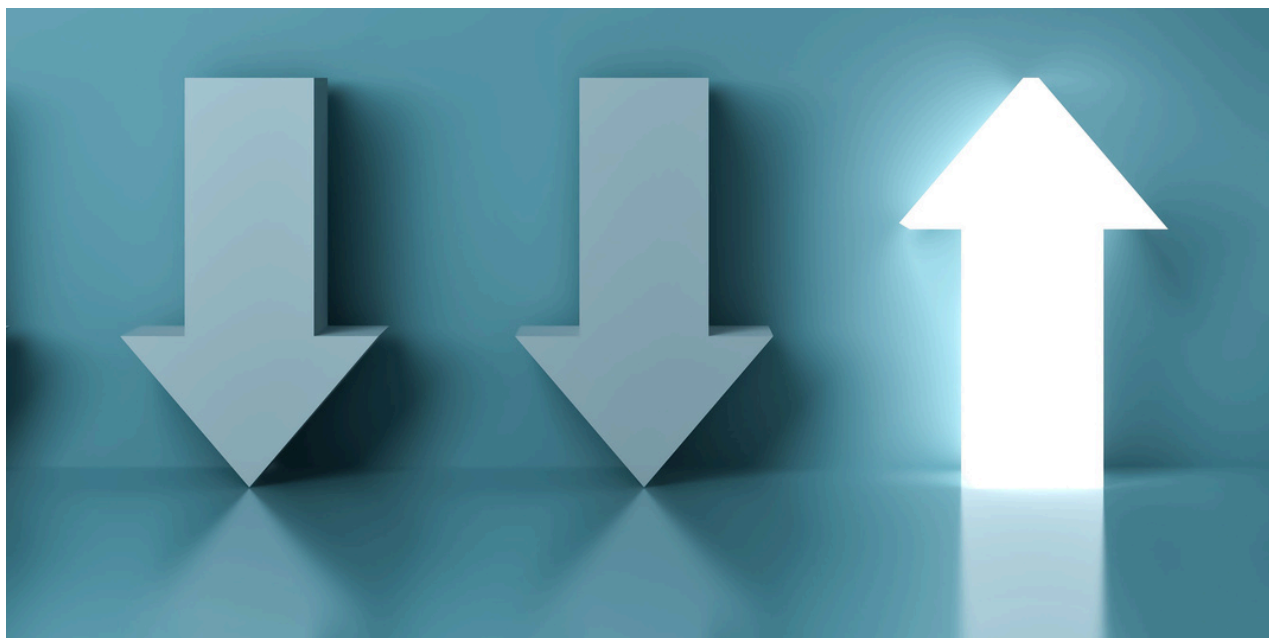


THE NEW ITALIAN LAW ON ARTIFICIAL INTELLIGENCE. OPPORTUNITIES, CONSTRAINTS AND CRITICAL ISSUES



OCTOBER 2025

With the final approval of Delegated Law No. 132 of 23 September 2025 (AI Law), Italy is at the forefront of European Union member states in adopting a specific national regulatory framework on artificial intelligence.

Principles and objectives: an “anthropocentric” approach

Law 132/2025 establishes guiding principles that must inspire the entire national regulatory framework, in line with the European AI Act. Key principles include transparency, proportionality, robustness, accuracy, non-discrimination, protection of personal data and fundamental rights, sustainability and human responsibility. It is a framework law, which does not yet contain detailed technical rules, but entrusts the Government with the task of adopting a series of implementing decrees. This choice gives flexibility to the regulatory framework, but also introduces a period of uncertainty in its application, during which businesses and operators will have to navigate an evolving context.

At the heart of the law is a declaredly anthropocentric approach: AI is considered a tool to support humans, never a substitute for them.



