

Shipping and Transport Focus Team
8 September 2021**The green pass scheme in Italy: where it stands now and how it might develop****Shipping and Transport Focus Team****Team leader**

Enrico Vergani
enrico.vergani@belex.com
tel. +39-010-84621

Where it stands now

The green pass scheme was first announced in Italy by Prime Minister Mario Draghi in July. The government hopes that the scheme will continue to boost vaccine uptake, especially as the highly contagious Delta variant of Covid-19 continues to spread.

The green pass – which can be in digital or paper format – can be obtained by:

- a) receiving an EMA-approved vaccine (after at least 14 days from the first dose),¹ in which case it is valid for nine months;
- b) proving recovery from Covid-19 within the previous six months, in which case it is valid for six months from the GP-certified recovery date; or
- c) testing negative after having taken a molecular or an antigenic Covid-19 test in the previous 48 hours.

**Authors**

Enrico Vergani
enrico.vergani@belex.com
tel. +39-010-84621

Marco Pirino
marco.pirino@belex.com
tel. +39-010-84621

Law Decree No. 111 of 6 August 2021 (“**Law Decree 111/2021**”) established the green pass as a mandatory requirement to access a variety of public establishments, e.g., indoor seating areas in bars and restaurants, museums, gyms, swimming pools, cinemas, theatres, and stadiums.

Moreover, Law Decree 111/2021 has had a direct impact on national and international mobility sectors given that, as of 1 September, only green pass holders may board the following means of passenger transportation (carriers directly perform the related checks on the validity of the green

¹ Italian authorities currently recognise only EMA-authorised vaccines, namely:

- Comirnaty Pfizer-BioNTech by BioNTech Manufacturing GmbH;
- Spikevax (formerly Moderna) by Moderna Biotech Spain, SL;
- Vaxzvria (formerly AstraZeneca) by AstraZeneca Ab; and
- Janssen (Johnson & Johnson) by Janssen – Cilag International NV.

pass or equivalent certificates carried by foreign passengers before boarding):²

- a) airplanes;
- b) ships and ferries used for interregional routes, excluding routes used for cabotage over the Strait of Messina;
- c) interregional trains (Intercity, Intercity Night and high-speed rail services);
- d) interregional buses; and
- e) private buses, excluding local public transit.

The Italian Parliament has been called to vote on converting Law Decree No. 111/2021 into law and may either confirm the current set of rules or amend them, thereby setting out a different framework regarding the green pass scheme's implementation.³

Furthermore, Prime Minister Draghi – during his latest press conference on 2 September – announced that the Italian government is assessing whether to make Covid-19 vaccinations mandatory.

In light of the above, we cannot rule out that the government's intentions will soon result in a further piece of legislation. If so, the new set of rules could either: a) entirely incorporate (and thus replace) Law Decree 111/2021; or b) supplement Law Decree 111/2021, thus requiring an interpretative effort to coordinate the two pieces of legislation.

National and international travel is still heavily affected by fragmented legislation that requires constant monitoring; this will be no different in the immediate future. We will thus continue to monitor developments to pinpoint possible issues and prevent them from becoming a hindrance for passengers and travellers seeking to enter – and travel smoothly within – Italy.

² The obligation to show a valid green pass does not apply to people who cannot get vaccinated due to age limits or proven medical exemptions.

³ For example, some proposed amendments regard the validity of the green pass or the prerequisites to obtain it.



Shipping and Transport Focus Team

The focus team is a constellation of skills in different practice areas with a focus on shipping and transport.

[Enrico Vergani](#)

Maritime law and litigation

[Andrea La Mattina](#)

Maritime law and corporate

[Francesco Anglani](#)

Competition law

[Andrea Manzitti](#)

Tax

[Marco Arato](#)

Corporate and restructuring/insolvency

[Chiara Falasco](#)

Maritime law and litigation

[Marco De Leo](#)

Corporate

[Marco Mastropasqua](#)

Maritime law and litigation

[Vittorio Lupoli](#)

Corporate and restructuring/insolvency

[Lucia Radicioni](#)

Corporate and restructuring/insolvency

[Mario Olivieri](#)

Corporate and restructuring/insolvency

[Michela D'Avino](#)

International arbitration