



Ministero dello Sviluppo Economico

DECREE ESTABLISHING THE OECD NATIONAL CONTACT POINT

Unofficial consolidated English version of Ministerial Decree of 30 July 2004 as modified by the Ministerial Decree of 18 March 2011 and by the Ministerial Decree of 4 June 2015 March 2011¹

The Minister of Economic Development,

Having regard to the Paris Convention on the Organization for Economic Co-operation and Development of 14 December 1960, and, in particular, Article 5;

Having regard to the OECD Declaration on International Investment and Multinational Enterprises of 27 June 2000, in which the Governments of adhering countries jointly recommend to multinational enterprises operating in or from their territories the observance of Guidelines for Multinational Enterprises;

Having regard to the consequent OECD Council Decision, that adhering countries shall set up National Contact Points for undertaking promotional activities, handling inquiries and for discussions with the parties concerned on all matters covered by the Guidelines so that they can contribute to the solution of problems which may arise in this connection, if necessary, in cooperation with each other;

Having regard to the D.P.R. (Decree of the President of the Republic) No 175 of 26 March 2001 concerning “Organisational Regulation of the Ministry for the Productive Activities”;

Having regard to Article 39 of Law No 273 of 12 December 2002 on “Measure to encourage the private initiative and the development of competition”;

Having regard to the Legislative Decree No 34 of the 22 January 2004 “modifying and integrating the Legislative Decree No 300 of the 30 July 1999, concerning the structure and the organization of the Ministry of the Productive Activities, according to Article 1 of Law No 137 of 6 July 2000;

HEREBY DECREES

¹ This is an unofficial consolidated English version of Ministerial Decree of 30 July 2004 (establishing the Italian NCP) as modified by the Ministerial Decree of 18 March 2011 and by the Ministerial Decree of 4 June 2015 March 2011. Consolidation and translation in English have been prepared for the NCP’s Peer Review only.

Essentially, the two decrees lastly mentioned aimed to enlarge the composition of the Committee, strengthening the presence of trade unions, trade associations and institutions responsible for the internationalization of enterprises, and extending it to territorial institutions, SMEs and NGOs



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Art. 1 (NCP Functions)

1. The OECD National Contact Point (thereof “NCP”) issuing from the OECD Council Decision of 27 June 2000, is set up within the Directorate General of Industrial Policy, Competitiveness and SMEs of the Ministry of Economic Development.
2. The NCP’s main role is to:
 - a) Further the effectiveness of the Guidelines in accordance with the criteria of visibility, accessibility, transparency and accountability;
 - b) Promote and make the Guidelines known among economic operators and legal practitioners (companies, business associations, trade unions, non-governmental organization, civil society, universities, research institutes, foundations) and to the general public;
 - c) Undertake awareness raising actions on the Guidelines, if necessary in cooperation with entrepreneurs and business circles, trade unions, non-governmental organisations and other interested parties;
 - d) Contribute to the resolution of issues that arise from the alleged non-observance of the Guidelines, through the consultation of the interested parties;
 - e) Handle enquiries submitted by other National Contact Points, business community, trade unions, other non-governmental organisations and any other interested party;
 - f) Cooperate with National Contact Points of Countries adhering to the OECD Declaration and participate to the annual meeting of the representatives of the existing National Contact Points;
 - g) Prepare the annual report for the OECD Investment Committee;
 - h) Participate to national and international meetings related to subjects under its competence and to the cooperation within different NCPs;
 - i) Promote and deal with corporate social responsibility and ethics within the framework of rising global economy, assessing the pertinence of the existing regulation;
 - l) Disseminate information about the NCP’s activity through any useful and appropriate mean, including on-line information.

Art. 2 (NCP Structure)

1. The NCP bodies are:
 - a) The Director General of the Directorate General of Industrial Policy, Competitiveness and SMEs;
 - b) The Secretariat, consisting of the Executive Manager of the Division VI of the Directorate General of Industrial Policy and ,Competitiveness and SMEs in charge of its coordination and presidency, the internal staff of the Ministry for the Economic Development assigned to the Division VI and personnel who might be seconded by other Administrations;
 - c) The NCP Committee.



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2. The Committee is composed by:
 - a) The Director General of Industrial Policy, Competitiveness and SMEs;
 - b) The Head of the Division VI of the Directorate general of Industrial Policy, Competitiveness and SMEs
 - c) One representative from the Ministry of Foreign Affairs and International Cooperation;
 - d) One representative from the Ministry of the Environment and the Protection of Land and Sea;
 - e) One representative from the Ministry of the Economy and Finance;
 - f) One representative from the Ministry of Justice;
 - g) One representative from the Ministry of Labour and Social Policy;
 - h) One representative from the Ministry of Agricultural and Forestry Policies;
 - i) One representative from the Ministry of Health;
 - l) Two representatives from the Ministry of Economic Development, one from the General Directorate of Trade Promotion and Internationalisation Policy and one from the General Directorate of International Trade Policy;
 - m) One representative from Confindustria (General Confederation of Italian Industry);
 - n) One representative from each of the two major SMEs business associations at national level;
 - o) One representative for each most representative Trade Unions at national level;
 - p) One representative from ABI (Italian Banks Association);
 - q) One representative from the Italian Regions' Conference;
 - r) One representative from Unioncamere (the Italian Union of the Chambers of Commerce);
 - s) One representative from the National Council of Consumers and Users (CNCU);
 - t) One representative of the Association of the Italian Organisations of International Solidarity and Cooperation (AOI).

3. Other interested parties can eventually participate to the Committee's meetings upon invitation by the competent bodies.

Art. 3

(Committee's Functions)

1. The NCP's Committee meets twice a year and is responsible for:
 - a) Defining its own activity programme;
 - b) Proposing studies and research on problems related to the activities of the Italian companies investing in Italy and abroad;
 - c) Analysing and discussing instances duly investigated by the Secretariat and brought to its attention, giving its opinion;
 - d) Giving its opinion on the NCP activity programme.



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Art. 4

(Secretariat's Functions)

1. The NCP Secretariat, set up within the Division VI of the Directorate General of Industrial Policy, Competitiveness and SMEs, is responsible for:
 - a) Writing the Annual Report to be sent to the OCDE Investment Committee;
 - b) Ensuring the operational management of the NCP;
 - c) Preparing the promotional programme for disseminating and informing about the Guidelines;
 - d) Duly investigating the issues brought to the attention of the NCP which will be submitted to the Committee;
 - e) Ensuring the collection of all the issues brought to its attention and answer to inquiries upon approval of the Director General;
 - f) Ensuring the preparation of the annual report to be sent to the Investment Committee.

2. In order to execute its functions, the Secretariat may recur to external experts.

Art. 5

(The Director General)

1. The Director General of the Directorate General of Industrial Policy, Competitiveness and SMEs is responsible for:
 - a) Adopting the final acts of the NCP, taking into account the opinion expressed by the Committee;
 - b) Approving the annual report and present it to the Investment Committee;
 - c) Convening the NCP's Committee meetings;
 - d) Informing the Committee about the National Contact Point's activities;
 - e) Representing the NCP in all national and international forums and before other NCPs.

2. In case of absence or temporary impediment, the Director General of the Directorate General Industrial Policy, Competitiveness and SMEs will be replaced by the Head of the Secretariat

Art. 6

1. In accordance with the current laws, this Decree will be submitted to the competent control authorities.

Rome, 30 July 2004

THE MINISTER