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COMMISSION IMPLEMENTING DECISION

of 31.3.2022

on the authorisation of the disbursement of the first instalment of the non-repayable support and the first instalment of the loan support for Italy

(Only the Italian text is authentic)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility¹, and in particular Article 24(5) thereof,

Whereas:

- (1) According to Article 4(2) of Regulation (EU) 2021/241, the specific objective of the Recovery and Resilience Facility is to provide Member States with financial support with a view to achieving the milestones and targets of reforms and investments as set out in their recovery and resilience plans.
- (2) Council Implementing Decision of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Italy² (the ‘Council Implementing Decision’) provides that the Union is to release instalments in accordance with Financing Agreement and the Loan Agreement conditional on a decision by the Commission, taken in accordance with Article 24(5) of Regulation (EU) 2021/241, that Italy has satisfactorily fulfilled the relevant milestones and targets identified in relation to the implementation of the recovery and resilience plan.
- (3) On 30 December 2021, Italy submitted a request for payment, accompanied by a management declaration and a summary of audits. The request concerned the first instalment of the non-repayable support and the first instalment of the loan support. Pursuant to Article 24(3) of Regulation (EU) 2021/241, the Commission assessed on a preliminary basis whether the relevant milestones and targets set out in the Council Implementing Decision had been satisfactorily fulfilled. For the purpose of this assessment, the operational arrangements concluded between the Commission and Italy in accordance with Article 20(6) of Regulation (EU) 2021/241 were taken into account.
- (4) The Commission made a positive preliminary assessment of the satisfactory fulfilment of all 51 relevant milestones and targets and, in accordance with Article 24(4) of Regulation (EU) 2021/241, provided its findings to the Economic and Financial Committee asking for its opinion on the satisfactory fulfilment of the relevant milestones and targets. In accordance with Article 25(4) of that Regulation, the Commission provided the competent committee of the European Parliament with an

¹ OJ L 57, 18.2.2021, p. 17.

² ST 10160/21; ST 10160/21 ADD 1 REV 2, not yet published.

overview of its preliminary findings concerning the satisfactory fulfilment of the relevant milestones and targets. The Economic and Financial Committee agreed with the Commission's positive preliminary assessment and was of the opinion that Italy has satisfactorily fulfilled all the milestones and targets associated with the payment request. The Commission has taken the opinion of the Economic and Financial Committee into account for its assessment.

- (5) Section 2(1)(1.1) of the Annex to the Council Implementing Decision provides the relevant milestones and targets that are to be satisfactorily fulfilled for the first instalment of the non-repayable support for an amount of EUR 11 494 252 874.
- (6) Section 2(2)(2.1) of the Annex to the Council Implementing Decision provides the relevant milestones and targets that are to be satisfactorily fulfilled for the first instalment of the loan support for an amount of EUR 12 643 678 161.
- (7) Milestone M1C1-1 provides for the entry into force of Decree-laws for reform 'ICT Procurement'. These legislative provisions aim at ensuring that the public administration may procure Information and Communication Technologies (ICT) solutions in a more timely and more efficient way by streamlining and accelerating the procurement process for ICT services and assets. Italy provided a copy of Law n. 108 of 29 July 2021 converting Decree-Law n. 77 of 31 May 2021 and other evidence, which demonstrates that the entry into force of the legislative act and that the content and objectives of the legislation are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (8) Milestone M1C1-2 provides for the entry into force of legal acts to reform 'Cloud First and Interoperability'. These aim at removing the obstacles to cloud adoption and streamlining the bureaucracy that slows down the data exchange processes between public administrations by introducing a set of incentives and obligations aimed at facilitating the migration to cloud and removing procedural constraints to the broad adoption of digital services. Italy provided a copy of the Law n. 108 of 29 July 2021, converting into law Decree-Law n. 77 of 31 May 2021 and Law n. 109 of 4 August 2021, converting into law Decree-Law n. 82 of 14 June 2021 and other evidence, which demonstrate that the legal acts have entered into force and that their content and objectives are in line with the requirements of the milestone. Italy also provided additional evidence demonstrating that the content and objectives of the legislation are in line with the three requirements set out in the description of the reform. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (9) Milestone M1C1-29 provides for the entry into force of enabling legislation related to civil justice reform. Italy provided a copy of Law n. 206 of 26 November 2021, which demonstrates the entry into force of enabling legislation related to civil justice reform and a series of additional acts related to the introduction of a monitoring system at court level and to the increase of productivity of civil courts to ensure reasonable length of proceedings and uniform performances across courts. The content and objectives of the legal acts provided are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (10) Milestone M1C1-30 provides for the entry into force of enabling legislation related to criminal justice reform. Italy provided a copy of Law n. 134 of 27 September 2021, which demonstrates the entry into force of enabling legislation related to criminal

