

**Law No. 9 of 26 January 2026 – Provisions on the safety of underwater activities. (26G00024)
(published in the Official Journal General Series No. 21 of 27 January 2026)**

Notes: Entry into force of the measure: 11 February 2026, with the exception of the provisions referred to in Articles 10 and 16, paragraphs 1, 2, 4 and 5, which shall enter into force on 30 December 2027.

The Chamber of Deputies and the Senate of the Republic have approved.

The President of the Republic promulgates the following law:

**Chapter I
UNDERWATER POLICIES**

Art. 1.

Scope of application of the underwater dimension

1. The provisions of this law govern activities intended to take place in the underwater dimension in areas subject to national sovereignty or jurisdiction and, limited to infrastructure of national interest as defined in Article 2, paragraph 1, letter n), on the high seas. International obligations and constraints arising from membership of the European Union remain applicable.

2. The provisions of this law do not apply to military, judicial police and public security activities, activities carried out by the National Fire Brigade, fishing, activities referred to in Article 32, activities relating to national security, including cyber security, tourist and recreational activities, and activities carried out for sporting purposes. The provisions of this law do not affect the powers attributed by current legislation, which continue to be exercised by the relevant public administrations.

Article 2

Definitions

1. For the purposes of this Law, the following definitions shall apply:

a) “*underwater domain activities*”: any activity carried out on the seabed of the sea, transitional waters and internal marine waters, within the relevant subsoil and in the waters above the seabed, transitional waters and internal marine waters, which, except as provided for in Articles 19 and 21, is performed at least in part at a depth equal to or greater than 40 metres below mean sea level. Activities within the underwater domain shall also include, where the conditions set out in the first

sentence apply, the deployment and launch at sea of operators or underwater vehicles, whether crewed, uncrewed or remotely controlled;

b) “*maritime areas subject to national jurisdiction*”: national internal waters and the national territorial sea, as well as, in relation to the rights and jurisdiction attributed under applicable international rules, the national contiguous zone, the national exclusive economic zone and the national continental shelf referred to in Article 1 of Law No. 613 of 21 July 1967;

c) “*diving and hyperbaric activities*”: activities carried out using breathing support systems in a hyperbaric environment, whether aquatic or gaseous;

d) “*professional diving and hyperbaric operators*”: professional working divers as defined in letter f) and life support technicians as defined in letter g), who carry out, on a professional basis, even if not exclusively or continuously, activities related to diving work at sea or in inland waters, at depths involving pressure greater than atmospheric pressure, or at atmospheric pressure using specific underwater equipment, structures or vehicles, or within gaseous hyperbaric environments;

e) “*diving and hyperbaric contractors*”: undertakings that carry out diving or hyperbaric work;

f) “*technical underwater operator (OTS)*”: a professional working diver who, having acquired the necessary competencies through a dedicated training pathway, is able to carry out occupational diving activities at variable depths and pressures, according to their level of qualification, using personal environmental protective equipment and systems and equipment for breathing compressed gases;

g) “*hyperbaric technician (TI)*”: a life support technician (LST) responsible for the operation of hyperbaric chambers and saturation systems, or who, having acquired the necessary competencies through a dedicated training pathway, is able to operate and manage the hyperbaric system supporting professional diving activities, ensuring that professional working divers exposed to hyperbaric agents are at all times maintained under optimal physiological conditions;

h) “*Interministerial Committee for Maritime Policy*”: the interministerial committee established pursuant to Article 12 of Decree-Law No. 173 of 11 November 2022, converted, with amendments, by Law No. 204 of 16 December 2022;

i) “*Agency for the Safety of Underwater Activities*”: the Agency referred to in Article 4;

l) “*United Nations Convention on the Law of the Sea (UNCLOS)*”: the United Nations Convention on the Law of the Sea, adopted at Montego Bay on 10 December 1982, ratified and implemented pursuant to Law No. 689 of 2 December 1994;

m) “*innocent passage*”: passage through the territorial sea by vessels flying a flag other than the Italian flag, in accordance with applicable international rules;

n) “*underwater infrastructure of national interest*”: underwater infrastructure possessing one or more of the following characteristics, identified by decree of the President of the Council of Ministers or by

the political authority delegated for maritime policy, where appointed, following consultation with the Interministerial Committee for Maritime Policy and, for matters within its competence, the National Cybersecurity Agency, upon proposal by the Minister for Enterprises and Made in Italy, the Minister of Defence, the Minister for Universities and Research, the Minister for Infrastructure and Transport, or the Minister for the Environment and Energy Security, according to their respective competences:

1. being owned by entities of Italian nationality or by public administrations referred to in Article 1, paragraph 2, of Legislative Decree No. 165 of 30 March 2001, regardless of their location;
 2. being relevant for connectivity, communications and digital services, or for the supply of the national territory or national installations located within the national exclusive economic zone or continental shelf;
 3. presenting potential environmental risks for the national territory or for maritime areas subject to national jurisdiction;
- o)** “*search and rescue area*”: a maritime area of defined dimensions associated with a rescue coordination centre, within which search and rescue services are provided;
- p)** “*underwater vehicles*”: underwater vehicles suitable for underwater navigation, including autonomous or remotely controlled systems, with or without crew on board;
- q)** “*National Underwater Domain Hub (PNS)*”: the national hub established and regulated pursuant to Article 111, paragraph 1-bis, of the Military Code of Organisation referred to in Legislative Decree No. 66 of 15 March 2010, responsible for promoting activities aimed at enhancing the potential and competitiveness of the national diving sector, promoting related research and technical-scientific activities, and strengthening innovation and related intellectual property;
- r)** “*diving doctor*”: a diving medicine physician employed by the Ministry of Health and serving within the Maritime, Air and Border Health Offices (USMAF) or within the Territorial Services for Healthcare Assistance to Seafarers (SASN); a physician working within an authorised hyperbaric medicine centre or service of local health authorities, hospital trusts or university facilities; a military medical officer; or a physician specialised in diving medicine or holding a Level II University Master’s degree in diving and hyperbaric medicine, with at least three years of proven professional experience in medical practice;
- s)** “*personal digital logbook*”: the digital document certifying fulfilment of the requirements for registration in the register of professional diving and hyperbaric operators, as well as the continued fulfilment of the requirements for carrying out diving or hyperbaric work;
- t)** “*register of professional diving and hyperbaric operators*”: the register referred to in Article 20;
- u)** “*underwater research activities*”: activities aimed at the development of specific knowledge relating to:

1. the water column and its three-dimensional circulation dynamics;
2. the seabed and its high-resolution morphology, including investigations relating to the exploration of elements and minerals;
3. marine biology, marine biodiversity and ecosystem protection;
4. technologies relating to underwater communication systems, human physiology in hyperbaric environments, multifunctional mobility for underwater exploration, Internet of Things (IoT) technologies and artificial intelligence (AI), enabling the development of next-generation autonomous systems, multi-platform observational and exploration fleets, and marine archaeology.

Art. 3.

Powers of the Prime Minister

1. The Prime Minister or the delegated political authority for maritime policy, where appointed, shall have exclusive responsibility for senior management, general responsibility, guidance and coordination of underwater policies.
2. The Prime Minister or the delegated political authority for maritime policies, where appointed, shall also promote the adoption of the necessary initiatives to promote effective collaboration, at national and international level, between institutional entities and private operators interested in the underwater dimension, as well as, without prejudice to the ownership of data by individual administrations, for the sharing of information and the adoption of best practices and measures aimed at technological and scientific development in the field of underwater activities underwater activities.
3. For the purposes of exercising the powers referred to in paragraphs 1 and 2, the President of the Council of Ministers or the political authority delegated for maritime policies, where appointed, after consulting the Interministerial Committee for Maritime Policies , shall issue directives to ensure the of underwater policies.

