

ITALIAN REPUBLIC: DECLARATION PURSUANT TO ARTICLE 9 OF REGULATION (EC) NO 883/2004 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 29 APRIL 2004 ON THE COORDINATION OF SOCIAL SECURITY SYSTEMS - 2019

I. DECLARATIONS REFERRED TO IN ARTICLE 1(L) OF REGULATION (EC) NO 883/2004

NONE

II. LEGISLATION AND SCHEMES REFERRED TO IN ARTICLE 3 OF REGULATION (EC) NO 883/2004

1. Sickness benefits

Benefits in kind

- Law No 138 of 11 January 1943: Foundation of the National Health Insurance Institute

- Law No 833 of 23 December 1978: Establishment of the National Health Service

- Prime Ministerial Decree of 12 January 2017 establishing and updating the essential levels of healthcare (Livelli Essenziali di Assistenza, LEA)

Cash benefits

- Royal Decree-Law No 1827 of 4 October 1935: Legislative improvement and coordination of social security

- Law No 138 of 11 January 1943: Foundation of the National Health Insurance Institute

- Law No 296 of 27 December 2006: 'Provisions for drawing up the annual and multiannual state budget (2007 Budget Law)', Article 1(788) (daily sickness allowance for workers entered in the 'Separate Management' register of the INPS (National Social Security Institute))

- Law No 214 of 22 December 2011 – "Salva Italia" Decree – Article 24(26), daily sickness allowance for self-employed individuals entered in the 'Separate Management' register of the INPS (National Social Security Institute).

2. Maternity and equivalent paternity benefits

Benefits in kind

- Law No 138 of 11 January 1943: Foundation of the National Health Insurance Institute

- Law No 833 of 23 December 1978: Establishment of the National Health Service

Cash benefits

- Royal Decree-Law No 1827 of 4 October 1935: Legislative improvement and coordination of social security
- Law No 1204 of 30 December 1971: Protection of working mothers
- Legislative Decree No 151 of 26 March 2001: Consolidated text of legislative provisions relating to maternity and paternity protection
- Law No 92 of 28 June 2012: Provisions relating to reform of the labour market with a view to growth, Article 4(24), which lays down mandatory paternity leave (entered into force on 18 July 2012)
- Legislative Decree No 80 of 15 June 2015 implementing Article 1(8) and (9) of Delegation Law No 183 of 2014, which entered into force on 25 June 2015
- Law No 81 of 22 May 2017 concerning, inter alia, measures for the protection of the maternity status of self-employed women who are not entrepreneurs entered in the Separate Management register published in Official Gazette No 135 of 13 June 2017, which entered into force on 14 June 2017.

3. Invalidity benefits

- Royal Decree-Law No 1827 of 4 October 1935: Legislative improvement and coordination of social security
- Law No 222 of 12 June 1984: Revision of the rules on invalidity pensions
- Law No 335 of 8 August 1995: Reform of the mandatory and supplementary pension system

4. Old-age benefits

- Royal Decree-Law No 1827 of 4 October 1935: Legislative improvement and coordination of social security
- Law No 153 of 30 April 1969: Revision of pension regulations and social security rules (establishing the retirement pension)
- Law No 335 of 8 August 1995: Reform of the mandatory and supplementary pension system
- Law No 243 of 23 August 2004 ‘Pension rules and government powers in the public pensions sector to support supplementary pensions and stable employment and to reorganise mandatory pension and assistance bodies’
- Decree-Law No 201 of 6 December 2011, converted into Law No 214 of

22 December 2011: ‘Urgent provisions for growth, equity and consolidation of public finances’, Article 24 (provisions relating to retirement benefits). Entry into force: 1 January 2012

- Law No 190 of 23 December 2014: 2015 Stability Law (Official Gazette No 300 of 29 December 2014 - Ordinary Supplement No 99), entered into force 1 January 2015

