

NORMS APPLYING THE PROVISIONS OF ARTICLE 7BIS OF REGIONAL LAW 44/1999 REGARDING FOREIGN SKI INSTRUCTORS PRACTICING THEIR PROFESSION TEMPORARILY.”

Article 1  
(CASES WHERE THIS PROFESSION MAY BE PRACTICED)

Under Article 7bis, paragraph 3, of regional law 44/1999, ski instructors coming with their customers from EU Member States other than Italy and foreign instructors residing legally in Italy may temporarily practice their profession under the conditions and in accordance with the rules and procedures set out in the following provisions.

1. Foreign ski instructors who hold a top level license by which they are authorized to practice their profession independently in their country of origin and are “Eurotest” and “Eurosecurité” certified may practice in Valle d’Aosta with full autonomy.
2. Foreign ski instructors who hold a top level license by which they are authorized to practice their profession independently in their country of origin and are not “Eurotest” and “Eurosecurité” certified may select one of the following:
  - a) undergo the compensatory tests discussed in article 3, letter A), in order to bridge the differences between one's training and the training required by law to practice as a ski instructor in Aosta Valley, and in order to be able to practice independently upon passing said tests, within the limits laid down in Article 7bis, paragraph 3, of regional law 44/1999.
  - b) not undergo the mentioned compensatory tests, and practice one's profession exclusively under the supervision of an authorized ski school, as provided for in article 3, letter B), below.
3. Foreign ski instructors who do not hold a top level license may practice their profession exclusively under the supervision of an authorized ski school (article 3, letter B)), within the limits set by the professional license issued by their country of origin.
4. Foreign ski instructors coming from countries where this profession is not regulated, and therefore not holding a license, but who practiced this profession for at least 2 years in the last 10 in their country of origin (proving it by listing where, when, and how long they worked) may practice their profession exclusively under the supervision of an authorized ski school (article 3, letter B)).

Article 2  
(LIST OF LICENSES)

For the purpose of applying the compensatory and supervisory measures needed to ensure the protection and safety of its customers, AVMS establishes and maintains a list of training qualifications issued by the competent authorities of the countries of origin or by training organizations recognized by the same authorities and considered to be valid for practicing the profession of ski instructor on a temporary basis, and transmits them to the regional authority responsible for ski instructors at the Department of Tourism, Sports, Trade, and Transportation, hereinafter referred to as the competent regional authority.

Article 3  
(COMPENSATORY AND SUPERVISORY MEASURES)

A) AVMS provides for the application of compensatory measures with regard to ski instructors referred to in Article 1, point 2, letter a), which consist of the following:

a) TECHNICAL TESTS:

1. For the alpine discipline:

- giant slalom time trial of at least 50 seconds with a maximum gap of 10% for men and 14% for women on the average of the two best actual times by the National Instructors employed as frontrunners.

Candidates who fall or skip a gate during the first run will be allowed to repeat the test just once.

Those who are “Eurotest” certified are exempted from the application of the compensatory measure in question.

2. For the snowboard discipline: soft or hard equipment

- giant slalom time trial of at least 50 seconds with a maximum gap of 10% for men and 14% for women on the average of the two best actual times by the National Instructors employed as frontrunners.

Candidates who fall or skip a gate during the first run will be allowed to repeat the test just once.

3. For the nordic discipline:

- classical technique aptitude test:
  - free trial with classical technique;
  - alternate step;
- skating technique aptitude test:
  - free trial with skating technique;
  - long skating with thrust and change.

The committee consists of 3 (three) National Instructors.

The technical aptitude test is considered to be successfully concluded when average marks amount to no less than 6.00 (six), provided that the average of each technique may not be less than 5,50 (five and a half); the final score is obtained from the arithmetic mean of the two techniques.

4. For Telemark :

- classical technique aptitude test:
  1. intermediate level demonstration
  2. average range advanced level demonstration
  3. technical free trial
- classical technique aptitude test:

1. short range advanced level demonstration.

The committee consists of 3 (three) National Instructors.

The technical aptitude test is considered to be successfully concluded when average marks amount to no less than 6.00 (six), provided that the average of each technique can not be less than 5,50 (five and a half); the final score is obtained from the arithmetic mean of the two techniques.

**b) VERIFICATION OF SPECIFIC KNOWLEDGE REGARDING MOUNTAIN SAFETY AND THE ABILITY TO HANDLE BASIC ASSISTANCE AND RESCUE TECHNIQUES**

Those who satisfy at least one of the following requirements are exempted from the application of the compensatory measure in question:

- “Eurosécurité” certified;
- Professional license as a guide or aspiring mountain guide from one of the countries signatory to the international IFMGA.

**c) VERIFICATION OF MINIMAL KNOWLEDGE OF AT LEAST ONE OF THE LANGUAGES USED IN THE REGION (ITALIAN AND FRENCH) REQUIRED FOR THE ACTIVATION OF RESCUE OPERATIONS.**

The organization of the compensatory tests and any other operational aspect are under the care of AVMS, in agreement with the competent regional authority, and the related costs are charged to the ski instructor applicants.

