



DISEGNO DI LEGGE

presentato dal Ministro dell'economia e delle finanze (TREMONTI)

(V. Stampato Camera n. 2072)

approvato dalla Camera dei deputati il 1° luglio 2009

*Trasmesso dal Presidente della Camera dei deputati alla Presidenza
il 6 luglio 2009*

Modifiche allo statuto del Fondo monetario internazionale adottate con le risoluzioni del Consiglio dei Governatori n. 63-2 del 28 aprile e n. 63-3 del 5 maggio 2008, nonché aumento della quota di partecipazione dell'Italia

DISEGNO DI LEGGE

Art. 1.

1. Il Presidente della Repubblica è autorizzato ad accettare gli emendamenti allo statuto del Fondo monetario internazionale, deliberati dal Consiglio dei Governatori del Fondo medesimo con le risoluzioni n. 63-2 del 28 aprile 2008 e n. 63-3 del 5 maggio 2008, riportate negli allegati I e II annessi alla presente legge.

2. Il Ministro dell'economia e delle finanze è incaricato dell'esecuzione della presente legge e dei rapporti da mantenere con l'Amministrazione del Fondo monetario internazionale, conseguenti agli emendamenti di cui al comma 1.

Art. 2.

1. Piena ed intera esecuzione è data agli emendamenti di cui al comma 1 dell'articolo 1, a decorrere dalla data della loro entrata in vigore in conformità a quanto disposto dall'articolo XXVIII dello statuto del Fondo monetario internazionale, ratificato ai sensi della legge 23 marzo 1947, n. 132.

Art. 3.

1. In attuazione della risoluzione n. 63-2 del 28 aprile 2008 del Consiglio dei Governatori del Fondo monetario internazionale, il Governo è autorizzato a provvedere all'aumento della quota di partecipazione dell'Italia al Fondo stesso da 7.055,5 milioni di diritti speciali di prelievo a 7.882,3 milioni di diritti speciali di prelievo.

Art. 4.

1. Per i versamenti relativi all'aumento della quota di cui all'articolo 3, il Ministro dell'economia e delle finanze è autorizzato ad avvalersi della Banca d'Italia, con facoltà di concedere a tale Istituto le garanzie per ogni eventuale rischio connesso con i versamenti da esso effettuati o che venissero effettuati, a valere sulle sue disponibilità, in nome e per conto dello Stato.

Art. 5.

1. Alla regolazione dei rapporti derivanti dalla presente legge tra il Ministero dell'economia e delle finanze e la Banca d'Italia si provvede attraverso la vigente convenzione stipulata tra il Ministero dell'economia e delle finanze e la Banca d'Italia.

Art. 6.

1. La presente legge entra in vigore il giorno successivo a quello della sua pubblicazione nella *Gazzetta Ufficiale*.

ALLEGATO I
(Articolo 1, comma 1)**Resolution No. 63-2**
Reform of Quota and Voice in the International Monetary Fund

WHEREAS in response to the request of the Board of Governors set forth in Resolution 61-5, the Executive Board has submitted to the Board of Governors a report entitled "Reform of Quota and Voice in the International Monetary Fund: Report of the Executive Board to the Board of Governors", hereinafter the "Report"; and

WHEREAS the Executive Board has recommended increases in the quotas of a number of Fund members, all of whom have requested that their quotas be increased; and

WHEREAS in response to the request of the Board of Governors set forth in Resolution 61-5, the Executive Board has proposed an amendment of the Articles of Agreement that (a) would have the effect of increasing the number of basic votes of members and establish a mechanism to ensure that the ratio of the sum of the basic votes of all members to the sum of the total voting power of all members remains constant and (b) would enable each Executive Director elected by a large number of members to appoint a second Alternate Executive Director; and

WHEREAS the Chairman of the Board of Governors has requested the Secretary of the Fund to bring the proposal of the Executive Board before the Board of Governors; and

WHEREAS the Report of the Executive Board setting forth its proposal has been submitted to the Board of Governors by the Secretary of the Fund; and

WHEREAS the Executive Board has requested the Board of Governors to vote on the following Resolution without meeting, pursuant to Section 13 of the By-Laws of the Fund:

NOW THEREFORE, the Board of Governors, noting the recommendation and the said Report of the Executive Board, hereby RESOLVES that:

A. Increase in Quotas of Members

1. The International Monetary Fund proposes that, subject to the provisions of this Resolution, the quotas of members of the Fund listed in Attachment I to this Resolution shall be increased to the amounts shown against their names in Attachment I.
2. A member's increase in quota shall not become effective unless the member in question has consented in writing to the increase and has paid to the Fund the full amount of such increase. Each member shall pay 25 percent of its increase either in special drawing rights or in the currencies of other members specified, with their concurrence, by the Fund, or in any combination of special drawing rights and such currencies. The balance of the increase shall be paid by each member in its own currency.
3. Each member shall consent to the proposed increase of its quota no later than October 31, 2008; provided that the Executive Board may extend this period as it may determine, ~~taking into account~~, in particular, the need of members to obtain domestic legislative approval.
4. Each member shall pay to the Fund the increase in its quota within 30 days of the later of (a) the date on which it notifies the Fund of its consent or (b) the date on which the requirement for the effectiveness of the increase in quota under paragraph 5 below has been met; provided that the Executive Board may extend the payment period as it may determine.
5. No increase in quota shall become effective before the entry into force of the proposed amendment of the Articles of Agreement approved by this Resolution.

