

Adeguamento della normativa nazionale al regolamento (UE) 2024-1689 - poteri delle Autorita nazionali (D.Lgs. 179/2026)

PRIMARY

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Assessment. Italian official register entry, read directly. Title, number, Gazzetta Ufficiale issue and the entry-into-force date are quoted from the register record itself. This is the source that settles the date error in the English-language coverage, which attributed D.Lgs. 160/2026's September dates and liability provisions to this decree.

Claims drawn from this source. CLAIM-2026-10-12-10, CLAIM-2026-10-12-11, CLAIM-2026-10-12-12

Identification

DECRETO LEGISLATIVO 7 ottobre 2026, n. 179. Official subtitle, as printed on the register record:

"Adeguamento della normativa nazionale alle disposizioni del regolamento (UE) 2024/1689 del Parlamento europeo e del Consiglio, del 13 giugno 2024, che stabilisce regole armonizzate sull'intelligenza artificiale, in materia di poteri delle Autorita nazionali e di utilizzo dell'intelligenza artificiale nella formazione."

Document code (26G00200). Published in **Gazzetta Ufficiale Serie Generale n. 234 of 8 October 2026**. The register states: "Entrata in vigore del provvedimento: 23/10/2026" and "Testo in vigore dal: 23-10-2026".

It is described in the Italian legal press as the **second** adequation decree to the AI Act.

Authorities

- **Art. 1(2)(a)** defines the "autorita nazionali per l'intelligenza artificiale" as the Agenzia per l'Italia digitale (**AgID**) and the Agenzia per la cybersicurezza nazionale (**ACN**).
- **Art. 1(2)(e)** defines the "autorita nazionale di notifica" as AgID.
- **Art. 1(2)(b)** includes ACN among the "autorita nazionali di vigilanza del mercato".
- The notes to Art. 1 quote **Law 132/2025, Art. 20**: AgID and ACN "sono designate quali Autorita nazionali per l'intelligenza artificiale"; AgID "e designata quale autorita

di notifica" and ACN "e designata quale autorità di vigilanza del mercato e punto di contatto unico".

- **Banca d'Italia, CONSOB and IVASS** are the market surveillance authorities for high-risk systems in their supervised sectors, under Art. 74(6) of the AI Act for Annex III point 5(b) and (c) systems used by financial intermediaries; Art. 17 of the decree gives them "poteri di vigilanza e ispettivi".
- The Garante applies the AI Regulation within its existing powers. ACN can run checks on real-world testing and conduct unannounced inspections. AgID and ACN jointly oversee the Italian regulatory sandbox.

Contrast worth recording for a German reader: the market surveillance seat that sits with ACN, a cybersecurity agency, in Italy sits with the Bundesnetzagentur in Germany under the KI-MIG.

Sanctions

Section V gives the authorities "il potere di irrogare le sanzioni e le altre misure amministrative di cui all'art. 99 dell'AI Act", within the EU-set ceilings, together with non-monetary measures such as orders to stop or remove a violation and public declarations.

Other provisions relevant to practitioners

- **Art. 41:** hiring, dismissal, performance-evaluation and disciplinary decisions may not rest solely on automated processing; the final decision "e in ogni caso riservata a una persona fisica, che eserciti un potere effettivo e autonomo". Decisions and dismissals taken solely on automated processing are void. Candidate search and screening are not treated as final hiring decisions.
- **Art. 42:** AI systems affecting work organisation, pace, methods or safety-relevant decisions must be included in the D.Lgs. 81/2008 risk assessment, with information and training on AI-specific risks.
- **Art. 48:** algorithmic use by employment centres is conditional on human supervision and transparency.
- **Art. 52:** amends Art. 98 of the Industrial Property Code to cover training data, model architectures and mathematical methods as trade secrets.
- **Arts. 43 and 47:** professional orders must add AI literacy to initial and continuing education, with six months from entry into force to adapt their rules.