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Blue Economy: Law on the Enhancement of the “Sea Resource” approved

On 29 April 2026, the Chamber of Deputies approved the law on the enhancement of the “sea resource”, introduced at the initiative of the Minister for Civil Protection and Sea Policies, Nello Musumeci. The measure is positioned as the most significant systematic intervention for the maritime sector since the 2005 reform of the Recreational Boating Code.

On 29 April 2026, with 149 votes in favor, 32 against and 63 abstentions, the Chamber of Deputies gave final approval to the law on the enhancement of the “sea resource”. The measure – following two rounds before the Council of Ministers (November 2024 and August 2025) – affects a broad range of economic interests: from recreational boating and chartering to underwater tourism, from regional shipbuilding to major port infrastructure, and from the governance of maritime policies to coastal State-owned maritime concessions.

The measure adds to Law No. 9 of 26 January 2026, containing “Provisions on the safety of underwater activities” (the so-called “underwater activities law”). Within the space of a few months, the Italian maritime legal framework has therefore been enriched by two legislative instruments of systematic relevance operating on complementary levels: the result is a new regulatory architecture for the maritime space, directly affecting operators, investors and developers in the port, coastal, offshore energy and shipbuilding sectors.

1. Governance of Sea Policies: the New Role of CIPOM

Chapter I of the new law reorganizes the governance of maritime policies by acting on the Interministerial Committee for Sea Policies (i.e., *Comitato interministeriale per le politiche del mare* - “CIPOM”), established at the Presidency of the Council of Ministers, from a programmatic, structural and functional perspective.

First, the duration of the Sea Plan (i.e., *Piano del Mare* - “PdM”) – the central planning instrument for the sector's strategic guidelines – is increased from three to four years, with biennial updates replacing the annual update previously provided for. This is a non-negligible signal of **planning stability**: a longer strategic horizon facilitates the programming of infrastructure investments and reduces regulatory uncertainty for operators in the port and shipbuilding sectors. In terms of content, the strategic guidelines of the PdM will have to expressly include the enhancement of commercial navigation and recreational boating.

The composition of CIPOM is expanded to include the Minister of University and Research, thereby strengthening the technical and scientific dimension of maritime policies. The procedure for ministerial agreement on the implementing regulations of the PdM is also regulated, with provision for a non-binding opinion of CIPOM within 30 days of receipt of the draft regulations.

The enhancement of CIPOM's planning function sits within a European context in which integrated maritime governance has been an express **objective of the European Union** for over a decade (the EU Integrated Maritime Policy and maritime spatial planning under Directive 2014/89/EU).

Moreover, the fact that the Presidency of the Council is at the apex of both CIPOM and the newly established Agency for the Safety of Underwater Activities (i.e., *Agenzia per la sicurezza delle attività subacquee* - “ASAS”) ensures that policies concerning the sea “above the surface” and policies concerning the underwater dimension are unified under a **single political and strategic direction**, while maintaining separate operational structures.

2. Contiguous Zone and Baselines: the International Law of the Sea Enters Domestic Law

Chapter II of the law on the enhancement of the sea resource addresses a **historical gap** in the Italian legal system: the absence of a contiguous zone adjacent to the territorial sea. The measure authorizes the Government to establish such a zone, by decree of the President of the Republic, in the belt between 12 and 24 nautical miles from the baseline, in implementation of Article 33 of the UNCLOS Convention (Montego Bay, 1982), ratified by Italy but not yet fully implemented in respect of maritime jurisdiction.

The contiguous zone allows the coastal State to exercise **control powers** – but not full sovereignty – in order to prevent or punish infringements of customs, fiscal, immigration or sanitary laws and regulations. Articles 3 to 6 define the spatial limits of the zone, the procedures for notification to adjacent or opposite States (mandatory under the UNCLOS Convention) and the criteria for the exercise of control activities.

