

Italian Port reform. Reorganization, rationalization and simplification of port authorities and additional projects for the renewal of ports and logistics in Italy.

Contents

1. Introduction
2. Promotion of strategic decision-making centers: Port System Authorities
3. Administrative reorganization
4. Simplification of bureaucracy
5. Additional projects for the renewal of the ports and logistics in Italy

1. Introduction

On 21st January 2016, the Italian Cabinet gave the green light for the “Reorganization, rationalization and simplification of Port Authorities” decree (the “Ports Decree”), which reviews a system which has been in place for over 20 years. The Ports Decree is part of the re-launch of ports and logistics in Italy promoted by the Ministry for Infrastructure and Transport (“MIT”). The Ports Decree focuses on the competitiveness of our ports and supports the role of Italy - crossed by four of the TEN-T rail corridors - as a hub in the Mediterranean and European logistics platform.

The main points of the Ports Decree are i) the abolition of the port authorities and the reorganization of the ports into strategic decision centers managed by Port System Authorities, ii) the simplification of the procedures for passenger and cargo transit, and iii) central coordination under MIT.

2. Promotion of strategic decision-making centers: Port System Authorities

Italian ports will be reorganized into 15 Port System Authorities (“PSA”) based in strategic decision-making centers based in the Italian “core” ports as set out by the EU. These are Genova, La Spezia, Livorno, Civitavecchia, Cagliari, Napoli, Palermo, Augusta, Gioia Tauro, Taranto, Bari, Ancona, Ravenna, Venezia and Trieste. The new PSA will be in charge of 54 national ports. The local regional authorities can ask that additional ports of regional importance be included in the PSA.

The PSA bases will have a strategic role in policy, programming and coordinating the ports in their own area. They will aim at attracting investments on behalf of the different harbours in conjunction with the public administrations. The relationship with MIT will also be relevant, especially for the Planning of Port Systems and infrastructure programs with national or European contributions.

3. Administrative reorganization

The PSA will have a simple corporate governance structure that will be composed of: the President, the management committee (made up of just a few members), the secretary general and the Audit Committee (Collegio dei Revisori dei Conti) The change from the Ports Committee to the PSA will mean a drop in the members of the Port Authorities from the present 336 to 70 on a national level.

The management committee will be composed of:

1. the President. The President will be elected by MIT in agreement with the President or the Presidents of the affected Regions. He or she must have proven experience and a professional qualification in the field, and will have wide decision-making powers;
2. a representative appointed by the Region (two if there are two Regions);
3. a representative appointed by the mayors of each city, if any, under the relevant PSA;
4. a representative appointed by the mayors of each former Port Authority city, if any, in the PSA;
5. a representative of the Maritime Authority who will only be able to vote on matters within their competence.

In order to guarantee that local decisions are consistent with the national ports' strategy, a national coordination board of the PSA will be established.

Each PSA will have a "sea partnership board" to communicate with the social and economic players operating in the ports. This board will also have advisory functions.

The PSAs can maintain port of call duties in the former Port Authority's bases. These ports can make proposals on local matters, as well as take care of other administrative, decision-making and supervisory tasks.

4. Simplification of bureaucracy

The Ports Decree establishes the "Customs and controls single window", under the coordination of the Customs Agency, and the "Single administrative window", a front office dealing with all administration and authorization for non-commercial and non-industrial activities. The two "single windows" will replace the 23 offices which are currently in charge of 113 port-related administrative processes so that custom clearance times should be drastically reduced. The Ports Decree also simplifies the arrivals and departures of vessels.

5. Additional projects for the renewal of the ports and logistics in Italy

Facing global challenges, and the increased competition in northern Europe, North Africa, Piraeus, the Baltics, and the Far East, MIT is also focusing on several other initiatives to strengthen logistics and ports, such as: the width of the Suez Canal, the "gigantism of ships" and the importance of attracting investment and large industrial partnerships to shipping.

Projects which are already in concrete form are:

- Simplification of dredging of the seabed through a relaxation of the rules within the "*Collegato ambientale*".

This document is delivered for informative purposes only.

It does not constitute a reference for agreements and/or commitments of any nature.

For any further clarification or research please contact:

Rome

Giuseppe Loffreda
Tel. +39 06 478751
gloffreda@gop.it

- Improvement of the "last mile" rail links: activation of several port rail links within the Rete Ferroviaria Italiana ("RFI") contract.
- Reassessing unimplemented projects and the unfreezing of investments: selection and review of strategic projects with the MIT and acceleration of construction sites with national and European funds.
- "*Ferrobonus*" and "*marebonus*": the 2016 Stability Law authorized MIT to grant Euro 200 million of incentives for rail cargo and maritime transportation.
- The 2016 Stability Law also provides for the reduction or exemption from anchorage tax and excise duty in transshipment ports.

Rome

Milan

Bologna

Padua

Turin

Abu Dhabi

Brussels

Hong Kong

London

New York

www.gop.it

INFORMATION PURSUANT TO ARTICLE 13 OF LEGISLATIVE DECREE NO. 196/2003 (Data Protection Code)

The law firm Gianni, Origoni, Grippo, Cappelli and Partners (hereafter "the Firm") only processes personal data that is freely provided during the course of professional relations or meetings, events, workshops, etc., which are also processed for informative/divulgence purposes. This newsletter is sent exclusively to those subjects who have expressed an interest in receiving information about the Firm's activities. If it has been sent you by mistake, or should you have decided that you are no longer interested in receiving the above information, you may request that no further information be sent to you by sending an email to: relazionierne@gop.it. The personal data processor is the Firm Gianni, Origoni, Grippo, Cappelli & Partners, whose administrative headquarters are located in Rome, at Via delle Quattro Fontane 20.