

MAZZESCHI

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NEWS, UPDATES AND CURIOSITIES ON ITALIAN
IMMIGRATION AND CITIZENSHIP



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ITALY: QUOTA-FREE
ENTRY FOR WORKERS
COMPLETING
APPROVED TRAINING
PROGRAMS



QUOTA-FREE ENTRY FOR WORKERS COMPLETING APPROVED TRAINING PROGRAMS



Quota-Free Entry for Workers: A recent amendment to the Italian Immigration Law (Testo Unico dell'Immigrazione), introduced in 2023, represents a significant innovation for the entry of foreign workers through a non-quota entry route.

The new provisions allow foreign workers who have completed professional and civic-linguistic training programs approved by the Ministry of Labor and Social Policies to enter Italy and be employed at any time of the year, without being subject to the limitations of entry quotas set by the flow decrees (decreti flussi).

REQUIREMENTS FOR QUOTA-FREE ENTRY

To benefit from this opportunity, workers must have completed training programs in Professional Training (to acquire the technical skills needed to perform specific job roles required by Italian companies) and Civic-Linguistic Training (Italian language learning and civic training to facilitate the workers' integration into Italian society)

Only programs officially recognized by the Ministry qualify workers for the "quota-free" entry. For more details, you can view the list of approved programs and countries involved in the project here <https://www.integrazionemigranti.gov.it/it-it/Altre-info/e/2/o/57///id/143/Programmi-di-formazione-allestero-approvati-dal-MLPS>



HOW TO APPLY

The government has published an in-depth guide detailing the steps of the application process, the requirements and a list of frequently asked questions.

For comprehensive information, visit the official source here <https://www.integrazionemigranti.gov.it/it-it/Dettaglio-approfondimento/id/57/Formazione-professionale-e-civico-linguistica-allestero>



ENTRY AND EMPLOYMENT PROCEDURE

The procedure for bringing in and employing foreign-trained workers includes:

- ▶ **Identification of Programs:** Companies need to identify and collaborate with approved training programs.
- ▶ **Entry Application:** Employers can submit an application for the entry of the foreign-trained worker at any time during the year.
- ▶ **Evaluation and Authorization:** Competent authorities will evaluate the application and, if approved, authorize the worker's entry into Italy.

BENEFITS FOR COMPANIES

This new provision offers several advantages to Italian companies:

- ▶ **Flexibility:** Companies can quickly respond to labor needs without waiting for annual flow decrees.
- ▶ **Competitiveness:** Allowing faster access to qualified workers helps companies maintain and increase their market competitiveness.
- ▶ **Targeted Training:** Workers who complete approved training programs are already prepared for the specific needs of Italian companies.



NEW LONG-STAY VISA
FOR FOREIGN FAMILY
MEMBERS OF AN
ITALIAN OR EU CITIZEN
RESIDING IN ITALY

VISA FOR NON-EU
FAMILY MEMBERS OF AN
ITALIAN OR EU CITIZEN
RESIDING IN ITALY



Starting June 1, 2024, the significant amendment to Article 23 of Legislative Decree 30/2007 has brought substantial changes to the visa issuance procedure for the non-EU family members of Italian or European Union citizens residing in Italy.

This new regulation requires that foreign family members traveling to Italy for family reunification purposes, intending to stay longer than 90 days, must apply for a national visa for "family reasons" (Type D), rather than a short-stay visa for tourism or family visits.



Eligible family members, as defined in Article 2 of Legislative Decree 30/2007, include:

- ★ Spouse
- ★ Registered Partners: Partners with a registered partnership recognized by the legislation of a Member State, provided the host Member State treats such partnerships as equivalent to marriage.
- ★ Direct Descendants: Children under the age of 21 or financially dependent children, including those of the spouse or partner.
- ★ Financially Dependent Ascendants: Direct relatives in the ascending line and those of the spouse or partner.



MAIN REQUIREMENTS

Applicants must provide civil status documentation proving the family relationship, translated and legalized, or a marriage/civil union certificate transcribed in Italy. Additionally, an invitation letter from the Italian/EU family member indicating the intention to exercise the right to family reunification is required. This letter must be accompanied by a valid identity document of the inviting family member.