- Law No 232 of 11 December 2016: 2017 Stability Law, Official Gazette No 297 of 21 December 2016 - Ordinary Supplement No 57 (entered into force 1 January 2017)

- Law No 205 of 27 December 2017, Estimated State budget for the 2018 financial year and multiannual budget for the three-year period 2018-2020. Official Gazette No 302 of 29 December 2017 - Ordinary Supplement No 62, more favourable pension requirements for ‘*lavoratori precoci*’ (persons with contributions before age 19) and for those engaged in ‘strenuous’ activities. Entry into force: 1 January 2018

- Law No 145 of 30 December 2018: Estimated State budget for the 2019 financial year and multiannual budget for the three-year period 2019-2021. Official Gazette No 302 of 31 December 2018. Entry into force: 01/01/2019. Establishment of the “Fund for the revision of the pension system via the introduction of additional forms of early retirement and measures to encourage the recruitment of young workers”; automatic equalisation of pensions; reduction of “golden pensions”.

5. Survivors’ benefits

- Royal Decree-Law No 636 of 14 April 1939: Amendment of provisions on mandatory insurance

- Law No 335 of 8 August 1995: Reform of the mandatory and supplementary pension system

6. Benefits in respect of accidents at work and occupational diseases

(Basic legislation)

- Presidential Decree No 1124 of 30 June 1965: Consolidated text of the provisions relating to mandatory insurance against accidents at work and occupational diseases
- Legislative Decree No 38 of 23 February 2000: Provisions regarding insurance against accidents at work and occupational diseases

(New supplementing legislation)

- Interministerial Decree of 27 February 2019, adopted in accordance with Article 1(1121) of the 2019 Budget Law (Law No 145/2018) Revision of INAIL premiums
- Law No 145 of 30 December 2018 (2019 Budget Law). Domestic accident insurance (Article 1(534) to (535)). Amendments to the maximum age limit for insurance policy cover and reduction of the minimum degree of permanent incapacity for entitlement to a pension

- Decree of the Ministry of Labour and Social Policy of 19 July 2018. Reassessment of the amounts of financial benefits for physical injury with effect from 1 July 2018 to 30 June 2019
- Decree No 147 of 17 October 2019 of the Ministry of Labour and Social Policy. Reassessment of the amounts of financial benefits for physical injury with effect from 1 July 2019 to 30 June 2020.

7. Death grants

Financial benefits for accidents at work and occupational diseases

- **Death grants** (solely in the event of death resulting from an accident at work):

(Basic legislation)

- Presidential Decree No 1124 of 30 June 1965 - Article 85 of the provisions relating to mandatory insurance against accidents at work and occupational diseases

(New supplementing legislation)

- 2019 Budget Law, Law No 145/2018 which raised the amount of the funeral allowance to €10,000 and also revised, with effect from 1 January 2019, certain conditions for entitlement to the survivor's pension laid down in Article 85 of Presidential Decree No 1124/65.

8. Unemployment benefits

- Royal Decree-Law No 1827 of 4 October 1935: Legislative improvement and coordination of social security

- Viceregal Legislative Decree No 788 of 9 November 1945: Establishment of the wages guarantee fund

- Law No 223 of 23 July 1991: Rules relating to the guarantee fund, mobility and unemployment benefits

- Presidential Decree No 333 of 10 October 2000, Article 1(2): Implementing regulation laying down rules regarding disabled persons' right to work (Law No 68 of 12 March 1999)

- Law No 244 of 24 December 2007 (2008 Budget Law), Article 1(27) to (29). The law provides for the reform and strengthening of the compensation system for the unemployed

- Law No 92 of 28 June 2012: 'Provisions relating to reform of the labour market with a view to growth', Article 2 (Social safety nets). Entry into force: 1 January 2013

- Law No 183 of 10 December 2014 'Government powers concerning reform of social safety nets, employment services and active policies, as well as the reorganisation of the rules on employment contracts and inspection activities and the protection and balancing of care, life and work needs' (Official Gazette, General Series No 290 of 15 December 2014). Entry into force of the measure: 16 December 2014, Reform of the Wages Guarantee Fund

