

*Press Release of 23 September 2021*

## COVID EMERGENCY AND DECREES ISSUED BY THE PRESIDENT OF THE COUNCIL OF MINISTERS: NO LEGISLATIVE POWERS HAVE BEEN DELEGATED TO THE PRESIDENT OF THE COUNCIL OF MINISTERS

Today the Constitutional Court examined certain questions raised by the Frosinone Justice of the Peace concerning the constitutionality of Decree Law no. 6 and Decree Law no. 19 of 2020, both of which have been converted into ordinary laws, concerning the adoption by decree of the President of the Council of Ministers (DPCM) of urgent measures to contain and manage the COVID-19 epidemiological emergency. In the specific case before the Justice of the Peace, a private individual had challenged an administrative fine of 400 euros, which had been imposed on him on the grounds that he had left his home during the April 2020 lockdown in breach of the prohibition laid down by the Decree-Law, and subsequently by the DPCM. According to the Justice of the Peace, the two decrees-law delegated legislative powers to the President of the Council of Ministers, and thus violated Articles 76, 77 and 78 of the Constitution.

Pending the filing of the judgment, the Press Office announces that the Court has ruled inadmissible the challenges brought against Decree-Law no. 6 on the grounds that it is not applicable to the case at issue.

It has also ruled unfounded the questions concerning Decree-Law no. 19, as the President of the Council of Ministers was not vested with anything other than the task of implementing the Decree-Law by issuing administrative acts.

The judgment will be filed over the next few weeks.

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