Where financial dependency is applicable, proof of financial support through remittances from the Italian/EU citizen must be presented. This economic support must be continuous and stable, although no minimum duration is specified.



These changes aim to streamline the process for family reunification, ensuring that foreign family members can join their loved ones in Italy more efficiently under the new national visa system.



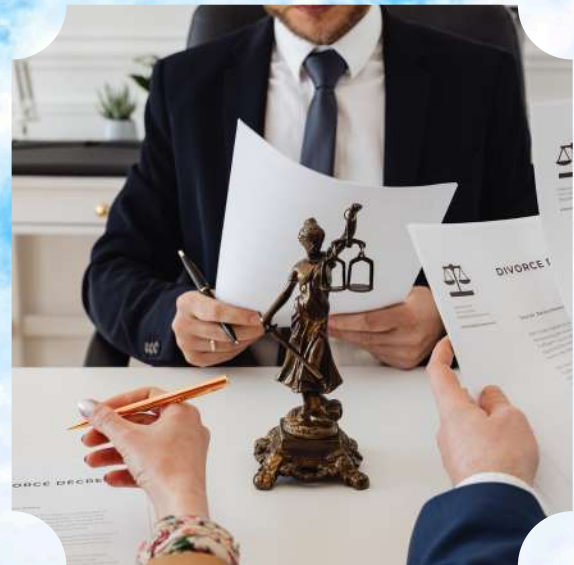
WAITING FOR
CITIZENSHIP (ATTESA DI
CITTADINANZA); NOW
YOU CAN WORK!

The government has clarified that it is possible to work with a residence permit for awaiting citizenship (attesa cittadinanza). According to Article 6, paragraph 1 bis, of Italian Immigration law, residence permits for awaiting citizenship can be converted into a residence permit for work if the necessary requirements are met, consequently allowing the holder to engage in work activities.



“ Interestingly, it has also been clarified that it is possible to start working even before the permit is issued. ”

While awaiting the appointment at the police headquarters (questura) for the issuance of the residence permit for awaiting citizenship, one can start work with just the receipt of the residence permit application, provided the employer files the necessary mandatory communication (Unilav in the case of subordinate work) or reports the employment relationship to INPS (in the case of domestic work).



WHAT IS THE ITALIAN PERMIT FOR AWAITING CITIZENSHIP (PERMESSO DI SOGGIORNO PER ATTESA CITTADINANZA)?

If you are eligible to Italian Citizenship, there is the possibility you can apply for the Italian Permit for awaiting citizenship.

1 First, you need to confirm your eligibility to citizenship. Then, you must be sure to have all supporting documents and certificates, duly legalised and translated. Having completed these two steps, you will have to travel to Italy.

2 Once arrived in Italy, you must report your presence to Police within 8 days (this step is not required if you obtained an entry stamp from Italian border guards on the passport) you must file a residency registration application at the City Hall (Comune).

Be aware that for this step, you will be required to submit also a minimum 1-year lease agreement together with other required documents.



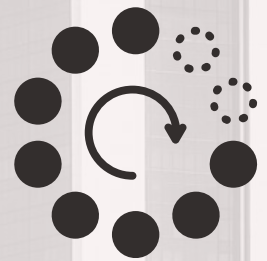
After residency will be confirmed, the next step is to file the citizenship application and submit the supporting documents at the competent City Hall. Once the Citizenship Application will be submitted, the next step is to apply for a permit "awaiting for citizenship" at the Post Office.



EU BLUE CARD IN ITALY: HOW TO OBTAIN THE VALIDATION OF UNIVERSITY DIPLOMA



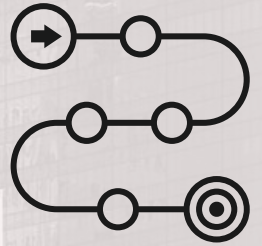
EU Blue Card in Italy: According to the new EU Blue Card implementing guidelines, Italian authorities are now accepting the CIMEA Statement of Comparability and of Authenticity as an alternative to the Declaration of Value ("Dichiarazione di valore") diploma validation. CIMEA stands for Academic Equivalence Mobility Information Centre. The primary goal of CIMEA is to enhance academic mobility in all its forms.