- Legislative Decree No 22 of 4 March 2015: Provisions for the revision of legislation concerning social safety nets in the case of involuntary unemployment and the relocation of unemployed workers implementing Law No 183 of 10 December 2014. Official Gazette No 54 of 6 March 2015. Entered into force on 7 March 2015 (reform of unemployment benefits)

- Legislative Decree No 148 of 14 September 2015: Provisions for the revision of legislation concerning social safety nets during employment, implementing Law No 183 of 10 December 2014 (Official Gazette No 221 of 23 September 2015 - Ordinary Supplement No 53). Entered into force on 24 September 2015

- Law No 205 of 27 December 2017: Estimated State budget for the 2018 financial year. Official Gazette No 302 of 29 December 2017 - Ordinary Supplement No 62. Entry into force: 1 January 2018. Unemployment benefit (DIS-COLL) for workers entered in the Separate Management register.

9. Early retirement benefits

- Law No 223 of 23 July 1991: Rules relating to the wages guarantee fund, mobility and unemployment benefits, Article 19

- Law No 133 of 6 August 2008: Urgent provisions for economic development.

10. Family benefits

- Presidential Decree No 797 of 30 May 1955: Consolidated text concerning family allowances

- Decree-Law No 69 of 13 March 1988, converted into Law No 153 of 13 May 1988: 'Social-security rules' (introducing the 'family unit allowance')

- Law No 76 of 20 May 2016: Provisions on same-sex civil partnerships and registered cohabitations (Official Gazette, General Series No 118 of 21 May 2016). Entry into force of the measure: 5 June 2016.

11. Special non-contributory cash benefits

- a) Social pensions for persons without means (Law No 153 of 30 April 1969)
- b) Pensions and allowances for the civilian disabled or invalids (Laws No 118 of 30 March 1971, No 18 of 11 February 1980 and No 508 of 23 November 1988)
- c) Pensions and allowances for the deaf and dumb (Laws No 381 of 26 May 1970 and No 508 of 23 November 1988)
- d) Pensions and allowances for the civilian blind (Laws No 382 of 27 May 1970 and No 508 of 23 November 1988)
- e) Benefits supplementing the minimum pensions (Laws No 218 of 4 April 1952, No 638 of 11 November 1983 and No 407 of 29 December 1990)
- f) Benefits supplementing disability allowances (Law No 222 of 12 June 1984)

g) Social allowance (Law No 335 of 8 August 1995)

h) Social supplement (Article 1(1) and (12) of Law No 544 of 29 December 1988 and subsequent amendments).

III. CONVENTIONS ENTERED INTO AS REFERRED TO IN ARTICLE 8(2) OF REGULATION (EC) NO 883/2004

NONE

IV. MINIMUM BENEFITS AS REFERRED TO IN ARTICLE 58 OF REGULATION (EC) NO 883/2004

- Benefits supplementing minimum pensions (Law No 218 of 4 April 1952; Law No 638 of 11 November 1983; Law No 407 of 29 December 1990, as amended).

V. POSSIBILITY FOR THE CATEGORIES OF SELF-EMPLOYED WORKERS TO BE COVERED BY A SYSTEM OF UNEMPLOYMENT BENEFITS (ARTICLE 65 BIS OF REGULATION (EC) NO 883/2004) AND RELEVANT LEGAL REFERENCES

Italian legislation does not provide for the coverage of self-employed workers in the event of unemployment.

REGULATION (EC) NO 883/2004 HAS APPLIED TO THE AFOREMENTIONED LEGISLATION SINCE 1 MAY 2010. THE REGULATION HAS APPLIED TO ALL SUBSEQUENT LAWS FROM THEIR ENTRY INTO FORCE.

The official legal acts website can be found at: www.gazzettaufficiale.it