B. Future Quota Reviews

To ensure that members' quota shares continue to reflect their relative positions in the world economy, the Executive Board is requested to recommend further realignments of members' quota shares in the context of future general quota reviews, beginning with the Fourteenth General Review of Quotas.

C. Amendment of the Articles of Agreement

1. The proposed amendment of the Articles of Agreement of the International Monetary Fund set forth in Attachment II to this Resolution (the Proposed Amendment to Enhance Voice and Participation in the International Monetary Fund) is approved.
2. The Secretary is directed to ask all members of the Fund, by circular letter or telegram, or other rapid means of communication, whether they accept, in accordance with the provisions of Article XXVIII of the Articles, the Proposed Amendment to Enhance Voice and Participation in the International Monetary Fund.
3. The communication to be sent to all members in accordance with the previous paragraph shall specify that the Proposed Amendment to Enhance Voice and Participation in the International Monetary Fund shall enter into force for all members as of the date on which the Fund certifies, by formal communication addressed to all members, that threefifths of the members, having eighty-five percent of the total voting power, have accepted the Proposed Amendment to Enhance Voice and Participation in the International Monetary Fund.

D. Members Entitled to Appoint Two Alternate Executive Directors

1. Following the first regular election of Executive Directors after entry into force of the Proposed Amendment to Enhance Voice and Participation in the International Monetary Fund, an Executive Director elected by at least 19 members shall be entitled to appoint two Alternate Executive Directors.
2. As a condition for appointing two Alternate Executive Directors, an Executive Director is required to designate by notification to the Secretary of the Fund: (i) the Alternate who shall act for the Executive Director when he is not present and both Alternates are present and (ii) the Alternate who shall exercise the powers of the Executive Director pursuant to Article XII, Section 3(f). By notification to the Secretary of the Fund, an Executive Director may change these designations at any time.

ATTACHMENT I

	(In millions of SDRs)		(In millions of SDRs)
Albania	60.0	Malaysia	1,773.9
Austria	2,113.9	Maldives	10.0
Bahrain	176.4	Mexico	3,625.7
Bhutan	8.5	Norway	1,883.7
Botswana	87.8	Oman	237.0
Brazil	4,250.5	Palau, Republic of	3.5
Cape Verde	11.2	Philippines	1,019.3
Chad	66.6	Poland	1,688.4
China	9,525.9	Portugal	1,029.7
Costa Rica	187.1	Qatar	302.6
Cyprus	158.2	San Marino	22.4
Czech Republic	1,002.2	Seychelles	10.9
Denmark	1,891.4	Singapore	1,408.0
Ecuador	347.8	Slovak Republic	427.5
Equatorial Guinea	52.3	Slovenia	275.0
Eritrea	18.3	Spain	4,023.4
Estonia	93.9	Syrian Arab Republic	346.8
Germany	14,565.5	Thailand	1,440.5
Greece	1,101.8	Timor Leste	10.8
India	5,821.5	Turkey	1,455.8
Ireland	1,257.6	Turkmenistan	98.6
Israel	1,061.1	United Arab Emirates	752.5
Italy	7,882.3	United States	42,122.4
Japan	15,628.5	Vietnam	460.7
Kazakhstan	427.8		
Korea	3,366.4		
Latvia	142.1		
Lebanon	266.4		
Lithuania	183.9		
Luxembourg	418.7		

ATTACHMENT II

**Proposed Amendment
of the Articles of Agreement
of the International Monetary Fund to Enhance Voice and Participation in the International
Monetary Fund**

The Governments on whose behalf the present Agreement is signed agree as follows:

1. The text of Article XII, Section 3(e) shall be amended to read as follows:

“(e) Each Executive Director shall appoint an Alternate with full power to act for him when he is not present, provided that the Board of Governors may adopt rules enabling an Executive Director elected by more than a specified number of members to appoint two Alternates. Such rules, if adopted, may only be modified in the context of the regular election of Executive Directors and shall require an Executive Director appointing two Alternates to designate: (i) the Alternate who shall act for the Executive Director when he is not present and both Alternates are present and (ii) the Alternate who shall exercise the powers of the Executive Director under (f) below. When the Executive Directors appointing them are present, Alternates may participate in meetings but may not vote.”

2. The text of Article XII, Section 5(a) shall be amended to read as follows:

“(a) The total votes of each member shall be equal to the sum of its basic votes and its quotabased votes.

(i) The basic votes of each member shall be the number of votes that results from the equal distribution among all the members of 5.502 percent of the aggregate sum of the total voting power of all the members, provided that there shall be no fractional basic votes.

