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Italian Style: Legislative Developments in Accommodation, Mobility, Food, Delivery, and Transport in Italy's Collaborative and Sharing Economy

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Abstract

This contribution pays special attention to the Italian legal framework concerning the collaborative and sharing economy (CSE), with a focus on those economic initiatives which are platform mediated. This choice is due to the importance of the concept of “platform” in the definitions of the CSE provided at both the Italian and the European levels. As highlighted in some studies, most actors of the CSE can be considered not only economic disruptors but also policy disruptors (Biber et al. 2017). Thus, the chapter tries to shed light on the difficulties Italian regulators had while dealing with the emergence of these actors, especially in sectors such as food, accommodation, delivery, and transport. Italian policymakers were not able to design new regulatory frameworks to cope with the challenges of CSE, privileging bans (for Uber) or almost total deregulation (for Airbnb) over the elaboration of innovative rules. Regarding the issue of digital labour, the Italian legislator adopted a partial solution, creating a framework that dualizes the labour market, maybe with the aim of satisfying both digital workers and platforms. Overall, it seems that the Italian ecosystem of the CSE is bound to evolve, especially after the appearance of the health crisis related to the COVID-19.

Keywords: Collaborative Economy, Sharing Economy, Platforms, Regulation, Delivery, Mobility, Accommodation, Food

Introduction

The landscape of the collaborative and sharing economy (CSE) in Italy is characterised by a wide variety of actors and organizational models, including both profit-oriented companies and non-profit, community-based practices that enable non-monetary forms of exchange, often rooted in the long-standing Italian tradition of cooperatives and mutualism (Grasseni 2014).

Despite the growing interest in the debate about and body of literature on the subjects, there is no single definition both of the notion of “collaborative economy” and the term “sharing economy.” In recent years these have become umbrella labels encompassing a wide variety of activities and are now synonymous with economic activities that are prefixed variously with terms such as “participative,” “peer-to-peer,” “gig,” “crowd,” “on-demand,” and “access.” Thus, the practices of the sharing and collaborative economies

have been associated with myriad activities, including swapping, exchanging, collective purchasing, crowdsourcing, crowdfunding, shared ownership, cooperatives, co-creation, borrowing, lending, renting, etc. These initiatives can operate in a variety of domains of activity (e.g., accommodation, food, delivery, waste) and at different geographical levels. At the same time, they can be carried out in person or mediated by intermediaries that connect—generally via an online platform—providers and consumers (“collaborative platforms”).

Because there is no single distinct identity that is entirely and exclusively captured by the notion of “collaborative and sharing economy,” there is, therefore, no single regulatory and/or legislative response that is able to address the manifold disruptions caused by this fast-growing phenomenon.

Key Questions

Building on these premises, this contribution does not aim to provide any new definitions and/or classifications of the “collaborative economy” or “sharing economy,” but to (i) present the most recent development of the Italian legal framework that concerns the collaborative and sharing economy (SCE), (ii) briefly discuss the emergent and most problematic issues related to the CSE in Italy, with special attention to “platform” mediated activities, and (iii) offer a snapshot of the three most active CSE sectors: food, accommodation, deliver, and transport.

Definition

At the national legislation level, in recent years, several law proposals were submitted with the aim of covering single and specific sectors affected by the expansion of CSE business models. For example, the bill n. 4059, presented on September 27th, 2016, pursued the goal of promoting the shared use of private vehicles, while on the 6th of April of the same year, the law proposal n.3752 tried to introduce new measures the regulate home restaurant activities (d’Ippolito 2018).

Beyond this sector-specific legislation, there were two main attempts to accurately define the phenomenon in general terms and build a comprehensive regulatory framework dealing with CSE activities independently of the sectoral boundaries.