justice reform and a series of additional acts related to the introduction of a monitoring system at court level and the increase of productivity of criminal courts to ensure reasonable length of proceedings and uniform performances across courts. The content and objectives of the legal acts provided are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.

- (11) Milestone M1C1-31 provides for the entry into force of legislation related to the reform of insolvency framework. Italy provided a copy of Law n. 147 of 21 October 2021 converting into law Decree-Law n. 118 of 24 August 2021, which includes urgent measures relating to insolvency procedures and providing a review of out-of-court settlement arrangements by introducing the so called “Composizione negoziata” effective as of 15 November 2021 and early warning mechanisms. Moreover, Italy provided copies of the various legislative acts and administrative decisions it took between August and December 2021 to flank the new out-of-court settlement arrangement. The legal acts provided demonstrate that the reform has entered into force and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (12) Milestone M1C1-32 provides for the entry into force of special legislation for the recruitment procedures for civil, criminal and administrative courts. Italy provided a copy of Law n. 113 of 6 August 2021 converting into law Decree-Law n. 80 of 9 June 2021 as well as ministerial decisions and notices of competition and administrative acts related to the recruitment procedure. The legal acts provided demonstrate that the reform has entered into force and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (13) Milestone M1C1-51 provides for the entry into force of primary legislation on the governance of the National Recovery and Resilience Plan (NRRP). Italy provided a copy of Law n. 108 of 29 July 2021 converting into law Decree-Law n. 77 of 31 May 2021, Law n. 113 of 6 August 2021 converting Decree-Law n. 80 of 9 June 2021, and Law n. 178 of 30 December 2020, as well as additional evidence demonstrating that the legislation related to the governance system for the NRRP has entered into force and that their content and objective are in line with the requirements set out in the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (14) Milestone M1C1-52 provides for the entry into force of primary legislation on the simplification of administrative procedures for the implementation of the NRRP. Italy provided a copy of Law n. 108 of 29 July 2021 converting into law Decree-Law n. 77 of 31 May 2021 as well as additional evidence demonstrating that the simplification reform has entered into force, eliminates critical bottlenecks to the benefit of businesses and citizens, while also ensuring the smooth implementation of the NRRP, and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (15) Milestone M1C1-53 envisages the entry into force of primary legislation to provide technical assistance and strengthen capacity building for the implementation of the NRRP. Italy provided a copy of Law n. 178 of 30 December 2020, Law n. 113 of 6 August 2021 converting into law Decree-Law n. 80 of 9 June 2021, as well as

additional evidence demonstrating that provisions to recruit on a temporary basis 2 800 technical profiles for administrations in the South of Italy and a pool of 1 000 experts to support administrations in the management of procedures and to be deployed on a need basis have entered into force and that their content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.