(ii) The quota-based votes of each member shall be the number of votes that results from the allocation of one vote for each part of its quota equivalent to one hundred thousand special drawing rights.”

3. The text of paragraph 2 of Schedule L shall be amended to read as follows:

“2 The number of votes allotted to the member shall not be cast in any organ of the Fund. They shall not be included in the calculation of the total voting power, except for purposes of: (a) the acceptance of a proposed amendment pertaining exclusively to the Special Drawing Rights Department and (b) the calculation of basic votes pursuant to Article XII, Section 5(a)(i).”

ALLEGATO II
(Articolo 1, comma 1)

Resolution No. 63-3

Proposed amendment of the articles of agreement of the International Monetary Fund to expand the investment authority of the International Monetary Fund

WHEREAS the International Monetary and Financial Committee has asked the Executive Board to develop specific proposals for a new income model and a new expenditure framework by the time of the 2008 Spring Meeting of the International Monetary and Financial Committee, and the Executive Board has put forward such a proposal; and

WHEREAS the implementation of certain aspects of this proposal requires an amendment of the Articles of Agreement and the Executive Board has proposed and recommended that the Board of Governors approve such an amendment, and has prepared a Report on the same; and

WHEREAS the Chairman of the Board of Governors has requested the Secretary of the Fund to bring the proposal of the Executive Board before the Board of Governors; and

WHEREAS the Report of the Executive Board setting forth its proposal has been submitted to the Board of Governors by the Secretary of the Fund; and

WHEREAS the Executive Board has requested the Board of Governors to vote on the following Resolution without meeting, pursuant to Section 13 of the By-Laws of the Fund;

NOW, THEREFORE, the Board of Governors, noting the recommendation and the said Report of the Executive Board, hereby RESOLVES that:

1. The proposed amendment of the Articles of Agreement of the International Monetary Fund (Proposed Amendment of the Articles of Agreement of the International Monetary Fund to Expand the Investment Authority of the International Monetary Fund) that is attached to this Resolution is approved.

2. The Secretary of the Fund is directed to ask all members of the Fund, by circular letter, telegram or other rapid means of communication, whether they accept, in

accordance with the provisions of Article XXVIII of the Articles, the Proposed Amendment of the Articles of Agreement of the International Monetary Fund to Expand the Investment Authority of the International Monetary Fund.

3. The communication to be sent to all members in accordance with 2 above shall specify that the Proposed Amendment of the Articles of Agreement of the International Monetary Fund to Expand the Investment Authority of the International Monetary Fund shall enter into force for all members as of the date on which the Fund certifies, by a formal communication addressed to all members, that three-fifths of the members, having eighty-five percent of the total voting power, have accepted the Proposed Amendment of the Articles of Agreement of the International Monetary Fund to Expand the Investment Authority of the International Monetary Fund.

PROPOSED AMENDMENT OF THE ARTICLES OF AGREEMENT OF THE INTERNATIONAL MONETARY FUND TO EXPAND THE INVESTMENT AUTHORITY OF THE INTERNATIONAL MONETARY FUND

The Governments on whose behalf the present Agreement is signed agree as follows:

1. The text of Article XII, Section 6(f)(iii) shall be amended to read as follows:

“(iii) The Fund may use a member’s currency held in the Investment Account for investment as it may determine, in accordance with rules and regulations adopted by the Fund by a seventy percent majority of the total voting power. The rules and regulations adopted pursuant to this provision shall be consistent with (vii), (viii), and (ix) below.”

2. The text of Article XII, Section 6(f)(vi) shall be amended to read as follows:

“(vi) The Investment Account shall be terminated in the event of liquidation of the Fund and may be terminated, or the amount of the investment may be reduced, prior to liquidation of the Fund by a seventy percent majority of the total voting power.”

3. The text of Article V, Section 12(h) shall be amended to read as follows:

“(h) Pending uses specified under (f) above, the Fund may use a member’s currency held in the Special Disbursement Account for investment as it may determine, in accordance with rules and regulations adopted by the Fund by a seventy percent majority of the total voting power. The income of investment and interest received under (f)(ii) above shall be placed in the Special Disbursement Account.”

4. A new Article V, Section 12(k) shall be added to the Articles to read as follows:

“(k) Whenever under (c) above the Fund sells gold acquired by it after the

date of the second amendment of this Agreement, an amount of the proceeds equivalent to the acquisition price of the gold shall be placed in the General Resources Account, and any excess shall be placed in the Investment Account for use pursuant to the provisions of Article XII, Section 6(f). If any gold acquired by the Fund after the date of the second amendment of this Agreement is sold after April 7, 2008 but prior to the date of entry into force of this provision, then, upon the entry into force of this provision, and notwithstanding the limit set forth in Article XII, Section 6(f)(ii), the Fund shall transfer to the Investment Account from the General Resources Account an amount equal to the proceeds of such sale less (i) the acquisition price of the gold sold, and (ii) any amount of such proceeds in excess of the acquisition price that may have already been transferred to the Investment Account prior to the date of entry into force of this provision."

IL PRESIDENTE