CHAPTER II

AGENCY FOR THE SAFETY OF UNDERWATER ACTIVITIES

Art. 4.

Agency for the Safety of Underwater Activities

1. The Agency for the Safety of Underwater Activities, hereinafter referred to as 'the Agency', is established in Rome to protect national interests in the field of underwater safety. for the Safety of Underwater Activities, hereinafter referred to as the 'Agency', with headquarters in Rome.

2. The Agency shall have legal personality under public law and shall have regulatory, administrative, patrimonial, organisational, accounting and financial autonomy, within the limits of the provisions of this law. The President of the Council of Ministers or the political authority delegated for maritime policies, where appointed, shall avail itself the Agency for the technical and operational implementation of the functions referred to in Article 3.

3. The Director General of the Agency shall be appointed by decree of the President of the Council of Ministers, on the proposal of the Minister of Defence, after consultation with the political authority delegated for maritime policy, where appointed, chosen from among persons with adequate and specific experience and training in matters relating to the underwater dimension and in the management of innovation processes. The term of office of the Director General shall be a maximum of four years and is renewable, with subsequent measures, for a maximum total duration of a further four years. The Director General, if coming from public administrations referred to in Article 1, paragraph 2, of Legislative Decree No. 165 of 30 March 2001, shall be placed outside the role or in a position of command or other similar position, according to the regulations to which they belong. Until the end of the period of placement outside the , the administration of origin may temporarily fill temporarily fill the vacant position in the staffing table using the corresponding financial resources. On the date of return to service of the staff member already placed outside the role, with the administration to which it belongs, the employment relationship and all legal effects deriving from the employment contract entered into for the temporary filling of the position referred to in the previous period shall cease. For the purposes of this law, the Director General of the Agency is the direct representative of the President of the Council of Ministers or the delegated to maritime policy, where appointed and is hierarchically and functionally superior to the the Agency's staff. The Director General is the legal representative of the Agency.

4. The Agency's activities are governed by this law and by the provisions whose adoption is provided for by same.

5. The Agency may request, including on the basis of specific agreements and in accordance with the areas of particular competence, the collaboration of other State bodies, other administrations, the Armed Forces, the Police Forces or public bodies for the performance of its institutional tasks, drawing on the human, instrumental and financial resources available under current legislation. The Agency may also make use of specific branches of the Navy, the Port Authorities - Coast Guard and the Finance Police, identified on the on the basis of non-onerous agreements concluded, drawing on the human, instrumental and financial resources available under current legislation, between the Director General and, respectively anyone intending to carry out activities in the underwater dimension, the Chief of Staff of the Navy, the General Commander of the Port Authorities - Coast Guard and the General Commander of the Finance Police . The Agency may also obtain opinions from experts in the sector on a non-onerous and non-binding basis.

6. The Agency shall be represented by the State Legal Service, pursuant to Article 1 of the consolidated text of laws and legal provisions on the representation and defence of the State in court and on the organisation of the State Legal Service, referred to in Royal Decree No. 1611 of 30 October 1933 no. 1611.

Art. 5.
Organisation of the Agency

1. The organisation and functioning of the Agency are defined by a specific regulation which provides, in particular, the structure of up to a maximum of two general management offices, as well as up to a maximum of six non-general management offices within the financial resources allocated to the Agency pursuant to Article 34.

2. The bodies of the Agency shall be the Director-General and the Board of Auditors. The regulation referred to in paragraph 1 shall also regulate:

- a) the functions of the Director General of the Agency;
- b) the composition and functioning of the Board of Auditors;
- c) the establishment of any secondary offices.

3. The regulations referred to in paragraph 1 shall be adopted within one hundred and twenty days from the date of entry into force of this law, by decree of the President of the Council of Ministers or the delegated political authority for maritime policy, where appointed, in agreement with the Minister of Economy and Finance, even in derogation of Article 17 of Law No. 400 of 23 August 1988, after consultation with the parliamentary committees responsible for the subject matter and for the financial aspects to be given within thirty days from the transmission of the relevant draft decree, after which the President of the Council of Ministers or the political authority delegated for maritime policies, where appointed may in any case proceed with the adoption of the relevant measure. The same regulation the terms and conditions for ensuring the initial operation of the Agency are defined, through the identification of appropriate spaces, on a transitional basis and for a maximum of twenty-four months, in accordance with appropriate economic agreements with the administrations concerned, to be used for the implementation of the provisions of this law. The regulation referred to in paragraph 1 also establishes the remuneration of the members of the Board of Auditors, within the limit of €60,000 per annum, which shall be charged to the Agency's budget.

Art. 6.
Functions of the Agency

1. The Agency shall, in particular:

- a) coordinates, in conjunction with the Ministry of Foreign Affairs Foreign Affairs and International Cooperation and the Ministry of Infrastructure and Transport, international and European cooperation in the field of diving. Without the competences of the aforementioned Ministries, it handles relations with the competent European and international bodies, institutions and entities, and follows up on institutional matters relating to the underwater dimension in the competent forums institutional forums on underwater issues in relation to the tasks assigned to it, with the exception of areas where the law assigns specific competences to other administrations. In such cases, coordination with the Agency is ensured in order to guarantee unified national positions consistent with underwater policies underwater dimension, as defined by the Prime Minister or the political authority delegated for maritime policies where appointed, pursuant to Article 3;
- b) coordinates and controls civil underwater activities, in order to avoid interference between military, police and civilian activities, in accordance with the provisions of Articles 10 and 12;
- c) authorises the submerged navigation of civilian submarines flying a flag other than the Italian flag during innocent passage through territorial waters or the launching of underwater vehicles from ships flying a flag other than the Italian flag, in accordance with the provisions of Article 10;
- d) reports to the competent administrations any situations of interference between underwater activities detected in the performance of other institutional tasks;
- e) defines, in accordance with international standards, the measures necessary to prevent, mitigate or eliminate serious and imminent dangers to the national territory and maritime areas under national jurisdiction attributable to risky human activities carried out in the underwater environment, in accordance with the provisions Article 13, without prejudice to the provisions of the the of civil protection, referred to in Legislative Decree No. 1 of 2 January 2018;
- f) promotes the analysis and study of risks associated with to the presence in the underwater environment of artefacts, wrecks and infrastructure that are dangerous to the safety of underwater navigation, adopting non-binding guidelines in accordance with the provisions of Article 17;
- g) defines technical regulations, in compliance the provisions of Articles 15, 16 and 21, of the requirements for the qualification to command and operate underwater vehicles underwater

vehicles, the characteristics and minimum safety equipment for non-military underwater vehicles suitable for underwater navigation, as well as, in accordance with the provisions of Article 21, the training course for registration in the register of underwater and hyperbaric and the procedures for assessing suitability for the job for the purposes of registration in the same register;

h) promotes the development of national capacity for rescue and extraction of persons from civil underwater vehicles involved in accidents in accordance with the provisions of Article 14;

i) contributes to promotion, pursuing objectives of excellence in its areas of competence, through the involvement of the Ministry of University and Research and the university and research system, the National Research Council and the National Institute of Health, as well as the regional and local authorities and the private sector, in order to achieve the objectives set out in the national research and innovation strategy involvement of the Ministry of University and Research and the university and research system, the Navy, the National Civil Protection Service, the Ministry of Culture, the Ministry of Enterprise and Made in Italy, the Ministry of Infrastructure and Transport, as well as the national production system, the development of technological and scientific skills and capabilities in the field of diving, also pursuant to the provisions of Article 17; scientific skills and capabilities in the field of diving, also in accordance with the provisions of Article 17;

l) promotes, in collaboration with the Hydrographic Institute of the Navy, as well as with universities and public research bodies, multidisciplinary knowledge of the underwater environment from a hydrographic, oceanographic and geophysical point of view, linking all technological and scientific knowledge and survey activities appropriately validated;

m) promotes a culture of safety in relation navigation and underwater activities through the organisation of events, conferences, study days and educational activities in schools and universities;

n) promotes international agreements and enters into technical agreements on its own behalf, including with the involvement of the private sector, with institutions, bodies and organisations in other countries for Italy's participation in programmes on the underwater dimension, ensuring the necessary liaison with other administrations to which the law attributes competences in underwater matters, without prejudice to the competences of the Ministry of Foreign Affairs and International Cooperation and the Ministry of Infrastructure and Transport;

o) promotes the results of research and innovation activities carried out within the framework of national, European and international initiatives in which public research bodies and universities participate;