Governance and authority

The law, in particular Article 20, identifies institutional bodies and roles for the national supervision of AI, in particular the AGID (Agency for Digital Italy) and the ACN (Agency for National Cybersecurity), which will also have to coordinate with the authorities already in operation. However, no independent authority dedicated exclusively to AI has been established, a decision that has raised some concerns among legal practitioners: the absence of a third-party body, independent of the government, could make the enforcement of the law less transparent and make it more difficult for citizens to manage appeals.

Sectoral areas of application

The text delegates to the Government the possibility of establishing specific rules for sensitive sectors: healthcare, public administration, justice, and labour. In these areas, information obligations (e.g., for citizens affected by automated decisions) and security criteria are strengthened.

Particularly significant for the world of intellectual professions is the provision contained in Article 13. The legislator clarifies that the use of artificial intelligence systems by professionals (lawyers, engineers, consultants, architects, doctors, etc.) is permitted exclusively for support activities and with a prevalence of human intellectual work.

The second paragraph of Article 13 then introduces an obligation of transparency towards the client: the professional must communicate clearly, simply and comprehensively whether and to what extent they have used artificial intelligence systems in the performance of their activities.

Transparency is not only a legal requirement but also an ethical duty. The client has the right to know whether a text, analysis or assessment has been generated, in whole or in part, with the aid of an AI system. Similarly, the professional has a duty to maintain control over the content and to verify the reliability of the information provided by digital tools. This provision emphasises the centrality of the individual, reaffirming that technology cannot replace the critical thinking and personal responsibility that characterise intellectual activity.

In the field of work and business organisation, Article 11 stipulates that artificial intelligence must be used to improve workers' conditions, protect their physical and mental integrity and enhance the quality of their performance, never for the purpose of control or restriction of rights. The use of AI must be safe, reliable and transparent, without undermining human dignity or violating the confidentiality of personal data.



Employers are required to inform workers in advance about the use of AI systems, in accordance with the procedures set out in Article 1bis of Legislative Decree 152/1997, entitled “Additional information requirements in the case of the use of automated decision-making or monitoring systems”.

It should also be noted that, pursuant to the AI Act, which is the main source of legislation on the subject and is not superseded by national legislation, the use of artificial intelligence systems for human resource management (such as career planning or performance evaluation) is classified as high risk. Consequently, companies are required to comply with stringent compliance obligations and to put in place adequate organisational and technical measures to ensure compliance with the current regulatory framework. This requires attention from managers and HR when designing processes that involve AI.

Opportunities and practical guidelines for managers and businesses

Proactive strategy and compliance

Companies can anticipate regulatory requirements today by defining internal risk assessment frameworks, AI system documentation, audits and human oversight. The adoption of principles such as explainability and transparency should already be considered in the design phase.

Internal AI governance

It is useful to establish internal functions or committees dedicated to AI oversight (compliance, ethics, data governance). In industrial and managerial contexts, such structures allow innovation and controls to be combined.

Training and digital culture

The law emphasises the obligation, already introduced by the European AI Act, of digital literacy and continuous training to manage AI consciously. Companies must invest in internal skills and raise awareness among their teams about risks, biases and ethical implications.



Conclusion

Law 132/2025 on AI introduces the first comprehensive national framework for the development, adoption and governance of artificial intelligence in Italy, in line with the European AI Act. Although it does not introduce any substantially new innovations compared to EU legislation (which is natural, given that it is a Regulation directly applicable in Member States), the law has a purely political and cultural value: that of clearly stating that Italy intends to govern AI and not be subject to it.

The real test will now be the implementation phase. The effectiveness of the new system will depend on the quality of the delegated decrees, the structure of national governance and the ability to fill in the grey areas, such as the absence of an independent authority or the definition of appeal procedures against automated decisions and biometric applications.

For managers, entrepreneurs, and industry professionals, the challenge will be to transform constraints and risks into competitive opportunities: those who know how to integrate ethics, compliance, and innovation, anticipating the rules, will have a strategic advantage. It is time to take active steps towards defining conscious and resilient business processes.

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