Veronica Tentori—a former Member of the Italian Parliament’s Lower Chamber—presented a law proposal (n.3564 of 27 January 2016) attempting to address some of the issues being faced within the collaborative economy. The second article of this bill defined the CSE as the “economy generated by the optimised and shared allocation—via digital platforms—of resources such as space, time, goods and services,” quite in line with the formulation adopted in the same year by the European Commission, which labelled as the collaborative economy the set of “business models where activities are facilitated by collaborative platforms that create an open marketplace for the temporary usage of goods and services often provided by private individuals” (COM(2016) 356 final). In the same year, a legislative proposal (n.2268 of 3 March 2016) was also presented in the Italian Senate, according to which the sharing economy was defined as “economic activity enabling a “sharing person” and one or more users to share goods or services through the use of platforms.” However, neither bill was approved, and, currently, they represent the only institutional attempts at the national level to regulate platforms and provide a definition, criteria, and requirements for the

identification of platforms, together with the creation of a National Register of these new economic actors (d'Ippolito 2018).

Overall, it is interesting to notice that in the definition of CSE provided both at the Italian and the European level; a central role is played by the recognition of the importance of platforms, which can be conceived as those technological and organizational entities enabling the development of transactions between demand and supply and exerting more or less extensive degrees of control over the markets and the organization and execution of work tasks. This highlights the importance of the debate traditionally rooted in the economic theory about the nature of the firm, opening up a discussion on whether platforms should be considered pure marketplaces or hierarchies with managerial prerogatives (Coase 1937; Williamson 1973; Aloisi 2020; Vallas and Schor 2020). Far from being a purely theoretical issue, this debate has strong practical and empirical implications on the regulation of CSE activities, as we will see below.

Examples

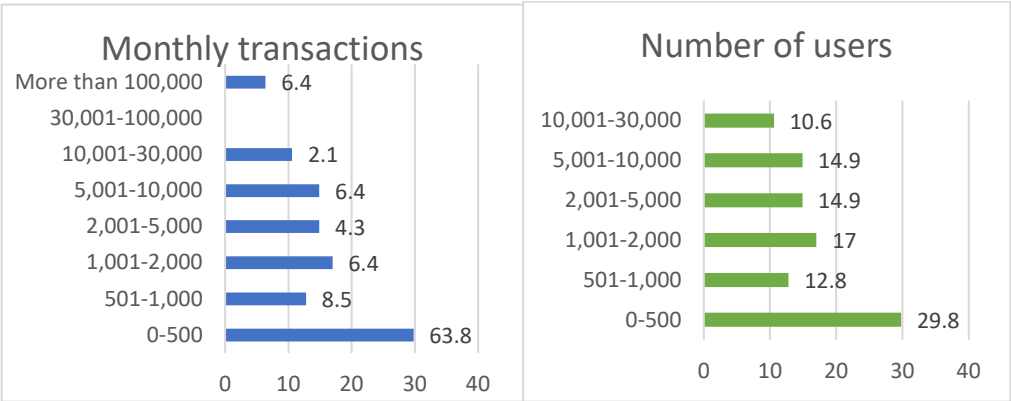
Despite the initial enthusiasm surrounding the rise of CSE activities, some features of the national socio-economic context may risk inhibiting their further development. Administrative procedures and bureaucratic requirements in Italy represent a serious obstacle, especially in the early stages of life for any new business. Furthermore, constraints related to accessing capital in the Italian finance market—especially resources devoted to funding innovative businesses—are greater than in many other economic contexts, thereby limiting or stunting growth because of a lack of access to adequate financial resources. Unsurprisingly, familial and personal resources and relations play a central role in the context of the Italian collaborative economy (Mainieri and Pais 2017).

Furthermore, the lack of a supportive and comprehensive legal framework for the collaborative and sharing economy is another inhibitor. Uncertainty surrounding possible (and unforeseen) regulatory developments represents one of the major threats for start-ups.

Thus far, there has only been one attempt to map the set of collaborative platforms operating in Italy, according to which there are currently 125 “collaborative platforms,” including both Italian ones and foreign companies with offices in the national territory (Mainieri 2018). In 2017, the last year covered by the investigation, 30 platforms ceased to exist, while seventeen newcomers entered the market. Interestingly, most of the platforms that disappeared operated in markets largely dominated by big international players, meaning that a process of concentration is likely to affect some of the sectors in which platforms tend to emerge. More recently, platforms related to cultural services have begun to grow, yet the sectors with the largest number of platforms in operation are mobility, tourism, and goods exchange/rental. Taking into account also foreign collaborative platforms with offices based in Italy, the most relevant companies are Airbnb in the accommodation sector, Upwork in the context of online job markets, BlaBlaCar and Jojob—a corporate carpooling platform—in the field of mobility and eBay, Kijiji and Bakeca—an online advertising service—in the sector of goods and services rental or exchange.

