

IMPORTANT INFORMATION AND SUMMARY OF GENERAL IMMIGRATION PROCESS

Summary Of Immigration Steps

Prior to travelling:

- Work Permit/entry clearance application (if applicable)
- Visa application - The application *cannot* be filed in Italy. It must be filed in person by the individual at the Italian Consulate having jurisdiction over the country of residency

After arrival:

- Registration with police/immigration authorities: Contract of stay and/or Permit of Stay
- Registration with Local Authorities Residency Registration

	PRIOR TO TRAVELLING		UPON/AFTER ARRIVAL IN ITALY				
STEP	WORK PERMIT/ENTRY CLEARANCE APPLICATION (IF APPLICABLE)	FILING VISA APPLICATION	REGISTRATION WITH POLICE/IMMIGRATION AUTHORITIES WITHIN 8 DAYS OF ARRIVAL: CONTRACT OF STAY (IF APPLICABLE) AND/OR PERMIT OF STAY		FINGERPRINTING	RETRIEVAL OF PERMIT OF STAY	RESIDENCY REGISTRATION
WHERE	Immigration Authorities/Italy	Italian Consulate having jurisdiction over applicant's address abroad	Immigration Office (Contract of stay and/or Permit of stay application forms pick-up)	Post Office (Permit of Stay application)	Police Office	Police Office	City Council
WHO	Mazzeschi (delegate) on behalf of Italian Sponsor Company/applicant residing in Italy	Applicant	Applicant (assisted by Mazzeschi)	Applicant (assisted by Mazzeschi)	Applicant (assisted by Mazzeschi)	Applicant (assisted by Mazzeschi)	Applicant (assisted by Mazzeschi)
	Further to filing the application, authorities will notify of a date when all supporting documents/certificates ¹ must be submitted prior to issuing approval. Mazzeschi will need a legalized proxy in order to act on the applicant's behalf	applicant files the visa application <i>Passport is kept by the Consulate and returned to applicant once visa is approved</i>	The contract of stay formality is required for holders of a work visa for dependent employment or assignment. The contract of stay is a confirmation of the terms and conditions of the work. It must be executed within 8 days from entry, by the worker and by a delegate of the sponsor company ² . <i>Proof that a suitable accommodation has been secured is mandatory</i>	Permit of stay application is filed at the post office. Receipts serves as provisional permit. <i>Applicant is now immigration compliant to live in Italy and – if applicable - start work</i>	Police summons applicant for identification & fingerprints and check supporting documentation.	Police summons applicant to collect residence permit card	Anyone who plans to live in Italy long-term are required to register with the Vital Statistic Office of the local City Council (residency registration – residenza) (Assistance with this service is not included in the standard package)

¹ Foreign documents must be legalised in the country of issuance and translated into Italian. Assistance with legalisation/translation is not included in the standard package, additional fees incurred shall be approved by the client

² The applicant visiting the immigration office upon arrival to sign the contract of stay and/or pick up the residence permit application forms is assigned a tax code automatically. For other types of applications, assistance with procuring a tax code is not included in the standard package, additional fees incurred shall be approved by the client

IMPORTANT INFORMATION

Travel Allowed While the Application is Pending

Non-EU citizens are allowed travel to Italy for short stays (up to 90 days within a 180-day period) even if a work permit or entry clearance application is pending. Those who are **not** citizens of a Visa Waiver country (see below*) must obtain a short-term visa from the relevant Italian Consulate in the country of residence prior to travel. Visa waiver nationals may travel on their passport only, provided eligibility requirements for entry in the Schengen area are met.

A Schengen visa (or short stay visa) is valid within the whole Schengen space. This visa allows the holder to visit the 26 Schengen countries. It is issued for a maximum of 90 days per semester. Under a short stay visa or stay only certain activities are allowed (business, tourism, study). Registration with authorities may be required in some circumstances.

**Visa Waiver Countries:* <http://vistoperitalia.esteri.it/home/en>

Please note There is no right to receive a visa and especially a short-term visa such as one for tourism, for which the consulate has full discretion. Moreover, tourist visas may be difficult to obtain in certain countries, such as India and China.