- (16) Target M1C1-54 provides for the completion of the recruitment procedures of the pool of 1 000 experts envisaged under milestone M1C1-53. Italy provided a list of signed contracts for all the 1 000 experts as well as additional evidence on the basis of which a sampling exercise was carried out, which demonstrated the expert status of recruited professionals and that contracts have been effectively signed in line with the requirements of the target. On the basis of the due justification provided, the target should be considered as satisfactorily fulfilled.
- (17) Milestone M1C1-55 provides for extending the methodology applied to the Italian recovery and resilience plan to the national budget to increase the absorption of investment. Italy provided a copy of Law n. 108 of 29 July 2021 converting into law with Decree-Law n. 77 of 31 May 2021, setting up a simplified system of milestones and targets for the planning, execution and financing of projects under the Complementary Investment Fund (EUR 30,5 billion) and the implementing ministerial decision. The legal acts provided demonstrate that the reform has entered into force and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (18) Milestone M1C1-68 provides for the set-up and operationalisation of a repository system for monitoring the implementation of the NRRP. Italy provided a system audit report as well as additional evidence demonstrating compliance with the functionalities described in the milestone including in relation to the collection and storing of data required by Article 22 of Regulation (EU) 2021/241. In order to ensure continuous compliance with the milestone and its obligations under the Financing Agreement, Italy committed to continue to develop the system to improve its functionalities and efficiency. That commitment includes ensuring the collection and storing of data on beneficial owners of national and foreign companies through the connection of the repository system (ReGis) to a series of databases and the adoption of internal guidelines common for all the implementing bodies involved, establishing the control methods and the correct input of data in the repository system, regarding double funding, beneficial owners and conflict of interest. Furthermore, the commitment also includes the implementation of measures to prevent and detect conflict of interest and double funding, which includes the use of the risk scoring tool Arachne for ex-ante and ex-post controls. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (19) Milestone M1C1-69 provides for the entry into force of the Decree on simplification of the public procurement system. Italy provided a copy of Law n. 108 of 29 July 2021 converting into law Decree-Law n. 77 of 31 May 2021 , and a copy of the secondary legal acts and other evidence (the decree of the Prime Minister's Office 148 of 12 August 2021 and the letter of the Secretary General of Prime Minister's Office of 10 November 2021 addressed to Ministries, Regions and Metropolitan cities) which demonstrate that reform has entered into force and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.

- (20) Milestone M1C1-71 provides for the entry into force of all necessary legislation, regulations and implementing acts to introduce further measures to reform the public procurement system. Italy provided a copy of Law n. 108 of 29 July 2021 converting into law Decree-Law n. 77 of 31 May 2021, and a copy of the secondary legal acts and other evidence (the decree adopted by the Prime Minister's Office on 5 November 2021, the professionalization strategy for public procurement and the report on the dynamic purchasing system for public administration, approved by the Prime Minister's Office on 3 December 2021, the Memorandum of Understanding between the Prime Minister's Office and ANAC signed on 17 December 2021) which demonstrate that the reform has entered into force and that its content and the objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (21) Milestone M1C1-100 provides for the entry into force of legislative provisions improving the effectiveness of the spending review by reinforcing the role of the Finance Ministry, namely by strengthening the capacity of the Finance Ministry and creating a dedicated scientific committee to enforce the thorough execution of the spending reviews and improve their effectiveness. Italy provided a copy of Law n. 233 of 29 December 2021 converting into law Decree-Law n. 152 of 6 November 2021, which demonstrates that the legislation has entered into force and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (22) Milestone M1C1-101 provides for the publication of a report to inform government actions for reducing tax evasion from omitted invoicing, especially in the sectors most exposed to tax evasion. Italy provided the relevant report published on the website "Italia Domani" on 31 December 2021. It provides an assessment of past measures against tax evasion, including the incentives for consumers to pay electronically introduced in 2020, and outlines possible interventions aimed at further reducing tax evasion, including from omitted invoicing. These actions are additional compared to the commitments already specified in milestone M1C1-103 due by Q2 2022. The evidence provided demonstrates that the report has been published and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (23) Milestone M1C2-1 provides for the entry into force of legal acts to make Transition 4.0 tax credits available to potential beneficiaries and the establishment of a Scientific Committee to assess their economic impact. Italy provided a copy of Law n. 178 of 30 December 2020 extending until the end of 2022 the Transition 4.0 tax credits already defined in the context of Law n. 160 of 27 December 2019, and of Resolution of the Revenues Agency 68/E of 30 November 2021 defining the relevant tax codes, thus demonstrating the establishment of the tax credits and their availability to potential beneficiaries. Italy also provided a copy of the Ministerial Decree of the Minister of Economy and Finance of 23 November 2021 establishing a Scientific Committee with the task of, inter alia, assessing the economic impact of the Transition 4.0 tax credits in their implementation. The legal acts provided demonstrate that the reform has entered into force and that their content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (24) Milestone M1C2-26 provides for the entry into force of the Decree-Law on refinancing of Fund 394/81 (managed by public agency SIMEST) and the adoption of

the related investment policy to support SMEs in their digitalisation and internationalisation. Italy provided a copy of Law n. 156 of 9 November 2021, converting into law Decree-Law n. 121 of 10 September 2021, the Decision by the Board of 30 September 2021 establishing the investment policy, as well as additional evidence, which demonstrates entry into force of the Decree-Law on the refinancing of the grant and loan component of the Fund and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.