- p) carries out communication and promotion activities activities to raise awareness of underwater issues, with a view to contributing to the development of a national culture in this field;
- q) promotes, in collaboration with the Ministry of Universities and Research and with universities and public research bodies, training, technical and professional growth and professional growth and the qualification of human resources in the underwater sector, in particular by promoting the establishment of university training courses in this field, including through the awarding of scholarships and doctoral grants and research collaboration contracts, on the basis of specific agreements with public and private entities;
- r) may organise specific training activities, in collaboration with universities and public research bodies research, reserved for young people who join the universal civil service, regulated on the basis of specific agreements. In any case, the service provided is, to all intents and purposes, recognised as universal civil service;
- s) contributes, pursuant to the provisions of Article 19, to the regulation of underwater and hyperbaric civil protection activities referred to in Article 18, paragraph 3;
- t) may prescribe, for reasons of public interest, the installation on infrastructures and means relating to the underwater dimension of equipment, measuring instruments and sensors, with reference to the best available, for seismic, environmental and safety monitoring security, the detection of any threats and the sharing of data and information thus acquired, in accordance with the provisions of Article 15, providing for forms of involvement of the Ministry of Culture in relation to the identification of possible interference with the cultural heritage;
- u) verifies the temporary and occasional nature of the professional service and decides on applications for recognition of the relevant professional qualification obtained abroad in accordance with the provisions of Article 22;
- v) contributes to the regulation of the personal of professional underwater and hyperbaric operators in accordance with the provisions of Article 24.

Art. 7.

Accounting rules

1. The Agency's revenue consists of:

- a) the State contribution referred to in Article 34;
- b) fees for services provided to public or private entities;

- c) income derived from the exploitation of the Agency's industrial property, intellectual property and inventions;
- d) other capital and operating income;
- e) contributions from the European Union or international organisations, including as a result of participation in specific calls for tenders, projects and collaboration programmes;
- f) any income deriving from the reallocation, subject to payment to the State budget, of the penalties referred to in Articles 26 and 27. State, of the penalties referred to in Articles 26 and 27.

2. The Agency's accounting regulations, which ensure its managerial and accounting autonomy, shall be adopted by the Board of Directors. ensures its managerial and accounting autonomy, shall be adopted by decree of the President of the Council of Ministers or the political authority delegated for maritime policies where appointed, in agreement with the Minister of Economy and Finance, on the proposal of the Director General of the Agency, after consultation with the Interministerial Committee for Maritime Policy, within one hundred and twenty days of the date of entry into force of this law, even in derogation from Article 17 of Law No. 400 of 23 August 1988, and the general accounting rules of the State, in compliance with the fundamental principles established therein, as well as the following provisions:

- a) the budget and final accounts adopted by the Director-General of the Agency shall be approved by decree of the President of the Council of Ministers or the political authority delegated for maritime policies where appointed, after consultation with the Interministerial Committee for Maritime Policy, and shall be forwarded to the Court of Auditors, which exercises the control provided for in Article 3, paragraph 4, of Law No. 20 of 14 January 1994;
- b) the final balance sheet and report of the Court are sent to the relevant parliamentary committees
competent parliamentary committees.

Art. 8.
Staff

1. Specific regulations shall be laid down, in accordance with the general principles of the legal system and in compliance with the criteria set out in this law, the rules governing the number of staff employed by the Agency, taking into account the functions aimed at protecting national interests in the the field of underwater safety activities referred to in this law. The regulation defines the system and recruitment of personnel, providing, in particular, for the Agency's personnel referred to in paragraph 2, letter a) the application of the provisions on the legal and economic status of the personnel of the Presidency of the Council , including those referred to in the current collective

bargaining agreement.

2. The regulation determines, within the scope of the allocated to the Agency pursuant to Article 34, paragraph 1, in particular:
 - a) the establishment of a staff register and the general regulations governing the employment relationship with the Agency's staff of the Agency;
 - b) the possibility of proceeding, in addition to recruitment on a permanent basis through competitive procedures, to hiring on a fixed-term basis, with private law contracts, individuals with highly specialised specialisation, identified through appropriate selection procedures, to carry out activities that are absolutely necessary for the Agency's operations of the Agency or for specific projects to be completed within a predetermined time frame;
 - c) the maximum percentage of employees who may be hired on a fixed-term basis;
 - d) the possibility of employing personnel from the Ministry according to terms and conditions to be defined by a specific decree of the President of the Council of Ministers or the political authority delegated for maritime policies where appointed;
 - e) cases of incompatibility;
 - f) the methods of application of the provisions of the Industrial Property Code, referred to in Legislative Decree 10 February 2005, No. 30, to intellectual property and inventions of Agency employees.
3. Without prejudice to the position of the Director-General referred to in Article 5, paragraph 2, the number of positions provided for in the Agency's staffing plan is set at total of thirty-nine, of which two are at general management level, six at non-general management level and thirty-one non-managerial staff, of twenty-two of which are in category A of the national collective labour agreement of the Presidency of the Council of Ministers and nine in category B of the same national collective labour agreement national collective agreement.
4. Any recruitment carried out in violation of the provisions of this law or the regulations referred to in this article are null and void, without prejudice to the personal, financial and disciplinary liability of those who made them arranged them.
5. Personnel who nevertheless perform their work in the employ of or on behalf of the Agency shall be required, even after the termination of such activity, to respect the secrecy of matters that have come to their knowledge in the course of their duties or by reason of their duties. in the course of their duties.
6. The regulation referred to in paragraph 1 shall be adopted, within one hundred and twenty days

from the date of entry into force of this law, by decree of the President of the Council of or the political authority delegated for maritime policies where appointed, even in derogation of Article 17 of Law No. 400 of 23 August 1988, in agreement with the Ministers of Economy and Finance and for Public administration, after consulting the parliamentary committees responsible for the subject matter and financial aspects to be given within thirty days of the transmission of the relevant draft decree, after which the President of the Council of Ministers or the Political Authority delegated for maritime policy, where appointed, may in any case proceed with its adoption.

Art. 9.

Annual report

1. By 30 April each year, the President of the Council of Ministers or the political authority delegated for maritime policies, where appointed, shall submit to Parliament a report on the Agency's activities in the previous year in the field of underwater safety.

Chapter III

UNDERWATER NAVIGATION, UNDERWATER VEHICLES AND INFRASTRUCTURE

Subsection I

Section I

AUTHORISATIONS AND COMMUNICATIONS

Art. 10

Management of interference in the underwater environment

1. Without prejudice to the freedoms of the sea and the limits to the jurisdiction of the coastal State provided for by international regulations in force, anyone intending to carry out activities in the underwater dimension in internal marine waters or in the territorial sea, or in relation to the continental shelf or the exclusive economic zone, underwater activities relating to jurisdictional rights or powers attributed to the coastal State by applicable international rules, shall notify the Agency at least fifteen days in advance, except in cases of urgency, rescue operations or civil protection activities, the activities to be carried out, the day or days on which they will be carried out, indicating the time of the planned activity, as well as any administrative authorisations issued by the competent public administrations on the basis of which the activities will be carried out.

