

MAZZESCHI

ITALIAN IMMIGRATION & CITIZENSHIP

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NEWS, UPDATES AND CURIOSITIES ON ITALIAN
IMMIGRATION AND CITIZENSHIP

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ITALIAN IMMIGRATION

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OUR WEBSITE WWW.MAZZESCHI.IT

NEW



ITALIAN IMMIGRATION
UPDATES:
NEW TERMS FOR THE
QUOTA SYSTEM
(DECRETO FLUSSI),
LONGER RESIDENCE
PERMIT AND MUCH
MORE



On March 9th, the Italian government approved a new immigration law decree, bringing interesting updates to the Italian immigration law. The decree shall be converted into law by the parliament within 60 days from its publication in the official gazette (10 March 2023).

Please note that the points indicated below are not yet confirmed, as the parliament may modify it before converting it into law.



WE FOUND THE FOLLOWING MAJOR CHANGES:



- Foreign nationals may engage in work-related activities whilst awaiting for the contract of stay to be signed.

- Residence permits for work and family reasons can be renewed for 3 years instead of 2 years.

- It will be possible to convert study residence permits into work permits without being subject to the quota limitations, also for those students not graduating in Italy.

- The “quota” shall be issued every 3 years (Decreto Flussi will be published every 3 years instead of every year)

- Restrictions to the rules for special protection permits.

- tougher punishments for traffickers that contribute to bodily harm or death of people being transported illegally.



ITALY:
THE VALIDITY OF
PERMITS FOR
TEMPORARY
PROTECTION FOR
UKRAINIAN CITIZENS HAS
BEEN EXTENDED TO 31
DECEMBER 2023

The validity of permits
for temporary
protection in Italy for
Ukrainian citizens has
been extended to 31
December 2023



The Italian government approved a decree-law that introduces urgent provisions of temporary protection for people coming from Ukraine. The text establishes the extension until 31 December 2023. However, at this moment, it hasn't been clarified whether this extension will be automatic and does not require any process, or whether it requires a process to renew the Italian permit of stay.

OTHER THAN THE EXTENSION OF THE VALIDITY OF THE PERMITS FOR TEMPORARY PROTECTION, IT ALSO ESTABLISHES THE CONTINUATION OF:

- Reception activities that are carried out through municipalities, third-sector bodies, voluntary service centres, and other bodies and associations that are already registered.
- Providing subsistence to those Ukrainian citizens that are entitled to temporary protection that found independent accommodation.
- Social services offered by the municipalities hosting a significant number of beneficiaries of temporary protection, for which the allocation of a flat-rate contribution is envisaged up to a further 40,000,000 euros also for the year 2023, to strengthen the provision of the services.



PEACE






WORKING REMOTELY WHILE ON VACATION IN ITALY



The digital nomad visa is not operative yet in Italy and the self-employment visa is subject to a very limited number of quotas and extremely difficult to obtain. People travelling without a work visa can do some remote work on condition that the activities carried out while in Italy account for less than (i) 5% of their regular working time and/or less than (ii) 5% of their overall remuneration.



The law provides, however, that the requirements and conditions for the issuance of these visas should be established with a further Decree that was to be issued within 30 days, i.e., at the end of April 2022, but until now, no further actions have been taken and Digital Nomad Visas are still on hold.

 CAN I WORK
REMOTELY IN ITALY
WITHOUT A WORK
VISA?

On March 28, 2022, Italy has introduced in its law — with great resonance — a specific visa for digital nomads and remote workers.



THE NEW LAW HAS ONLY ESTABLISHED SOME GENERAL PRINCIPLES, AND DIGITAL NOMADS:



1. shall not need to apply for a work permit in Italy before applying for the visa at the Consulate; however
2. shall need to submit comprehensive health insurance, covering all risks in Italy; and
3. shall most likely need to prove to have done their job for a significant amount of time as well as to prove a minimum income requirement and submit their latest tax returns, as it is requested for self-employment visas;
4. lastly, they shall need to comply with Italian tax and social security obligations.



