**ITALY**

Article 3 - Appointment of competent authorities

The competent authority for issuing the European protection order in Italy is the same authority as the one which issued any of the protective measures provided for in Articles 282*bis* and 282*ter* of the Code of Criminal procedure (Article 5(1) of the Legislative Decree). According to Article 5(2) of the Legislative Decree, the court shall act at the request of a protected person declaring that he or she is staying or residing in another Member State or expressing the intention to reside or stay in another Member State. The request may also be submitted by the legal representative of the protected person. The request must state the place where the protected person has taken up or intends to take up residence and the duration of and reasons for the stay, failing which it shall be inadmissible.

The Legislative Decree does not provide for any particular formalities for the request, which can therefore be submitted to the court by lodging a document drawn up by the person concerned or the lawyer of the protected person or by having the request recorded in a complaint to the criminal investigation authorities.

Article 4 — Recourse to a central authority

The legislative decree implementing Directive 2011/99/EU lays down that the authority competent to recognise a European protection order issued by another State and executable in Italy is the court of appeal within whose area of jurisdiction the protected person, at the time of the request, declared he or she was staying or residing or declared his or her intention to stay or reside. The list of courts of appeal and their territorial areas of jurisdiction can be found in the table in Annex II to **Legislative Decree No 14 of 19 February 2014 containing provisions to supplement, correct and coordinate the provisions of Legislative Decrees Nos 155 and 156 of 7 September 2012 aimed at ensuring the functioning of the judiciary (published in Official Gazette No 48, Ordinary Supplement, of 30 January 2014). This table replaced Table A in Royal Decree No 12 of 30 January 1941, which is attached in pdf format.**

Furthermore, Legislative Decree No 9 of 11 February 2015 specifies that the Ministry of Justice is the central authority to which protection orders issued by the competent authorities of the Member States should be sent. The Ministry will forward the file to the competent court of appeal.

The address of the Ministry of Justice is: via Arenula 70 - 00186 Roma, Telephone +39 06 68851 (switchboard). Within the ministry the department responsible is the Department for Legal Affairs, Directorate-General for Criminal Law, **Office II - International** **Cooperation**, via Arenula 70 - 00186 ROMA, Tel.: +39 06 68852180, Fax: +39 06 68897528

e-mail: Il link si apre in una nuova finestraufficio2.dgpenale.dag@giustizia.it

Article 17(3) - Languages

The Legislative Decree makes no specific provision concerning the language accepted for recognition of a European protection order. However, the general rule applicable is that acts and communications relating to a criminal procedure in Italy should be drafted in Italian. The protection order and communications about any infringements of the order must therefore be sent in Italian.