



Press Office of the Constitutional Court

---

*Press Release of 9 October 2020*

---

## THE ESTABLISHMENT BY THE STATE OF THE MESSINA STRAIT PORT AUTHORITY IS CONSTITUTIONAL

The establishment of the new “Strait Port System Authority” under Law no. 136 of 2018, converting into law Decree-Law no. 119 also of 2018, does not raise any issues in terms of loyal cooperation with the regions as it was enacted by law and fell within the legislative power of the State.

This ruling was issued by the Constitutional Court in [judgment no. 208](#), filed today (author of the judgment Vice President Giuliano Amato), which declared unfounded the questions of constitutionality raised by Calabria Region disputing, in particular, the competence of the Authority, which is based in Messina, over the ports of Villa San Giovanni and Reggio Calabria.

By the contested provision, the State legislator regulated organisational matters pertaining to fundamental principles in the area of “civil ports and airports”, in addition to those pertaining to national public bodies, with the aim of exploiting the special circumstances of the Strait and its ports, which share the common predominant purpose of operating passenger traffic.

In addition, the establishment of a new Authority based in Messina covering also the two Calabrian ports cannot be regarded as unreasonable due to any potential interference with the legislation governing the Special Economic Zone (“*zona economica speciale*” - ZES) comprising Calabria Region. In fact, it cannot be asserted, as Calabria Region purports, that the only solution compatible with constitutional law would be for the territorial districts of the port system authority to coincide with those of the ZES as the legislator has made express provision in situations in which certain ports falling within one particular ZES fall under the territorial competence of an authority based in another region, as is the case here.

Rome, 9 October 2020