2. The Agency shall immediately forward the communication referred to in paragraph 1 to the

competent military, maritime, public security and judicial police authorities and, within ten days of the same communication, shall adopt the measures referred to in paragraph 3 if the activities referred to in paragraph 1:

a) interfere with civil underwater activities previously notified pursuant to paragraph 1 or authorised pursuant to paragraph 4;

b) interfere with other civil activities taking place on the surface that have been previously communicated or authorised by the competent maritime authority in accordance with the regulations in force; current regulations;

c) interfere with military or civil underwater or surface activities reported to the Agency by the competent authority within five days of receipt of the notification referred to in the introductory paragraph;

d) are likely to cause the tampering, damage or destruction of cables, submarine pipelines, artificial islands, installations or other structures.

3. Where the conditions set out in points a) to d) of paragraph 2, the Agency shall, by its own decision, adopt the necessary measures to mitigate risks of interference, in order to allow the notified activity to be carried out safely. To this end, the Agency may also order compliance with specific safety zones or identify a different spatial or temporal context in which the notified activity may be carried out. The measure referred to in the first sentence of this paragraph shall be immediately transmitted to the person who made the notification and to the judicial police and public security authorities that perform land and maritime police functions.

4. If the conditions referred to in paragraph 2, letters a) to d) are not met, the Agency, by its own measure, without prejudice to the ordinary conditions for the exercise of innocent passage on the surface, may authorise the submerged navigation of civilian submarines flying a flag other than the Italian flag or the launching of underwater vehicles from ships flying a flag other than the Italian flag during the passage in good faith. of underwater vehicles by ships flying a flag other than the Italian flag during the passage in territorial waters, for economic, tourist or logistical reasons documented by the applicant, also establishing, in accordance with Article 15, the requirements and technological equipment necessary to ensure the identification and tracking of diving activities for safety purposes

5. The activities authorised pursuant to paragraph 4, as well as those for which the Agency has adopted or failed to adopt the measures referred to in paragraph 3 shall be communicated without delay by the Agency to the competent maritime authority for the adoption of orders pursuant to Article 59 of the regulations for the implementation of the Navigation Code (Maritime Navigation),

referred to in the decree of the President of the Republic of 15 February 1952, No. 328, or notices to mariners pursuant to Article 124 of the Military Code, referred to in Legislative Decree No. 66 of 15 March 2010, and Article 222 of the consolidated text of regulatory provisions on military organisation, referred to in Presidential Decree No. 90 of 15 March 2010, where necessary to enable the performance of underwater activities underwater activities.

6. In balancing the interests underlying multiple requests pursuant to paragraph 4, referring to the same spatial and temporal context, priority shall be given to activities most suitable for ensuring the public interest, with particular reference to national security and the installation and protection of infrastructure of national interest. For the purposes of deciding on the applications referred to in paragraph 4, the Agency shall also take into account the existence of authorisations already issued by the competent sectoral administrations, as well as the possibility of carrying out the activity in another spatial or time frame for the identified purpose.

7. The authorisation applications referred to in paragraph 4 shall be submitted, accompanied by the authorisations issued by the competent authorities where required, within the spatial and temporal limits strictly necessary for the execution the planned underwater activities, with at least thirty days' notice of at least thirty days prior to the date of of the activity, except in cases of urgency where the notice period may not be less than fifteen days. The Agency shall conclude the procedure with a decision within ten days of the submission of the application. Silence shall be deemed to constitute acceptance of the application.

8. The communications referred to in paragraph 1 and the authorisations referred to in paragraph 4 may concern a single underwater activity or a series of underwater activities of the same type or interconnected.

9. Unless the act constitutes a more serious offence, anyone who carries out an underwater activity without having made the notification referred to in paragraph 1 or having obtained the authorisations referred to in paragraph 4, or carries out an underwater activity in violation of the mitigation measures the risks of interference referred to in paragraph 3 shall be punishable by imprisonment for up to two years.

10. One or more measures of the Agency, in agreement with the Ministry of Defence, shall define the elements, documents and procedures for the submission of the notification referred to in paragraph 1 and the application for authorisation referred to in paragraph 4. By the same measures referred to in the first sentence, after consultation with the most representative trade associations at national level, the types of operations falling within the emergency cases referred to in paragraph 1, as well as the procedures for simplified communication concerning underwater or hyperbaric activities that cannot be planned.

11. This is without prejudice to the right of the competent authorities to notify the Agency, even after the expiry of the deadline referred to in paragraph 2, letter c) , the underwater or surface activities necessary as a result of circumstances that have arisen for the protection of overriding public interests. Within five days of the notification referred to in the previous sentence, the Agency may adopt the measures referred to in paragraph 3 or revoke the authorisations referred to in paragraph 4, even in derogation of the terms provided for in paragraphs 2, 4 and 7.

Art. 11.

Communication of authorisations relating to underwater dimension

1. In order to allow the Agency to have a complete overview of underwater activities in order to carry out the interference prevention functions referred to in Article 10, the competent administrations shall immediately forward to the Agency, and in any case within five days of their adoption, the authorisation and regulatory measures relating to the performance surface activities and the underwater dimension within their jurisdiction.

Article 12

Information-sharing cooperation

1. In the performance of the tasks provided for under this Law, the sharing of information shall be ensured among the Agency, the Navy, the General Command of the Guardia di Finanza, the General Command of the Coast Guard Corps, and the National Cybersecurity Agency.
2. In order to contribute to the prevention of interference between military activities, and between military and civilian activities carried out within the underwater domain, the Agency shall process the information relating to military activities provided by the competent military authorities and shall, in turn, return to those authorities a comprehensive overview of the available information, in compliance with applicable security classification requirements.
3. The Agency shall make available to the bodies referred to in Articles 4, 6 and 7 of Law No. 124 of 3 August 2007 the data and information necessary for the performance of their respective institutional functions.

Section II

UNDERWATER INFRASTRUCTURE

Article 13

Security of underwater infrastructure

1. Without prejudice to the national implementing provisions of Directive (EU) 2022/2555 of the European Parliament and of the Council of 14 December 2022, as well as of Directive (EU) 2022/2557 of the European Parliament and of the Council of 14 December 2022, and in coordination with the competent authorities under the respective implementing frameworks, the Agency, in compliance with the directives issued by the President of the Council of Ministers or by the political authority delegated for maritime policy, where appointed, pursuant to Article 3, paragraph 3, of this Law, shall define the measures referred to in paragraph 2 of this Article, necessary to prevent risks of interference affecting underwater infrastructure located within maritime areas subject to national jurisdiction and, limited to infrastructure of national interest belonging to entities of Italian nationality, also on the high seas.

2. In exercising the functions referred to in paragraph 1, the Agency may:

- a) identify and monitor, making use of the operational centre and the assets of the Navy, underwater activities which, by their nature, proximity or depth, may pose a risk to platforms, artificial islands, infrastructure and research equipment, cables and pipelines located in areas subject to national jurisdiction;
- b) contribute to defining measures for verification, inspection, monitoring and surveillance of the entire network of underwater infrastructure of national interest, promoting the synergistic use of available assets and the sharing of the information obtained;
- c) contribute to defining emergency plans for the restoration of the functionality of cables and pipelines affected by damage, as well as for the prevention, mitigation and response to pollution events, including in fulfilment of European legislation, and procedures for urgent and emergency maintenance and repair of cables and pipelines laid on the national continental shelf, without prejudice to the provisions of Article 24, paragraph 8, of the Civil Protection Code referred to in Legislative Decree No. 1 of 2 January 2018;
- d) promote coordination among the competent administrations in order to define appropriate measures allowing the recovery of surplus bandwidth or flow capacity among different users, with the aim of addressing situations of interruption or damage to cables and pipelines;
- e) contribute to defining, with regard to safety aspects related to underwater activities, the routing of cables and pipelines to be laid on the national continental shelf and, following consultation with the operators of the relevant infrastructure, the criteria to be observed during corridor study phases for identifying the routing of cables and pipelines.

