) handling relations with the offices of the other central authorities for intercountry adoption and the diplomatic and consular representatives for the Commission's missions to them;
- (i) preparing surveys, studies and analyses regarding proposals for bilateral agreements.

4. The Administrative and Accounting Service shall perform the formalities relating to staff management, cost management and the procurement of goods and services for the Commission's work as well as the administrative and accounting formalities relating to co-operation and support actions for intercountry adoptions.

5. The Technical Secretariat staff, consisting of civil servants employed by the Office of the Prime Minister and other government departments and posted or seconded under their respective internal regulations, shall be as follows:

- (a) one first-level executive;
- (b) two second-level executives;
- (c) fourteen area C staff (nine with C1 salary status; three with C2 salary status; two with C3 salary status);
- (d) five area B staff (three with B2 salary status; two with B3 salary status).

6. Within the limits of its budgetary constraints, the Commission may conclude agreements with agencies and organisations also to acquire the professional skills and expertise needed to perform its institutional duties.

Article 10

Missions to diplomatic and consular representative offices abroad

1. The President shall authorize the sending of Commissioners or Technical Secretariat staff on the missions referred to in Article 6(4) and pursuant to Article 7 (2) of Law No 476 of 31 December 1990.

2. The Vice-President and the other members of the Commission are entitled to a mission allowance according to their posts, which shall in any case not be less than the allowance

paid to the executives working at the Office of the Prime Minister.

Chapter IV - Activities of the bodies

Article 11

Application for authorisation

1. Any bodies intending to request the authorisation pursuant to Article 39-*ter* of the Adoption Law shall apply to the Commission, and the application shall be signed by the legal representative, using the form provided by the Commission, and containing, *inter alia*, the following information:

- (a) possession of the requirements pursuant to Article 39-*ter* of the Adoption Law;
- (b) list and particulars of the persons managing the body and operating within it, or co-operating with it, as well as their professional qualifications, professional training, specific skills, experience gathered in the sector, and their moral qualities. The moral qualities shall be declared by the interested parties pursuant to the legislation in force in the sense that: they are not subject to any personal security or preventive measures; that they have not been convicted for any of the crimes provided by Articles 380 and 381 of the Code of Criminal Procedure or Articles 600-*bis*, 600-*ter*, 600-*quater*, 600-*quinquies*, 609-*quater* and 609-*quinquies* of the Criminal Code, even if the conviction is not yet final; that they have not been sentenced through a final judgment to a term of imprisonment of not less than one year for unintentional offences. This Article is without prejudice to the effects of rehabilitation. For the purposes of the declaration provided by this Article, the imposition of a penalty at the request of the parties pursuant to Article 444 of the Code of Criminal Procedure shall also be deemed to be a conviction;
- (c) list and particulars of the professionals in the field of social welfare, law and psychology who work for the body, with an individual indication of their registration in a professional Register and of their specific skills in the field of support to adoptive parents;
- (d) distribution of the body throughout the national territory, head and local offices, as well as opening days and times;
- (e) the national, interregional or regional scope in which the agency intends to work;
- (f) the foreign countries in which the body intends to work, indicating the structures in terms of staff and organisation which it intends to use in each case;
- (g) operating procedures, support and counselling activities in favour of prospective adoptive parents, including those agreed with services under ad hoc agreements or protocols;
- (h) the cost of the services provided to perform the adoption procedures for each country in which the body operates.

2. Applicant bodies must also enclose to the request for authorisation:

- (a) the declaration that the body does not have, and undertakes not to have, any ideological, religious, racial prejudice or bias of any other kind against prospective adoptive parents;
- (b) a statement containing the commitment to submit an annual report to the Commission on the work performed, and the year-end accounts, and any other data

supplied on forms provided by the Commission;

(c) a copy of the Memorandum of Association indicating the address of the registered office in Italy and stating that the agency is not-for-profit.

3. The autonomous regions and Provinces of Trento and Bolzano shall, in the place of the documents referred to in paragraphs (1) and (2), indicate the legislative acts and enclose the administrative measures governing the setting up and regulation of intercountry adoptions services pursuant to Article 39-*bis* of the Adoption Law.

Article 12

Assessment of qualifying conditions

1. Within 120 days of the day of receiving the application referred to in Article 11 the Commission shall decide whether the body meets the requirements pursuant to Article 39-*ter* of the Adoption Law. Should further investigations be needed, the time for issuing a decision on authorisation may be extended by 30 days through an ad hoc order sent to the applicant body, in order to acquire further information or remedy any irregularities.

2. In the authorising measure the Commission, taking account of the human and organisational resources of the body:

(a) shall indicate the countries or geographical areas in which the body is authorised to operate, also considering the number of bodies already accredited and existing bilateral agreements;

(b) may restrict authorisation to work in Italy, in one or more regions.

Article 13

Register of accredited bodies

1. The accredited bodies shall be entered in the Register provided by Article 6 (1) (c). The register shall contain:

(a) the name, registered office and operating offices of the body;

(b) details of the Memorandum of Association;

(c) the name of the legal representative of the body;

(d) the date and details of the measure granting authorisation.

2. The Commission shall also record in the Register any amendments, suspensions and cancellations should the authorisation be withdrawn.

3. The Register, any changes to it, and the measures that suspend or withdraw the authorisation shall be published in the Official Journal of the Italian Republic.

