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PERIODIC REPORTS ON HUMAN RIGHTS

Reports on economic, social and cultural rights, for the period 1 July 1969-30 June 1973, received from Governments under Economic and Social Council resolution 1074 C (XXXIX)

SAN MARINO

/26 April 1974/

A. THE RIGHT TO WORK

(6) Right to rest, leisure and reasonable limitation of working hours and periodic holidays with pay

Under Act No. 30 of 9 June 1969, the working hours on State work sites were reduced from 45 to 44 hours a week (9 a day), the pay remaining the same.

(2) Right to just and favourable conditions of work

Act No. 40 of 2 July 1969 provides for the prevention of industrial accidents and the promotion of occupational health and is applicable to all occupations carried on by employees and workers, including civil servants. The Act, which prescribes safety measures, imposes an obligation on employers, managers and supervisors to implement the measures, to make the workers aware of the specific risks to which they are exposed, to inform them of the basic safety regulations and to direct and insist that individual workers observe the safety measures and use the safety devices at their disposal.

Another more specialized law (Act No. 41, 2 July 1969) deals with the prevention of industrial accidents in the building trade.

The indemnity for time lost because of bad weather and the daily allowance for temporary work stoppages have been increased for employees on State work sites and workers in the building industry (Act No. 33, 27 October 1972).

Act No. 34 of 27 October 1972 extends the period of absence after which an employee, in the case of incapacity due to accident or illness, may resume his activity.

A new organic law has been promulgated (Act No. 41, 22 December 1972) concerning State employees in which the rights referred to in items 4, 5, 6, 7 and 8 are recognized and protected.

Act No. 17 of 20 May 1973 amends the 1967 Act governing full employment of manual workers.

B. THE RIGHT TO SOCIAL SECURITY

Two workers' representatives appointed by the legally recognized trade unions are now entitled to sit on the Executive Committee of the Institute for Social Security co-ordinated with the social security system in force, which includes a compulsory social insurance system that was introduced by Act No. 37 of 30 June 1964.

Under Act No. 31 of 3 August 1970, a sliding scale was introduced for all persons who have been granted pensions. The pensioners to which the Act applies are as follows:

(a) State employees and workers;

(b) Farmers, tenant farmers and sharecroppers;

(c) Persons receiving pensions from the Institute for Social Security;

(d) Self-employed persons and tradesmen;

(e) Civilians who are disabled or incapable of work.

Act No. 14 of 16 April 1971 provides for the appointment of a Parliamentary Council Committee to draft a bill introducing insurance for war invalids. Act No. 15 of 30 May 1972 provides for final compensation for war invalids.

Act No. 16 of 30 May 1972 amends and supplements the Act establishing the Family Allowance Fund.

C. THE RIGHT TO AN ADEQUATE STANDARD OF LIVING

(2) Right to adequate housing

Under Act No. 25 of 22 May 1969, which is intended to further the growth of private building, the State authorized a new appropriation (300 million lire)

through a banking institution in the Republic, to be used for the granting of loans at a very low rate of interest for the construction, restoration and improvement of residential buildings.

The 300 million lire referred to above are in addition to the 1,500 million lire already appropriated in 1963, 1965, 1966 and 1967. The following amounts have also been made available: 250 million lire provided under Decree No. 56 of 7 December 1970, and 500 million lire provided under Act No. 3 of 17 January 1972.

Under Act No. 29 of 28 June 1971, which is intended to hold down and alleviate the cost of workers' accommodation, the State has instituted a Four-year Low-cost Housing Plan (1971-1974) funded by an annual appropriation of 250 million lire.

(5) Right to the protection and improvement of the human environment

Decree No. 19 of 23 June 1972 specifies the substances detrimental to the quality of drinking water and prohibits the establishment of polluting industries in the neighbourhood of areas declared to be of public interest because of their suitability for the installation and protection of a catchment area for drinking water.

D. THE RIGHT TO THE ENJOYMENT OF THE HIGHEST ATTAINABLE STANDARD OF PHYSICAL AND MENTAL HEALTH

(2) The improvement of all aspects of environmental and industrial hygiene

Act No. 42 of 12 October 1970 partially amends regulation No. 4 of 23 February 1962 on protection of the purity of milk and Decree No. 12 of 29 April 1966 establishing a "white zone" for milk consumption. Under this Act, no milk of any kind may be sold in the territory of the Republic unless it comes from the central dairy of San Marino, the only exception being special kinds of milk intended for infants. The central dairy is responsible, in conformity with the regulations issued by the Office of Health and Sanitation, for the collection, pasteurization and distribution of milk throughout the Republic.

Under Act No. 8 of 26 February 1971 and Act No. 16 of 16 April 1971, a national plan for the prevention of Bangs' disease and tuberculosis in livestock and for stock improvement was introduced.

Act No. 17 of 16 April 1971 provides for compensation in the case of the slaughter of diseased livestock.

Under Government Ordinance No. 1 of 31 January 1972, smoking in all public cinemas throughout the Republic is prohibited for the protection of public health.