Housing (feasibility) Certificate

A foreigner applying for an Italian permit must be able to provide evidence that a suitable accommodation has been secured in Italy. For those who stay in a private accommodation (owned property, leased apartment) it is mandatory to obtain a certificate confirming the house compliance with building and safety regulations (Idoneità Alloggiativa) and certifying the number of people are allowed to live there. The application of such certificate requires submission of various documents among which (1) a lease agreement, duly registered; (2) a cadastral map of the apartment (similar to a blueprint or property survey), to be obtained only with the Landlord's consent. It is strongly advisable to inform the Landlord - and any real estate agent that may be involved - of this requirement prior to signing any lease agreement. The lease agreement should include a clause indicating that the property owner agrees to provide the necessary documents to the assignee.

Integration Agreement

As of March 10, 2012, all foreigners over 16 years of age who enter Italy for the first time and apply for a residence permit with a validity of at least 1 year are required to sign an Integration Agreement (Accordo di Integrazione) with the immigration authorities. The agreement regulates the new point system for the permit of stay. Foreigners are now accredited with points or credits based on their level of integration in Italian society. The fulfillment of the conditions in the Agreement has an impact on the legal status of the foreigner.

Residency (address) Registration with the Local City Council

In addition to filing the immigration applications for obtaining the residence permit (*permesso di soggiorno*), foreigners and in general anyone who plans to live in Italy long-term are required to register with the Vital Statistic Office of the local City Council (residency registration – *residenza*).

In order to register a non-EU citizen must be in possession of a residence permit and have established residency within the jurisdiction of a given City Council – *Comune*. The applicant must provide documented proof of the right to live in a given property – by means of a lease agreement etc. - and is required to prove his/her actual physical presence there – local police visits the person at the given address to confirm this.

Such registration is a necessary condition for completing other formalities in Italy, such as obtaining a national health insurance card (*Tessera Sanitaria*), shipping household goods to Italy duty free, opening a bank account, and buying a car.

Registration with Italian Public Health Service - Health Card

Any foreigners travelling to Italy must be covered by health insurance, either by means of a private policy or by registering with Italian National Health Service. Certain categories of residence permit entitle the holder to free registration (compulsory registration) with National Health Service, in other cases the applicant is asked to pay an annual fee, which is calculated based on the individual's annual income (Voluntarily registration). In either case,

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copayment (ticket) for visits and medical examinations and medicines is required (the fee is based on factors such as income level and family size). Registration with the SSN (National Health Service) guarantees total health care and the same standard of care given to Italian citizens. Upon registration, one can choose a family doctor. Registration with the SSN guarantees: free consultations with general practitioners; free hospitalization; access to day hospitals in specialized medical structures (dermatology, ophthalmology, etc.); pharmaceutical assistance (prescriptions and refunds on purchases).

Those who choose to use a private health insurance to cover sanitary expenses can still access to public hospitals services by paying the relevant fee applied for each service (asking for it to be refunded by the private health insurance policy).

Tax Code (Codice Fiscale)

The Codice Fiscale is essential for anyone having to deal with Italian authorities. It consists of an identification number used in all interaction with government agencies and public administration in Italy (similar to the IRS number in USA or the NIN number in the UK). It is a unique identity code devised from an individual's name, date and place of birth. The Codice Fiscale is issued by the Revenue Office (Agenzia dell' Entrate) of the Ministry of Economy and Finance of Italy. It is a 16-alphanumeric digit code. Despite the name, tax code holders do not necessary need to pay taxes in Italy. It is a mandatory requirement for a number for a number of activities such as signing a lease agreement, purchasing a car or mobile phone, opening a bank account, requesting a National Health Insurance card, etc. Holders of a subordinate work or family visa are assigned a tax code automatically by immigration authorities during the first in-country step. The tax code can be applied for at any time even prior to entry into Italy.

