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Decree-Law n.19 of 25 March 2020
Urgent measures to address the Covid-19 epidemiological emergency
(OJ N. 79 of 25-3-2020)

Article 1 – Urgent measures to prevent the spread of the Covid-19 contagion

1. In order to contain and contrast the health-related risks deriving from the outbreak of the covid-19 virus, either in specific areas of the country or on the whole national territory, one or more measures among those listed in paragraph 2 of this article may be adopted, for a period of no more than 30 days. These measures may also be extended or amended until no later than 31 July 2020, when the state of emergency declared by the Council of Ministers of 31 January 2020 ends; during this period, the implementation of these measures may be fine-tuned to reflect the epidemiologic trend in the covid-19 virus spread.
2. For the purposes described in paragraph 1, one or more among the following measures may be adopted, according to the principles of adequacy and proportionality, in light of the risk in a specific area of the country or on the whole national territory:
 - a. Restrictions on the circulation of people, including limiting the freedom to move out of their homes unless for work reasons, health-related reasons, or other urgent necessities
 - b. Closure of urban streets, parks, playgrounds, villas, gardens and other public places
 - c. Limitations or prohibitions to move into and out of specific municipalities, provinces or regions, or the national territory as a whole
 - d. Application of a precautionary quarantine to those who have been in contact with patients who have tested positive and to those coming from abroad
 - e. Prohibition to those who have tested positive to leave their homes
 - f. Limitation or ban of gatherings in public or open-to-public places
 - g. Limitation or suspension of events, rallies, or initiative of any kind and any other gathering in public or private places including sports and religious gatherings
 - h. Suspension of ceremonies (either civil or religious), limitation on the access to places of worship
 - i. Closure of cinemas, theatres, concert halls, ball rooms, discos, arcades, betting parlours, bingo halls, cultural/social/recreational centres or other gathering places of any kind
 - l. Suspension of congresses and any kind of conference, unless it is possible to hold and attend it remotely
 - m. Limitation and suspension of sports events and competition at any level in public and private places. This includes the possibility to close down temporarily spas, sports centres, swimming pools and other sports facilities. This also includes the possibility to discipline the ways in which training sessions may be held within those facilities
 - n. Limitation or suspension of any outdoor recreation activity including sports and motor activities in general

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- o. Possibility to entrust national or regional authorities with the task of limiting, reducing, suspending or suppressing road, railway, air or maritime transport services (for both people or goods) and local public transport
- p. Suspension of pre-school educational services, as well as teaching in all schools and post-secondary education institutions (Universities and other), including exams. This is with no prejudice to the possibility to attend classes remotely
- q. Suspension of school trips and any other travel scheduled by schools either in Italy or abroad
- r. Limitation or suspension of the opening to public of museums and other culturally-relevant places
- s. Limitation of the physical attendance of public employees in their places of work, except for activities that cannot be postponed, and for the delivery of essential services. Smart working shall be resorted to whenever possible
- t. Limitation or suspension of procedures to recruit employees in the public and private sector, except those that can be held remotely
- u. Limitation or suspension of the activities of retail merchants, except those that sell food and other necessity goods. In any case these retail merchants must guarantee that their clients stay at a certain minimum distance from one another in order to mitigate the contagion risk
- v. Limitation or suspension of the activities of those businesses serving foods and beverages to the public, including bars and restaurants
- z. Limitation or suspension of the activities of any other business or professional firms, with the possible exception of those that are considered as necessary to the public. The latter may be allowed to stay operational provided that they adopt anti-contagion protocols, including measures to ensure that workers stay at a minimum distance from one another or, if this is not possible, the mandatory adoption of individual protection devices
- aa. Limitations on fairs and market places, with the exception of those stands that sell food or other necessity goods
- bb. Ad hoc prohibitions or limitations applying to those who accompany patients in waiting rooms of emergency hospital departments
- cc. Limitations on the access of relatives and visitors to long-term care facilities, rehabilitation centres, retirement homes for the elderly, prisons
- dd. Obligations for those who have stayed in, or moved across epidemiologic risk zones as identified by the WHO or the national Ministry of Health, to communicate this to the National Healthcare Service
- ee. Adoption of information and prevention initiatives related to the epidemiologic risk
- ff. Adoption of measures to promote smart working, including in derogation to the existing legislation
- gg. Obligation on businesses that may stay open to adopt measures to prevent gatherings and ensure that workers stay at a certain minimum safety distance from one another to prevent or mitigate the contagion risk or, when this is not possible, to adopt anti-contagion protocols that include individual protection devices
- hh. Exemptions on any of the above-mentioned limitations, upon assessment by the relevant public authorities on a case-by-case basis.

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3. During the period of the emergency (i.e. until 31 July 2020) the Prefect may, after consulting with the relevant social parties, impose an obligation to pursue those activities that are not suspended by the acts implementing this article if he deems that they are strictly necessary.