B) The ski schools authorized pursuant to art. 19 of regional law no. 44/1999, which operate in the area where this profession will be temporarily practiced, shall provide for the application of the ski instructor supervision systems referred to in Article 1, point 2, letter b), 3, and 4, which consist of the following:

1. Basic training given prior to performing a job, relative to the following:
  - a) knowledge of the area;
  - b) instructions on the slopes and illustration of the related signs employed;
  - c) handling emergencies with the activation of assistance and rescue;
  - d) mountain safety;
  - e) rules of conduct and public order;
  - f) managing a group of pupils.
2. practicing one's profession under the supervision of one of the ski schools authorized to operate in the ski resort indicated in the preventive declaration and displaying a special identification badge provided by the school in question.

Supervision must be provided by one or more of the ski schools involved, by providing an adequate number of their own teachers, appropriately trained and identified with a special badge. In order to ensure adequate safety levels, a teacher belonging to the ski schools involved may not assume duties of supervision, control, and assistance for more than 10 (ten) foreign ski instructors.

The costs for the training provided and the supervision service shall be borne, pro rata, by the interested foreign ski instructors.

The procedures for conducting the training and supervision, costs, and any other operational aspect relating to the above shall be established with an appropriate Memorandum of Understanding agreed to by AVMS and the ski schools authorized to operate in the Aosta Valley, a copy of which shall be transmitted to the competent regional authority.

#### Articolo 4 (PROCEDURE)

1. For the purpose of ascertaining the suitability of the professional training held for the temporary practice of this profession in the Valle d'Aosta, referred to in Article 7bis, paragraphs 3 and 4 of regional law 44/1999, foreign ski instructors, referred to in Article 1, points 1, 2, 3 and 4, are required to provide the competent regional authority with a preventive declaration in writing, within 30 days before beginning their practice. Such declaration shall be drawn up on the forms prepared for this purpose, containing information relating to one's professional qualification, intended job (location and duration), and civil liability insurance covering third parties during the performance of one's activity that is valid nationwide. This declaration is valid for the winter season for which it is made and must be resubmitted if a ski instructor intends to practice this profession temporarily in the Aosta Valley again in the next season.

2. The preventive declaration referred to the point 1 must be drawn up in the Italian or French language and must be accompanied by the following:

- a) a copy of one's valid personal identity document, and a copy of one's residence permit, if necessary;
- b) a copy of one's ski instructor license issued by the competent authority of one's country of origin or by a training institute accredited by the aforementioned authority, or alternatively a copy of one's valid professional identification card issued by one's country of origin for the season in question;
- c) a copy of any other piece of documentation certifying one's further training and professional experience, for the purpose of proving one's essential knowledge and/or ability in accordance with art. 7bis, paragraph 4 of regional law 44/1999;
- d) a copy of any documentation certifying one's licenses/degrees necessary for the waiving of the compensatory measures pursuant to the point 8 of the attachment to Regional Council Resolution no. 2438 of December 21, 2012;
- e) a copy of one's civil liability insurance policy covering third parties and attestation of regular insurance coverage (receipt of payment of the commission premium in the case of group insurance); must be valid nationwide and in effect for the current season.

3. The documentation listed in point 2 must be translated into Italian or French if it is not in one of these two languages.

4. Within 15 days of receipt of the preventive declaration, the regional authority shall verify its formal correctness, and whether the documentation submitted corresponds to the contents of the list of training qualifications referred to in Article 2 of this statute.

5. In the event that the documentation submitted by the interested party in support of their preventive declaration is included in the list referred to in Article 2, the competent regional authority shall notify the applicant with the outcome of the performed investigation and the detailed rules for practicing their profession temporarily during the winter season in question; AVMS and the ski schools involved will also be notified for their own information.

6. In the event that the preventive declaration is not formally complete and/or correct, the competent regional authority shall require the person concerned to provide the necessary additional information within a prescribed period not exceeding 10 days. In this case, the period referred to in paragraph 4 shall remain suspended.

7. Within 15 days of receipt of the preventive declaration, in the event that the submitted documentation and the list of licenses/degrees referred to in Article 2 do not correspond or there are any difficulties in the evaluation of the documentation, the competent regional authority shall transmit the application to AVMS, with the purpose of having them provide their technical expert opinion. In this case, AVMS will transmit within 10 days to the competent regional authority their opinion regarding the applicant's professional training with respect to practicing their profession temporarily in the Aosta Valley. Such transmission shall also include indications on how to implement the relevant teaching activities. The competent regional authority shall give notice of this outcome to the instructor concerned.

8. In the event that the documentation submitted to AVMS may need further clarifications or additions, the ski instructor concerned shall be granted a period not exceeding 10 days to do so. In this case, the period of 10 days assigned by AVMS to the preparation of its technical opinion shall remain suspended.

9. In the absence of determinations by the competent regional authority within 30 days from the submission of the preventive declaration, except for the occurrence of situations leading to the suspension of the ordinary terms of the procedure laid down in the preceding paragraphs, the foreign ski instructor under consideration may perform his/her job, in compliance with the provisions of Article 5 of this statute.

10. Foreign ski instructors who work together with a tour operator in order to practice their profession and who at the time of submission of their preventive declaration, due to organizational reasons, are not able to provide the information pertaining the place and period of their temporary practice shall provide such information to the regional administration and pertinent ski schools of the ski resort where they will operate at least seven days prior to the planned activity, directly or through the tour operator.

#### Article 5 (Regional register)

1. The stable practice as a foreign ski instructor is subject to the admission to the regional register, granted according to the conditions established by art. 7bis of the Regional Law 44/1999 and by the present document.