

Article 30-b of the Italian Penitentiary Act – *Provisions and complaints as regards leaves.*

1. Before deciding on a request for leave, the competent authority shall ascertain the existence of the reasons alleged, through the public security authorities, also of the place where the applicant is asking to go.
2. The decision on the request shall be adopted by motivated provision.
3. The provision shall be immediately notified without formalities, also by telegraph or telephone, to the Public Prosecutor and the person concerned, who have twenty-four hours thereafter to lodge a complaint to the Supervisory Court, where the provision has been taken by the Supervisory Judge, or else to the Court of Appeal, where the provision has been issued by some other judicial body.
4. The Supervisory Court or the Court of Appeal, after obtaining concise information, where required, shall act within ten days from the receipt of the complaint, by immediate notification of the same in accordance with the previous paragraph.
5. The Supervisory Judge, or the President of the Court of Appeal, shall not belong to the panel deciding on the complaint against the provision issued by him.
6. Where it is not possible for the Magistrates of the district to constitute the Supervisory Court, because of the provision contained in the previous paragraph, the composition of the Court shall be in accordance with Art. 68, para 3 and 4.
7. The enforcement of the leave shall be suspended until the expiry of the time limit laid down by para 3 and during the proceedings provided by para 4, until the expiry of the time limit provided therein.
8. The provisions referred to in the previous paragraph shall not be applied to leaves granted in accordance with the first paragraph of Art. 30. In such a case, an escort shall be obligatory.