It aims to facilitate understanding of the Italian education system and foreign education and training systems, while promoting the principles of the Lisbon Recognition Convention on qualifications recognition. The website <https://www.cimea.it/EN/>, available in English, provides many useful information on the application process. By paying a reasonable fee, it is possible to have the Statement issued in 60 days.



To apply for CIMEA's services you will be asked to upload the scan copies of your documents (such as diplomas, transcripts etc.) onto the dedicated platform <https://cimea-diplome.it/page-homepage>. The website guides through the submission process, provides list of documents required for each country (note it also indicates if translation is required or not) and generally helps navigating the overall process with clear guidelines.



Applicants should however be aware that local offices are implementing the new guidelines slowly and that the EU Blue card online application form has not yet been updated by the government, therefore before going for the CIMEA validation it is advisable to check with the relevant immigration office if they do accept it in place of the DoV at this stage.



DIGITAL NOMAD
VISA AND REMOTE
WORKER VISA IN
ITALY



Q 1

Digital Nomad Visa in Italy: What is the legal ground for the new visa category for digital nomads and remote workers?

A 1

This new category of entries was introduced by DL n. 4/2022, adding letter q-bis) to Art. 27, paragraph 1 of the Immigration law. Further details were outlined in a ministerial decree dated February 29, 2024



Q 2

What is the difference between digital nomads and remote workers?

A 2

Digital Nomads are defined as freelancers using technology to work from anywhere while remote workers are employees with a work contract who perform their duties remotely.

Both categories are allowed to enter and work in Italy outside the annual quotas set by the flow decree.



Q 3

What are the requirements to obtain the visa as a digital nomad or remote worker?

A 3

* Be a highly qualified worker. This includes holding a 3-year university degree or having several years of work experience (at least 5 years, or 3 years if in the Information and Communication Technology sector) in a field requiring technical/specialist knowledge.

- * minimum annual income of at least approx. 25,000 euros from lawful sources.
- * valid health insurance for medical care and hospitalization in Italy for the entire duration of the stay.
- * documentation related to availability of a suitable accommodation in Italy
- * proof of at least 6 months of experience in the intended work activity through previous work contracts, assignment letters, invoices, or similar documents.
- * For remote workers category, have a work contract or collaboration agreement or a binding offer with an annual salary not less than the average annual gross salary reported by ISTAT (approximately 34,000 euros); also, the employer or client must certify the absence of convictions for illegal immigration crimes in the last five years.



Q 4

What is the procedure to apply?

Q 5

How long is the residence permit issued for, and how is it renewed?

A 4

Step 1: apply for a visa (short or long stay) at the Italian Consulate or Embassy in the country of residence, proving the above requirements. No prior work authorization is needed.

Step 2: Within 8 working days of entering Italy, apply for a residence permit for work at the police headquarters of the place of residence. Work can begin as soon as the application is filed.

A 5

The residence permit is issued with a 1-year duration and is renewable annually if the initial requirements are still met.

Q 6

Is it possible to change employers or clients?

A 6

Yes, digital nomads and remote workers can change employers or clients without restrictions.



Q 7

Is it possible to convert the residence permit to another type of permit?

A 7

At the moment the law does not foresee the possibility to convert the digital nomad/remote worker permit into other types of residence permits. However, after five years of regular stay, if requirements are met it is possible to apply for the EU long-term residence permit.



Q 8

Can I bring my family to Italy?

A 8

Yes, you can bring minor children and your spouse. Family members will be granted a residence permit for family reasons with the same duration as the worker's permit. The family permit allows work in Italy without further work authorization.



Q 9

What social security regime applies to digital nomads and remote workers?

A 9

Social security payments must be done in Italy, except for countries with bilateral agreements with Italy that allow payments to continue in the home country social security system.



