

YOUR MOVE TO ITALY

*A simple and effective guide to explain the best
immigration strategies available to Italy.*

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INTRODUCTION

Migration has been existing since the origin of mankind, as humans have settled around the whole world and have never ceased living in different places. New settlements, new worlds, new discoveries have pushed humans to move and explore new areas far from their homes.

Thinking to stop the migration flows is foolish. It is inside ourselves and our nature pushes us to explore new areas and find new places. We love exploring so much that we are considering migrating to Mars!

Migration flows will change, but they will never stop.

During mankind's early history, immigration was propelled by natural forces; fundamentally a discovery and a settlement into new areas. A tribe, or a group of people would settle anywhere finding better conditions for survival; and the only factor they had to consider was their technological ability to dominate the nature guaranteeing the survival of the species.

Fast forward to recent history, every State has put in place regulations to limit the amount of inflow of foreign individuals in their land.

The fundamental reason why States react in that way is the same one. They want to preserve their world as it is, trying to stop the unstoppable, and the only tool they have is to add layers of bureaucracy to discourage people from trying to move to their country.

This book is not made to analyze the migration phenomenon over the years, nor to provide any political statement. The only goal is to shed light on the possibilities you have to move to Italy.

If you are asking yourself: How can I move to Italy? I am sure you will find a practical and suitable answer to your question.

This book is structured in sections to allow the reader an easier understanding of the immigration system.

AUTHOR

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With a strong education background acquired in Italy and the USA, he proficiently helped thousands of foreigners to develop a tax and immigration strategy to move to Italy, efficiently exploiting the best strategies and tax breaks available.

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BASICS OF IMMIGRATION

*DISCOVER HOW THE ITALIAN
IMMIGRATION SYSTEM WORKS*

1. WHY MOVE TO ITALY?

Who wouldn't want to live in Italy, Europe's most intriguing and seductive country? Think about its warmth, style, and wonderful food; its people, the ancient cultures, the landscapes; its art treasures, its immaculate countryside, and its busy cities. Italy is a gem with a magnificent past and a bright future ahead.

You're not limited to the major cities; Italy's landscapes are as gorgeous as they are diverse: historic walled towns, timeless villages, and fields covered with yellow sunflowers.

Italy also provides great job opportunities and a thriving economy, especially in certain areas in the North. Italy is becoming more international and more diverse, and it is attracting foreign investors to invest in its economy.

Italy is also a founding member of the EU and it is a dream to millions of people overseas.

Whether you are looking for job opportunities, a better lifestyle, or investing, Italy is the right place for you.

2. EU IMMIGRATION BY NUMBERS

Based on the EU statistics, during 2018, 2.4 million people entered the EU 27-member countries. Considering that the EU accounts for a total population of roughly 450 million people, the migration phenomenon accounted for 0.5% of the total population.

Of course, numbers must be rounded up because the statistics do not account for illegal immigration which is still largely present in our environment.

EU data shows 21.8 million people living in the EU were non-EU citizens, basically one in twenty in the EU holds a non-EU passport.

Finally, during 2018, 670,000 immigrants received citizenships from EU countries.

During the same year, 1.1 million people left the EU to a non-EU country. In any case, the EU has positive balance in regard to immigration inflows and outflows.

Breaking down the numbers by countries, Germany tops the list with almost 900,000 immigrants, followed by Spain, France, and then Italy with 322,000 immigrants.

BASICS OF IMMIGRATION

22 out of 27 EU countries reported a positive immigration balance (more immigrants than emigrants), while only 5 countries have a negative balance (Bulgaria, Croatia, Lithuania, Latvia, and Romania).

54% of immigrants are male with a median age of 29.2 years compared to the EU median age of 43.7 years.

It is also important to understand the reasons behind immigration. 38% of the immigrant population of the EU cites family reasons, followed by a 17% of work motivated people, 4% comes to EU to pursue studies, and only 9% seeks asylum in Europe.

It is important to highlight this data because normally the media depicts it in a non-accurate way. As an Italian citizen, I realized how the national media misrepresents the immigration phenomenon, showing exclusively illegal border crossings while polarizing the public opinion.

