



Press Office of the Constitutional Court

Press release of 2 December 2019

RECONSTRUCTING EARTHQUAKE-AFFECTED AREAS REQUIRES
AGREEMENT BETWEEN THE STATE AND THE REGIONS; BUT THE
CONSTITUTIONAL COURT “SAVES” THE EMERGENCY PROVISIONS
ALREADY APPROVED

The reconstruction of earthquake-affected areas falls within the subject matters of “civil protection” and “government over the territory”, which belong to the sphere of legislative competence that is shared between the State and the Regions. Therefore, when the State legislates on reconstruction efforts, it can do so only after it has agreed on said legislation with the Presidents of the Regions involved. Provisions stating that merely seeking the opinions of the Presidents is sufficient – instead of their agreement with them – are unconstitutional.

This was held by the Constitutional Court in Judgment no. 246, filed today (Judge Rapporteur: Giovanni Amoroso).

In the same judgment, taking into account the need for continuity in the actions of the Extraordinary Commissioner, the Court stated that this was without prejudice to the relevant effects of administrative actions that have already been taken to address the emergency.

Rome, 2 December 2019