Shipment of Household Goods

Assignees should remind their shipping agents that it is legally permissible - according to Arts. 2-10 of EEC Regulation 918/83 and Art. 3 of Italian Ministerial Decree 489/97 - to have their household goods shipped to Italy, prior to registering with the local Vital Statistic Office of the City Council, if the assignee meets both of the following conditions:

- Normal place of residence outside the community for an uninterrupted period of 12 months or longer;
- The household goods being shipped have been in his possession, and used by him at his former normal place of residence, for a minimum of six months.

Leases

Assignees may sign a lease agreement even before obtaining the visa and permit of stay. However, in many cases the house owner may request a copy of visa and/or work permit.

Driving License

After one year of residency in Italy, a foreign driver's license is no longer valid. Getting an Italian license is mandatory after being a resident in Italy for one year. Only the citizens from the countries listed below* can convert their foreign driver's license into an Italian license. All others must apply for a new Italian license.

**Algeria, Argentina, Austria, Belgium, Bulgaria, Cyprus, Croatia, Denmark, Ecuador, El Salvador, Estonia, Philippines, Finland, France, Germany, Japan, Great Britain, Greece, Ireland, Iceland, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Macedonia, Malta, Morocco, Moldova, Norway, Netherlands, Poland, Portugal, Monaco, Czech Republic, South Korea, Slovakia, Romania, San Marino, Slovenia, Spain, Sweden, Switzerland, Taiwan, Tunisia, Turkey, Hungary*

Opening a bank account

Foreign citizens resident (holders of a valid residence permit - *permesso di soggiorno* – and registered as resident with the local City Council - *residenti*) in Italy can open an ordinary bank account. A valid Tax Code number and identity document is required to open a current account. Some banks also require presentation of a residency certificate (*certificato di residenza*, issued by the local City Council where the individual is registered) – although not a legal requirement.

Non-residents (those in Italy who do not have a permit and are not registered as residents) can also open a special bank account for non-resident foreigners but at higher fees and less advantageous conditions.

Income and Social Security Tax

Please note that, under certain conditions, becoming an Italian resident will require that the foreign worker files tax returns and pays taxes in Italy. Furthermore, even foreign nationals working in Italy on assignment (not employed by an Italian company), are still required to comply with social security provisions (see Law n. 398/1987). Obligations will start from the moment of execution of the contract of stay.

It is advisable to seek the advice of a tax/payroll advisor in order to clarify the extent of any obligations.

Obligations for employers posting workers to Italy

The dedicated website www.distaccoue.lavoro.gov.it (available in English as well) provides an overview of the current regulation on the matter. A foreign company providing services and posting its employees to Italy must:

- make a **secondment notification** regarding the posting by filing the e-form UNI_DISTACCO_UE by midnight of the day preceding the start of the secondment. Any subsequent variations must be transmitted within 5 days of the change being made. Cancellation is possible by midnight of the day preceding the start of the initial secondment.
- Retain **work related documents for inspection**, relating to the employment of the posted worker (contract of employment, or other document containing the information set down in Articles 1 and 2 of Legislative decree No 152/1997), payslips, timesheets, documents that demonstrate the payment of remuneration as well as certification regarding legislation on applicable social security and public registration of the establishment of the working relationship (for the entire period of posting and up to two years following its termination).
- designate a **liaison officer domiciled in Italy** to liaise with the competent authorities and a person, acting as **representative** for possible collective labour negotiations.

Extensions

Work Permits and Permits of Stay have expiration dates to which assignees and their family members must pay close attention. If an assignee expects that the period of stay for himself and his family members will go beyond these expiration dates, the permits must be extended. Please contact your immigration consultant at least three months prior to the expiration date listed on the permit. Once a renewed permit has been obtained, the person for whom the permit has been extended will also need to update his or her registration with the local City Council.

Departures

When the assignee and his family members prepare to leave Italy, without any plans to return for the near future, the following documentation and registration must be cancelled: (1) Registration with the local City Council; (2) Permit of Stay; and (3) Work Permit (if applicable and if not already expired prior to departure).

Should you have any questions, please contact us at helpline24@mazzeschi.it or +39 335 521 8997.