- (25) Target M1C2-27 provides for the support to at least 4 000 SMEs from Fund 394/81 as envisaged under milestone M1C2-26. Italy provided a copy of the Decision by the Board of 29 December 2021 approving the financing requests submitted by 5 224 SMEs (which constitutes a binding commitment to disburse funds), the list of selected companies, as well as additional evidence on the basis of which a sampling exercise was carried out. This demonstrated that the notification of the award of financial support, including the contract, were signed by SIMEST and that the companies were SMEs in line with the requirements of the target. On the basis of the due justification provided, the target should be considered as satisfactorily fulfilled.
- (26) Milestone M1C3-8 provides for the award of contracts for the development of the Digital Tourism Portal. The updated version of the Digital Tourism Portal “Portale Italia.it” was completed and launched on 30 November 2021. The authorities provided an in-depth technical analysis which covers all technical specifications detailed in the milestone. All awards of contracts for the development of the Digital Tourism Portal were notified and published on the Ministry of Tourism website. These evidences demonstrate that the content and objectives of the awards of contracts are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (27) Milestone M1C3-22 provides for the adoption of the investment policy for the European Investment Bank Tourism Thematic Fund. Italy provided a copy of the adopted investment policy, which is part of the Funding Agreement between the Republic of Italy and the European Investment Bank as well as other evidence. The evidence provided demonstrates that the investment policy has been adopted on 22 December 2021, and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (28) Milestone M1C3-23 provides for the adoption of the investment policy for the National Tourism Fund. Italy provided a copy of the adopted investment policy for the National Tourism Fund, which is part of the regulation for the National Tourism Fund (Regolamento Fondo Nazionale del Turismo), and further additional evidence, which demonstrate that the investment policy has been adopted on 30 November 2021 and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (29) Milestone M1C3-24 provides for the adoption of the investment policy for the SMEs Guarantee Fund. Italy provided a copy of the agreement between the Ministry of Tourism and the Ministry of Economic Development which adopts the investment policy, a copy of the adopted Investment Policy for the SMEs Guarantee Fund (Fondo di Garanzia PMI) and further additional evidence, which demonstrate that the investment policy has been adopted and that its content and objectives are in line with

the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.

- (30) Milestone M1C3-25 provides for the adoption of the investment policy for the Revolving Fund (Fondo Rotativo). Italy provided a copy of Law n. 233 of 29 December 2021, converting into Decree-Law n. 152 of 6 November 2021, the inter-ministerial decree “Decreto Fondo Rotativo” adopted on 28 December 2021, implementing the Decree Law n.152 of 6 November 2021 and approved by the Ministry of Tourism and by the Ministry of Economy and Finance, and further additional evidence, which demonstrate that the investment policy has been adopted and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (31) Milestone M1C3-26 provides for the entry into force of the implementing decree for the tax credit for the redevelopment of accommodation facilities. Italy provided a copy of Law n. 233 of 29 December 2021, converting into law Decree Law n. 152 of 6 November 2021, the public notice (Avviso Pubblico) implementing the Decree-Law and further additional evidence, which demonstrate the entry into force of the public notice and that its content and objectives are line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (32) Milestone M2C1-14 provides for the entry into force of the Ministerial Decree for the approval of the selection criteria of the projects proposed by municipalities concerning the implementation of new waste management plants and modernization of existing plants. Italy provided a copy of the Ministerial Decree n. 396 of 28 September 2021, the Ministerial Decree n. 397 of 28 September 2021 as well as additional evidence which demonstrate that the Ministerial Decree has entered into force and that its content and objectives of the legislation are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (33) Milestone M2C2-7 provides for the entry into force of a Legislative Decree to promote the use of renewable gas for the use of biomethane in the transport, industrial and residential sectors and an Implementing Decree setting out the conditions and criteria in relation to its use and the new incentive system. Italy provided a copy of the Legislative Decree n. 199 of 8 November 2021 transposing Directive 2018/2001 of the European Parliament and of the Council³ on the use of renewables (RED II) and further evidence which demonstrate the entry into force of the legislation and that its content and objectives are in line with the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (34) Milestone M2C2-37 provides for the entry into force of the Decree Law establishing smarter procedures for project evaluation in the local public transport systems sector with fixed installations and in the rapid mass transport sector. Italy provided a copy of Law n. 108 of 29 July 2021, converting into law Decree Law n. 77 of 31 May 2021, which demonstrate the entry into force of the legislation and its compliance with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.

³ Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

- (35) Milestone M2C2-41 provides for the entry into force of a Ministerial Decree for the support of the green and digital transformation of the industry of buses which identifies the amount of available resources for electric buses. Italy provided a copy of the Ministerial Decree n. 478 of 29 November 2021 and further evidence which demonstrate the entry into force of the legislation and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (36) Milestone M2C3-1 provides for the entry into force of the extension of the Superbonus aimed at supporting the energy and seismic renovation of residential buildings. Italy provided a copy of Law n. 101 of 1 July 2021 and further evidence which demonstrate the entry into force of the extension of the Ecobonus and Sismabonus tax incentives and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (37) Milestone M2C4-3 provides for the entry into force of the Memoranda of Understanding (MoU) with the regions with a view to reducing the number of water operators and achieving economies of scale by establishing single operators for at least each 40 000 inhabitants. Italy provided a copy of the eight adopted Memoranda of Understanding signed between the Ministry of Ecological Transition and the regions concerned and further evidence, which demonstrate that these have entered into force and that their content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (38) Milestone M2C4-7 provides for the entry into force of a national air pollution control programme with the objective of reducing the emissions of air pollutants. Italy provided a copy of the Decree of the President of the Council of Ministers of 23 December 2021 and the air pollution control programme, which demonstrate that the air pollution control programme has entered into force and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (39) Milestone M2C4-8 provides for the provision in the Ministerial Decree indicating the entry into force of the operational plan for an advanced and integrated monitoring and forecast system to identify hydrological risks, with the objective of developing a monitoring system to identify and predict risks as a result of climate change and inadequate spatial planning through the use of advanced technologies. Italy provided a copy of the operational plan and the Ministerial Decree n. 398 of 29 September 2021 which demonstrate that the operational plan has entered into force and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (40) Milestone M2C4-12 provides for the entry into force of the revised legal framework for interventions against flood and hydrogeological risks. Italy provided a copy of Law n. 233 of 29 December 2021, converting into law Decree-Law n. 152 of 6 November 2021 as well as additional evidence, which demonstrate that the legislation has entered into force and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.

- (41) Milestone M2C4-18 provides for the entry into force of the revised legal changes for the protection and valorisation of urban and peri-urban green areas with the aim of setting out future action to protect green areas and increase their number, while preserving and enhancing biodiversity and increasing quality of life in the 14 metropolitan areas. Italy provided a copy of the Ministerial Decree n. 493 of 30 November 2021, the reforestation plan as published in the Official Journal n. 294 of 11 December 2021 as well as additional evidence which demonstrate that the acts have entered into force and that their content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (42) Milestone M3C1-1 provides for the entry into force of a legislative amendment on the approval process of the Contratti di Programma (CdP) of the railway infrastructure manager Rete Ferroviaria Italiana. This amendment aims at reducing the time for the approval process of the CdP by removing the requirement that Parliamentary committees express an opinion on the whole list of investments of the CdP of the railway infrastructure manager Rete Ferroviaria Italiana. Italy provided a copy of Law n. 233 of 29 December 2021, converting into law Decree Law n. 152 of 6 November 2021, which demonstrates that the legislative amendment has entered into force and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (43) Milestone M3C1-2 provides for the entry into force of a regulatory change that reduces the authorisation time of projects from eleven to six months. Italy provided a copy of Annex IV to Decree-Law n. 77 of 31 May 2021 as converted into Law n. 108 of 29 July 2021, Law n. 233 of 29 December 2021 and other evidence, which demonstrate that the legislation has entered into force and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (44) Milestone M3C1-21 provides for the entry into force of “Guidelines for the classification and management of risks, the evaluation of security and the monitoring of existing bridges”. Italy provided a copy of the Ministerial Decree n. 493 of 3 December 2021 concerning the adoption of the “Guidelines” and other evidence, which demonstrates that the legislation approving the guidelines has entered into force and that their content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (45) Milestone M3C1-22 provides for the transfer of the ownership of the bridges, viaducts and overpasses from the lower level ranking roads to the higher ranking ones (highways and main national roads). Italy provided a copy of Law n. 156 of 9 November 2021, converting into law Decree-Law n. 121 of 10 September 2021, and a copy of Ministerial Decree n. 485 of 30 November 2021, which demonstrate that the legal acts have entered into force and that their content and objectives of the legislation are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (46) Milestone M3C2-3 provides for the entry into force of the Decree on the Single Customs Desk (Sportello Unico Doganale). Italy provided a copy of the Decree on the Single Customs Desk of 29 December 2021 and of the Departmental Decree of the Agency of the Customs, Excise Duties and Monopolies (Agenzia delle Accise,

Dogane e Monopoli) of 28 January 2022, which demonstrate that the legal acts have entered into force and that content and objectives of the legislation are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.