Following Manieri (2018), it is possible to provide a picture of the number of users and transactions enabled by collaborative platforms operating in Italy. Data were collected from a survey administered to a sample of platforms identified in 2017.

Figure 1. Snapshots of CSE Platforms Operating in Italy Showing Monthly Transactions and Number of Users (2017)



Source: Own elaboration based on Mainieri, *Italian style: novel legislative developments in accommodation, mobility, food, and delivery in Italy's collaborative and sharing economy* (2018).

Italian style: novel legislative developments in accommodation, mobility, food, and delivery in Italy's collaborative and sharing economy. As shown in the figure, the monthly frequency of transactions on digital collaborative platforms in Italy is quite low: almost two-thirds of these platforms enable fewer than 500 transactions per month. Regarding the number of users on each of the platforms studied, again, two-thirds of the platforms attract fewer than 10,000 users. Overall, it seems that most of these new organizational models are still struggling to reach a critical threshold and increase the scope of their market(s), which are generally locally based or reach the national level, at most.

Even though these data provide an overall idea of collaborative platforms' ability to create new markets and interactions, they lack the ability to relate what the impacts and effects are of a single platform, for example, at the urban scale. In the case of international giants operating in the tourism and hospitality sector, such as Airbnb and Booking.com, by looking at aggregated data sets, it is possible to get a more detailed idea of the stream of revenues generated for a set of Italian cities. For example, at the end of 2017, the average income per host in Rome was estimated as slightly higher than 50,000 EUR, taking into consideration not one single year but the entire period from 2010 to 2016 (Celata 2017). However, behind this average value, there is a strong polarization both in spatial (centre-periphery) and individual terms: among hosts, the richest 10 per cent were found to capture 68 per cent of the total amount of revenues generated via Airbnb (Celata 2017), meaning that platforms may tend to produce and reproduce inequality.

Context

In 2016 two Members of the Italian Parliament introduced two separate legislative proposals aimed at regulating the collaborative economy. These initiatives were based on an ambition to encompass all sectors affected by the rise of digital platforms and promote collaborative economy arrangements (Rossi 2018). More precisely, the intention was to create a rather general regulatory tool, defining, among others, a set of contractual conditions that could not be applied to the relationship between platforms

and their users, and, above all, to delineate a new, specific, taxable category of income named “income deriving from non-professional sharing economy activities” (“reddito da attività di economiadellacondivisione non professionale”). However, even though they generated doctrinal interest (d’Ippolito 2018), the bills were not passed into law, leaving Italy without a basic national tool to regulate the collaborative economy. Despite this missed attempt, the disruptive impacts deriving from big and often international platforms, such as Airbnb and Uber, on traditional and highly-regulated markets and industries (i.e., tourism and mobility, both of which are particularly relevant in Italy) have led to serious complaints and negative reactions by traditional actors in these sectors. As a consequence, new legislation aiming to regulate these companies have emerged, even if not through a comprehensive legal framework.

As for the tourism sector, and specifically in the case of Airbnb, one of the main interventions adopted at the national level was the introduction of “a flat-rate tax of 21 per cent, operational from 1 June 2017, (...) on all rentals of less than 30 days” (Picascia, Romano and Teobaldi 2017). The rate of 21 per cent is the same rate already applied to income deriving from more traditional long-term rentals. Therefore, it seems that national regulators tried to level the playing field between old and new business models.

