

## CONSOLIDATED OVERVIEW OF THE AMENDMENTS TO SOUTH TYROL'S AUTONOMY STATUTE

English-language summary based on [dossier AC0374b](#) of the Italian Chamber of Deputies, focusing on competences:

Area / provision	Current rule / starting point	Amendment	Assessment with regard to competences
Name of the Region and Provinces	'Region Trentino-Alto Adige'; 'Provincia/Provincie'	The Region is designated as the 'Region Trentino-Alto Adige/Südtirol'; the Provinces are expressly referred to as autonomous provinces.	Primarily a terminological and symbolic adjustment; strengthens the visibility of autonomy and bilingualism.
Art. 4 - regional legislative power	The Region enacts legislative provisions in certain matters in compliance with the Constitution, the principles of the legal order, international obligations, national interests and the fundamental rules of economic and social reforms.	The competence is expressly described as exclusive legislative competence; constraints deriving from EU law are added, while the explicit reference to the fundamental rules of economic and social reforms is deleted.	Clarifies and tends to strengthen the Region's primary competence, while aligning the wording with modern competence terminology.
Art. 4 no. 1 - regional offices and staff	Competence over the organisation of regional offices and their staff.	The competence expressly also includes regulation of the employment relationship and the corresponding collective bargaining.	Extends or clarifies the Region's organisational and staff-related autonomy.
Art. 5 - concurrent legislative powers of the Region	The Region enacts rules within the limits of Art. 4 and the principles of state laws.	It is clarified that the Region must respect the 'fundamental principles' of state laws.	Terminological alignment with the logic of concurrent legislative powers under Art. 117 of the Italian Constitution.
Art. 8 no. 1 - offices and staff of the autonomous Provinces	Competence over the organisation of provincial offices and their staff.	The exclusive provincial competence expressly also includes the employment relationship and collective bargaining.	Clarifies or strengthens the autonomous Provinces in staff and organisational matters.
Art. 8 no. 5 - spatial planning / urban planning	'Urban planning and regulatory plans'.	Replaced by 'spatial planning, including urban planning,	Expands and modernises the exclusive provincial

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		construction and regulatory plans'.	competence in the field of spatial planning.
Art. 8 no. 17 - public works	'Roads, aqueducts and public works of provincial interest'.	Replaced by roads, aqueducts and public contracts within the Province's area of interest concerning works, services and supplies.	Adapts the provision to modern public procurement law; the competence is broadened from 'public works' to public contracts.
Art. 8 no. 19 - public services	Direct assumption of public services and management through special undertakings.	Reworded as the direct assumption, establishment, organisation, operation and regulation of public services of provincial and local interest, including waste management.	Significantly clarifies exclusive competence over public services and waste management.
Art. 8 no. 24 - hydraulic works / hydropower	Hydraulic works in the third, fourth and fifth categories.	Small and medium diversions for hydropower purposes are added.	New / expressly enshrined exclusive provincial competence in the area of small and medium hydropower diversions.
Art. 8 no. 29-bis - environment and ecosystem	No corresponding explicit number existed.	New exclusive competence for the protection of the environment and ecosystem of provincial interest, including wildlife management.	A new central competence area for the autonomous Provinces; particularly relevant to environmental, nature conservation and wildlife policy.
Art. 8 no. 29-ter - trade	Trade was previously regulated in Art. 9 as a concurrent competence.	Trade is included as a new exclusive provincial competence.	Upgrade from concurrent to exclusive competence of the autonomous Provinces.
Art. 9 no. 3 - trade	Trade as a concurrent legislative competence of the Provinces.	The provision is deleted.	Consequential amendment: trade moves from concurrent competence to exclusive competence under Art. 8.
Art. 9 no. 9 - public waters	Use of public waters, excluding large diversions for hydropower purposes.	It is added that large diversions for hydropower purposes are excluded because they are regulated in Art. 13.	Coordination between concurrent competence over waters and the special rules for large hydropower concessions.

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Art. 12 - large hydropower diversions	Rights of participation, objection and appeal of the Provinces in relation to concessions for large hydropower diversions.	Art. 12 is repealed.	Clears out outdated competence provisions; the matter is coordinated through Art. 13.
Art. 20 - powers of the Provincial Governors as public-security authorities	Powers in certain areas of public security, such as dangerous industries, public establishments and similar matters.	The Provincial Governors additionally exercise security powers in the area of wildlife management; weapons, ammunition and related authorisation and sanctioning powers remain excluded.	Consequence of the new environmental and wildlife competence; the operational responsibilities of the autonomous Provinces are expanded.
Art. 25 - voting rights	For active voting rights in South Tyrol, an uninterrupted four-year residence in the regional territory was required.	For South Tyrol, the residence period is reduced from four to two years; immediate registration upon return is also made possible where a previous 'historic' residence had already established voting rights.	No transfer of competence, but a relevant change to political participation within the autonomy framework.
Art. 47 - challenges to provincial laws on form of government / electoral law	Special rule on not communicating certain provincial laws to the Government Commissioner.	The outdated communication clause is deleted; the Government may challenge constitutionality within 30 days of publication.	Adapts the provision to the system of subsequent constitutional review; reduces preventive state control.
Art. 55 - promulgation of regional and provincial laws	Legislative resolutions were communicated to the Government Commissioner; the Government could refer them back to the Regional or Provincial Council.	Regional and provincial laws are promulgated within 30 days of approval; state referral back is abolished.	Important change in terms of autonomy policy: removal of an outdated preventive state control.
Art. 50 - composition of the South Tyrolean Provincial Government	The composition of the Provincial Government is determined in proportion to the strength of the language groups in the Provincial Council.	The South Tyrolean Provincial Council may decide by absolute majority that the composition of the Provincial Government	Introduces greater flexibility in language-group-based government formation; concerns the institutional design of autonomy.

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		is to be determined, wholly or partly, according to the most recent language-group census; where Ladin representation is present, the remaining government offices are distributed among the other language groups in proportion to their strength in the Provincial Council.	
Art. 61 - language-group representation in municipal executives	A language group is entitled to representation in the municipal executive if at least two municipal councillors belong to that language group.	If only one municipal councillor from a language group is represented, the municipal council may recognise that group's representation in the municipal executive by absolute majority.	Introduces greater flexibility in language-group representation at municipal level in the Province of Bolzano.
Art. 98 - challenges to state laws	State laws could be challenged by the President of the Region or Province following a resolution of the respective Council.	In future, a resolution of the respective provincial Government will suffice instead of the Council.	Procedural simplification and alignment with the system under which executive bodies decide on constitutional challenges to state laws.
Art. 103 - amendment of the Autonomy Statute	In the case of government or parliamentary initiatives, the Regional Council and the Provincial Councils were consulted and issued an opinion within two months.	Introduction of an agreement rule: the Regional Council and the Provincial Councils must decide by absolute majority on the text approved in first reading by the Chambers; if no agreement is reached within 60 days, the Chambers may approve the amendment in a second vote by absolute majority, while preserving already recognised levels of autonomy.	Stronger involvement of the autonomy bodies in amendments to the Statute; at the same time, a final parliamentary decision remains possible.

