

Giurisprudenza**Dettagli del caso****ID nazionale:** 406**Stato membro:** Italia**Nome comune:** Adiconsum- Cisl v. Provincia di Latina A.T.O. n. 4**Tipo di decisione:** Altro**Data della decisione:** 24/06/2006**Organo giurisdizionale:** Tribunale Amministrativo Regionale del Lazio**Oggetto:****Attore:****Convenuto:****Parole chiave:****Articoli della direttiva**Injunctions Directive, [Article 2](#), 1. Injunctions Directive, [Article 3](#)**Nota introduttiva**

Consumer associations have the right to bring a suit before the administrative court against the tariff provision of the water service ("servizio idrico integrato"). According to the judgment, in accordance with the provisions of the Artt. 139-140 of the Italian Consumer Code, a consumer association has standing to protect the collective interests of the consumers that are clearly involved in the process of pricing of the water service.

Fatti

Adiconsum, one of the leading consumer associations in Italy, brought a suit against the tariff provision of the water service. The Tribunale Amministrativo Regionale del Lazio confirmed that this case involves the collective interests of the consumers and, thus, granted standing to the organisation under the Artt. 139-140 of the Italian Consumer Code.

Questione giuridica**Decisione**

The judgment recognizes that the supply of public services according to standards of quality and efficiency is one of the fundamental rights of consumers and users (Art. 2, par. 1, letter g) of the Italian Consumer Code).

In particular, the Tribunale Amministrativo Regionale del Lazio confirms that the administrative courts are competent to decide the controversies involving the public services in accordance with the provisions of the Art. 140, par. 11, of the Italian Consumer Code, stating that: "Sole jurisdiction of administrative judges in relation to public services pursuant to Article 33 of Legislative Decree no. 80 of 31 March 1998 is not affected".

More important, the administrative judges established that the process of pricing of the water service is relevant for the collective interests of the consumers and, thus, they concluded by granting standing to a consumer association to bring an action against the tariffs provisions.

In consideration of the case-law in the database, I note that there is no uniformity within the case-law of the administrative courts about the interpretation of the Artt. 139-140 of the Italian Consumer Code (i.e. the standing requirements for consumer associations in cases involving the interests of a group of citizens and, particularly, the supply of public services).

Testo integrale: [Testo integrale](#)**Casi correlati**

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Nessun risultato disponibile

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