Official EU data reports that during 2019, 141,700 people illegally crossed the EU borders, reducing the number to 115,000 in 2020.

Numbers talk. Illegal immigrants are a small fraction of the overall immigration phenomenon. Period.

Fundamentally, people are immigrating to Europe to find better opportunities, to reunite with a family member, or to work in the EU.

Immigrants are largely employed and integrated in our economy. Immigrants are over-represented (compared to EU nationals) in the Accommodation and food services industry, Administrative and support industry, and the Domestic work. Breaking it down by profession, immigrants tend to be employed as Cleaners and helpers, Personal service workers, Personal care workers, Building workers, Labourers in mining, construction, manufacturing and transport, Food preparation and Agricultural and fishery Labourers.

On the other hand, they rarely find occupation in the Public Administration and the Education sectors, which is largely due to the fact that you must be a national of the country to be employed in their Public Administrator jobs.

Finally, the top 10 immigration nationalities to Europe are:

- Ukraine;

- Morocco;
- India;
- China;
- Brazil;
- Syria;
- Russia;
- Turkey;
- USA;
- Belarus.

3. EU vs. SCHENGEN

On October 26th 1997, Italy completed the path to enter Schengen system. This date is a cornerstone in regard to immigration to Italy; from that date on, Italy adopted the EU common policy of immigration.

This process is fundamental to enforce a common EU boundary, the suppression of any internal borders between the EU Countries thus realizing a free movement area among countries. It took almost 50 years, but the EU has realized one of its primary scopes: a common area where citizens can move freely.

4. GENERAL CONDITIONS TO ENTER ITALY

EU nationals are not required to go through any bureaucracy, while any non-EU national is required to meet ALL of the requirements listed below to enter any Schengen area country:

- Enter the EU through a hard border;
- Have a valid Passport (or any equivalent travel document) to enter the EU;
- Have documents substantiating the purpose of the travel;
- Have sufficient means of support, both for the stay period and to return to their country of origin (or to travel to a Third State)
- Have a valid entry VISA (if required);
- Have a clear record in the Schengen Information System (SIS);
- Have a clear criminal record and not be classified as a threat to the national security.

If the non-EU citizen is already a resident of another Schengen State, he is not required to hold a VISA for any stay in Italy of 90 days or less, unless the entry is in regards to employment, self-employment, or study reasons.

Bear in mind that you need to meet ALL of the above criteria. Failing to meet any of the above elements leads to the denial of entry and the repatriation.

Immigration is ruled primarily at EU level, providing a main legislation framework to which every member State has to comply. Every single Country can provide certain restriction or introduce new VISA types, as long as it is in compliance with the European framework.

5. WHAT IS A VISA?

A VISA is the authorization given to a non-EU citizen to enter the territory of Italy (or any other Schengen country) for transit or stay.

EFTA citizens (Iceland, Liechtenstein, Norway, San Marino, Switzerland, and Vatican) have the same right of movements as any EU citizen.

A VISA is always required for stay periods exceeding 90 days, whereas, for stays of 90 days or less there are some exceptions for tourism, missions, business, invitations, and sport competitions.

Citizens of the following countries: Andorra, Argentina, Australia, Bolivia, Brazil, Brunei, Canada, Chile, Cyprus, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Israel, Japan, Malaysia, Mexico, Nicaragua, New Zealand, Panama, Paraguay, Singapore, South Korea, the United States, Uruguay, and Venezuela do not need any VISA for stays up to 90 days.

VISAs are issued by the foreign Italian consulates around the world, and you need to obtain the VISA prior to attempting to enter Italy. We can briefly sum up that you will need a VISA to stay in Italy 90 days or longer, or if your country does not have a VISA waiver for shorter stays.

You are normally required to apply to the Italian consulate in your jurisdiction of residence. However, if you apply to VISAs for stays up to 90 days, you can apply in any Italian consulate overseas, regardless of its location.

