

MR

International Monthly Roundup

March 2024

Finalist at the Legalcommunity Tax Awards 2024



In the **Legalcommunity Tax Awards 2024**, the Firm and its professionals have been named among the finalists in the following categories:

- **Advisory** - 'Firm of the Year' and 'Professional of the Year' (Davide Attilio Rossetti)
- **Litigation** - 'Firm of the Year' and 'Professional of the Year' (Fabrizio Gaetano Pacchiarotti)
- **VAT and Indirect Taxes** - 'Firm of the Year' and 'Professional of the Year' (Roberta De Pirro)
- **International Taxation** - 'Firm of the Year' and 'Professional of the Year' (Davide Attilio Rossetti)
- **Tax Criminal Law** - 'Firm of the Year' and 'Professional of the Year' (Francesco Rubino)

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Finalist at the Legalcommunity IP & TMT Awards 2024



In the Legalcommunity IP & TMT Awards 2024, the Firm and Carlo Impalà (our Head of the TMT and Data Protection Dept.) have been named among the finalists in the following categories:

- Advertising ('Law Firm of the Year')
- Media ('Law Firm of the Year' and 'Professional of the Year')
- Telecommunications ('Law Firm of the Year' and 'Professional of the Year')
- Privacy ('Law Firm of the Year' and 'Professional of the Year')

Articles

Insights from our professionals on relevant topics

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Articles



Tax Advisory

«Deductible costs related to the Influencer's activity»

by [Francesco Daniele Di Donato](#), [Giulia Sabelli](#)

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International Taxation

«Reshoring and Global Minimum Tax: call for clarification»

by [Andrea Petracca](#), [Chiara Vetulli](#)

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Wealth Management

«Foreign pensioner regime applies regardless of tax residency abroad under applicable Convention»

by [Fabrizio Pacchiarotti](#), [Chiara Vetulli](#)

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Articles



Restructuring & Insolvency

«The scope of applicability of protective measures in negotiated group settlement»

by [Massimiliano Poppi](#), [Francesco Voci](#)

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Corporate M&A

«Return of payments on account of future capital increases»

by [Andrea Bernasconi](#), [Dario Mascetti](#)

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Corporate Criminal Liability

«New Law on the protection of cultural and landscape assets: Organisational Model concerned»

by [Francesco Rubino](#)

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TMT & Data Protection

«New Italian DPA guidance document on workers' e-mail and metadata processing»

by [Carlo Impalà](#), [Paola Ritondò](#)

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Labour Law & Industrial Relations

«The monetisation of leaves at the end of the employment relationship»

by [Elena Dongellini](#)

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HR Tip

A quick look at relevant human resource issues from our Labour Department

To view our previous Labour Monthly Roundups click [here](#)

HR Tip | March '24

#3 Non-Compete Agreements



A non-compete agreement (NCA), governed by Article 2125 of the Civil Code, is an agreement in which the **employer restricts the employee's ability to work for a competitor** for a specified period of time following the termination of employment. The employee is compensated for this restriction.

The NCA is void if:

- it is not in writing;
- consideration is not agreed upon in favour of the employee;
- it is not contained within certain limits of scope, time and territory.

The NCA may also contain the following items:

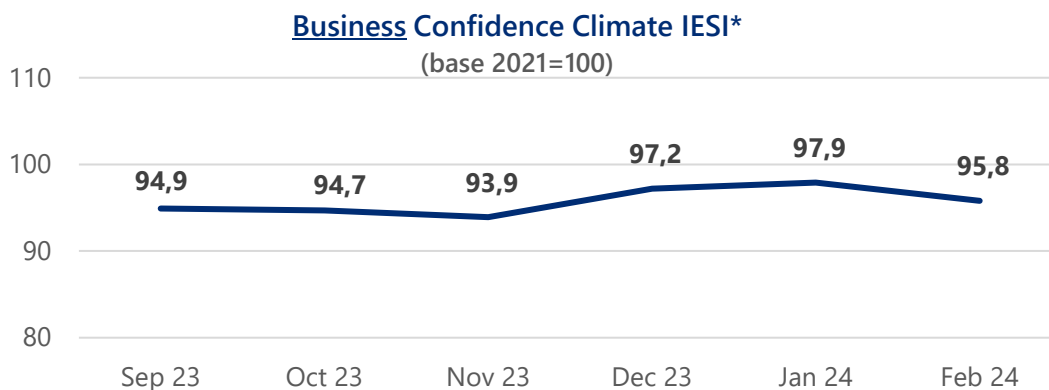
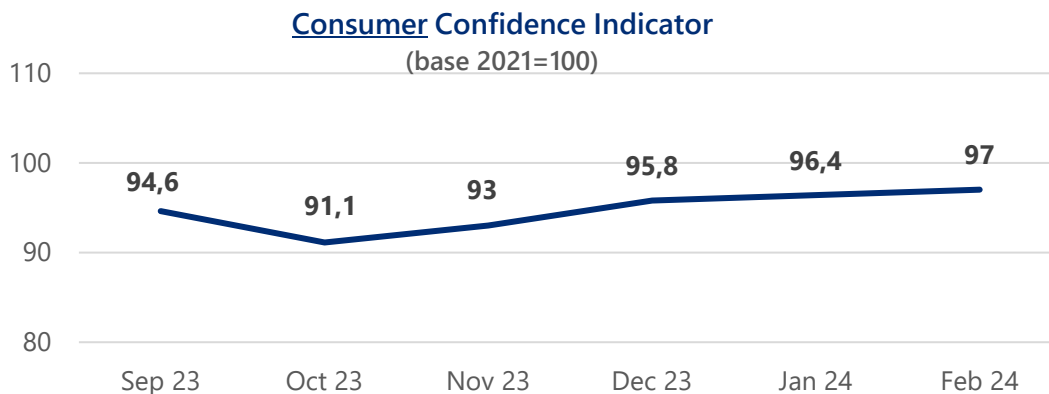
- option clauses;
- Information undertakings;
- clauses providing for the payment of a penalty.