Section III

UNDERWATER VEHICLES

Article 14

Rescue of distressed civilian underwater vehicles

1. Without prejudice to the competences established under the applicable legislation for the coordination of maritime search and rescue operations, and to the specific capabilities for the rescue of distressed military submarines, the Agency, making use of the Navy, the General Command of the Coast Guard Corps, the National Fire and Rescue Service and the General Command of the Guardia di Finanza, on the basis of non-remunerative agreements concluded using the human, instrumental and financial resources available under current legislation, shall promote the development of national capability for the rescue and extraction of persons from distressed civilian underwater vehicles.

Art. 15.

Characteristics of underwater vehicles

1. The Agency, by order adopted in agreement with the Ministry of Defence, the Ministry of the Interior, the Ministry of the Environment and Energy Security, the Ministry of Enterprise and Made in Italy and the Ministry Infrastructure and Transport, defines the requirements and minimum safety equipment, with reference also to emergency evacuation systems for people from piloted vehicles, as well as the installation of a transponder and underwater location systems, which must be fitted to non-military underwater vehicles operating in internal waters, territorial waters, the continental shelf and the exclusive economic zone. The same procedures referred to in the previous paragraph, the related verification and certification procedures are also defined. The Agency, in relation to the certification activities referred to in the previous paragraph, on the basis of agreements referred to in the previous period, on the basis of non-onerous agreements concluded with the human, instrumental and financial resources available under current legislation, may collaborate with technical standardisation bodies as well as with accredited at national and international level, in order to certify compliance with the minimum safety requirements and equipment referred to in this paragraph. The costs arising from certification activities shall be borne by the operators involved.

2. In any case, non-military underwater vehicles that comply with international reference standards compatible with those defined in accordance with paragraph 1. The Agency, by order adopted pursuant to paragraph 1, shall define the procedures for for verifying suitability for use as referred to in the previous period.

Art. 16.

Command and control of underwater vehicles

1. Without prejudice to the additional requirements provided for by the regulations in force on the subject, the commander of non-military underwater vehicles non-military underwater vehicles flying the Italian flag intended for the transport of persons or goods or with a crew on board must possess a special professional qualification professional qualification relating to the command of underwater vehicles, in addition to that required for the command of vessels flying the Italian flag.
2. Without prejudice to the additional requirements provided for by the regulations in force on the subject, anyone who drives or, in any case, controls non-military underwater vehicles without crew, including autonomous vehicles, from the territory of the State or from ships flying the Italian flag must be in possession a special professional qualification.
3. By one or more decrees of the President of the Council of Ministers, adopted on the proposal of the political authority delegated for maritime policies, where appointed, in agreement with the Ministry of Defence, the Ministry of the Interior, the Ministry of Economy and Finance and the Ministry of Infrastructure and Transport, the following shall be determined:
 - a) the professional qualification programmes and the procedures for verifying the requirements necessary for obtaining the special professional qualification referred to referred to in paragraph 1;
 - b) the professional qualification programmes and procedures for verifying the requirements necessary for obtaining the special professional qualification referred to in paragraph 2.
4. Anyone who assumes or considers the command, conduct or control of underwater vehicles without the special professional qualification required by this article shall be subject to an administrative fine of payment of a sum ranging from €3,000 to €12,000. The assessment and imposition of the penalties referred to in the the preceding period shall be carried out in accordance with Article 26.
5. For the purposes of determining the amount of the penalties referred to in paragraph 4, the criteria set out Article 11 of Law No. 689 of 24 November 1981 shall apply.

Section IV

GUIDELINES

Art. 17.

Development of underwater technologies

1. The Agency, on the basis of non-onerous agreements concluded on the basis of the human, instrumental and financial resources available under current legislation, may collaborate with the National Underwater Centre (PNS) and the relevant public research bodies in Italy to adopt non-binding guidelines for the development of underwater technologies and for the identification and development of advanced technical solutions. The Agency may acquire, on the basis of the guidelines referred to above period, the opinions of underwater and hyperbaric companies on a non-binding basis. For the purposes of adopting the guidelines, the non-binding technical opinion of underwater infrastructure operators of primary national interest may be obtained for the adoption of the guidelines.

2. Without prejudice to the need for coordination with international or European research initiatives involving universities and public research bodies, in carrying out the tasks referred to in paragraph 1, the Agency may also identify and develop advanced technologies and technical solutions for:

a) increasing the safety levels of underwater vehicles, their tracking, collision prevention and recovery systems;

b) monitoring the seabed for environmental protection purposes, in coordination with the Ministry of University and Research, the Ministry of the Environment and Energy Security and the National Civil Protection Service;

c) the identification and localisation of risks relating to the underwater environment and the related management and alert systems, in coordination with the Ministry of Universities and Research and the National Civil Protection Service;

d) mapping of the seabed in collaboration with the Ministry of University and Research with regard to data acquisition and sharing;

e) surveillance, physical resilience and protection of underwater infrastructure;

f) defining solutions to reduce the impact of deep-sea mining activities, taking into account

- activities carried out at European and international level by public research bodies;
- g) the definition of methodologies for the restoration and repair of cables and pipelines;
 - h) the standardisation of components and equipment for underwater vehicles;
 - i) rescue techniques for damaged civilian submarines, in coordination with the National Fire Brigade, the Navy, the Port Authorities - Coast Guard and the Finance Police.

Chapter IV

UNDERWATER AND HYPERBARIC ACTIVITIES

Section I

SCOPE OF APPLICATION

Art. 18

Underwater and hyperbaric work and excluded activities

1. The provisions of this chapter establish the fundamental principles governing underwater and hyperbaric work carried out by underwater and hyperbaric operators and by underwater and hyperbaric companies.
2. The provisions of this chapter do not apply to the activities referred to in paragraph 1 carried out by the Armed Forces, including the Port Authority – Coast Guard, the police forces and the National Fire Brigade, which continue to be governed by sector-specific provisions, including with regard to the prior issuance of the military diver certificate by the Navy's Underwater and Incursion Group Command where required.
3. By decree of the President of the Council of Ministers or the political authority delegated for maritime policy, where appointed, on the proposal of the head of the Civil Protection Department of the Presidency of the Council of Ministers in agreement with the Director General of the Agency, after obtaining the agreement of the Unified Conference referred to in Article 8 of Legislative Decree No. 281 of 28 August 1997, and after consultation with the National Committee for Civil Protection Volunteering referred to in Article 42 of the Civil Protection Code, referred to in Legislative Decree No. 2 of 2 January 2018, No. 1, regulates underwater and hyperbaric civil protection activities carried out by the entities referred to in Article 13, paragraph 1, letter e) , of the aforementioned code referred to in Legislative Decree No. 1 of 2 January 2018, in compliance with

the provisions of the same code and the areas of regulatory autonomy recognised by current legislation.

Section II

UNDERWATER AND HYPERBARIC OPERATORS

Art. 19.