A particular VISA category is available to those individuals who hold a long-term permit of stay, but it has been lost, stolen, or it has expired while staying overseas. Those individuals can apply for a RE-ENTRY VISA.

6. WHO IS NOT ALLOWED TO ENTER ITALY?

Any person who has been deported is not allowed to enter Italy, unless:

- The deportation order has been revoked or voided;
- The Entry ban has expired;
- The person deported has been granted a special authorization by the Interior Affairs Department.

Beside that, any person blacklisted by a Member State in the Schengen Information System (S.I.S.), is not allowed to enter any EU Country.

In order to check the SIS blacklist system, you need to submit a request to the Interior Affairs department, providing the personal details of your enquiry, as well as the reason of the enquiry itself.

Foreign citizens arriving at the border without the requirements to enter Italy will be rejected by the police. The carrier must accompany the foreign citizen back to the State of provenance, or to the State that issued the visa which the foreigner may be holding.

Being rejected does not hinder your possibility to re-enter the Country at a later date, nor being blacklisted to the Schengen Information System.

Individuals managing to enter the country without a valid VISA are subject to deportation if caught by the police. The deportation order can also contain a 3-year ban to enter the country, and the blacklist order in the Schengen Information System.

On top of that, a monetary fine ranging from € 5,000 to € 10,000, which can be replaced with deportation.

If you are thinking that moving to Italy illegally can be a viable solution, I strongly do not recommend to do so.

7. VISA TYPES

The Italian immigration system provides for multiple VISA available to foreign citizens wishing to enter and settle in Italy. If your question is “How do I get a VISA to Italy?” you must be aware that there are several options available to you.

BASICS OF IMMIGRATION

The most common VISA is the tourist VISA. If you want to visit Italy and all its beautiful sceneries, cities, and landscape, you must apply for a tourist VISA.

This allows you to stay in Italy for up to 90 non-consecutive days within 180 days; you can roughly approximate it as 3 months on and 3 months off Italy.

If you want to stay longer in Italy, you are required to obtain a long-term VISA, thus you must provide certain criteria to qualify. The main VISA options are:

- Elective Residency;
- Self-employment;
- Corporate position;
- Business;
- Study;
- Research;
- EU Blue Card;
- Employment;
- Investor;
- Family reunification.

There is a wide spectrum of possibilities to obtain a VISA; knowing them will help you strategize better your move to Italy.

8. PERMESSO DI SOGGIORNO APPLICATION

Permesso di Soggiorno can roughly be translated into Residence Permit. This document authorizes Non-EU citizens to regularly reside in Italy and that, as a rule, implies the legal entry in the territory.

You need a VISA to enter Italy and then apply for a Permesso di Soggiorno. The Permesso di Soggiorno allows you to reside in Italy long term.

This is a very important concept to grasp; too many people are confused by the two terms.

Permesso di Soggiorno is issued for the following reasons:

- Tourism
- Visits
- Business
- Study or training
- Seasonal work
- Independent and self-employed work
- Employment work,
- Family reasons
- Social protection
- Medical treatments

BASICS OF IMMIGRATION

- International protection seekers and international protection.

In order to apply for a Permesso di Soggiorno, you must fill your application within 8 working days from your entry in the Italian territory. The clock starts from the date on which the border police put the entry stamp on your passport.

The application is normally submitted to any Post office accredited with the *Sportello Amico*; there are few exceptions to that rule for certain specific applications.

If you are applying for business, medical treatments, humanitarian reasons, international protection application, minors, justice, granting of the status of stateless person, or minor's integration permits, you must submit your application to the Immigration office of the Questura located in the province in which you have your domicile.

You must apply to the *Single Desk* at the immigration office if you are applying for subordinate/employment work or family reunification permit.

In the majority of application, you must apply to the local post office. While writing, I imagine you comfortably sitting

on your sofa rolling your eyes because you are well-aware of the long queue you are about to face in order to simply submit your application.

The good news is that the post office has a mobile application allowing you to book an appointment beforehand, thereby skipping the whole queue. I cannot stress enough the importance of booking your slot in advance, unless you enjoy waiting in line for hours.

