

LEGAL AND MANAGERIAL IMPLICATIONS OF THE ITALIAN “CONTRATTO DI RETE” - NETWORK CONTRACT

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Abstract:

Today, innovation and internationalization processes request more organized projects and high investments in new knowledge and relationships. SMEs, through trans-sectorial and trans-regional networks, can participate to global dynamics, especially in terms of knowledge acquisition, assimilation, transformation and exploitation. The “Contratto di Rete” – literally translated as Network Contract- proves to be a key solution in these dynamics. Since its introduction in 2009 by means of the Law Decree 5/2009, the brand-new networking tool, available for Italian firms, has achieved broad success among entrepreneurs. As of December 2014, 1.881 Network Contracts have been established, involving 9.436 firms.

The Network Contract involves a broad concept formalized by an essential discipline, boldly differentiating it from other interfirm aggregations, such as ATIs and Consortiums. The Network Contract legislation intended to draw only a frame, giving the possibility to the companies to complete it with contents and details in accordance to their autonomy and identity. In particular, the law regulating the Network Contract has evolved since its institution, allowing to create autonomous legal entities (the so-called “Rete Soggetto”) with limited responsibility and enabling employees exchange among the members of the agreement.

This study draws a balance of the first four years of Network Contract application on the field. The authors provide: an overview of the discipline regulating the tool; a background concerning networking theory; and finally a presentation of some best practices through insightful case studies. This approach integrates legal and managerial domains, delivering useful implications for scholars and practitioners.

Keywords: contracts, Contratto di Rete, networking, SMEs, Interfirm Aggregations, competitiveness, innovation