In other words, similar to what happens for the self-employment visa – Italian Consulates shall be given almost total discretion on the issuance of the visas. This will most likely create confusion because each Consulate shall use different criteria to assess the applications and grant/deny the visa.

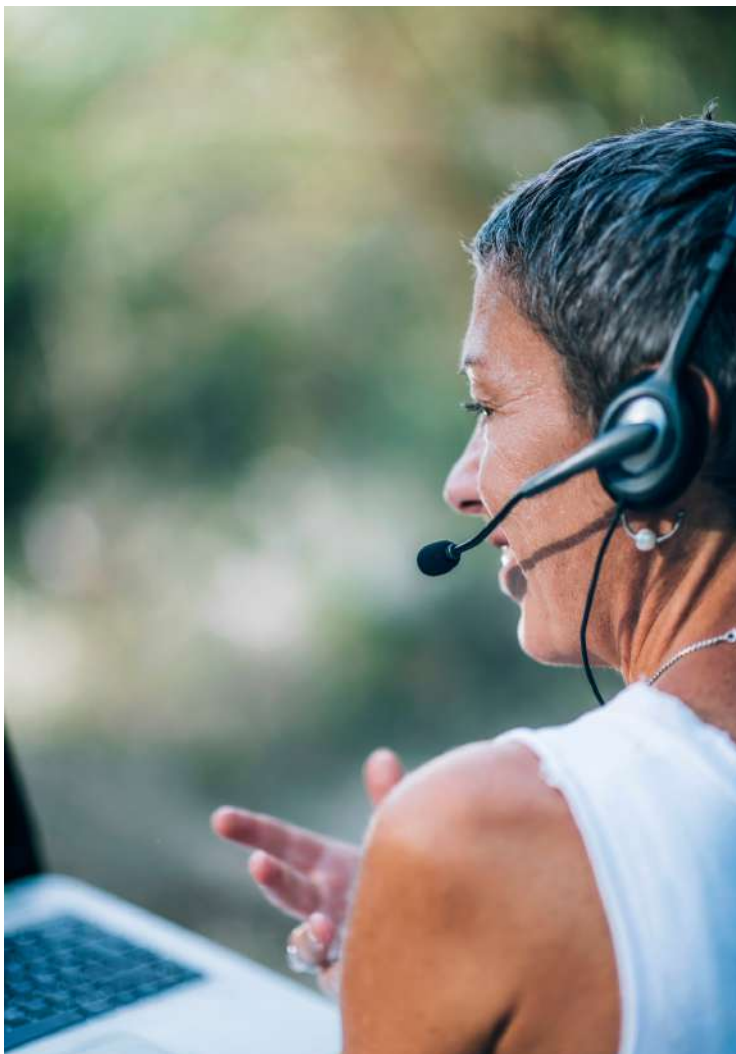


WORK VISA AND REMOTE WORKING IN ITALY

Italy does not have any specific provision regarding 'remote working' carried out by foreign visitors. The website of the Italian Ministry of Foreign Affairs has an online questionnaire to be used by foreigners willing to enter Italy.



For both stays of less or more than 90 days, if you select 'work' as the reason for stay (and there is no difference if the work is for local or foreign clients) the answer is always that a work visa is required.



From a strictly legal point of view — even though the individual would be working for clients outside Italy — they would still work and if they have entered Italy without a work visa (for tourism or business), they would violate the scope of their visa/scope of entry (if they are a non-visa national).



Marginal activities are activities that are permanent but insignificant in terms of time and economic return. It is suggested that, as an indicator: activities accounting for less than 5% of the worker’s regular working time and/or less than 5% of his/her overall remuneration should be regarded as marginal activities.

CAN YOU DO SOME REMOTE WORK WHILE ON HOLIDAY?



Taking as reference the EU Practical Guide on the Applicable Legislation In The EU, EEA, and Switzerland, the following criteria could be taken into account to determine when the activities” can be considered marginal and ancillary activities that are insignificant in terms of time and economic return, thus not considered as “work”.



Also, the nature of the activities, such as activities that are of a supporting nature, that lack independence, that are performed from home or in the service of the main activity, can be an indicator that they concern marginal activities.