Q 10

What tax regime applies to digital nomads and remote workers? Do they need to open a VAT number?

A 10

If a worker spends more than 183 days in Italy, they must comply with Italian tax laws, paying taxes there. Digital nomads must open a VAT number (Partita IVA) to issue invoices, pay social security contributions, and any income taxes. The VAT number must be requested through the Italian Revenue Agency (Agenzia delle Entrate) directly or via third parties such as accountants.

Non-compliance with tax rules may result in the revocation of the residence permit.





TRAVEL TO SCHENGEN WITH A CRIMINAL RECORD

According to the Schengen Rules (I) entrance to non EU nationals can be denied to those who:



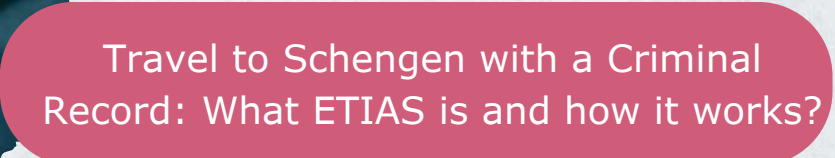
“are considered to be a threat to public policy, national security or the international relations of any of the Contracting Parties and in particular where no alert has been issued in Member States’ national data bases and in the Schengen Information System (SIS) (II) for the purposes of refusing entry on the same grounds.”

Each Schengen country has also its own rules, conditions and requirements regarding the conditions for allowing entry to non EU nationals.



Mid-2025 : what will change?

If everything goes as planned, starting from mid-2025 (*the exact date has not been announced yet*), non-EU nationals who do not need a visa to travel to the Schengen area will have to apply for a travel authorisation through the **ETIAS System** before entering the Schengen area.



Travel to Schengen with a Criminal Record: What ETIAS is and how it works?

ETIAS stands for European Travel Information and Authorisation System (III).

The system aims to carry out pre-travel screening for security and migration risks of visa-exempt visitors and it will be a mandatory pre-condition for entry to the Schengen States.

Application Process:



The applicant will have to file an online application form and the system will:

- issue a travel authorisation within minutes; or
- in limited cases, where further checks on the traveller are needed, the issuing of the travel authorisation could take up to 30 days.



What information must be provided in the ETIAS application?

Examples of data requested:

- Personal data Travel document (passport or equivalent document)
- Member State of first-intended stay
- Background questions relating to previous criminal records, presence in conflict zones, orders to leave the territory of a Member State or third countries, return decisions issued.
- If the application is submitted by a person other than of the applicant, identity of the person or company that he or she represents.



What criminal offences an applicant must report?



The applicant shall report any criminal offence listed over the previous 10 years and in the case of terrorist offences, over the previous 20 years, and if so when and in which country.

'serious criminal offence' means an offence which corresponds or is equivalent to one of the offences referred to in, if it is punishable under national law by a custodial sentence or a detention order for a maximum period of at least three years; (V)

B	VC SECTION VIOLATION
C	VC SECTION VIOLATION:
D	
E	VISION OBSCUREMENT
F	INATTENTION*:
G	STOP & GO TRAFFIC
H	ENTERING / LEAVING
I	PREVIOUS COLLISION
J	UNFAMILIAR WITH ROAD
K	DEFECTIVE VEH. EQUIP
L	UNINVOLVED VEHICLE
M	OTHER*
N	NONE APPLICABLE
O	RUNAWAY

List of offences



- (1) participation in a criminal organisation
- (2) terrorism,
- (3) trafficking in human beings,
- (4) sexual exploitation of children and child pornography
- (5) illicit trafficking in narcotic drugs and psychotropic substances
- (6) illicit trafficking in weapons, munitions and explosives
- (7) corruption,
- (8) fraud, including that affecting the financial interests of the European Communities within the meaning of the Convention of 26 July 1995 on the protection of the European Communities' financial interests
- (9) laundering of the proceeds of crime
- (10) counterfeiting currency, including of the euro
- (11) computer-related crime
- (12) environmental crime, including illicit trafficking in endangered animal species and in endangered plant species and varieties