At the same time, Article 7 intervenes on the **baselines of the territorial sea**, updating them in light of the changed morphology of the coast. This is far from being a merely formal requirement: baselines are the measurement parameter for all the main maritime zones – territorial sea, contiguous zone and exclusive economic zone – and also produce direct effects at the domestic administrative level. Their correct identification has an impact, in particular, on the delimitation of the scope of application of State-owned maritime concessions, authorizations relating to offshore plants and infrastructure and environmental protection regimes applicable in marine protected areas.

Until now, the absence of a contiguous zone had generated **practical uncertainties** in cases of hot pursuit and control of activities in waters adjacent to the territorial sea. The new rules make it possible to fill this gap and align the Italian State's control powers with the powers provided for under the UNCLOS Convention, with positive effects also on port surveillance operations and the monitoring of offshore infrastructure located close to the 12-mile limit. In particular, for operators managing port assets or infrastructure close to the 12-mile limit, the **stabilization of the perimeter** of Italy's maritime zones is a relevant element of certainty for the purposes of assessing the compliance of concession titles and environmental authorizations.

The establishment of the contiguous zone completes a process of progressive implementation of the UNCLOS Convention within the Italian legal system. Comparative literature has used the expression “**Mediterranean exception**” to describe the anomaly represented by the Mediterranean basin when compared with the general trend of coastal States to proclaim the full range of maritime zones contemplated by UNCLOS: an exception largely attributable to the semi-enclosed nature of the Mediterranean and the resulting delimitation complexities with opposite or adjacent States.

3. Underwater Tourism: from Regional Fragmentation to a Uniform Regulatory Framework

Chapter III is the most innovative part of the measure as regards the enhancement of coastal resources and underwater heritage. Until now, the matter had been entrusted to a **plurality of inconsistent regional rules**, resulting in operational uncertainty for operators and difficulties in competitive positioning for coastal hospitality facilities. The law on the enhancement of the sea resource introduces a framework of fundamental principles at national level, leaving the Regions with competence only to regulate the relevant professions.

At national level, **the new law exclusively regulates recreational underwater tourism**, since the underwater activities law expressly excludes from its scope “*tourism and recreational activities and activities carried out for sporting purposes*”. However, diving centers that also carry out professional activities (maintenance of underwater structures, seabed inspections, support for coastal restoration operations) will also be subject to the underwater activities law and will be required to enroll their technicians employed in professional activities in the register of professional underwater and hyperbaric operators.

3.1 The Underwater Market: Actors, Requirements and Liabilities

Articles 11 to 13 distinguish **four categories of operators** – instructors, guides, diving and training centers, and non-profit organizations – each with specific qualification requirements and insurance obligations. One particularly significant element is the requirement for **individual insurance cover** for instructors and guides: the law does not merely require the center’s policy, but imposes personal cover for each professional, with an evident impact on the structure of employment relationships and the negotiation of consultancy or collaboration agreements.

The **maximum limit** of six divers per instructor or guide in simultaneous diving activities is both a safety safeguard and an organizational constraint that larger centers will have to incorporate into their operating plans.

The activity of underwater instructor and guide may also be carried out on a **temporary and occasional basis**: a significant flexibility provision for hospitality facilities planning seasonal underwater offerings, opening the possibility of relying on foreign professionals without any requirement for permanent establishment.

3.2 Areas of Underwater Tourism Interest and Urban-Planning Implications

Article 14 is the provision of greatest interest from an administrative and urban-planning perspective. The Minister of Tourism, acting in agreement with the competent Ministers and subject to agreement within the State-Regions Standing Conference, is tasked with identifying, by decree, **areas of underwater tourism interest**, taking into account safety and landscape, wildlife, archaeological and cultural relevance.

This ministerial delegation introduces a **new category of constraint or functional designation** that may interact with existing territorial and port planning instruments: port master plans (i.e., *piani regolatori portuali* - “PRPs”), plans for the use of State-owned maritime areas (i.e., *piani di utilizzo delle aree del demanio marittimo* - “PUDMs”) and coastal municipal urban-planning instruments. For investors in coastal hospitality facilities, the possible overlap between areas of underwater tourism interest and areas already subject to State-owned maritime concessions will require careful due diligence analysis, in order to verify the compatibility between existing concession titles and the new ministerial framework.