- (47) Milestone M4C1-1 provides for the entry into force of the reforms of the tertiary education system to improve educational outcomes on enabling university degrees (Reform 1.5), university degree groups (Reform 1.6) and reform of PhD programs (Reform 4.1). Italy provided a copy of Law n. 233 of 29 December 2021, converting into law Decree-Law n. 152 of 6 November 2021, Law n. 113 of 6 August 2021 converting into law Decree-Law n. 80 of 9 June 2021, Law n. 163 of 8 November 2021 concerning enabling university degrees and the Ministerial Decree of the Ministry of University and Research n. 1315 of 14 December 2021 on the accreditation of doctoral courses and criteria for establishing PhD programmes, which demonstrate that the reforms have entered into force and that their content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (48) Milestone M4C1-2 provides for the entry into force of ministerial decrees for reform on scholarships to enhance access to tertiary education for talented students in socio-economic difficulties. Italy provided a copy of Law n. 233 of 29 December 2021, converting into law Decree-Law n. 152 of 6 November 2021 and the Ministerial Decree of the Ministry of Universities and Research n. 1320 of 17 December 2021, which demonstrate that the legal acts have entered into force and that their content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (49) Milestone M4C1-27 provides for the entry into force of legislation to amend the current rules for student housing with the objective of updating the legal framework to define the rules for student housing and encouraging private entities to set up student accommodation facilities, fostering the restructuring and renovation of structures, simplifying procedures and increasing co-financing rates. Italy provided a copy of Law n. 233 of 29 December 2021 converting into law Decree-Law n. 152 of 6 November 2021, Law n. 108 of 29 July 2021 converting into law Decree-Law n. 77 of 31 May 2021, the Ministerial Decree of the Ministry of University and Research n. 1256 of 30 November 2021 on the dimensional and quality standards as well as the guidelines relating to technical and economic parameters concerning the construction of student housing and residences for university students. The evidence provided demonstrates that the legal acts have entered into force and that their content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (50) Milestone M4C2-10 provides for the launch of the call for expression of interest for the identification of the national projects, including projects on IPCEI microelectronics. Italy provided the links to the Ministry of Economic Development's websites where the three calls in the field of hydrogen, microelectronic and cloud have been published and copies of the three calls, which demonstrate that their content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (51) Milestone M5C1-1 provides for the entry into force of the Inter-Ministerial Decree establishing a National Programme for the Guaranteed Employability of Workers (GOL) and an Inter-Ministerial Decree establishing a National Plan for New Skills.

Italy provided a copy of the Inter-ministerial Decree of 5 November 2021, adopting a National programme for the GOL and its annexes and of Inter-ministerial Decree of 14 December 2021 adopting the National Plan for New Skills and its annexes, along with documents attesting the agreement by the Permanent Conference for the relations between the State and the Regions and Autonomous Provinces. The evidence provided demonstrates that the legal acts have entered into force and that their content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.

