



PROTEZIONE CIVILE
Presidenza del Consiglio dei Ministri
Dipartimento della Protezione Civile

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Decree of the Head of Department n. 1287 of 12 April 2020. Appointment of the implementing body for emergency activities related to the assistance and health surveillance of migrants rescued at sea or arriving on the national territory following autonomous landings in the context of the emergency relating to the health risk connected to onset of pathologies deriving from transmissible viral agents

April 12, 2020

Full text

THE HEAD OF THE CIVIL PROTECTION DEPARTMENT COORDINATOR OCDPC INTERVENTIONS N. 630/2020 GIVEN

the law of 16 March 2017, n. 30;

GIVEN Article 25 of Legislative Decree 2 January 2018, n. 1;

HAVING REGARD to article 5 of the decree of the President of the Republic of 7 September 2001 concerning the functions and duties of the Ministry of the Interior in the protection of civil rights, including those concerning immigration;

HAVING REGARD to article 13, paragraph 1, letter e) of the aforementioned legislative decree no. 1 of 2018, which

indicates, among the operational structures of the National Civil Protection Service, the Italian Red Cross;

GIVEN the decree of the President of the Council of Ministers of 2 October 2019 with which Dr. Angelo Borrelli was conferred, pursuant to articles 18 and 28 of the law of 23 August 1988, n. 400, as well as article 19 of the legislative decree 30 March 2001, n. 165, the position of Head of the Civil Protection Department, starting from 10 July 2018 and until the occurrence of the case referred to in Article 10, paragraph 3, of the Law of 23 August 1988, n. 400, without prejudice to the provisions of art. 3 of the decree of the President of the Republic July 3, 1997, n. 520 and the ownership of the administrative responsibility center n. 13 - "Civil Protection" - of the budget of the Presidency of the Council of Ministers;

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GIVEN the resolution of the Council of Ministers of January 31, 2020, which declared, for six months, a state of emergency on the national territory relating to the health risk associated with the onset of pathologies deriving from transmissible viral agents;

GIVEN the order of the Head of the Department of Civil Protection n. 630 of February 3, 2020, containing: "First urgent civil protection interventions in relation to the emergency relating to the health risk associated with the onset of pathologies deriving from transmissible viral agents";

HAVING SEEN in particular article 1, paragraph 1, of the aforementioned ordinance no. 630/2020, which provides that the Head of the Civil Protection Department ensures the coordination of the interventions necessary to deal with the emergency under review, also making use of implementing bodies, also identified among public economic and non-economic entities and private entities, which act on based on specific directives, without new or greater burdens for public finance;

CONSIDERING, moreover, article 1 paragraph 3 of the aforementioned ordinance no. 630/2020 which provides that the financial resources for the implementation of the interventions are transferred, also by means of advance payment, to the subjects referred to in paragraph 1 and are reported by submitting original documentation proving the expenditure incurred, as well as attestation of existence the causal link with the events under review;

GIVEN the decree of the Minister of Infrastructure and Transport in agreement with the Minister of Foreign Affairs and International Cooperation, the Minister of the Interior and the Minister of Health of April 7, 2020, by which it is established that, from the date of its adoption and until the expiry of the state of emergency approved by the Council of Ministers on January 31, 2020, the Italian ports do not ensure the necessary requirements for the classification and definition of Place of Safety ("safe place"), by virtue of the provisions of the Hamburg Convention, on maritime search and rescue, for rescue cases carried out by naval units flying a foreign flag outside the Italian Search And Rescue (SAR) area;

CONSIDERING that, as a consequence of the aforementioned inter-ministerial decree of 7 April 2020, the need remains to ensure compliance with the health measures adopted to combat the epidemiological spread from COVID-19 with reference to cases of rescue at sea;

DETECTED the need to promptly implement the measures necessary to deal with the emergency situation in progress in order to safeguard the safety of the population, making use of implementing bodies;

CONSIDERING to identify, after consulting the Minister of the Interior, the Head of the Department for Civil Liberties and Immigration as the implementing body for the performance of certain of the activities referred to in Article 2, paragraph 1, letter a) of the aforementioned Ordinance No. . 630 of February 3, 2020;

GIVEN the note from the Minister of Infrastructure and Transport of 8 April 2020;

GIVEN the notes of the Ministry of the Interior of 9 and 12 April 2020;

HEARD the Ministry of Infrastructure and Transport;
for the reasons referred to in the introduction which are fully referred to

PROVIDES

Article 1

1. To ensure compliance with the fiduciary and quarantine isolation measures adopted to counter the epidemiological spread of COVID-19, also with regard to people rescued at sea, or who have arrived on the national territory following autonomous landings, is appointed Implementing body, pursuant to article 1, paragraph 1, of the order of the Head of the Civil Protection Department no. 630 of 3 February 2020, the Head of the Department for Civil Liberties and Immigration of the Ministry of the Interior, which uses the Italian Red Cross as the operational structure of the National

Service pursuant to Article 13 of the Legislative Decree of 2 January 2018, n. 1. The implementing body, with the consent of the Head of the Civil Protection Department, *Place of Safety* " (place of safety) pursuant to the inter-ministerial decree mentioned in the introduction and those that have reached the national territory independently. With reference to the personalization of the home page, the monitoring of visits to the site, the sharing of content on social networks, the automatic filling of forms and for viewing multimedia content. For more information see the [privacy policy](#).

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2. In consideration of the needs relating to the needs of personnel, equipment and individual protection devices, the implementing body makes use, in addition to the Italian Red Cross and its organization, of the support, where necessary, of the civil protection volunteers activated by the Head of the Civil Protection Department, as well as the Maritime, Air and Border Health Offices. The implementing body may also enter into agreements with public subjects and contracts with private subjects functional to the activities referred to in this decree.

3. The implementing body for the implementation of the assigned tasks, also with reference to the procedures for awarding public contracts, may make use of the exceptions referred to in article 3 of the order of the Head of the Civil Protection Department no. 630/2020 and subsequent ordinances, in order to ensure the most timely conclusion of the proceedings, as well as the discipline on the processing of personal data referred to in article 5 of the same ordinance and article 14 of the decree-law 9 March 2020, n. 14. To this end and for the verification of the correct application of the derogating discipline, the implementing subject may make use of the collaborative supervision of ANAC pursuant to Article 213 paragraph 3 letter h of Legislative Decree 50 of 2016.

Article 2

1. For the implementation of the interventions referred to in article 1, the Head of the Civil Protection Department ensures financial coverage for the previously agreed initiatives, within the limits of the allocated and approved resources.

Rome,

Angelo Borrelli



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