In order to submit your application, you must provide the following documents:

1. Valid passport or other equivalent document showing the applicant's nationality, date and place of birth;
2. Codice Fiscale;
3. Entry VISA;
4. Documents proving your current domicile (residence certificate or hospitality statement);
5. Document proving the availability of the necessary means of support to return to the country of provenance, except for residence permits for family and work reasons;
6. 4 passport-size photographs;

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7. Documents relating to the specific residence permit (e.g. employment contract, Partita IVA certificate, investment certificates etc.).

Documents 1-2-3 are not required for social and international protection or if the individual applies for the Italian citizenship as a stateless person.

Applications are subject to a contribution ranging from € 40 to € 100 depending on the type of residence permit, payable in cash or via debit/credit card at the post office.

International protection seekers, international protection and humanitarian protection applications are free of charge.

Once the application is done and the post office clerk has made sure of your ID and verified that all the documents are submitted, you will receive an appointment date to the local immigration office to provide your fingerprints. This completes the application process.

Meanwhile, you will receive a paper receipt which includes all your personal information application and it serves for the purpose of the Permesso itself until you complete the process at the immigration office.

9. PERMESSO DI SOGGIORNO DURATION

How long does the Permesso di Soggiorno last?

This is one of the most common questions I receive when advising on immigration strategies, and the answer is not always straightforward.

If a residence permit is issued for work reasons, its duration cannot exceed the contract's termination date. Regardless of that, the duration cannot exceed:

- 1 year for fixed-term employment contracts;
- 2 years for permanent employment contract;
- 9 months for seasonal work (Seasonal workers who came to work to Italy for at least two consecutive years can be granted a long-term permit, up to three years);
- 2 years for independent work.

Any residence permit issued for other reasons, its duration is established by the entry visa, and it cannot exceed:

- 3 months for tourism, visits, business;
- 2 years for family reunification;
- The period established to attend an educational or training course.

10. WHAT CAN YOU DO WITH A PERMESSO DI SOGGIORNO?

The Permesso di Soggiorno allows you to carry any activity for which the Permesso was issued originally.

If you applied for a self-employment Permit, you can set up your Partita IVA and perform your activities. Alternatively, if you hold an Employment Permesso, you can be employed in Italy etc.

However, it is important to understand if you can carry out different activities from your Permesso di Soggiorno, without going through a possible conversion or applying for a different VISA.

Of course, there are several regulations, and exceptions based on different cases.

In particular, residence permits issued for autonomous work, employment work, and family reasons allow the applicant to perform any other activities. Most notably:

- Subordinate/employment work permits (excluding seasonal work) allow the applicant to carry out self-employment and autonomous work and vice versa;

- Family reasons permits issued allow the applicant to carry out subordinate work and autonomous work.
- Study and training permits allow the applicant to carry out subordinate work up to 20 hours per week, without exceeding annual 1,040 hours in total.

Therefore, if you possess an Elective Residence VISA, you cannot set up a Partita IVA and start your business.

11. PERMESSO DI SOGGIORNO RENEWAL

Upon expiration, the Permesso di Soggiorno can be renewed for further periods, as long as all the requirements set by the law are met. However, some residence permits cannot be renewed under any circumstances.

Specifically, you cannot renew the following permits:

- Tourism, once the original term (ninety days) has expired, unless you can apply for humanitarian coverage;
- University studies, upon exceeding three years from the original termination date "*fuori corso*";

BASICS OF IMMIGRATION

Nonetheless, the Permesso di Soggiorno cannot be renewed if the applicant meets any of the following conditions:

- Interrupts his stay in Italy for more than 6 months (for annual residence permits) or for more than half of the permit's term (for durations of two years or more). If the applicant has serious or proven reasons (i.e. health risks, threat to life, etc.) or needed to fulfil military obligations, this rule does not apply.
- Fails to meet the minimum income requirement;
- Receives a criminal sentence for crimes banning entry in Italy.