Article 14

Operational modes of accredited bodies

1. Accredited bodies, beside performing the tasks pursuant to the adoption Law, shall:

(a) keep a chronological record of all the mandates entrusted to them and send it to the Commission every month;

- (b) keep the files on prospective adoptive parents;
 - (c) send to the competent Juvenile Court and to the Commission all the documentation relating to the situation of the prospective adoptive parents and of the child proposed for adoption, with a particular focus on the state of abandonment, subsequently informing the services of any major changes in the personal and family situation of the prospective adoptive parents so that the necessary assessments can be made;
 - (d) promptly notify the Commission of any change or variation in its data, activities and representatives abroad;
 - (e) submit an activity report to the Commission by 31 January of each year and other data by using the form drawn up by the Commission, as well as the financial statements by 30 June;
 - (f) notify the Commission of any difficulties encountered in performing the administrative and judicial procedures relating to intercountry adoptions;
 - (g) attend any hearings at the Commission's request;
 - (h) report any post-adoption family situations that might harm the child to the Public Prosecutor's Office attached to the Juvenile Court and to the Commission and inform the competent local services.
2. Accredited bodies are required to comply with the provisions relating to personal data processing.
 3. Accredited bodies shall regularly make available quantitative data on the activities performed, the operational modes, the costs of activities and adoption costs, also through their publications.

Article 15

Inspections into the activities of bodies

1. The Commission shall arrange for regular inspections to ensure that the accredited bodies continue to meet the eligibility requirements, and into the soundness, transparency and effectiveness of their work with particular reference to the ratio between the cases accepted and those actually completed. This shall be done using a sample-based method so that all the bodies are examined over a two-year period, or on the basis of reports that the Commission deems to be important. To this end, the Commission may send a mission abroad composed of members or personnel from the Technical Secretariat to audit the work of the accredited bodies in the operational offices.
2. The Commission shall encourage the adoption of standardised methodologies and operational modes, also holding meetings with representatives of the agencies, and uniform parameters to ensure that the costs of adoption procedures are appropriate.

Article 16

Penalties

1. Following the inspections referred to in Article 15 or those conducted as a result of reports or special events, the Commission may:

- (a) censure the body responsible for any irregularities;
 - (b) demand that the body adjust its operational modes to comply with legal provisions and of this Regulation;
 - (c) restrict the number of cases that can be accepted in relation, inter alia, to the number of outstanding adoption procedures or notices received from prospective adoptive parents regarding the quality of the service they have received;
 - (d) change the territorial scope of the operations of the authorised body within Italy.
2. In the most serious cases the Commission may suspend the authorisation for a given period of time, setting a deadline by which the body is required to remove any irregularities; if, after that deadline, the bodies fails to comply, the Commission shall revoke its authorisation.
3. Whenever any of the eligibility requirements for which the authorisation has been issued ceases to exist, or whenever the work performed by the agency is no longer compliant with the principles and provisions of the Convention, the Adoption Law and this Regulation, the Commission shall revoke the authorisation.
4. The measures referred to in paragraphs (1), (2) and (3) shall be adopted in compliance with the rules governing the administrative procedures and after contesting the facts and the grounds on which it intends to adopt such measures.
5. Should the activities be revoked or suspended, the pending adoption proceedings shall be taken over by the Commission, which may call on experts and consultants, and conclude specific agreements and arrangements with other bodies acting within the limits of its budget.

Article 17

Requests for review

1. Interested bodies may submit a request for review to the Commission, signed by their legal representative, within 30 days of service of the measure, against the following:
- (a) measures denying the authorisation to process the adoption of foreign children;
 - (b) the measures provided by Article 16 (1), (2) and (3).
2. The interested bodies may submit a request for review against the Commission's resolutions granting entry visas and certificates of conformity.
3. Within 30 days of the date of the request for review the Commission shall take a decision, save where it is necessary to acquire further evidence, in which case the deadline shall be a total of 60 days.

Article 18

Representation and Defence

1. The Avvocatura dello Stato (State Lawyers) shall represent, defend and assist the Commission before Courts of law pursuant to the provisions of Royal Decree No 1611 of 30 October 1933, as subsequently amended.

Chapter V – Final and transitional provisions

Article 19

Examination of eligibility requirements and activities of accredited bodies

1. Within 12 months of the date of entry into force of this Regulation the Commission shall ensure that the accredited bodies meet the requirements provided by Article 39-ter of the Adoption Law and the operational criteria provided by Article 14 and take the necessary measures, which may include merging or aggregating the bodies in question.

Article 20

Foreign children received or present in Italy

1. This Regulation is without prejudice to the powers of the Committee for foreign children provided by Article 33 of Legislative Decree No 286 of 25 July 1998 as subsequently amended, and its implementing pursuant to Decree of the Prime Minister No 535 of 9 December 1999 on the entry, stay, reception and temporary foster care, and assisted repatriation of children hosted under solidarity programmes or present on any grounds in Italy and lacking assistance and representation.

2. The Commission shall inform the Committee for foreign children of the names of the children whose presence has been reported in Italy pursuant to Article 33 (5) of the Adoption Law.

Article 21

Financial provisions

1. The costs pursuant to this Regulation shall be incurred within the limits of the expenditure authorisation referred to in Article 9 of Law No 476 of 31 December 1998, and allocated to the basic budget unit 16.1.2.1 of the budget for the Office of the Prime Minister - Family policies.

Article 22

Repeals

1. Presidential Decree No 492 of 1 December 1999 shall be repealed as this Regulation enters into force.