Professional qualifications and areas of operation

1. For the performance of the activities referred to in Article 18, paragraph 1, carried out in inland waters and territorial seas, as well as, limited to Italian employees of entities with registered offices or permanent establishments in national territory or of Italian nationality, in the exclusive national economic zone, in the waters above the national continental shelf and on the high seas, registration in the register referred to in Article 20 is mandatory, which is carried out for the following professional qualifications:

- b) medium-depth technical diver (OTS), who dives to a depth of up to depth of 50 metres, even with the support of hyperbaric facilities hyperbaric equipment;
- c) deep-sea technical diver (OTS , who dives to depths of over 50 metres with the support of hyperbaric facilities;
- d) hyperbaric technician (Tecnico iperbarico, TI), internationally referred to as Life Support Technician (LST).

2. For specific and justified reasons related to monitoring, direct observation, specialist assessment and the study of underwater environments, structures, works and equipment during the performance of activities within the scope of paragraph 1, diving is permitted diving by technical or scientific personnel who do not hold the professional qualification of OTS is permitted, subject to authorisation by the person responsible for the activity and provided that the following mandatory conditions are met:

- a) the technical or scientific personnel are in possession of a valid recreational diving licence issued by a recognised national or international organisation and the relevant medical certificate;
- b) the technical or scientific personnel has successfully completed and documented a specific course of theoretical and practical training on the specific activity and the technical and safety procedures applied;
- c) the dive takes place within the limits of the certification held and in tandem with an OTS.

Art. 20.

Register of professional diving and hyperbaric operators professional

1. The register of locally employed divers, kept by the harbour master pursuant to Article 3 of the decree of the Minister of the Merchant Navy of 13 January 1979, published in the Official Gazette no. 47 of 16 February 1979, shall be known as the register of professional divers and hyperbaric operators.

Art. 21.

Requirements for entry in the register of professional underwater and hyperbaric operators
professional underwater and hyperbaric operators

1. For registration in the register referred to in Article 20 the following requirements must be met:

a) legal age;

b) Italian citizenship or citizenship of another Member State of the European Union or belonging to the European Economic Area or Swiss citizenship or, for persons with a different citizenship, possession of a valid residence permit issued in accordance with national immigration legislation;

c) without prejudice to the provisions of Article 22, paragraph 2, possession of a professional qualification of at least three years' duration, including those obtained abroad and recognised;

a) shallow water technical diver (OTS), who dives to a depth of a depth of 15 metres;

d) without prejudice to the provisions of Article 22, paragraph 2, possession of a professional qualification certificate issued at the end of courses carried out by the regions or autonomous provinces of Trento and Bolzano or by schools or vocational training centres with suitable technical and educational facilities, authorised by the competent regions or autonomous provinces competent, following a training course regulated by a provision of the Agency, on the proposal of the Ministry of Defence and the Ministry of Labour and social policies, after agreement has been reached at the Unified Conference referred to in Article 8 of Legislative Decree 28 August 1997, no. 281. The costs arising from the courses referred to this letter shall be borne by the operators to whom the professional certificate is issued;

e) as an alternative to the requirement referred to in letter d), possession of a military diver's licence issued by the Navy's Diving and Incursion Group Command or a diver's licence issued by the National Fire Brigade, issued by the Diving School of the aforementioned Corps;

f) fitness for the job, ascertained and certified by a diving doctor following an examination at the expense of the applicant or the diving and hyperbaric company for which he works, free from cardiopulmonary and otolaryngological defects as well as alterations of the neurological and mental system, in accordance with the specifically defined requirements, for the different qualifications referred to in Article 19, paragraph 1, by order of the Agency, on the proposal of the Ministry of Health;

g) absence of convictions for a non-culpable crime punishable by imprisonment for more than three years or for a crime against public trust that provides for disqualification from public office, unless rehabilitation has taken place rehabilitation.

2. The procedures for verifying the requirements for registration and for the organisation and maintenance of the register referred to in Article 20 shall be defined by decree of the Minister of Infrastructure and Transport, on the proposal of the General Commander of the Port Authorities, in agreement with the Director General of the Agency. of the Port Authorities in agreement with the Director General of the Agency.

Article 22

Exercise of the profession on the basis of qualifications obtained abroad

1. Citizens of the European Union, of a State belonging to the European Economic Area or of Switzerland, who are authorised to practise the professions referred to in Article 19 in accordance with the legislation of another Member State of the European Union, the European Economic Area or Switzerland, shall be entitled to carry out their professional activity in Italy:

a) on a temporary and occasional basis, under the freedom to provide services regime, in accordance with Articles 9 et seq. of Legislative Decree No. 206 of 9 November 2007;

b) on a stable basis, following recognition of the professional qualification obtained in another Member State of the European Union, the European Economic Area or Switzerland, pursuant to Title III of the aforementioned Legislative Decree No. 206 of 2007.

2. Persons who have obtained recognition of their professional qualification under this Article shall, upon application, be entered in the register referred to in Article 20, without prejudice to compliance with the requirements set out in Article 21, paragraph 1, letters a), b), f) and g).

3. The Agency shall be the competent authority responsible for assessing the temporary and occasional nature of the services referred to in paragraph 1, letter a), of this Article, and for deciding, in accordance with Article 5 of Legislative Decree No. 206 of 9 November 2007, on applications for recognition of professional qualifications obtained abroad.

Art. 23.

Health surveillance

1. Each professional diver and hyperbaric diver shall undergo, at his own expense or at the expense of the diving and hyperbaric company for which he works, a detailed medical examination to assess his fitness for the job, carried out by the competent doctor pursuant to Legislative Decree No. 81 of 9 April 2008, who has undergone the additional specific training referred to in Article 2, paragraph 1, letter r), following an accident or prolonged illness, as a condition for readmission to professional practice.

2. Violation of the provisions of paragraph 1 shall result in the suspension of the validity of the booklet referred to in Article 24 and of the related activity until the position of the person concerned has been regularised.

Article 24

Personal digital logbook of professional underwater and hyperbaric operators

1. Each professional underwater and hyperbaric operator entered in the register referred to in Article 20 shall be provided with a personal digital logbook, in which the following information shall be recorded, in both Italian and English:

- a) educational qualifications;
- b) any professional specialisations obtained;
- c) fitness for the specific task, with indication of the certifying diving doctor;
- d) the professional qualification, among those referred to in Article 19, paragraph 1;
- e) any additional specialisations acquired through attendance at professional training courses, refresher courses, internships or apprenticeships with companies or enterprises, in Italy or abroad. Qualification certificates obtained abroad must be legally recognised by the State in which they were issued;

f) limited to technical underwater operators, the individual dives carried out, indicating the maximum depth reached, or the start and end date of the dive in cases where the total duration exceeds twenty-four hours;

g) limited to technical underwater operators, periods of compression in a hyperbaric chamber;

h) validation, by the employer or their representative, or by the client in the case of self-employed workers, of individual dives or hyperbaric chamber compressions;

i) limited to technical underwater operators, a brief description of the work performed;

l) any injuries sustained.

2. The personal logbook, drawn up in accordance with the model approved by decree of the Minister of Infrastructure and Transport, in agreement with the Agency, shall be digitally validated, for professional underwater and hyperbaric operators, by the competent maritime district office.

3. Professional underwater and hyperbaric operators shall, when requested, be required to provide the identification details of the digital logbook to public officials responsible for monitoring compliance with the applicable legislation on health and safety in the workplace, as well as to public security authorities performing land and maritime policing functions.

4. The personal logbook shall be validated, upon request by the interested party, on an annual basis by the competent maritime district office, subject to successful completion of a specific psychophysical fitness assessment, as regulated by the measure referred to in Article 21, paragraph 1, letter f).