Article 2 – Implementing Acts

1. The measures listed in article 1 are adopted by means of one or more Decrees of the Prime Minister (*hereafter, PM Decrees*), upon the initiative of the Minister of Health, and upon consultation with the Minister of the Interior, the Minister of Defence, the Minister of Economy and Finance and other relevant Ministers. If the implementing act applies to one or more specific Regions, the Presidents of those Regions shall be consulted; if the implementing act applies to the whole national territory, the President of the Conference of the Regions shall be consulted. The PM Decrees may also be adopted upon the initiative of the Presidents of the relevant Regions (if they apply to one or more specific Regions) or upon the initiative of the President of the Conference of the Regions (if they apply to the whole national territory); in this case as well, the above-mentioned relevant Ministries shall be consulted. The technical-scientific Committee set up by the Head of the Civil Protection Department with his Order of 3 February 2020 n.630 shall also be consulted as regards any scientific aspect and as regards the assessment of the adequacy and proportionality of the relevant acts.
2. Pending the adoption of the above-mentioned PM Decrees, the measures listed in article 1 may be adopted by the Minister of Health, pursuant article 32 of the Law n.833 of 23 December 1978, only in case of urgent necessity. The Acts adopted by the Minister of Health stay in force until the same measures are adopted by means of a PM Decree.
3. The provisions laid down by this article apply with no prejudice for all the Acts adopted so far, pursuant the Decree-Law n.6 of 23 February 2020 and pursuant art. 32 of the Law n.833 of 23 December 1978. The PM Decrees of 8 March, 9 March, 11 March and 22 March 2020 shall remain in force. Any other measures that are in force the day when this Decree-Law enters into force shall stay in force for other ten days.
4. Any Act adopted pursuant this Decree-Law shall temporarily apply pending the scrutiny of the Court of Auditors, pursuant articles 21-bis, 21-ter and 21-quarter of the Law n.241 of 7 August 1990. The deadlines for the Court of Auditors to exert its scrutiny on the Acts adopted pursuant this Decree-Law is 30 days instead of 60 days as laid down by article 27, paragraph 1 of the Law n.340 of 24 November 2000.
5. The Acts adopted pursuant this article are published on Italy's Official Journal and transmitted to the Houses of Parliament within the day after their publication. The Prime Minister or a Minister on the PM's behalf reports to Parliament on the measures adopted pursuant this article every 15 days.

Article 3 – Urgent measures applying at the regional or inter-regional level

1. Pending the adoption of the PM Decrees mentioned in article 2, paragraph 1, Regional Governments may, in light of their assessment of the health risk in their territory as a

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- whole or in a specific area, introduce additional restrictions among those listed in article 1, paragraph 2, exclusively in the policy areas that fall within their jurisdiction. Regional Governments are not allowed to take any restrictive measures that impact on productive activities or on any other activity which is of strategic relevance for the national economy. Additional restrictions adopted by Regional Governments stay in force until the Prime Minister adopts the same restrictions by means of a PM Decree.
2. Mayors are not allowed to adopt Orders to tackle the covid-19 emergency that are in contrast with national measures and they are not allowed to adopt Orders exceeding the scope of the measures listed in article 1, paragraph 2.
 3. This article applies to any Act (*adopted by Regional Governments or Mayors*) adopted for health-related purposes, basing on the powers entrusted to regional/local administrations by any pre-existing legislative measure.

Article 4 – Checks and Sanctions

1. Failure to comply with the measures listed in article 1, paragraph 2, implemented by means of the Acts adopted pursuant article 2, paragraph 1 or pursuant article 3, is punished with an administrative sanction from €400 to €3,000 unless the offence is a crime pursuant the Criminal Code. If a breach of the above-mentioned measures involves the use of a vehicle, the sanctions are increased by up to one third
2. Failure to comply with the measures listed in article 1, paragraph 2, letters i), m), p), u), v), z) and aa) is also punished with a shutdown of the business from 5 to 30 days.
3. Checks are conducted pursuant the Law n.689 of 24 November 1981; article 202, paragraphs 1 and 2 of the Legislative Decree n.285 of 30 April 1992 apply as regards the reduction of administrative sanctions that are paid within an early deadline. Sanctions for the violation of the measures laid down by means of a PM Decree are imposed by the Prefect. Sanctions for the violations of the measures adopted by Regional Governments or Mayors are imposed by the Authorities that adopted those measures.
4. When a breach of the measures mentioned in paragraph 2 of this article is verified by the relevant Authorities, the latter may temporarily impose the shutdown of a business for up to 5 days in order to prevent any reiteration of the breach. This temporarily shutdown period will then be deducted from the final sanction.
5. In case the breach of a measure is reiterated, the administrative sanction is doubled and the additional one (i.e. the shutdown) is imposed to its maximum (i.e. 30 days)
6. Unless the offence is a crime pursuant article 452 of the Criminal Code (crimes against public health), any violation of the measure listed in article 1, paragraph 2, letter e) [prohibition for those tested positive to leave their homes] is punished pursuant article 260 of the Royal Decree n.1265 of 27 July 1934
7. To this purpose, paragraph 1 of article 260 of the above-mentioned Royal Decree is amended so that anyone who breaches a legal measure whose aim is to prevent the spread of an infectious disease is punished with detention from 3 to 18 months and with a sanction from €500 to €5,000.

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Article 5 – Final provisions

1. The following legislative measures are suppressed:
 - a. Decree-Law n.6 of 23 February 2020, except articles 3, paragraph 6-bis and article 4
 - b. Article 35 of Decree-Law 2 March 2020 n.9.
2. The measures laid down by this Decree-Law apply to Regions with a special autonomy and to the autonomous Provinces of Trento and Bolzano to the extent that it is compatible with their Statutes and implementing acts.
3. No additional expenses derive from the implementation of this Decree-Law. The relevant public Administrations carry out any implementing activity by using human, instrumental and financial resources that are already available.

Article 6 – Entry into force

1. This Decree-Law enters into force the day after it is published on Italy's Official Journal. It will be submitted to the Houses of Parliament for ratification.