



Press Office of the Constitutional Court

Press release of 8 July 2020

MORANDI BRIDGE: EXCLUDING *AUTOSTRADA* FROM THE RECONSTRUCTION WORKS IS NOT UNCONSTITUTIONAL

Today, in chambers, the Constitutional Court examined the questions raised by the Regional Administrative Court of Liguria regarding several provisions of Decree-Law No. 109 of 2018 (the “Genoa Decree”), issued after the collapse of the Morandi Bridge. The Decree entrusted a special commissioner with the activities relating to the complete demolition and reconstruction of the Bridge, as well as those connected with the expropriations required for these purposes. The commissioner was also tasked with selecting the undertakings to which these services were to be awarded; in this regard, the legislation at issue provided that the special commissioner could not select *Autostrade Spa* (Aspi), nor any of its subsidiaries or otherwise related undertakings. Lastly, the challenged Decree required Aspi to meet the costs associated with the reconstruction and expropriation works.

Pending filing of the judgment, the Press Office of the Constitutional Court informs the public that the Court has declared the questions relating to the exclusion, established in law, of Aspi from the negotiated procedure to award the demolition and reconstruction works to be unfounded.

The Legislator’s decision not to entrust to *Autostrade* the Morandi Bridge reconstruction works was based on the exceptional gravity of the situation, which led the Legislator, by way of precaution, not to award said works to the undertaking responsible for maintaining the Bridge itself.

The Court also declared the inadmissibility of the questions on the exclusion of undertakings connected to Aspi, as well as of those regarding the obligation imposed on Aspi to meet the costs associated with reconstructing the Morandi Bridge and expropriating the relevant property.

The judgment will be filed in the coming weeks.

Rome, 8 July 2020