(13) facilitation of unauthorised entry and residence (14) murder, grievous bodily injury (15) illicit trade in human organs and tissue (16) kidnapping, illegal restraint and hostage-taking (17) racism and xenophobia (18) organised or armed robbery (19) illicit trafficking in cultural goods, including antiques and works of art (20) swindling (21) racketeering and extortion (22) counterfeiting and piracy of products (23) forgery of administrative documents and trafficking therein (25) forgery of means of payment (26) illicit trafficking in hormonal substances and other growth promoters (27) illicit trafficking in nuclear or radioactive materials (28) trafficking in stolen vehicles (29) rape (30) arson (31) crimes within the jurisdiction of the International Criminal Court (32) unlawful seizure of aircraft/ships (33) sabotage.



Which databases shall be cross-checked to verify the applicant's status?

the existing EU information systems:

- the Schengen Information System (SIS)
- the Visa Information System (VIS)
- Europol data
- the Eurodac database (once the Eurodac recast is in place)
- the Entry/Exit System (EES)
- the Interpol Stolen and Lost Travel Document database (SLTD)
- the Interpol Travel Documents Associated with Notices database (TDAWN)
- a dedicated ETIAS watch list and specific risk indicators

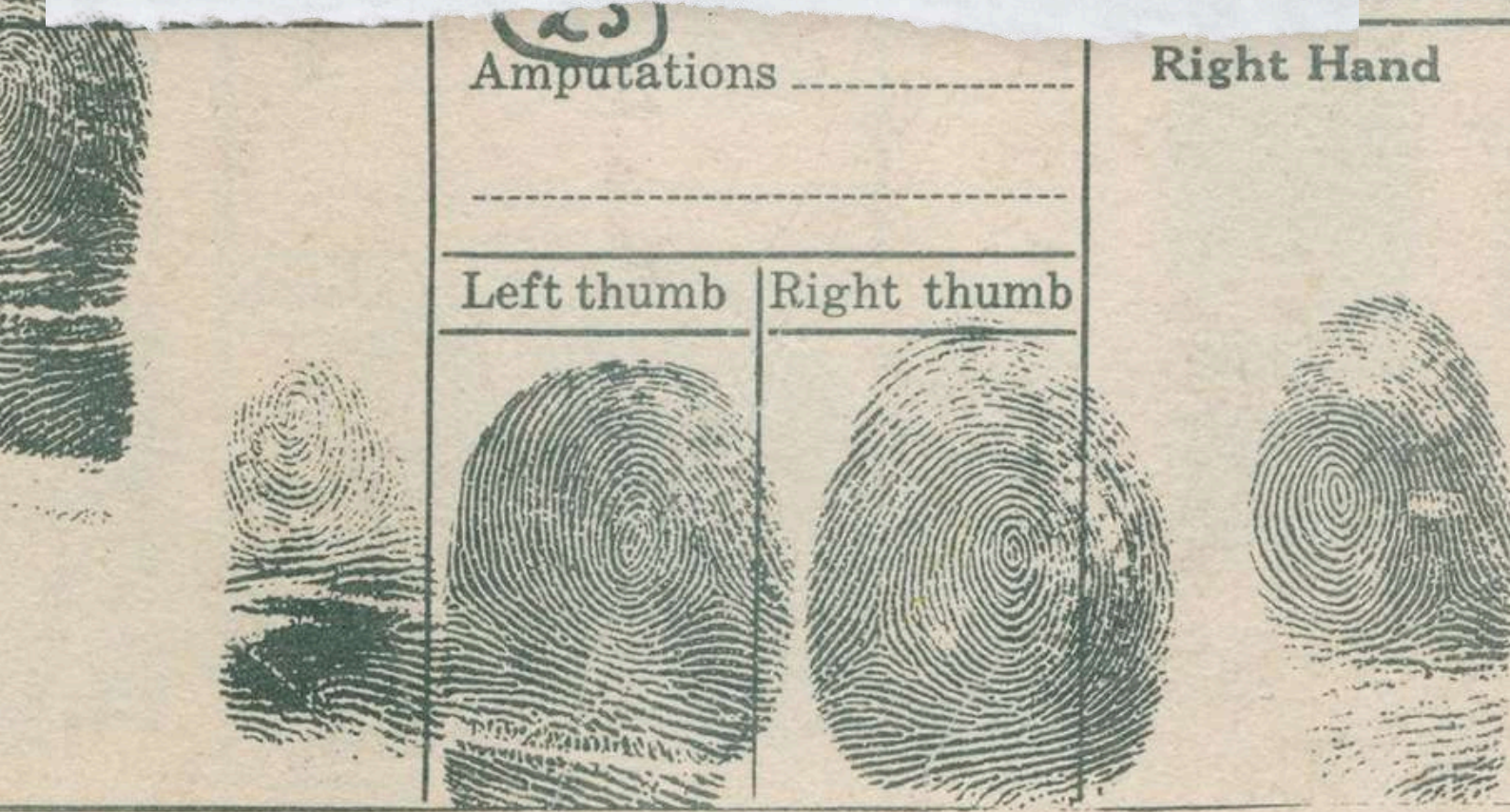
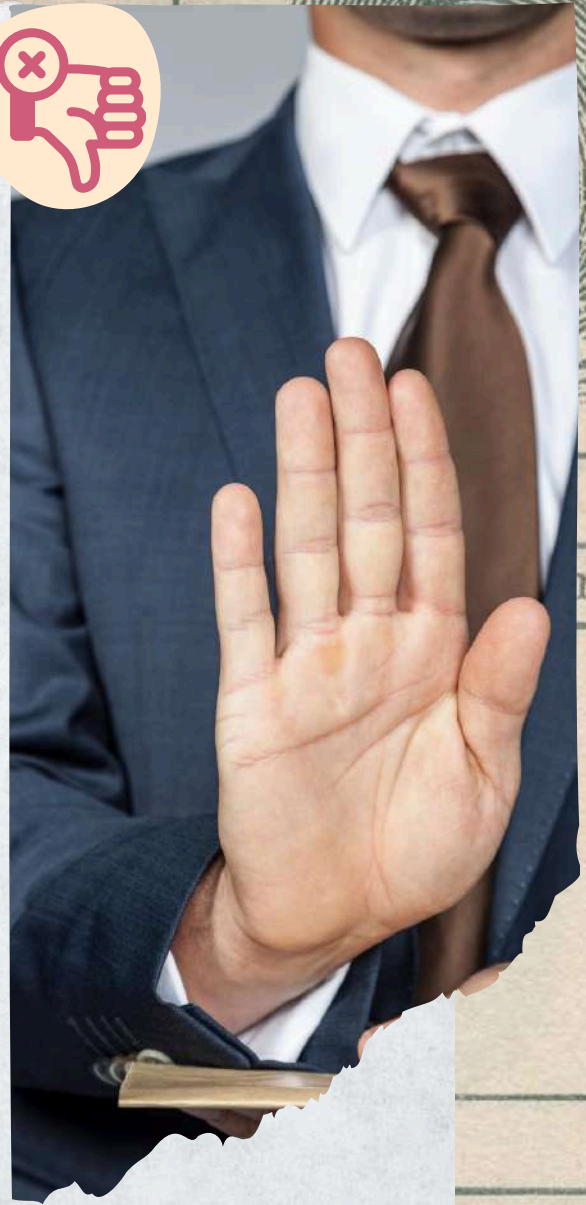
What happens if a person has been refused travel authorisation from ETIAS?



If the travel authorisation is refused, the applicant retains **the right of appeal**. Appeals can be launched in the Member State that has taken the decision on the application and in accordance with the national law of that Member State.

The applicant will be informed which national authority is responsible for the processing and decision on his or her travel authorisation, as well as information regarding the procedure to be followed in the event of an appeal.

If the traveller considers their treatment to have been unfair, he/she is also given the right to seek redress or request access to the information through the national authority



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