3.3 Sanctions Regime

The sanctions regime introduced is structured according to **bands of seriousness**. The most serious infringements – carrying out the activity of instructor or guide without the required qualifications, or operation by non-compliant centers – entail administrative fines ranging from Euro 5,000 to Euro 12,000. Failure to complete the diving register is punishable by a fine ranging from Euro 1,000 to Euro 3,000. The absence on board of personnel responsible for operating the support vessel is punishable by a fine ranging from Euro 500 to Euro 1,500. For centers, repeated infringements may result in suspension of activity for up to six months, a particularly incisive measure for facilities operating on a seasonal basis.

4. Recreational Boating: Chartering, Re-flagging and Administrative Simplification

Chapter IV of the law on the enhancement of the sea resource is the part of the legislative intervention that most directly affects the competitiveness of the recreational boating sector. The amendments to Legislative Decree No. 171/2005 (the so-called “*Recreational Boating Code*”) are numerous and concern contractual, administrative, environmental and competition-related aspects.

4.1 Charter Reform: New Contractual Models

The introduction of the contract of “**lease with appointment of a captain**” is a development of systematic relevance. The contract may be entered into by a single lessee who is a natural person, with a maximum limit of 12 passengers excluding the captain: this fills a regulatory gap that penalized the competitiveness of Italian chartering as compared with other European competitors.

The contract of “**charter with agreed itinerary**” is also introduced. In this case, unless otherwise agreed, the owner is not required to provide fuel, water and lubricants: the provision has immediate practical relevance, as it affects the allocation of operating costs and, consequently, the negotiation and determination of charter fees. In terms of liability, with the leased vessel the lessee assumes temporary possession of the boat: in the event of administrative sanctions, liability falls on the lessee, with the owner being required only to communicate the relevant details to the competent authorities.

4.2 Countering Re-flagging and Protecting the Market

One of the most anticipated measures is the new Article 26-ter of the Recreational Boating Code: units of up to 24 meters flying a **foreign flag** but owned by Italian citizens or legal persons having their registered office in Italy, where they navigate or are stationed in Italian inland waters, territorial sea or ecological protection zone, must demonstrate their seaworthiness through the **certifications required by the flag State** or, failing that, through a certificate issued by a notified technical body with five-year validity.

For funds and companies structuring ownership transactions involving luxury vessels through foreign vehicles, the provision requires a review of contractual structures and asset-use policies in Italian waters.

4.3 Administrative Simplification and Digitalization

The reduction from 60 to 30 days of the timeframe for **renewing navigation licenses** represents a concrete procedural simplification. The receipt issued by the STED electronic desk replaces, for all purposes, the navigation license for the sale and purchase of used boats. The **authorization for temporary navigation** extends its validity to international waters, and the power to authenticate signatures for sale and purchase contracts is extended to maritime agents holding STED desks, subject to passing a supplementary examination.

4.4 Protection of Posidonia Oceanica: Implications for Mooring Facilities

Article 20 introduces specific requirements concerning the **anchoring of recreational craft** for the protection of Posidonia oceanica meadows. The obligation to manage anchoring so as to protect marine habitats has direct implications for projects involving the development, expansion or redevelopment of mooring facilities in tourist ports and marinas.

Environmental impact assessments (i.e., *valutazione di impatto ambientale* - “VIA”) and **landscape authorizations** for such projects will have to take account of the new requirements, with a potential increase in compliance costs for developers operating in sensitive coastal areas.

5. Maritime Navigation, Digitalization and Shipbuilding

Chapter V amends the Navigation Code (Royal Decree No. 327/1942) and its implementing regulation (Presidential Decree No. 328/1952) through a package of measures aimed at administrative simplification, enhanced navigation safety and the **digitalization of onboard documents**. This is the first organic intervention for the digitalization of ship papers and onboard documents, with the rationalization of documentary obligations and new rules on supervision of radio-electric equipment.