When applying for the renewal of a residence permit, the following documentation must be submitted:

1. Current residence permit;
2. Valid passport or other equivalent document showing the applicant's nationality, date and place of birth
3. Codice Fiscale
4. Documents proving your current domicile (residence certificate or hospitality statement)
5. Document proving the availability of the necessary means of support to return to the country of

provenance, except for residence permits for family and work reasons;

6. 3 passport-size photographs;
7. Documents relating to the specific residence permit (e.g. employment contract, Partita IVA certificate, investment certificates etc.).

12. PERMESSO DI SOGGIORNO CONVERSION

Almost any residence permit can be converted to any other, notwithstanding the restrictions imposed by the quota system.

Unrestricted conversions apply to the following permits:

- Employment, into autonomous work or elective residence;
- Autonomous work, into employment or elective residence;
- Any permit, into a residence permit for family reasons;
- Family reasons, into employment or autonomous work, study, awaiting employment, healthcare or medical treatments, and elective residence;
- Humanitarian reasons, into employment or autonomous work;

- Humanitarian reasons for social protection or for public security, into employment or autonomous work, and study;

Subject to the Quota system limit, the following permits can be converted:

- Study or training, into employment or autonomous work;
- Seasonal work, into employment work.

13. INTEGRATION AGREEMENT

Permesso di Soggiorno applicants from the age of 16 up to 65 years are required to sign the “*Accordo di integrazione tra lo straniero e lo Stato*”.

The said agreement is a pledge that Permesso di Soggiorno applicants make to the Italian State to work towards their integration into the Italian system, achieving specific objectives such as Italian language proficiency, civil and social rules knowledge, to be obtained out during the residence permit validity.

This system is based on points: the more achievements you obtain, the more points you achieve.

The agreement signature is mandatory to the release of the Permesso di Soggiorno.

At signature, the applicant is given 16 credits, that can be increased by achieving certain milestones such as:

- Italian language A2 level proficiency;
- Italian civil and cultural knowledge course completion;
- High School or college degrees achievement;
- Universal Healthcare system registration;
- Residential lease contract signature;
- Entrepreneurial and business activities setup.

You can lose points if you:

- Are subject to criminal charges;
- Receive personal restriction or detentions penalties;
- Receive pecuniary fines of € 10,000 or above.

In order to satisfy the criteria, you must obtain 30 credits. Should you lose all your credits, your Permesso di Soggiorno is revoked and you are subject to deportation to your home country.

The above rules do not apply to individuals under the Permesso di Soggiorno for the following reasons: international protection, international protection seekers, humanitarian, family reasons, EU residence permit for long-term residents, residence card for a Non-EU family member of an EU citizen, and with regard to foreign citizens that exercised the right to family reunification

14. WHAT HAPPENS IF YOUR APPLICATION IS DENIED?

Upon the application rejection and the denial of the Permesso di Soggiorno issuance, the applicant must leave the Italian territory within 15 days.

If the individual remains in Italy for longer than such period, a deportation order may be issued.

The applicant can appeal the decision, and needs to start a litigation at the local Tribunal.

Should the denied application be referred to family reasons, the appeal must be presented to the Immigration Section of the Court of Appeal Tribunal in which the Administration that issued the rejection has its seat.

Should the denial be issued by the Questura, you must then appeal to the TAR (Tribunale Amministrativo Regionale) in the province where the Questura is located.

This is extremely important; failure to appeal to the right tribunal vovs your right to defend your appeal!

The appeal must be placed within 60 days from the notification, and you can appeal both the rejection and the deportation order, allowing you to stay in Italy while awaiting for the trial decision.

The claimant must bear court expenses and pay for a lawyer. Upon meeting the income criteria set by the law, the claimant can be admitted to the State legal representation.

15. EU RESIDENCE PERMIT

Residence Permits are normally available exclusively in the country of application. However, the EU introduced a EU residence Permit where the applicant is provided the freedom to move and work in all EU Member States.

16. EU RESIDENCE PERMIT APPLICATION

In order to be granted an EU long term residence permit, the applicant must meet the following requirements:

- 5 years of residence in Italy;
- Annual Income exceeding the social allowance threshold;
- Italian language proficiency test (A2 level).

