**GUIDING QUESTIONS FOR THE NORMATIVE FRAMEWORK OF THE ISSUES EXAMINED**

**AT THE IX SESSION OF THE OPEN-ENDED WORKING GROUP ON AGEING**

**SOCIAL PROTECTION AND SOCIAL SECURITY (INCLUDING SOCIAL PROTECTION FLOORS)**

**National legal framework**

1. *What are the legal provisions in your country that recognizes the right to social security and social protection, including non-contributory and contributory old-age benefits? Do they have a constitutional, legislative or executive foundation?*

**Italian Constitution**, art.2 and 3, recognizes and guarantees the inviolable human rights, both at individual and social level and requires the fulfillment of the mandatory duties of political, economic and social solidarity. Furthermore it establishes that all citizens have equal social dignity and are equal before the law, without distinction of sex, race, language, religion, political opinions, personal and social conditions. Moreover the Italian Republic has the responsibility to remove the economic and social obstacles which prevent the full development of the human person and the effective participation of all workers in the political, economic and social organization of the country.

**Law no. 328/2000**, "Framework law for the implementation of the integrated system of social interventions and services", in Chapter III, lists the provisions related to the implementation of particular social interventions in favor of disabled people, elderly dependants, families. Within this system, aid and home support services are also provided (including economic benefits), in particular for those families caring for the above-mentioned categories at home.

**Law no. 335/1995**, art. 3, subpar. 6 and 7, provides for the establishment of the “Social Allowance” that replaced the "Social Pension".

Following the economic crisis and the consequent prices increasing of foodstuffs and energy bills, **Law no. 112/2008** introduced the “Purchasing Card” in order to support less well-off people over 65 in need.

**Law no. 145/2018**, art. 1, subpar. 255 provides, inter alia, the introduction of the “Citizenship Pension”.

**Availability**

1. *What steps have been taken to guarantee universal coverage, ensuring that every older person has access to social security and social protection schemes including non-contributory, contributory and survivor old-age pensions, to ensure an adequate, standard of living in older age?*

The “Social Allowance**”** is an economic benefit, paid upon request, for Italian and foreign citizens in poor economic conditions and with an income below the threshold set annually by this law. For 2019 the threshold is 5.954,00 euros per year, in case of married persons it increases up to 11.908,00 euros. Non-married persons, with no income and married persons whit a family income less than the annual total of the allowance, are entitled to a full grant.

Non-married persons with an income lower than the annual amount of the allowance and married persons, with a family income between the annual amount of the allowance and twice the annual amount of the allowance, are entitled to a reduced allowance.

The allowance amounts to 458.00 euros (13 monthly payments) and it is not subject to individual direct taxation (IRPEF). The applicant must be in poor economic conditions, being over 67 years, being an Italian citizen, a European citizen and non EU citizen having a permanent residence permit for at least 10 years in the national territory.

The “Purchaising Card” is an electronic debit card worth 40 euros per month for people over 65 or people having children less than 3 years of age in a disadvantaged economic situation. People can use it in all supermarkets, food stores, pharmacies and authorized parapharmacies, and at post offices to pay electricity and gas bills and it entitles them to discounts in partner shops.

The “Citizenship Pension” is a measure for people having reached the retirement age (67 years from 2019).

It consists of a monthly economic benefit, tax free, supplementary to the minimum pension (up to 780 euros per month, for those living in rented homes or paying the mortgage, and 630 euros per month for those living in their own home). The pension is paid by an electronic debit card allowing the holder to make cash withdrawals (100 euros max) and monthly transfers in favor of the lessor or the intermediary who granted the mortgage.

1. *What steps have been taken to ensure that every older person has access to social security and social protection schemes which guarantee them access to adequate and affordable health and care and support services for independent living in older age?*

**Adequacy**

1. *What steps have been taken to ensure older persons have adequate and accessible information on available social security and social protection schemes and how to claim their entitlements?*

In order to provide adequate information on the social benefits available to help elderly people, different communication channels are used, such as, for example, a dedicated section on the website of the Ministry of Labor and Social Policy and of other administrations involved, press campaigns and TV spots.

In addition, there is also an online URP (Ufficio Relazioni con il Pubblico) section to answer questions from applicants and free information telephone services are available always at Ministry of Labor and Social Policy.

**Accessibility**

1. *What steps have been taken to ensure older persons have adequate and accessible information on available social security and social protection schemes and how to claim their entitlements?*
2. *The design and implementation of normative and political framework related to social security and social protection benefits included an effective and meaningful participation of older persons?*

**Equality and non-discrimination**

1. *Which are the measures adopted to ensure equitable access by older persons to social security and social protection, paying special attention to vulnerable groups or those in vulnerable situation?*

The “Purchaising Card”, the “Social Allowance” and the “Citizenship Pension” are measures to tackle poverty, inequality and social exclusion targeted, among others, to elderly people who are in poor economic conditions.

**Accountability**

1. *What mechanisms are in place to ensure social security and social protection schemes are effective and accountable?*

The “Purchasing Card”, the “Social Allowance” and the “Citizenship Pension” are monitored and evaluated by the Ministry of Labour and other Administrations involved.

1. *What judicial and non-judicial mechanisms are in place for older persons to complain and see redress for denial of their right to sociali security and social protection?*

As for the “Purchasing Card”, the “Social Allowance” and the “Citizenship Pension”, the provisions of Law no. 241/1990 on the administrative procedure concerning access, participation, transparency and legal protection apply for the social security and protection of elderly people.