Article 22 **removes the requirement for paper-based reporting** for onboard documents, allowing the formation and digital storage of the nautical log, engine-room log, crew list, record of working hours and accidents, radiotelegraph log, onboard register for the GMDSS system, and registers for the loading and unloading of medicines, ballast and biofouling. The Italian legislature's choice to digitalize onboard registers and extend digital format to navigation documents is aligned with the International Maritime Organization (“IMO”) guidelines for the regulatory framework for Maritime Autonomous Surface Ships (“MASS”), accelerating the transition towards a system in which the digital traceability of onboard operations becomes a prerequisite for the allocation of liability.

At the same time, the underwater activities law introduced the **personal electronic logbook** for technical underwater and hyperbaric operators: a bilingual digital document (Italian/English) recording qualifications, medical fitness, individual dives, hyperbaric compressions, accidents and professional updates. The two digital systems – onboard documents and the operators’ logbook – will need to be integrated in order to avoid redundancies: liability profiles in professional underwater operations conducted from naval units require synchronization between digitalized onboard data and the logbook of the embarked operator. In the absence of a specific interoperability solution, there is a risk of a double digital compliance burden for underwater companies that also operate as shipowners.

Finally, Article 24 grants the Regions the power to adopt, consistently with Legislative Decree No. 184/2025 (the so-called “*Incentives Code*”), **support measures for the modernization and development of shipbuilding**: tax relief on their own taxes, grants for technological innovation, and aid for specialized vocational training.

6. Environment, Infrastructure and Fisheries: Administrative, Concession and Social-Security Aspects

Chapter VI brings together a set of heterogeneous provisions that are nevertheless of significant interest to sector operators. Three aspects merit closer analysis from the perspective of administrative law and investment transactions.

6.1 Landscape Authorization in Port Areas

Article 27 amends the rules on landscape authorization for works in port areas, pursuing the objective of **simplifying authorization procedures** for port redevelopment and infrastructure development works, a sector in which the overlap between landscape protection regimes (Legislative Decree No. 42/2004, the so-called “*Cultural Heritage and Landscape Code*”) and State-owned maritime competences had generated considerable practical uncertainty.

In particular, the provision allows **recovery and redevelopment works** carried out in areas identified by the regional landscape plan (i.e., *piano paesaggistico regionale* - “**PPR**”) as being affected by substantial and significant infrastructure within the port areas identified and delimited by port master plans to be excluded from landscape authorization.

In this way, the legislature intends to reduce the length and costs of the authorization process, with positive effects on the bankability of port infrastructure projects. The rule will have to be read in coordination with the port master plans in force and with the provisions of Legislative Decree No. 169/2016 on Port System Authorities.

6.2 Repurposing Offshore Platforms

Article 28 introduces a specific regime for the repurposing of offshore hydrocarbon production platforms and related infrastructure. The provision forms part of the broader debate on the energy transition and the future of end-of-life offshore extraction assets, allowing **conversion to alternative uses** – offshore wind, aquaculture, marine scientific research, deep underwater tourism – without decommissioning of extraction facilities being the only available option.

For funds active in the infrastructure and energy-transition sectors, the provision opens a window of opportunity in a market that has so far lacked a **clear regime for reuse**: the rights exercisable in the exclusive economic zone – now supplemented by Article 36, which amends Law No. 91/2021 – provide a more precise regulatory reference for structuring investment transactions in offshore assets, bearing in mind that Italian platforms in the Adriatic Sea and in the Strait of Sicily are existing infrastructure located in strategic positions.

6.3 Social Safety Nets in the Fisheries Sector and Management Implications

Articles 30 and 31 initiate full implementations of the application of the Special Agricultural Workers' Fund (i.e., *Cassa speciale operai agricoli* - "CISOA") to seafarers in the fisheries sector. An interministerial decree of the Ministries of Labour, Agriculture and Economy will define the implementing procedures. A **social-security contribution relief** is also provided for employers that re-embark workers following the definitive cessation of a vessel's operations.

For investors in fisheries companies or port infrastructure dedicated to professional fishing, the availability of **adequate social safety nets** reduces the risk of employment disputes and improves the financial manageability of fleets during biological rest periods or sector crises.

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