Certain individuals cannot apply for the EU long term residence permit, such as:

- Study permit holders;
- Temporary protection/humanitarian permit holders;
- International protection seekers;
- Voluntary work, diplomatic reasons or special missions permit holders;
- VISA holders or short-term residence permit holders;
- Any foreign citizen considered as a threat to the National security.

The 5 years clock also includes any period during which the applicant fell under any of the above categories.

17. HOW TO APPLY FOR THE EU RESIDENCE PERMIT

You can only apply at a suitable Post office, providing the following documents:

1. Valid passport;
2. Current residence permit;
3. Codice Fiscale;
4. Courthouse criminal charges clearing certificate;
5. Documents proving your current domicile (residence certificate or hospitality statement)
6. Proof of income availability;
7. Residence certificate and family status certificate (if the application also involves family members);
8. 4 passport-size photographs

18. RIGHTS PROVIDED

EU long term residence permit holders are allowed to:

- Enter Italy without any visa and move freely in the EU;
- Carry employment, self-employment work, notwithstanding any work legally reserved to citizens or prohibited to foreigners;
- Access welfare, national insurance protections, as well as healthcare, educational, and social services;
- Vote for the municipality mayor.

BASICS OF IMMIGRATION

The EU residence permit is a milestone to be achieved and it is the penultimate step prior to acquiring the Italian citizenship, then you can say goodbye to any EU immigration office ever.

Holding this type of Residence Permit grants almost the same rights as Italian citizens.

However, there are certain conditions under which the EU residence permit is revoked if:

- Acquired by fraud;
- The holder is deported;
- The holder becomes a threat to the National security;
- The applicant is absent from the EU for 12 consecutive months;
- The applicant is absent from Italy for 6 years;
- The permit is issued by another Member State of the European Union;
- The status of refugee or of subsidiary protection is terminated or revoked.

19. HOW TO MOVE TO ANOTHER EU COUNTRY

In order to move from Italy to another EU country, the applicant has to meet specific requirements, which vary based on the Residence Permit: whether the permit is an ordinary or an EU one.

Ordinary Residence Permit holders can move to another EU Country without any VISA for a period of 90 days or less for tourism, business, study, sports events, and scientific events reasons. If the holder wants to work or live in any other EU Member State for more than 90 days, it is necessary to obtain a valid VISA and a Residence Permit according to the other Member State rules.

EU Residence Permit holders can move freely in the whole EU territory for periods exceeding 90 days without applying for any other VISA.

for long-term residents are allowed to freely reside, study and work in another EU Member State for periods lasting also more than 90 days. The host State may require the applicant to prove the availability of adequate financial resources, a fit accommodation, health insurance, and other conditions as per the foreign country legislation.

20. THE QUOTA SYSTEM AND ART. 27

Every country tends to regulate immigration heavily. Historically, there have been various reasons behind any restriction applied to foreign nationals entering the country. Italy is not an exception.

A common regulation is to place a cap on the number of immigrants allowed to enter the country per year. Of course, there are far more applicants than the available quotas and many of the applicants cannot even place their application in time.

How many times did you hear: “Any employer must look for a professional in Italy prior to hiring anyone from overseas.” Even if this statement is not that accurate on the process, it describes the process effectively.

Applying a quota to the number of people allowed to enter the country per year discourages employers from going through the whole bureaucratic process and risking that the applicant may not be able to obtain any VISA because of the limited spots available.

During 2021, 30,850 are allowed to enter the country; nonetheless, any system has its own exceptions to the

common rule. In fact, there are certain individuals, upon meeting the required criteria, whose entry to Italy is not connected to the quota system. Those exceptions are listed in the art. 27 of the Immigration code.

The following individuals are part of those exceptions:

- EU Blue card holders;
- Executive Officers of foreign companies hired at the Italian sister/parent company or any representative office;
- Employees seconded/assigned temporarily to Italy;
- Teachers employed by Foreign Schools and Universities located in Italy;
- University professors;
- Translators and interpreters;
- Domestic workers;
- Au pair helpers;
- Registered nurses;
- Professional athletes;
- Actors and professional artists.