5. In the event of an accident, of any type or nature and from any cause, or in the event of illness resulting in an interruption of work activity, without prejudice to the obligations set out in Article 53 of the Consolidated Act on compulsory insurance against occupational accidents and diseases, referred to in Presidential Decree No. 1124 of 30 June 1965, the employer shall, following the issuance of a medical certificate by a diving doctor, record in the personal digital logbook the interruption of work activity, specifying its duration and cause. In the case of self-employed workers, such annotation in the personal digital logbook shall be carried out by a diving doctor.

6. Upon expiry of the validity period of the certificate referred to in Article 21, paragraph 1, letter f), the effectiveness of the personal digital logbook shall be suspended. The suspension shall cease upon submission, by the professional underwater or hyperbaric operator, of medical certification issued by a diving doctor attesting fitness for the task, and the consequent annotation in the same logbook of the renewed fitness, pursuant to paragraph 1, letter c), of this Article.

7. The procedures governing the keeping, renewal, suspension and reactivation of the effectiveness of the personal digital logbook shall be defined by decree of the Minister of Infrastructure and

Transport, in agreement with the Minister of Health and the Minister of Labour and Social Policies, following a proposal by the Commandant General of the Coast Guard, in consultation with the Director General of the Agency.

Section III

UNDERWATER AND HYPERBARIC COMPANIES

Art. 25.

Technical regulations

1. By decree of the President of the Republic, subject to deliberation by the Council of Ministers, on the proposal of the Prime Minister, in consultation with the political authority delegated for maritime policies, where appointed, and with the Ministers of Defence, the Interior, Enterprise and Made in Italy, Infrastructure and Transport, Economy and Finance, Health, Culture, Environment and Energy Security, Labour and Social Policies, each within the limits of their respective areas of competence and activities, subject to agreement at the Unified Conference referred to in Article 8 of Legislative Decree No. 281 of 28 August 1997, on the basis of the relevant standards of the Italian Standardisation Body (UNI), the Italian Electrotechnical Committee (CEI) or other standardisation bodies belonging to the Member States of the European Union involved in the field of safety and health protection in underwater and hyperbaric activities, the technical rules concerning the following are defined:
 - a) operating procedures for underwater work;
 - b) operating procedures for hyperbaric support for professional diving activities;
 - c) emergency procedures for diving activities and related hyperbaric activities;
 - d) professional training and qualification of diving and hyperbaric operators;
 - e) the equipment and apparatus used by diving and hyperbaric operators;
 - f) diving and hyperbaric medicine;
 - g) safety and hygiene regulations for underwater and hyperbaric work and related activities.

Chapter V SANCTIONS

Article 26

Professional diving and hyperbaric operators

1. Professional diving and hyperbaric operators who fail to communicate the identification details of the personal digital logbook referred to in Article 24, paragraph 3, shall be prohibited from carrying out any diving or hyperbaric work until their position has been duly regularised.
2. Professional diving and hyperbaric operators who carry out diving or hyperbaric work without being entered in the register referred to in Article 20, in cases where such registration is mandatory pursuant to Article 19, paragraph 1, or without the personal digital logbook referred to in Article 24, or with a personal digital logbook that has not been validated, has been suspended or has not been renewed, shall be subject to an administrative pecuniary penalty ranging from EUR 50 to EUR 300.
3. The employer or contracting party who engages professional diving or hyperbaric operators not entered in the register referred to in Article 20, in cases where such registration is mandatory pursuant to Article 19, paragraph 1, or who are not provided with the personal digital logbook referred to in Article 24, or whose personal digital logbook has not been validated, has been suspended or has not been renewed, shall be subject to an administrative pecuniary penalty ranging from EUR 700 to EUR 2,500 for each irregularly employed worker.
4. Public officials responsible for monitoring compliance with the applicable legislation on health and safety in the workplace, as well as judicial police officers and public security officers, shall ascertain the violations provided for in Article 16, paragraph 4, and in this Article, in accordance with the provisions of Law No. 689 of 24 November 1981. The maritime authority shall be competent to impose the relevant penalties in accordance with the provisions of the aforementioned Law No. 689 of 1981.
5. The penalties provided for in this Article shall not apply where the conduct constitutes a criminal offence or gives rise to a more serious administrative sanction.

Article 27

Diving and hyperbaric contractors

1. Diving or hyperbaric contractors that carry out diving or hyperbaric activities in violation of the technical rules referred to in Article 25 shall be subject to an administrative pecuniary penalty ranging from EUR 500 to EUR 1,500.
2. Public officials responsible for monitoring compliance with the applicable legislation on health and safety in the workplace, as well as judicial police officers and public security officers, shall ascertain the violations provided for in this Article in accordance with the provisions of Law No. 689 of 24 November 1981. The maritime authority shall be competent to impose the relevant penalties pursuant to the aforementioned Law No. 689 of 1981.

3. The penalties provided for in this Article shall not apply where the conduct constitutes a criminal offence or gives rise to a more serious administrative sanction.

Chapter VI FINAL AND TRANSITIONAL PROVISIONS

Article 28

Amendments to the Military Code of Organisation, pursuant to Legislative Decree No. 66 of 15 March 2010, concerning the competences of the Navy and the duties of the Guardia di Finanza

1. In Article 111, paragraph 1, of the Military Code of Organisation referred to in Legislative Decree No. 66 of 15 March 2010, after letter d), the following letters are added:

“d-bis) the technical regulation of military underwater navigation and, in compliance with the directives on underwater domain policies issued by the President of the Council of Ministers or by the political authority delegated for maritime policy, where appointed, the authorisations required for the operation or control of crewed military underwater vehicles, autonomous systems or remotely piloted systems;

d-ter) the protection of national underwater infrastructure through the use of force, in compliance with the applicable legislation and in the event of violations of the legal limits governing underwater navigation. For this purpose, without prejudice to the competences of the Guardia di Finanza pursuant to Legislative Decree No. 177 of 19 August 2016, the Navy may order and carry out engagement, disabling, destruction, seizure or diversion to a State port of any vehicle intended for the destruction, damage or tampering of pipelines and submarine cables landing on national territory or of national interest under the applicable legislation;

d-quater) control within national internal waters, the national territorial sea and the national continental shelf, for the purposes of the State’s military defence and, for the same purposes, the prevention of unauthorised underwater navigation;

d-quinquies) cooperation with the naval forces of allied or neighbouring States, in accordance with the directives of the Minister of Defence, for the surveillance of underwater infrastructure.”

2. In Article 111, paragraph 1-bis, of the Military Code of Organisation referred to in Legislative Decree No. 66 of 15 March 2010, the words “and of the Ministry of Universities and Research” are replaced by the following: “, of the Ministry of Universities and Research and of the political authority delegated for maritime policy”. Article 111, paragraph 1-bis, of the Military Code of Organisation, as amended by the preceding sentence, shall apply for the adoption of amendments to the decree of the Minister of Defence issued pursuant to the same paragraph 1-bis, starting from the date of entry into force of this Law.

3. The Guardia di Finanza shall contribute to the activities referred to in letters d-ter) and d-quater) of paragraph 1 of Article 111 of the Military Code of Organisation, introduced by paragraph 1 of this Article, in accordance with the competences attributed to it under the applicable legislation.

