

Subject: Clarification on the current provisions on containment and management of the epidemiological emergency COVID-19 in the transport sector.

Following the meetings and discussions held in recent weeks with the relevant stakeholders and Trade Unions of the fields of the marine transport and the road haulage concerning the implementing modalities of the provisions of the Law-Decree of 21 September 2021, No. 127, for the purpose of the control of green certifications COVID-19 referred to in Article 9 of Law-Decree 22 April 2021, No. 52, converted, with modifications, by Law 17 June 2021, No. 87 (hereinafter, green certification COVID- 19), as well as the various questions raised on the these issues, it is necessary to underscore, in advance, pursuant to Article 12, paragraph 2, of Law-Decree July 23, 2021, n. 105, converted, with modifications, by Law September 16, 2021, n. 126, that: unless otherwise provided by the same Law-Decree and until 31 December 2021, the measures referred to in the Prime Minister's Decree of 2 March 2021 and the protocols and guidelines attached continue to apply.

In relation to the use of the green certification COVID-19 from the staff employed, engaged or used, for any reason, in the activities of marine transport, as well as those concerning the road haulage of goods, being understood what provided for by Law-Decree April 22, 2021, No. 52, converted, with modifications, by Law June 17, 2021, No. 87, and following provisions, the following clarifications are provided.

Maritime transport sector

In order to ensure the operation of ships and the national logistics chain, with particular reference to ships operating internationally, in relation to the staff employed, engaged or working for any reason on board an Italian flag vessel whose port of departure, port of call or final destination is situated in the Italian territory, embarkation or re-entry on board the vessel, to be considered as a place of work pursuant to Article 9-septies of Law-Decree April 22, 2021, n. 52, takes place in the following ways:

1) those who are already on board the vessel on 15 October 2021 and are not in possession of one of the green certificates COVID-19 (or other certifications for vaccinations recognized by the EMA or vaccinations recognized as equivalent with circular of the Italian Ministry of Health), continue the embarkation period and must be submitted, in case of disembarkation in the Italian territory and following return on board, to a molecular or antigenic test with negative result to SARS-Cov-2 virus;

2) those who embark on the Italian territory from 15 October 2021 until 31 December 2021:

a) on embarking must be equipped with one of the green certificates COVID-19 attesting the status of vaccination against SARS-Cov-2 at the end of the prescribed cycle (or other

certifications for vaccinations recognized by the EMA or vaccinations recognized as equivalent with circular of the Ministry of Health), or recovery from Covid-19 with simultaneous cessation of the prescribed isolation following infection with Sars-Cov-2, or of carrying out a rapid or molecular antigenic test with negative result to Sars-Cov-2 virus, in the terms referred to in article 9, paragraph 2, of the aforementioned Law-Decree;

b) in case of landing on the Italian territory and following return on board, must be equipped with one of the green certificates COVID-19 attesting: the status of vaccination against Sars-Cov-2 at the end of the prescribed cycle (or other certifications for vaccinations recognized by the EMA or vaccinations recognized as equivalent with circular of the Italian Ministry of Health); or recovery from Covid-19 with simultaneous termination of the prescribed isolation following infection with Sars-Cov-2; or carrying out a rapid or molecular antigenic test with negative result to virus Sars-Cov-2; in the terms of article 9, paragraph 2, of the aforesaid Law-Decree (or other certifications for vaccinations recognized by the EMA or vaccinations recognized as equivalent with circular of the Ministry of Health).

Controls on the possession of the green certification COVID-19 (or other certifications for vaccinations recognized by the EMA or vaccinations recognized as equivalent with circular of the Ministry of Health), are carried out as defined by the employer pursuant to Article 9-septies, paragraph 5, of Law-Decree April 22, 2021, n. 52.

Road haulage sector

As regards the clarifications requested concerning the entry into the national territory of foreign road hauliers, it is useful to clarify that, in line with the recommendations of the European Commission in relation to the implementation of the so-called Green Lanes ("green lanes"), the relevant provisions of Article 51 paragraph 7 a) of the Prime Minister's Decree of 2 March 2021 and the following Orders of the Italian Minister of Health adopted pursuant to Article 2, paragraph 2 of Law-Decree March 25, 2020, n. 19, converted, with modifications, by Law of May 22, 2020, n. 35, shall continue to apply.

As regards crews of such means of transport from abroad who are not in possession of one of the green certificates COVID-19 (or other certifications for vaccinations recognised by the EMA or vaccinations recognised as equivalent by order of the Italian Ministry of Health), it should be noted that access is only allowed to designated places for loading/unloading of goods, provided that such operations are carried out by other staff.