With regards to tax law, Legislative Act 96/2017 was introduced, specifically targeting real estate intermediaries, including online platforms that facilitate exchanges in the real estate market (also for short-term rentals, thus including Airbnb, Booking.com and HomeAway). According to this Act, such intermediaries bear the obligation of transmitting information on the stipulated contracts to the Italian fiscal authority, paying taxes on the rental instalments and appointing a fiscal representative in Italy. Despite Airbnb resistance to being involved as a responsible party in this tax collection, a regional administrative court stated that Airbnb must comply with the rules established by national legislators: in February 2019, in fact, the Regional Administrative Court of Lazio rejected an appeal raised by Airbnb against the Italian fiscal authority (AgenziadelleEntrate), thus subjecting Airbnb to the legal obligations deriving from the Legislative Act n.96/2017 concerning taxation. The dispute highlights the problematic definition of “information society service” and the unclear legislative approach to issues that are key to the platform economy. The question remained, indeed, unanswered as to whether the service offered by the intermediary (e.g., Airbnb) is ancillary to the business activities at stake (rental contracting) or, rather, separated from it. However, in its famous judgement of December 19, 2019, the Court of Justice of the European Union clearly stated that Airbnb is a pure digital intermediary, i.e., an “information society service,” whose activity can reap the benefits of the freedom to provide services across the Member States of the EU and, therefore, does not need to acquire any licence defined in any national regulation. This decision contradicted a French association of real estate professionals (AHTOP), which instead claimed that Airbnb acted as an estate agent without holding a professional licence and could have important effects on the provisions established by the Italian legislator in the Act 96/2017.

Another interesting development in the tourism and accommodation sector is represented by the proposal submitted by Nicola Pellicani, a Member of the Italian Parliament’s Lower Chamber, in January 2020. The proposal had three main goals: (i) creating a licensing and registration system managed by Italian municipalities for those who want to provide short-term rental services, (ii) allowing Italian municipalities to set a temporal cap, i.e., a maximum amount of days which can be annually devoted to

short-term rentals for each listing, and (iii) defining as “professional organization” the activity of those hosts who manage at least three different rooms on short-term rentals platforms, with relevant consequences in fiscal terms. The proposal substantially tried to bring the Italian regulatory framework in line with what had already emerged in other countries, but it was stopped due to the opposition of a party belonging to the same political coalition as the proposal author. It is reasonable to expect that there will not be any advancement in the next months because of the severe impact on the tourism sector determined by the COVID-19-related crisis.

The transport sector, unlike the field of accommodation, has not experienced major nor substantial changes in the legal and regulatory framework. For example, the reference for the taxi industry is a law issued in 1992, more precisely the Legislative Act 21/1992, which several national legislators tried to reform in recent years without being able to introduce radical novelties. Overall, the sector is still far from a process of total liberalization, *de facto* making services such as Uber POP completely illegal. On May 25th, 2015, the Tribunal of Milan stated that the service provided via Uber POP must be considered as an alternative form of taxi service. However, since drivers working via the app lack the authorisations and licences required and defined by Italian national laws to regulate the transport sector, Uber POP was deemed as providing unfair competition. As a consequence, Uber POP is *de facto* illegal in the Italian territory, and, in fact, it has gone out of business. The decision of the Tribunal of Milan substantially anticipated what was later decided by the European Court of Justice at the end of 2017.

Another contested ground in the context of digital and collaborative platforms is the field of labour law. A contentious issue is how workers who provide services via digital platforms should be classified in contractual terms. Whereas in the UK, the issue of the classification of the employment relationship between platforms and service providers was raised in front of the employment tribunal by two Uber drivers (Uber BV v Aslam (2018)), in Italy, the problem was posed by a large movement of workers operating in the food delivery sector, the riders, who claimed to be platforms’ employees—subject to the power of algorithms over the execution of their work tasks—rather than freelance, independent contractors and demanded higher wages and labour rights such as paid sick leave, overtime, and insurance. After several mobilization activities, including strikes, the Minister of Labour suggested two possible alternative solutions: (i) forcing platforms to collectively bargain with riders’ representatives over their pay and working conditions or, (ii) in case of failure of the bargaining process, establishing directly by law that riders are employees. Meanwhile, food delivery riders working via the app of the German company Foodora started a legal battle against the platform. On May 7th, 2018, the Tribunal of Turin stated that these workers are independent contractors, thus rejecting their claim to be recognised as employees of the platform. However, food delivery riders appealed this decision, and on January 11, 2019, the Tribunal of Turin decided that, even though these workers are actually independent contractors, they are entitled to some of the same employees’ rights defined in the national collective agreement for delivery and logistics workers, such as a minimum hourly wage, paid holidays and other indirect forms of remuneration. Furthermore, on January 24, 2020, the Supreme Court of Cassation, which is the court of last resort in Italy, stated that riders have to be fully considered employees of the platform, thus also deserving the right to be protected against unfair dismissals. Finally, the Italian legislator intervened by means of the Legislative Act 128/2019, which introduced a sort of dualizing, a two-tier regime that distinguishes

