

## **FAQs on the Italian Government's #ImStayingHome Decree**

**March 13, 2020**

### **CHANGES INTRODUCED BY THE MARCH 11 DECREE**

#### **What changes have been made to the previous rules by the March 11 Decree?**

The key changes made by the Government's Decree of March 11 is the closure, until March 25, of all types of cafes and restaurants (bars, cafes, pubs, pizzerias, restaurants, cake shops, ice cream parlours, etc.) and all shops, except for those which have been authorised to remain open, such as grocery stores and food retailers in general, pharmacies and drugstores, newsagents, tobacconists, cafes and refreshments outlets in road and motorway service and rest areas, and shops selling essential goods or providing personal services, as listed in annexes 1 and 2 at the end of the FAQs. The Decree also provides that, also until March 25, the Presidents of the Regions may reduce scheduled and unscheduled local public transport services in their region, for the necessary sanitisation and to ensure essential service levels. Likewise, the Ministry of Infrastructure and Transport may cancel or reduce bus, train, flight or ferry services.

#### **Are there any further restrictions or rules concerning travel and movements of people?**

No, there have been no changes concerning travel and movements and the previous rules continue to apply.

### **AREAS COVERED BY THE DECREE**

#### **1. Are there any differences between the regions?**

No. The March 9 Decree, which entered into effect on March 10, and is valid until April 3, applies to the entire country.

#### **2. Does the Decree provide for any special "red zones"?**

No, there are no more "red zones". The restrictions provided in the previous March 1 Decree (establishing the "red zones") have been lifted. The March 9 Decree contains a single set of rules that apply to the entire population.

### **TRAVEL& MOVEMENT**

#### **1. What does "avoid all travel" mean? Are there any specific restrictions in place concerning travel and movements? Are people allowed to go out to work? Are people under quarantine allowed to move?**

People must stay at home. Travel is allowed solely for work requirements or health needs or reasons of necessity, such as shopping for food and other essentials. In any case, work requirements and health needs must be proven by way of a self-declaration, using the printed forms provided by law enforcement officers. The consistency of the information provided in the self-declarations shall be checked at a later stage and any persons found to have made untruthful statements shall be subject to criminal prosecution. It is advised to use smart working, where possible, or to take holiday entitlement or leave from work. People with no valid reasons to travel must stay at home, for their own and everybody else's safety.

#### **2. People under quarantine or who have tested positive to Covid-19 are "strictly forbidden" from going out.**

3. **Are people allowed to move about inside towns and cities?**  
The prohibitions and recommendations also apply to movements within towns and cities, including the rules relating to work requirements or health needs or reasons of necessity, as well as for returning home.
4. **If a person lives in one town and works in another are they allowed to commute?**  
Yes, in this case travel is justified for work reasons.
5. **Do travel restrictions apply to people showing respiratory infection symptoms and a temperature above 37,5?**  
In this case, people are strongly advised to stay at home, contact their GP and limit contact with other people, as far as possible.
6. **What does “proven work requirements” mean? How can self-employed people prove their “work requirements”?**  
People are allowed to go out to work, although it is always advised to use smart working, where possible, or to take holiday entitlement or leave from work. “Proven” means that you need to be able to prove that you are travelling either to or from work, also on the basis of a binding self-declaration (see FAQ 1), or by providing other proof, with the warning that making untruthful statements is an offence. If a check is carried out you will be required to prove your work requirements and the Authorities will look into any declarations you make, to establish its consistency and, if found untruthful, penalties shall apply.
7. **Are cross-border workers subject to any restrictions?**  
Cross-border workers may leave and re-enter the country for work reasons, which, however must be proven by any means (see the previous FAQ).
8. **Will any checkpoints be put into place to enforce compliance with the measure?**  
Checks will be carried out although there will be no permanent checkpoints to prevent people from travelling, since the measures concern the entire country. Law enforcement officers will be required to supervise compliance of the rules as part of their routine law enforcement activities.
9. **If I find myself away from my home or place of residence, am I allowed to return there?**  
Yes, everyone will be allowed to return to their home or place of residence, but once they have done so they will be able to travel only for work requirements, health needs or reasons of necessity.
10. **Am I allowed to travel to a holiday home where I do not live or reside?**  
No, all travel and movements are allowed solely for the purposes set out in the March 8 Decree, namely, work requirements or health needs or reasons of necessity, or to return to one's home or place of residence.
11. **Am I allowed to go out to buy food? Are food supplies guaranteed?**  
Yes, everyone may go out to buy food and there is no need to stockpile or panic-buy because food supplies will be guaranteed, as always.