Italy Update

Main Italian economic indicators
and the most relevant news of the last period

A view of the Sforzesco Castle in Milan

Confidence Indicators



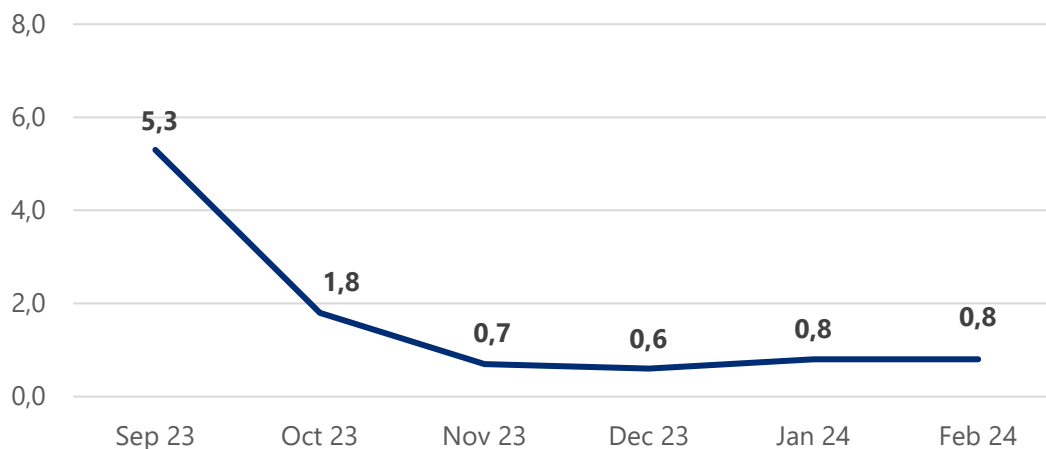
* Istat Economic Sentiment Indicator and Business Confidence Climates
(Manufacturing, Construction, Market services, Retail trade)

Source: Istat (National Institute of Statistics) → Starting from January 2024, Istat disseminates the business and the confidence indices with the **new base year 2021=100**.

Consumer Price Index

National Consumer Price Index (NIC)

(month on same month
a year ago % changes – base 2015=100)



In February 2024 the Italian consumer price index for the whole nation (NIC) increased by **0.8% with respect to February 2023** (the same as in January 2024).

The stabilization of the growth on annual basis of All-item index underlies contrasting trends: the prices of Unprocessed food, of Processed food including alcohol, of Non energy industrial goods, of Services related to transport, of Services related to recreation, including repair and personal care and of Services related to housing slowed down.

On the contrary, the prices of Non-regulated energy products, Regulated energy products, of Tobacco and of Services related to communication have increased.

Italian DPA: new guidelines on retention of employee metadata

The Italian Data Protection Authority has recently announced a guideline document regarding the retention of employee e-mail data, addressed to public and private employers.

Some software programs and computer services for e-mail management automatically collect the so-called 'metadata' related to the use of employees' e-mail accounts.

This data, such as day, time, sender, recipient, subject, and size of the email, is often kept for too long.

The aim of this document is to provide guidance to prevent activities that violate data protection regulations and laws protecting employees' freedom and dignity.

According to the Italian Authority, the collection and retention of this metadata should generally not exceed a few hours or days, and definitely **not more than 7 days**.

If employers wish to retain this data for **longer periods**, they must **adhere to specific regulations** outlined in the Workers' Statute, such as obtaining approval from the Labor Inspectorate or reaching a union agreement.

Employers, as data controllers, are strongly urged to use **email systems** that let them **change these settings** to avoid collecting unnecessary data for too long.

Green hydrogen production in Italy: half a billion euros allocated

The Italian government has allocated more than 500 million euros to implement the so-called 'Hydrogen Valleys' throughout the country, with the aim of developing an hydrogen supply chain, crucial for the the country's energy independence.

Out of the over 3.64 billion euros allocated in the NRRP for enhancing Italy's **hydrogen supply chain**, more than **500 million euros** are designated for establishing hydrogen valleys.

To date, over **50 projects** have been financed throughout Italy, consisting in hubs for **green hydrogen production**, which are planned to be implemented by the end of 2026.

This initiative aims to boost the production and use of green hydrogen in various sectors such as industry and transport, thus implementing Italy's **strategy of ecological transition and sustainable development**.

In addition to the creation of advanced infrastructures and technologies, further objectives are the **regeneration of disused industrial areas**, thereby boosting local economies, and the promotion of **research and development in the field of energy**.

Hydrogen Valleys represent the project through which Italy wants to position itself as a leader in the production and use of green hydrogen, **in line with EU decarbonisation targets**.

For further information




Davide Attilio Rossetti | Partner

Head of Tax Advisory

Davide.Rossetti@MorriRossetti.it

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Morri Rossetti

Piazza Eleonora Duse, 2 | 20122 Milano (IT) | T +39 02 76 07 971
info@MorriRossetti.it | MorriRossetti.it