between permanent and occasional riders: while the first ones are entitled to the whole set of rights traditionally associated with employment, occasional riders gained the right to a fixed minimum hourly wage aligned with the national agreement in the logistics sector and a compulsory insurance scheme against accidents and injuries. Interestingly, this law concerns not only food delivery riders but also those working via digital platforms for the delivery of other goods than food. This could also affect minor platforms such as Takemythings, an Italian company that labels itself as a “social delivery network” and matches people in need of delivering a specific good with persons who, by chance or for other reasons, are moving towards the required destination of that good.

Finally, in relation to the food sector, in 2016, Italy passed Law no. 166/16 with the purpose of reducing food waste in each stage of the food supply chain. This law also defines some measures to simplify the donation of surplus and eliminate regulation and bureaucracy limitations. Innovations introduced by the Law have facilitated ongoing food-sharing activities and new digital food-sharing platforms (such as Regusto and Bringthefood).

Developments

Two sectors seem to represent areas of particular interest for the future developments of the collaborative economy: food delivery and mobility. According to a study recently carried out by the Bank of Italy (Giorgiantonio and Rizzica 2018), the food delivery sector is the most important in Italy in economic terms, generating a turnover which is eight times higher than one of the mobility platforms and seventeen times higher than the amount generated in the sector of home services and household work. Moreover, food delivery platforms are also the ones with the fastest pace of economic and financial development: the average annual rate of growth of their turnover is 250 per cent. In light of this, it will be important to keep monitoring the activity of platforms operating in this sector, especially because of the impacts they produce not only in strictly economic terms but also from the viewpoint of the labour market.

The mobility sector seems quite lively and particularly adaptive to changing conditions of markets and regulatory frameworks. A clear example is represented by the strategy recently adopted by Uber, which decided to come back to Italy—starting with the city of Turin—by launching a brand-new app with the aim of supporting taxi drivers rather than competing with them (Ruffilli 2018). In other words, Uber is trying to become a platform accessible to traditional taxi drivers only, promising them that the use of the platform will contribute to optimising bookings and working times and, as a consequence, will increase the overall level of revenues and gains. Another aim of this strategy seems to be the creation of a more peaceful climate from the viewpoint of the relationships with urban authorities, regulators, and local economic actors in order to change the perception of the aggressive and conflicting attitude shown by Uber in the early phases of its life.

For the time being, it is not easy to predict what will happen in the context of platforms providing innovative and/or digital-based mobility services. For example, before Uber decided to come back to the Italian market, there were already other platforms working in a cooperative way with the traditional taxi industry, such as Free Now (formerly MyTaxi) and Wetaxy. It is not clear whether the entry of Uber will lead to a situation of destructive competition or not. Furthermore, it is reasonable to expect that Uber aims

to become a sort of “platform of platforms,” i.e., a digital intermediary enabling transactions not only between the supply and demand of traditional taxis but also in other segments of the transport sector, making mobility an integrated system of different and connected services.

Another development in the mobility sector is related to the appearance of companies that provide platforms for the shared use of electric kick-scooters and other micro-mobility devices. Also, in this case, the Italian regulation struggled—sometimes even drawing on heavy fines against the users of these platforms—before finding appropriate norms to define speed limits, and which portions of the urban spaces can be devoted to the use of such vehicles (Gagliardi and Mobili 2020).

