ANAC
The Italian Anticorruption Authority is an independent administrative authority charged with the prevention of corruption in Italy. The Authority was established by Law 190 of 2012, which reconfigured the former Commission for Evaluation, Integrity and Transparency in Public Administrations (CIVIT) as the National Anti-Corruption Authority (ANAC) and tasked it with the prevention of corruption and illegal behaviors in the Italian public sector. Through the establishment of ANAC, the Italian legislator implemented article 6 of the United Nation Convention Against Corruption (UNCAC). Subsequently, Law 114/2014 transferred to ANAC the legislator implemented article 6 of the United Nation sector. Through the establishment of ANAC, the Italian corruption and illegal behaviors in the Italian public Administration (CIVIT) as the National Anti-Corruption Authority (ANAC) and tasked it with the prevention of corruption in Italy.

The Members of the Board

Michele Corradino is Section President of the Council of State. He earned a PhD in Italian and comparative criminal law at the University of Pavia and authored several books and articles on administrative law. Dr. Corradino has been chief of cabinet in various ministries. Before joining the judiciary, he worked at the Bank of Italy’s Supervision Department.

Francesco Merlini is former full professor of administrative law at the University of Perugia. In 2013 he was a member of the Anticorruption Working Group in the Ministry for Public Administration and Simplification. Prior to that, from 2003 to 2013, he was chairman of the Group of Independent Experts for the Council of Europe’s Charter of Local Autonomies. Ms. Merlini participated in various institutional study groups for legislative reforms in the areas of simplification and transparency in the public sector.

Ida Angela Nicotra is a full professor of constitutional law at the University of Catania. In 2013, she was a member of the Commission of Experts for the Constitutional Reform. From 2006 to 2009, she was a member of the board of the Italian Association of Constitutionists. Ms. Nicotra is the author of numerous publications on public and constitutional law.

ANAC’s MANDATE
Prevention of Corruption
■ Draft and implementation of the National Anticorruption Plan
■ Supervision and monitoring of the adoption of the three-year Anti Corruption Plans and Codes of Conduct by public administrations and state-controlled enterprises
■ Sanction of entities in the event of failure to adopt the three-year Plans and/or the Codes of Conduct
■ Sanction of the appointment of the Officers for the Prevention of Corruption and Transparency by each public administration

Integrity of Public Employees
■ Supervision of the requirements of public officials’ appointments and conflicts of interest
■ Authorization to carry out external assignments for public officials
■ Intake and management of whistleblowers complaints
■ Guidance and supervision over the adoption of Codes of Conduct by each public administration

Transparency
■ Guidance and supervision over the inclusion of transparency rules into the three-year Anticorruption Plan by each public administration and state-controlled enterprises
■ Sanctioning power in the event of failure to adopt such rules
■ Definition of standards and templates for the mandatory publication of documents, information and data related to the “Transparent Administration” of each entity
■ Adoption of guidelines on the exercise of general civic access, in agreement with the Personal Data Protection Authority

Public Procurement
■ Supervision of public contracts for works, services and supplies, including those of regional interest, in ordinary and special sectors

Supervision of the qualification system for economic operators, including sanctioning powers
“Collaborative supervision” through the signing of memorandum of understanding with procuring agencies, aimed at collaboration in the preparation and management of tenders, in order to avoid criminal activities
Advisory function through the issuing of consultative or binding opinions on legislation and prequalification cases
Regulatory function through the adoption of guidelines, standards on tenders, specifications, and other soft regulatory tools, aimed at facilitating the exchange of information, and the development of best practices
Management of the qualification system for contracting authorities, the mandatory national register of the members of adjudicatory committees on public procurement and the register of in-house companies
Appeal before the Administrative Judge of contracting authorities’ measures in serious violations of the Code of Contracts
ANAC has also inspection powers and the power to request the exhibition of documents. In addition, ANAC may impose pecuniary sanctions to the economic operators who refuse to provide such information.

ANAC President’s Special Powers
Pre-emptive vigilance on contracts related to major events. Examples of such vigilance were the surveillance on fairness and transparency of the Milan Expo 2015 tender, the Special Jubilee of Mercy’s procurement process and, most recently, the tenders for the reconstruction works related to the aftermath of the 2016 and 2017 earthquakes. The pre-emptive vigilance experience of Expo 2015 has been recognized as a best practice by the OECD.
The possibility to propose to the local Government authorities the adoption of special measures for the management, support and control of enterprises involved in illicit behaviors, in order to safeguard the timing and efficient execution of the contract involved.
ANAC is located in Galleria Sciarra, via Marco Minghetti, Rome. Mr. Minghetti (1818 – 1886) was an Italian economist and statesman who wrote the “Political parties and their interference in justice and administration”, about the process of profound “degeneration” of the parliamentary system due to the MPs’ corruption. The construction works of the Galleria Sciarra began in 1886 and ended in 1888. The decorations inside the gallery were made by painter Giuseppe Cellini.

ANAC has signed several memorandum of understanding (MoUs) with universities, the Italian Statistics Institute (ISTAT), the Ministry of the Interior, the Police (Guardia di Finanza and Carabinieri), the Court of Auditors, the Prosecutor Offices, the National School of Administration (SNA) and with other independent authorities in order to develop synergies and exchange of information. At the international level, ANAC has developed bilateral and multilateral relations. In this area, it is worth noticing the collaboration with the Organization for Economic Cooperation and Development (OECD) on the exchange of best practices and with the Group of States against Corruption (GRECO) on Italy’s compliance with the obligations stemming from international conventions. ANAC has signed a MoU with the European Investment Bank (EIB) with the purpose to facilitate the exchange of information to prevent, detect and address cases of fraud, corruption and related offences. In addition, ANAC has signed an Administrative Cooperation Arrangement with the European Anti-Fraud Office (OLAF). Pursuant to art. 6, co. 3, of the UNCAC, from 2014 ANAC has been accredited in the Directory of the United Nations Office on Drugs and Crime (UNODC) as an independent national authority for the prevention of corruption. ANAC participates to the review process of the implementation by Italy of the UNCAC, OECD and GRECO review cycles. Memoranda and bilateral agreements have been signed with the Public Function Office of the State of Mexico and with the State Secretariat for Justice and Home Affairs of the Republic of San Marino. The Authority is also implementing Twinning projects in Serbia and Montenegro.

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