- (52) Milestone M5C1-17 provides for the adoption of Fund to support women's entrepreneurship. Italy provided a copy of the Inter-Ministerial Decrees of 30 September 2021 and 24 November 2021 establishing the Fund to support women's entrepreneurship and other evidence. The evidence provided demonstrates that the legal acts have entered into force and that their content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (53) Milestone M5C2-1 provides for the entry into force of the Framework Law to strengthen the autonomy of people with disabilities. Italy provided a copy of Law n. 227 of 22 December 2021 which demonstrates that the law has entered into force and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (54) Milestone M5C2-5 provides for the entry into force of the operational plan to support vulnerable people and prevent institutionalisation. Italy provided a copy of the Directorial Decree n. 450 of 9 December 2021 by the Ministry of Labour and Social Policies adopting the Operational Plan and its annexes along with further relevant national guidelines and plans in force and other evidence, which demonstrate that the operational plan has entered into force and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (55) Milestone M5C3-10 provides for the entry into force of the regulation to simplify the procedures and strengthen the role of the Commissioner in the Special Economic Zones. Italy provided a copy of Law n. 108 of 29 July 2021 converting into law Decree-Law n. 77 of 31 May 2021 and Law n. 233 of 29 December 2021 converting into law Decree-Law n. 152 of 6 November 2021, which demonstrate that the legislative acts have entered into force and that their content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (56) Milestone M5C3-11 provides for the entry into force of Ministry Decrees approving the operational plans for all eight Special Economic Zones, which is aimed at ensuring the effectiveness of the reform that has introduced the Special Economic Zones. Italy provided a copy of the Ministerial Decree n. 492 of 3 December 2021, and other evidence. The evidence provided demonstrates that the legal act has entered into force and that its content and objectives are in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.
- (57) Milestone M6C2-4 provides for the reorganisation plan approved by the Ministry of Health/Italian regions which aims at increasing the number of beds in intensive and sub-intensive care services. Italy provided a copy of the Directorial Decree of the

Ministry of Health approving the reorganisation plan and a copy of the reorganisation plan, which demonstrate that the legal act has entered into force and that the content and objectives of the reorganization plan is in line with the requirements of the milestone. On the basis of the due justification provided, the milestone should be considered as satisfactorily fulfilled.

- (58) Following the fully positive assessment concerning Italy's payment request, in accordance with Article 24(5) of Regulation (EU) 2021/241, the disbursement of the financial contribution for the first instalment of the non-repayable support and the disbursement of the loan for the first instalment of the loan support should be authorised.
- (59) In accordance with Article 2(3) of the Council Implementing Decision, as specified in the Financing Agreement, the pre-financing of the financial contribution shall be cleared by being proportionally deducted against the payment of the instalments. As Italy received 13% of the financial contribution as pre-financing, an amount of EUR 1 494 252 874 of the payment should be utilised to clear the pre-financing, equal to 13% of the instalment.
- (60) In accordance with Article 3(3) of the Council Implementing Decision, as specified in the Loan Agreement, the pre-financing of the loan shall be cleared by being proportionally deducted against the payment of the instalments. As Italy received 13% of the loan as pre-financing, an amount of EUR 1 643 678 161 of the payment should be utilised to clear the pre-financing, equal to 13% of the instalment.
- (61) This Decision should be without prejudice to procedures relating to distortions of the operation of the internal market that may be undertaken, in particular under Articles 107 and 108 of the Treaty on the Functioning of the European Union. It does not override the requirement for Member States to implement the measures in accordance with Union and national law and, in particular, to notify instances of potential State aid to the Commission under Article 108 of the Treaty on the Functioning of the European Union.
- (62) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 35(1) of Regulation (EU) 2021/241,

HAS ADOPTED THIS DECISION:

Article 1

Authorisation of the disbursement of the non-repayable support

The disbursement of the first instalment of the non-repayable support as laid down in Section 2(1)(1.1) of the Annex to the Council Implementing Decision of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Italy for an amount of EUR 11 494 252 874 is authorised.

In accordance with the Financing Agreement concluded pursuant to Article 23(1) of Regulation (EU) 2021/241 between the Commission and Republic of Italy, EUR 1 494 252 874 shall be utilised to clear the pre-financing of the financial contribution and EUR 10 000 000 000 shall be provided to Italy by means of payment to the bank account indicated in the Financing Agreement.

Article 2
Authorisation of the disbursement of the loan support

The disbursement of the first instalment of the loan support as laid down in Section 2(2)(2.1) of the Annex to the Council Implementing Decision of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Italy for an amount of EUR 12 643 678 161 is authorised.

In accordance with the Loan Agreement concluded pursuant to Article 15(2) of Regulation (EU) 2021/241 between the Commission and Republic of Italy, EUR 1 643 678 161 shall be utilised to clear the pre-financing of the loan and EUR 11 000 000 000 shall be provided to Italy by means of payment to the bank account indicated in the Loan Agreement.

Article 3
Addressee

This Decision is addressed to the Italian Republic.

Done at Brussels, 31.3.2022

For the Commission
Paolo GENTILONI
Member of the Commission