Issues

Some scholars analysing the spread of Airbnb in Italian cities have noted that “in the view of Italian policymakers, the need to regulate a phenomenon often instinctively translates into mere taxing of that phenomenon; more often than not, with a flat-rate tax” (Picascia, Romano and Teobaldi 2017: 15). This quote describes one of the main attitudes shown by Italian regulators dealing with the emergence of platforms and the collaborative economy. On the one hand, it was decided to completely ban some of these new economic actors, as happened with Uber POP, sometimes under the pressure of incumbent industries. On the other hand, a sort of substantial deregulation allowed some platforms—as in the case of Airbnb—to grow exponentially until a tax was introduced, based on the conviction that regulation only means taxation. In any case, Italian regulators were not able to design entirely new regulatory frameworks. This did not help to promote fair competition between old and new players, not to mention effectively contrasting the problems related to market disruption, unfair competition, and employment legal classification that some of these platforms engendered. A possible explanation of the equation between regulation and taxation is the “fiscal crisis,” which affects Italian public authorities: under the pressure of severe budget rules, Italian policymakers seem incentivized to get the highest possible number of resources by drawing on simple forms of taxation, without addressing other important issues (e.g., welfare and labour rights, housing markets, negative externalities related to safety and environment issues).

Another general issue in the Italian debate over the collaborative economy concerns the role that these new actors are supposed to play in favour of a sort of general economic revitalization. Digital platforms, and innovative start-ups in general, are often seen as the most appropriate tool to contrast the crisis still affecting the country (and currently reinforced by the COVID-19-related situation). However, according to some recent studies (Arvidsson and Luise 2019; Cerruti and Russo 2018), most of these economic initiatives record poor economic performances and are not able to generate financially sustainable forms of business. This implies that it will be necessary to elaborate a different strategy to cope with some of the major problems affecting the Italian socio-economic system without putting too much emphasis on the role of start-ups and platforms.

Other Major Players

One of the most active universities in Italy in the study of the sharing and collaborative economy is the University of Milano-Bicocca, which is involved in a project funded by the European Commission's Horizon 2020 Programme (grant agreement No. 732117), called "Ps2Share: Participation, Privacy, and Power in the Sharing Economy." The project is aimed at conducting, from a sociological perspective, an in-depth inquiry about some of the most crucial issues raised by the sharing economy, such as antecedents of participation and inequality. Key persons working at the University of Milano-Bicocca are Alberta Andreotti, Guido Anselmi, Marina Micheli, Davide Arcidiacono and Ivana Pais, who also contributed to collaborative mapping platforms operating in Italy.

Another important academic institution working on these topics is the University of Bologna, which is involved in a project recently funded by the Horizon 2020 Programme, named "PLUS: Platform Labour in Urban Spaces: Fairness, Welfare, Development" (01/12/2018-30/11/2021). The coordinator of the project is sociologist Sandro Mezzadra. Drawing on a multidisciplinary approach, the main focus of the research project is exploring the features of the so-called "digital labour," at the same time trying to understand the future of work.

A recently funded Research Project of National Interest (PRIN) 2017 "The short-term city: digital platforms and spatial (in)justice" is also being led by a network of four Italian Universities (University of Rome La Sapienza, University of Turin, University of Naples Federico II, and University of Siena), and its primary aim is to provide evidence on the effects of short-term rentals digital platforms on Italian cities at the urban, interurban and intra-urban scales. It focuses on changes in housing stocks, impacts on neighbourhoods, centre-periphery dynamics, job creation and other economic effects. From this perspective, and using a transdisciplinary and mixed methodological approach, the research investigates pre-existing and emerging urban contradictions that platforms such as Airbnb exacerbate, such as touristification, gentrification and the polarization of contemporary cities; relationships between temporary and long-term residents; socio-spatial inequalities; the "housing question;" how cities adapt to new technologies, labour transformations and the post-recession urban landscape. An empirical and comparative analysis of case studies will be carried out within a general conceptual framework dealing with, on the one hand, the political economy of platform capitalism and, on the other, cultural and critical enquiries of Internet-mediated imaginaries and identities. The objective is to offer an empirically-grounded understanding of the logics and (bio-)politics of platform capitalism, its overall effects in terms of "platform urbanism," and its differential impacts on places.