Article 29

Amendments to the Navigation Code

1. The following amendments are made to the Navigation Code:

a) in Article 69, first paragraph, the following sentence is added at the end: “Notice referred to in the preceding sentence shall, in all cases, be promptly communicated to the Agency for the Safety of Underwater Activities when the danger, shipwreck or other casualty involves an underwater vehicle”;

b) in Article 73, first paragraph, after the words “setting the time limit for execution”, the following words are added: “and promptly notifying the Agency for the Safety of Underwater Activities”;

c) in Article 501, the following sentence is added at the end: “Without prejudice to the provisions of the preceding sentence, the report identifying the wreck shall also be promptly communicated to the Agency for the Safety of Underwater Activities”;

d) in Article 506, after the words “assumes recovery”, the following words are added: “promptly notifying the Agency for the Safety of Underwater Activities”;

e) in Article 578, after the third paragraph, the following paragraph is added: “When underwater vehicles, whether crewed, autonomous or remotely piloted, are involved in an incident, the findings of the preliminary investigation shall be communicated to the Agency for the Safety of Underwater Activities”;

f) in Article 579, after the third paragraph, the following paragraph is inserted: “When underwater vehicles, whether crewed, autonomous or remotely piloted, are involved in an incident, a representative of the Agency for the Safety of Underwater Activities shall participate in the formal investigation as a member of the investigative commission.”

Art. 30.

Principle of speciality

1. The provisions of the Navigation Code shall also apply, insofar as they are compatible, to non-military underwater vehicles suitable for underwater navigation, whether manned, autonomous or remotely operated, unless otherwise provided for in this law.

Art. 31.

Amendment to the composition of collegiate bodies responsible for maritime policy

1. In Article 8, paragraph 1, introductory sentence, second sentence, of Legislative Decree No. 145 of 18 August 2015, after the words: 'the Navy', the following words are added: 'and the Head of the Department for Maritime Policy of the Presidency of the Council of Ministers'.
2. In Article 5, paragraph 1, letter c) of Legislative Decree No. 190 of 13 October 2010, the words: 'and Department for Regional Affairs' are replaced by the following: ', Department for Regional Affairs and Autonomies and Department for Maritime Policy of the Presidency of the Council of Ministers'.
3. In Article 6, paragraph 1, of Legislative Decree No. 201 of 17 October 2016, after the words: 'the economy and finance,' the following words are inserted: 'the Department for Maritime Policy of the Presidency of the Council of Ministers,'.
4. In Article 57-bis, paragraph 2, second sentence, of Legislative Decree No. 152 of 3 April 2006, after the words: 'Agriculture, Food Sovereignty and Forestry', the following words shall be added: 'and the political authority delegated for maritime policies'.
5. The composition of the collegiate bodies, as governed by paragraphs 1, 2, 3 and 4 of this article, shall be supplemented in accordance with the provisions therein within thirty days from the date of entry into force of this law.

Art. 32.

Safeguard clause

1. This law shall not prejudice the powers in the field of civil protection, security and control attributed to:
 - a) the Navy, including those aimed at defence against external threats and cybersecurity referred to in Article 111 of the Military Code, referred to in Legislative Decree No. 66 of 15 March 2010, as amended by Article 28 of this law;
 - b) the Finance Police, including those aimed at maintaining public order and safety, as well as those regulating judicial police and economic-financial police activities, referred to in Law No. 189 of 23 April 1959, Article 2, paragraph 3, of Legislative Decree No. 68 of 19 March 2001, and Article 2, paragraph 1, letter c) , of Legislative Decree No. 177 of 19 August 2016;
 - c) the Ministry of Infrastructure and Transport and the Port Authority - Coast Guard, including those aimed at monitoring the protection of the marine environment, navigation safety and maritime

security referred to in the International Convention on Maritime Search and Rescue, adopted in Hamburg on 27 April 1979, referred to in Law No. 147 of 3 April 1989, the 1974 International Convention for the Safety of Life at Sea (SOLAS), opened for signature in London on 1 November 1974, referred to in Law No. 313 of 23 May 1980, Article 2 of the Regulation referred to in Presidential Decree 28 September 1994, No. 662, Law No. 979 of 31 December 1982, Article 4 of Law No. 613 of 21 July 1967, and Law No. 157 of 23 October 2009;

d) the Carabinieri, including those aimed at the security of the national historical, archaeological, artistic and cultural heritage, referred to in Article 2, paragraph 1, letter b) , of the aforementioned Legislative Decree No. 177 of 2016;

e) the State Police, including those aimed at maintaining public order and safety, providing assistance in the event of disasters and accidents, as well as those regulating judicial police activities and those referred to in Article 4, paragraph 1, of the aforementioned Legislative Decree No. 177 of 2016;

f) the National Fire Brigade, including those aimed at public rescue and civil defence, referred to in Articles 24 and 26 of Legislative Decree No. 139 of 8 March 2006, and Article 14 of Legislative Decree No. 300 of 30 July 1999;

g) the Department of Civil Protection of the Presidency of the Council of Ministers, pursuant to the Civil Protection Code, referred to in Legislative Decree No. 1 of 2 January 2018;

h) the consular offices of the Republic, pursuant to Article 20 of the Navigation Code, Chapter VII of Title II of Legislative Decree No. 71 of 3 February 2011, and current international provisions;

i) the National Cybersecurity Agency in relation to the functions referred to in Article 7 of Decree-Law No. 82 of 14 June 2021, converted, with amendments, by Law No. 109 of 4 August 2021;

l) the bodies referred to in Articles 4, 6 and 7 of Law No. 124 of 3 August 2007.

Art. 33

Transitional provisions

1. In order to ensure the initial operation of the Agency, from the date of appointment of the Director General of the Agency and within the limit of 30 per cent of the total staffing level referred to in Article 8, paragraph 3, the Agency shall make use of staff belonging to public administrations, for a maximum period of twelve months, extendable once only for a maximum of a further twelve months, made available to the Agency itself upon specific request and in accordance with procedures identified through agreements with the respective administrations to which they belong. The personnel employed by the Agency shall be placed on secondment or in a position of command or other similar position provided for by the regulations to which they belong. Until the end of the secondment period, the administration of origin may temporarily fill the vacant post in the staffing

establishment using the corresponding financial resources. The related costs shall be borne by the Agency and, for the purposes of remuneration, the provisions of the regulation referred to in Article 8, paragraph 1, shall apply. The personnel referred to in the first sentence, already included in the Agency's staff, may be classified, without retroactive effect, by means of a provision adopted by the Agency pursuant to Article 5, paragraph 3, in the staff referred to in Article 8, paragraph 2, letter a), no later than the deadline indicated in the first sentence of this paragraph. The relevant classification shall be carried out through specific selection procedures, in accordance with the methods and procedures defined by a measure of the Agency, adopted pursuant to the same Article 5, paragraph 3, on the basis of criteria for the evaluation of previous experience and length of service, skills acquired, professional requirements possessed and employment in the Agency. The provisions of the regulation referred to in Article 8, paragraph 1, shall apply to personnel classified pursuant to this paragraph.

Art. 34

Financial provisions

1. For the implementation of Articles 4 to 8 and 10, expenditure of €8,671,449 is authorised for the year 2026, of which up to a maximum of €2,000,000 for capital expenditure on IT, €6,531,449 for the year 2027 and €6,458,508 per annum from the year 2028 onwards. The related costs shall be covered by a corresponding reduction in the Fund referred to in Article 1, paragraph 200, of Law No. 190 of 23 December 2014.

Art. 35.

Entry into force

1. This law shall enter into force on the fifteenth day following its publication in the Official Gazette, with the exception of the provisions referred to in Article 10 and Article 16, paragraphs 1, 2, 4 and 5, which shall enter into force on 1 January 2027.

This law, bearing the seal of the State, shall be included in the Official Collection of Legislative Acts of the Italian Republic. It is the duty of all concerned to observe and enforce it as a law of the State.

Given in Rome, on 26 January 2026

MATTARELLA

Meloni, Prime Minister

Musumeci, Minister for Civil Protection and Maritime Policy

Seen, the Keeper of the Seals: Nordio