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LAW 34 OF 11 MARCH 2026

Annual Law on Small and Medium-sized Enterprises

CHAPTER IV

Combating fake reviews

Article 18

Purpose

1. In compliance with Article 117(2)(e) of the Constitution, the principles of European Union law on competition and Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022, this Chapter aims to combat unlawful online reviews relating to products and services offered by food and beverage establishments and tourism-sector facilities located in Italy, including accommodation and spa facilities, as well as to any form of tourist attraction offered in Italy. It also aims to ensure that online reviews are reliable and posted by individuals who actually used or purchased the product or service.

Art. 19

Lawfulness requirements for reviews and rights of reviewed facilities

1. To be lawful, an online review must be posted no later than thirty days from the date on which the reviewer personally and genuinely used the product or benefitted from the service; it must relate to the specific product type actually used or to the features of the facility offering it and, in any event, it must not result from the provision or promise of discounts, benefits or other advantages by the provider or its intermediaries. An online review marked as verified is unlawful if it does not originate from a natural person who actually benefitted from the service. An online review accompanied by evidence of the issuance of tax documentation is presumed to be authentic. An online review shall cease to be lawful two years after its publication, on the grounds that it has become materially outdated.

2. The legal representative of a reviewed facility or a duly authorised delegate thereof may submit a notice, in accordance with the procedures set out in Article 16(2) of Regulation (EU) 2022/2065, to obtain the removal of any reviews that do not comply with the lawfulness requirements laid down in paragraph 1.

Art. 20

Prohibitions

1. Without prejudice to the provisions of the Consumer Code, as set out in Legislative Decree 206 of 6 September 2005, the purchase and transfer, on any grounds whatsoever, including between business operators and intermediaries, of online reviews, endorsements or interactions are prohibited, irrespective of whether they are subsequently disseminated.

2. Without prejudice to any criminal liability, where the prohibition laid down in paragraph 1 is infringed, the *Autorità Garante della Concorrenza e del Mercato* (the Italian Competition Authority) shall exercise the investigative and fining powers provided for in Article 27 of the Consumer Code, as set out in Legislative Decree 206 of 6 September 2005.

Art. 21

Guidelines and monitoring

1. After consulting the *Autorità per le Garanzie nelle Comunicazioni* (the Italian Communications Authority – AGCOM), the *Garante per la Protezione dei Dati Personali* (the Italian Data Protection Authority), the Ministry of Enterprises and Made in Italy, and the Ministry of Tourism, the Italian Competition Authority shall, by decision, adopt specific guidelines to assist undertakings in putting in place appropriate measures to ensure compliance with the lawfulness requirements for online reviews.

2. The Italian Competition Authority shall conduct annual monitoring on the application of this Chapter and the dissemination of unlawful reviews, and report thereon to the two Houses of Parliament.

3. To strengthen action against unlawful reviews, associations representing food and beverage establishments and tourism-sector facilities established in Italy, that meet the requirements laid down in Article 22 of Regulation (EU) 2022/2065 and in the implementing rules adopted by the Italian Communications Authority, may apply for recognition as trusted flaggers under Article 22 of Regulation (EU) 2022/2065.

Art. 22
Interim provisions

1. The provisions of this Chapter shall not apply to reviews published prior to the entry into force of this Law.

Art. 23
Financial neutrality clause

1. The implementation of this Chapter shall not give rise to any new or increased burdens on public finances.

2. The Italian Competition Authority and the Italian Communications Authority shall carry out the activities provided for in this Chapter using the human, financial and technical resources available under applicable legislation.