Explicitly focused on emerging forms of labour is the ERC project "SHARE: Seizing the Hybrid Areas of work by Representing self-Employment," coordinated by Annalisa Murgia at the University of Milan.

The Horizon 2020 project Commonfare (originally and officially "PIE News: Poverty, lack of Income, and un/Employment News") has also mapped and invoked research and co-design activities with several grassroots initiatives from the collaborative economy in Italy, Croatia, and the Netherlands. Information and stories about such initiatives are now available on www.commonfare.net, the digital platform code signed with project participants.

Finally, the EU Seventh Framework Programme research project “TESS: Towards European Societal Sustainability” (2013–2016; www.tess-transition.eu and www.sustainable-communities.eu), in which the University of Rome La Sapienza played a key role, explored the role of community-based initiatives in the promotion of systemic sustainability, climate change, and de-growth transformation across six European countries (including Italy—with a specific focus on Rome) working in the domains of food, transport, waste, and energy.

One of the most effective initiatives looking at worker concerns is represented by Riders Union Bologna, a sort of “informal” and self-organized union of bike riders working in the food delivery sector via digital platforms. After several mobilization activities, including strikes, Riders Union Bologna was able to start a multilateral process of negotiation with two food delivery platforms (Sgnam and Mymenu), involving also more traditional unions and the Municipality of Bologna. The outcome of the bargaining table was the “Chart of Fundamental Rights of Digital Workers in the Urban Context,” which is a local collective agreement concerning minimum hourly wages and other rights. Interestingly, the slogan of the campaign was “Non per noi, ma per tutti,” i.e., “not just for us, but for us all,” meaning that the real goal of the initiative is trying to improve working conditions not just in a specific sector or local place, but at a more general level.

One of the most active commercial lobbying groups is Federalberghi, the main organization representing the interests of the hotel sector. Most of its actions tend to contrast the expansion of platforms such as Airbnb and the lack of a strong regulatory intervention. Interestingly, every year Federalberghi publishes a report based on the analysis of data relating to Airbnb growth, labelling the phenomenon of the sharing economy as “the shadow economy.”

Similarly, associations representing taxi drivers are strongly involved in a series of lobbying activities and protests against the potential liberalization of their sector. Unlike Federalberghi, taxi drivers have so far been able to avoid the expansion of direct competitors such as Uber, maybe because of their higher ability to organize visible and “physical” actions, and/or maybe for the fact that they were perceived as (a group of) workers, rather than (a group of) companies.

A quite active membership organization is AISE (Italian Association Sharing Economy), which was created in 2014 by a group of professionals coming from diverse backgrounds. Its aim is “promoting all those activities and projects inspired by principles and methodologies of the collaborative economy,” for example, by publishing books and organizing events and training activities around the topic.

Summary

This contribution has paid special attention to the Italian legal framework concerning the collaborative and sharing economy, with a focus on those economic initiatives which are platform mediated. This choice is due to the importance attributed to the concept of “platform” in the definitions of the CSE provided at both the Italian and the European levels.

As highlighted in some studies, most of the actors of the CSE can be considered not only economic disruptors but also and above all, policy disruptors (Biber et al. 2017). Indeed, we tried to shed light on the multiple difficulties Italian regulators had in recent

years while dealing with the emergence of these actors, especially in sectors such as food, accommodation, delivery, and transport.

Overall, Italian policymakers were not able to design new regulatory frameworks able to cope with the challenges raised by the CSE, privileging bans (as in the case of Uber) or almost total deregulation (as in the case of Airbnb) over the elaboration of adaptive and innovative sets of rules. Coming to the contentious issue of digital labour, the Italian legislator adopted a partial solution, creating a framework that dualizes the labour market, maybe with the aim of satisfying both digital workers and platforms.

Far from reaching a stable equilibrium, it seems that the Italian CSE ecosystem is bound to evolve.

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Relevant Websites

Collaboriamo!: <http://collaboriamo.org>

Osservatorio Nazionale Sharing Mobility: <http://osservatoriosharingmobility.it>