- 12. Am I allowed to engage in physical exercise?**  
Yes, outdoor physical activity is allowed, although not in groups. Any kind of gathering is strictly prohibited.
- 13. Am I allowed to go out to buy goods other than food?**  
Yes, but only to buy the goods specified in the March 11 Decree, the list of which is available at this link (annexes 1 and 2).
- 14. May I go out to care for non-independent elderly loved ones?**  
Yes, this is one of the cases included among the reasons of necessity. Please remember though that elderly people are also the most vulnerable group and should be protected from all unnecessary contacts.
- 15. Am I allowed to go to a public park and garden?**  
Yes, public parks and gardens may remain open to allow people to engage in physical exercise and outdoor sports activities, in accordance with article 1(3) of the Decree, but not in groups and maintaining a safety distance of at least one metre from other people.
- 16. If I'm separated/divorced, am I allowed to visit my children, if they live with the other parent?**  
Yes, travel to visit or pick up minor children living with the other parent or guardian is allowed, in any case in accordance with the legal separation or divorce arrangements.
- 17. Am I allowed to put out my waste for collection?**  
Yes, in accordance with the rules applied by each local authority, given that the waste collection service continues as normal.
- 18. Am I allowed to walk my pets?**  
Yes, so that they can relieve themselves, but without gatherings and maintaining a safety distance of at least one metre from other people.
- 19. Am I allowed to take my pet to the vet?**  
Yes, but only in emergencies. Routine check-ups should be postponed. Even in emergency cases you must first fix an appointment to ensure a client turnover on a "one out, one in" basis, to prevent close contact between waiting clients. All staff shall be required to wear appropriate personal protective equipment (gloves and masks).
- 20. Am I allowed to go out on a bike?**  
You may cycle to work or to reach your home or to buy groceries or other essentials or to exercise, provided that you always maintain a safety distance of at least one metre from other people.

## **HAULAGE & PUBLIC TRANSPORT**

- 1. Are there restrictions in place for hauliers?**  
There are no travel restrictions for hauliers. All goods (not just essential goods) may travel across the country. Haulage is considered a valid work requirement therefore hauliers are allowed to travel, albeit only for delivering or collecting goods.
- 2. Are goods couriers allowed to travel?**

Yes, they are free to travel.

**3. I work as a haulier. Do any specific restrictions apply to my job?**

No, there are no restrictions to haulage travel and to the loading/unloading of goods.

**4. Are there limitations on non-scheduled public transport?**

The Presidents of the Regions are authorised to reduce scheduled and unscheduled local public transport services, for the necessary sanitisation purposes, while ensuring minimum essential services. Likewise, the Ministry of Infrastructure and Transport may restrict regional/national bus, rail, flight and ferry services.

## **WORK**

**1. May smart working be used by employers for all their employees?**

Yes. Streamlined and temporary procedures have been put into place to allow smart working and there are no limitations in this respect, also considering that the rules in force before this health emergency did not provide for any special restrictions concerning the number of employees allowed to use smart working.

**2. Do the smart working rules set out in the March 11 Decree apply until the end of the state of emergency or only for the period of application of the March 11 Decree, i.e. until March 25?**

The use of smart working will be required until March 25, i.e. for the entire period of application of the March 11 Decree.

**3. Will public or private sector employers be required to make available the necessary smart working tools for all their employees?**

No. If the public or private sector employer is unable to provide the necessary tools employees may use their own IT equipment. However, (public or private sector) employers shall be required to adopt all the organisational and management measures required to ensure smart working, on an ordinary basis.

**4. If a staff member in a public office comes down with a temperature, will they be considered on ordinary sick leave or will the Decree apply and the sick days deducted from the overall sick leave entitlement?**

The ordinary sick leave rules shall apply. If it is found, later on, that the employee has to be placed in quarantine or has been infected with Covid-19, the sick days shall not be deducted from the sick leave entitlement.

**5. I'm a public employee and would like to use smart working, which tools do I have?**

The new measures seek to encourage smart working by streamlining eligibility. It is up to each employer to identify the necessary measures for allowing the largest possible number of employees to use smart working tools. Employees may make a request to this effect, which will be accepted or not depending on the available facilities.

**6. If it proves impossible to use smart working, can public sector employers, regardless of any prior programming, allow their employees to use up their holiday entitlement until March 25?**

Yes, unless the office manager decides otherwise, for any essential services that may be required.

7. **Which measures have been put into place for any services that are not classified as essential services and which do not allow the use of smart working, such as archive staff, non-clerical staff members, drivers and other ancillary personnel, if they have used up their holiday entitlement accrued at March 12, 2020?**

Where all accrued holiday entitlements - in any form or manner under Italian law - have already been used up, and in accordance with the relevant collective bargaining rules, and the employees are unable to use smart working, the absence from work of the said employees, as a result of the introduction of the emergency measures for containing the Covid-19 epidemic, shall be considered, for all legal intents and purposes, pursuant to article 19(3) of DL 9/2020, to which reference should be made.

