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Answer given by Executive Vice-President Ribera
on behalf of the European Commission
(20.8.2026)

As regards the planned reform of the Italian Port system governance, the Commission can confirm that it is in contact with Italy on the matter.

Pursuant to Article 108(3) of the Treaty of the Functioning of the EU, it is the Italian authorities' responsibility to assess whether any measures they plan to adopt comply with the applicable State aid rules or whether such measures should be discussed with the Commission in the context of a (pre)notification procedure. At that preliminary stage, the procedure is not public and only involves the Commission's and the Member State's services.

The Court of Justice judgment of 2023¹ where the Court confirmed the Commission's requirement that Italy aligned the port authorities' tax treatment to that of other companies performing economic activities, is relevant in this context. That judgment also confirmed that granting access to port infrastructures and concessions for the use of land and port infrastructures against remuneration qualifies as economic activities. Both the decision and the judgment rely on the identification of the port authorities' activities as economic or non-economic.

¹ Judgment of 20 December 2023, *Autorità di sistema portuale del Mar Ligure occidentale and Others v European Commission*, T-166/21, EU:T:2023:862.