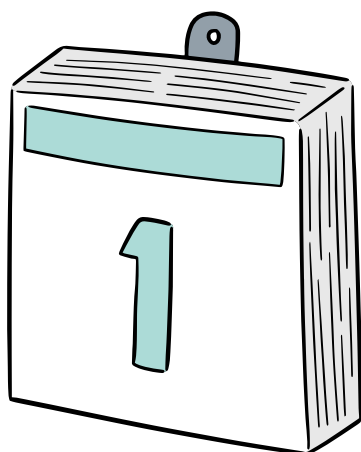
CONCLUSION

FOR STAYS UP TO 90 DAYS:

(i) visa nationals (eg, citizens of countries that do not have a visa waiver agreement with Italy, such as China, India, etc.) will need a business visa which allows stays of a maximum of 90 days and 180 days periods, irrespective of the duration of the visa;

(ii) non-visa nationals (eg, citizens of countries such as the USA, Canada, Japan, and Australia) can enter without a visa and are subject to the same limitation of a maximum of 90 days and 180 days periods;

both can do some remote work on condition that the activities carried out while in Italy account for less than (i) 5% of their regular working time and/or less than (ii) 5% of their overall remuneration.



FOR STAYS MORE THAN 90 DAYS:

both visa nationals and non-visa nationals (irrespective of the purpose of their stay) will need a Schengen long-term visa (type D).



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COMMON FALSE MYTHS ON INVESTOR VISA FOR ITALY

HOW MUCH DO YOU KNOW ABOUT THE INVESTOR VISA FOR ITALY?

European golden visas are very popular among non-EU investors. Many foreign investors are interested in the Italian investor visa for various reasons, such as access to a strategic pathway to the European Single Market, to live in a city full of history and art such as Florence, Rome, etc. However, we have been noticing that some misleading information is being shared on the internet regarding the Italian Investor Visa program.

MYTH:

I CAN GET AN ITALIAN PASSPORT (ITALIAN CITIZENSHIP) THROUGH INVESTMENT



FACT

The Investor visa for Italy program grants a 2-year visa and a permit of stay to applicants who make significant investments in Italy (as indicated by Italian Law), and this entails the right to take residency in Italy and it does not directly entails the right to apply for the Italian Citizenship.

Italian Citizenship can be acquired also by residency. However, Italian citizenship can be applied only after 10 years of legal and uninterrupted residency in the country. This means that it doesn't matter whether you make an investment or not, you just need to comply with all the requirements to be eligible for "Italian citizenship by Residency".

Therefore, if you obtain an investor visa for Italy and you reside in Italy for 10 years and fulfilling the rest of the requirements to apply for the Italian citizenship by residency, then, you can be considered eligible to apply for it.

This means that you won't be eligible to apply for the Italian citizenship thanks to your Italian Investor visa, but because you simply comply with the requirements for the Italian citizenship by residency.

MYTH:

THERE IS A HIGH CHANCE THAT ITALY WILL SOON INTRODUCE THE OPTION OF REAL ESTATE PURCHASE AS ONE OF THE WAYS TO OBTAIN THE INVESTOR VISA



There are rumors that the Italian government is now discussing the introduction of investment by purchase of real estate as an additional option to the already existing paths (i.e.: purchase of at least 2 million euros in Italian government bonds, investment of at least 500K euros in a company based and operating in Italy (250K in case of a start-up), and donation of 1 million euros in a philanthropic project of public interest).

These rumors do indeed create false expectations about Italian investor visa, if they were true, it will become more popular and accessible to a wider range of individuals. However, the truth is that it was just an amendment proposal made back in 2019, and it hasn't been any further developments at a legislative level.

MYTH:

IF I GET AN INVESTOR VISA FOR ITALY, I WILL HAVE TO SPEND A MINIMUM AMOUNT OF TIME IN ITALY.



The Investor Visa for Italy does not require you to spend a minimum amount of time in Italy. In addition, it does not require you to register as resident with the local municipality and take residency in Italy.

You will be required to register with immigration police and apply for the permit of stay (permesso di soggiorno) but no further registrations are required.