In any case, the employer shall not pay any meal allowances, if applicable.

8. **If it proves impossible to use smart working, can private sector employers, regardless of any prior programming, allow their employees to use up their holiday entitlement until March 25?**

Yes, unless other activities which cannot be postponed are required to be carried out on the premises, private employers may program the use of any previous year's holiday entitlements within the relevant deadline or as established in accordance with the collective bargaining rules.

9. **Does the "personal services" category, referred to in article 1(3) of the March 11 Decree, also include work by domestic helpers, carers and baby-sitters?**

No. They are not included in the personal services that have been suspended.

10. **Should urgent home repair works in one's home be suspended, in accordance with the March 11 Decree?**

Building construction, and other craft work, has not been suspended by the March 11 Decree and may, therefore, be carried out, if considered absolutely necessary and cannot be postponed.

## **PUBLIC OFFICES**

1. **Will public offices remain open?**

Yes, nationwide. All government-related activities shall continue as usual. In any case, almost all services are available online. However, teaching and training activities are suspended in schools, kindergartens, museums and libraries.

2. **The Decree provides that hand sanitisers must be made available to all staff members and members of the public in public offices nationwide. If such hand sanitisers are temporarily unavailable shall the office remain open?**

Public offices shall remain open in all cases. The availability of hand sanitisers is an additional precautionary measure and its temporary unavailability shall not justify closing the office. Instead, all the necessary measures must be taken to ensure supplies.

## **RETAIL ESTABLISHMENTS**

1. **The new measures set out in the March 11 Decree relating to retail establishments are effective from March 12. The relevant FAQs will be available shortly.**

## SCHOOLS

**1. What does the Decree provide for schools?**

School attendance is suspended at all schools until April 3, 2020. Online and distance learning will be possible, taking into account the specific needs, in particular, of disabled students.

**2. Have all teaching and training services have been suspended for children aged 0 to 6 or older?**

Yes, to prevent any specific risks of infection, all social and teaching services provided to minors have been suspended, therefore including children and young people aged over 6 years.

## UNIVERSITIES

**1. What does the decree provide for universities?**

Until April 3, 2020, attendance of all institutes of higher education, including universities and other arts and music institutions, vocational courses, master programmes and university programmes for elderly people is suspended. Online and distance learning will be possible, taking into account the specific needs, in particular, of disabled students. Research activities shall not be affected and shall continue as usual.

**2. Will it be possible to hold ordinary and graduation exams?**

Yes, although the use of teleconferencing systems should be preferred and, in any case, by adopting the health and safety and organisational precautions set out in the March 4 Decree; if teleconferencing systems are used the necessary measures must be adopted to ensure adequate publicity.

**3. Will it be possible to hold student-teacher meetings and carry out other teaching-related activities?**

Yes. Doctoral programmes, student-teacher meetings, access tests, laboratory work, etc. may continue, provided that the necessary precautionary health and safety measures are put into place, or preferably by way of teleconferencing systems. Here too it shall be necessary to take into account the needs of disabled students.

**4. Are there any provisions regarding medical specialisation activities?**

The suspension of teaching activities does not include postgraduate programmes for medical and healthcare professionals, including specialisation programmes and traineeships for the healthcare and medical professions. Research activities shall not be affected and shall continue as usual.

**5. How does the Decree affect Erasmus students?**

Regarding the Erasmus+ projects, reference should be made to the instructions issued by the competent European institutions, and Erasmus students will continue to receive all useful information.

## SOCIAL SERVICES

**1. Have all community and social services (as regulated by national or regional provisions) been suspended, including day care centres for people with social**

**problems (including canteens, personal hygiene services, etc.), food banks and other food supply services for the poor, day care centres for the elderly and disabled and family advisory centres providing specialist advice, family mediation centres, safe houses for women and neutral facilities established by the judicial authorities?**

No, only the day facilities, clubs and centres providing recreational or socialisation or entertainment activities or non-essential activities in general must remain closed. The other services and facilities mentioned in the question, which ensure basic healthcare activities or other fundamental personal rights (right to food, to healthcare, access to specialist services, etc.) may continue to operate. However, they must ensure the enforcement of the safety rule of a distance of at least one metre between people.

