

ITALY

A destination deed may allow a landowner to restrict how land is used for a conservation, restoration or rewilding purpose, whilst retaining ownership of the land. If properly registered, it may bind future owners. This document should be used as a checklist only and not treated as drafting advice.

STEPS	NOTES
1	<p>CONFIRM SUITABILITY</p> <ul style="list-style-type: none"> Objective should be a defined conservation, restoration, rewilding purpose, or protection of wilderness or ecological value. Check whether it is an “interest worthy of protection”. Take legal advice on whether the proposed definition is sufficiently clear and legally valid.
2	<p>IDENTIFY PARTIES AND ELEMENTS</p> <p>Parties:</p> <ul style="list-style-type: none"> The disposer, usually the landowner creating the restriction; One or more beneficiaries; <p>Also include:</p> <ul style="list-style-type: none"> The real estate assets subject to the deed; The specific purpose or destination; Possibly and preferably, a party responsible for implementing the purpose, referred to in the note as the trustee.
3	<p>DECIDE THE STRUCTURE</p> <ul style="list-style-type: none"> A unilateral deed, where the disposer binds the asset to a particular destination; or A bilateral arrangement, where ownership of the property is transferred to a beneficiary subject to obligations attached to the asset.
4	<p>DEFINE THE DURATION</p> <ul style="list-style-type: none"> For a period not exceeding 90 years; or for the lifetime of the beneficiary, where the beneficiary is an individual; It is not perpetual.

STEPS	NOTES
5	<p>EXECUTE CORRECTLY</p> <ul style="list-style-type: none"> Use a public notarial deed. Ensure it complies with all form requirements required by law.
6	<p>REGISTER THE DEED</p> <ul style="list-style-type: none"> Register at the Land Register. Registration is essential if the deed is intended to bind future owners and third parties. Registration should occur before any transfer of ownership is registered.
7	<p>MONITOR COMPLIANCE</p> <ul style="list-style-type: none"> Keep a copy of the registered deed. Clarify the beneficiary/implementing role. Monitor management in accordance with the destination. Notify new owners of the restriction.