EXPAT
LIFE IN
ITALY

HARDEST
ASPECTS OF
RELOCATING
TO ITALY



THE MOST DIFFICULT ASPECTS OF EXPAT LIFE IN ITALY

“Immigrating to a new country can be challenging, and Italy is no exception. Here are some difficulties you may face when immigrating to Italy:”



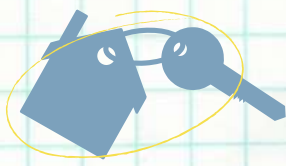
Language Barrier: Italian is the official language of Italy, and although many Italians speak English, it's not guaranteed that everyone will. Learning Italian can be a challenge, but it's important for daily life, making friends, and finding work.



Employment: Finding work in Italy can be difficult, especially if you don't speak Italian fluently. The Italian job market is also competitive, and there is a high unemployment rate in some parts of the country.



Bureaucracy: Italy has a complex bureaucracy, and navigating it can be confusing and time-consuming. This is especially true when it comes to obtaining visas and permits, registering for taxes, and accessing public services.



Housing: Finding suitable and affordable housing in Italy can be a challenge, especially in major cities. The cost of living can be high, and many landlords require a lot of paperwork and documentation before renting out an apartment.



Cultural Differences: Italy has a rich and unique culture, and adapting to it can be difficult for some. Social norms, customs, and values may differ from those in your home country, and it can take time to adjust.



Overall, immigrating to Italy can be a rewarding experience, but it's important to be prepared for the challenges that come with it. It's also important to seek out resources and support networks to help you navigate the process and settle into your new home.



PROS OF LIVING IN ITALY: THE THINGS YOU SHOULD KNOW

Are you thinking about moving to Italy? Known for its stunning architecture, rich cultural history, and delicious cuisine, Italy is a popular destination for tourists and expats alike. However, before you make the big move, it's important to weigh the pros and cons of living in Italy. In this guide, we'll explore both the advantages and disadvantages of living in Italy to help you make an informed decision.





Italy is a country that is steeped in history, art, and culture. It is home to some of the world's most iconic landmarks, such as the Colosseum, the Leaning Tower of Pisa, and the Vatican City.



BUT WHAT IS IT REALLY LIKE TO LIVE IN ITALY?



Below, we'll explore the pros and cons of living in Italy to give you a better understanding of what you can expect.

Delicious Food: Italy is renowned for its cuisine, which includes pizza, pasta, gelato, and wine. With fresh ingredients and regional specialties, you'll have no shortage of delicious food to try.



Beautiful Scenery: From the rolling hills of Tuscany to the Amalfi Coast, Italy is home to some of the world's most beautiful scenery. Whether you enjoy hiking, swimming, or just taking in the view, Italy has something for everyone.



Cultural Richness: Italy has a rich cultural history that dates back thousands of years. From Renaissance art to ancient ruins, there is always something new to discover in Italy.



Health Care: Italy has a public health care system that is accessible to all residents, regardless of their income. While private health care is also available, the public system is affordable and of high quality.



Weather: Italy's climate varies depending on the region, but generally, it is mild and sunny. This makes it a great destination for those who enjoy outdoor activities.

ARE YOU IN SEARCH OF GUIDANCE AND SUPPORT FOR YOUR IMMIGRATION PROCESS TO RELOCATE TO ITALY?

If you're considering Italy as your new home, you'll need to comply with the country's immigration requirements. This involves submitting various documents and fulfilling specific criteria, such as obtaining a permit (work permit, family permit) visa or permit of stay. Moreover, the process can differ based on your purpose of relocation, be it for work, study, or personal reasons and on which city you intend to live in.



Whether you're seeking a work permit, investor visa, family visa, etc., we can assist you every step of the way. From assessing your eligibility to preparing and submitting the required documents, we'll be with you throughout the entire process.



ASSISTANCE THROUGHOUT ITALY



EXPERIENCED PROFESSIONALS



MULTILINGUAL DESKS

Mazzeschi specializes in providing reliable immigration assistance to individuals and businesses looking to relocate to Italy. Our team of experts has extensive knowledge and experience in navigating the complex Italian immigration system.



Contact us today to learn more about our immigration services and more!

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