**2. Are the volunteer organisations providing food to the needy or other services to the more vulnerable sectors of the population allowed to continue to operate, in light of the provisions contained in the March 11 Decree?**

Yes, the March 11 Decree closes all food establishments except for canteens and other catering services carried out on a contractual basis, provided that the safety distance rule of at least one metre between people is enforced. These services, although provided free of charge, should be able to continue to operate, but should be coordinated by the local authorities.

## **CEREMONIES AND RECREATIONAL ACTIVITIES**

**1. What does the Decree provide for ceremonies and entertainment and other events?**

All events and shows are suspended nationwide, whether in public or private spaces and venues, regardless of their nature, whether cultural, games, sports, religious or trade fairs, including those carried out in indoor venues open to the public (such as, for example, cinemas, theatres, pubs, dance schools, betting shops and bingo halls, dance clubs and similar venues).

**2. Is it allowed to enter churches or other places of worship? Will religious services be held?**

Until April 3, all civil and religious services and ceremonies are suspended, including funerals. Therefore, religious services and other rites, such as Friday morning prayer for the Islamic community, are suspended.

Churches and other places of worship may open to the public, provided that this does not create crowds and that the safety distance of at least one metre between persons is enforced.

**3. Will theatres, cinemas, museums, archives, libraries and other cultural institutions be allowed to open?**

No, they shall remain closed nationwide.

**4. Are clubs and activity groups for the elderly allowed to remain open?**

No, all clubs and activity groups for independent elderly persons shall remain closed.

## **MEETINGS**

**1. Are condominium meetings prohibited? Should they be considered gatherings?**

Yes, all condominium meetings are prohibited, unless, of course, they are carried out by teleconferencing and provided that they ensure compliance with the relevant rules governing the calling of and proceedings and voting thereat.

**2. And what about assemblies and meetings for renewing the elected bodies of any organisations?**

The rule applying to condominium meetings applies. Here too they are prohibited, unless, of course, they are carried out by teleconferencing and provided that they ensure compliance with the relevant rules governing the calling of and proceedings and voting thereat.

## **TOURISM**

**1. What does the Decree provide for tourism travel?**

All tourism travel must be strictly avoided nationwide. Italian and foreign tourists still on holiday in the country should travel solely to return to their place of residence or home.

Tourists are able to return home because all airports and railway stations shall remain open, although it is advised to check for information about flights and other transport schedules on the website of the airline, ferry or rail company.

**2. How will the restrictions relating to bars and restaurants apply to accommodation establishments?**

Since the March 11 Decree has ordered the closure of all cafes, bars and restaurants, accommodation establishments will be allowed to provide food and beverages only to their guests.

**3. Should accommodation establishments check a guest's reasons for travelling?**

Accommodation facilities are not responsible for checking compliance with the travel rules.

## **AGRICULTURE& FISHERY**

**1. Is the transport of live animals, animal feed and agri-food and fishery products subject to any restrictions?**

No restrictions apply to this sector.

**2. Are farmers and farm workers, including seasonal workers, subject to any work restrictions?**

No, they are not.

**3. The Decree allows all agricultural, livestock breeding, agri-food processing activities to continue operating, including the supply chains of goods and services. Does this rule apply to the fishing sector as well?**

Yes, fishing activities may also continue as normal.



## **BUILDING SITES**

### **1. Is it allowed to continue working at building sites?**

Yes. The March 11 Decree, like the previous ones, does not require the closure of building sites. Therefore, there are no restrictions as to work on the sites.

Contractors are required to apply and enforce the necessary safety measures for their workers, to prevent the spread of the infection by Covid-19, as determined in strict collaboration with the local health authorities; there must always be a special focus on the infection prevention procedures, with regard to the site activities taking place indoors. If it proves impossible to enforce the safety distance of at least one metre between people, as the main measure for preventing the spread of the disease, the employer is required to make available the necessary personal protective equipment to all workers, in which case the works coordinator, acting in pursuance of Legislative Decree 81/2008, shall provide for the updating of the relevant Safety and Coordination Plan and to make an estimate of the related costs.

The contract awarding authorities are responsible for supervising the adoption, at all building sites, of the above mentioned safety measures.

Since construction workers cannot make use of smart working, for obvious reasons, they are consistently authorised to travel to/from home and work, even if the site is located in a different region from the one they reside in.

In this respect, the March 9 Decree supersedes any prior provision, including those contained in any necessary and urgent measures, preventing construction workers from travelling to/from home and work, for so-called "quarantine" purposes.

This having been said, if a worker employed on a building site, after returning to his place of residence for leave or rest, decides to return to the building site without there being any duly certified health problems, this decision shall be considered an independent decision by the worker and, although prompted by understandable concerns of contagion, shall nevertheless be assessed by the employer in the light of the applicable contractual provisions.