If you think that this list is very restrictive, you should think twice because it provides large opportunities to circumvent the restrictions posed by the quota system.

BASICS OF IMMIGRATION

I shall explain later the best immigration strategies based on article 27.

ITALIAN CITIZENSHIP

FROM RESIDENT TO CITIZEN

BASICS OF IMMIGRATION

Italian passport ranks among the strongest passports in the world when it comes to mobility and power rank. With an Italian passport, you can move freely in the whole European Union as well as travel extensively to non-EU countries without the need of a travel VISA.

Having said that, the following question comes: how do you get an Italian passport?

You can claim your Italian passport by birth, by marriage, or by residency. Being born in Italy is not a sufficient condition to claim your passport, unlike other nations around the world (i.e. the USA).

The most common path to the Italian passport is if any of your ancestors was Italian at some point and the blood line has not been interrupted by naturalization or renunciation.

Alternatively, if you marry an Italian, you can become Italian after two years from the wedding date, unless a divorce takes place in between.

The spouse can claim the Italian residency upon passing an Italian proficiency test (B1 level or upper).

A prerequisite to obtain the citizenship via marriage is not being sentenced to certain criminal offences in Italy. Should you have any pending criminal proceeding, your application is put on hold until the case is settled.

In every other case, your only available route is naturalization, requiring the applicant to be a resident of Italy for an uninterrupted period of time. The residency periods apply as follows:

- 10 years for Non-EU citizens;
- 4 years for EU citizens;
- 5 years for international protection holders and stateless persons residing in Italy;
- 5 years for individuals adopted by an Italian citizen;
- 3 years for EU or Non-EU citizens whose parent or grandfather was an Italian citizen;
- 3 years for EU and Non-EU citizens born in Italy.

Italian citizenship is not granted to foreign citizens who have transferred their residence abroad.

On top of the continuous residency requirement, the applicant must have a minimum income proof for the last three years prior the application. The required gross income level is set at:

BASICS OF IMMIGRATION

- € 8,263.31 for the sole applicant;
- € 11,362.05 for the applicant and a dependent spouse;

The level is increased by an additional € 516.00 per dependent person claimed.

Should you have a dependent spouse and three dependent children, you must have a minimum € 12,910.05 gross income for each of the last three years.

You can prove your income by submitting your Certificazione Unica or your tax return for each year; note that late return also apply.

Foreign citizens can also apply without any income, as long as any of their cohabiting relatives meet the above criteria.

Once you have all your papers in order, you can start the application process online by uploading the following documents:

1. Valid ID;
2. Birth certificate;
3. Criminal certificate issued by the Country of origin;
4. € 250 application fee payment receipt;

5. Italian language proficiency test (if applicable).

Upon uploading all the above documents, the applicants can request the “K10 code” to the Prefettura to track their application. The process can last up to 48 months.

Applications are checked by the Ministry of Interior, while the President of Italy in person issues the Italian citizenship.

Should your application be rejected, you can appeal the denial at your local tribunal.

The Law 132/2018 introduced the possibility to revoke the Italian citizenship acquired by marriage or naturalization if the citizen is convicted for certain crimes relating to terrorism, conspiracy, and subversive activities against the Constitution. Revocation must be filed within three years from the final judgment.

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LIVE AND WORK IN ITALY

*HOW TO SETTLE EASILY IN
ITALY*

Upon obtaining your VISA, you can finally settle down in Italy. While your relationship with bureaucracy is not over, we can say that the hardest part is over.

The following chapters will explain the basics of settling in Italy so you can already plan the next steps.

21. CODICE FISCALE

The Codice Fiscale is the Italian unique code to identify every individual (and companies too). This concept exists in many jurisdictions: in the US they call it Social Security Number, and in the UK, it is called National Insurance Number.

If you are born in Italy, you are assigned your Codice Fiscale at birth; in every other case you must request one.

The Codice Fiscale serves multiple purposes, and without it you are refrained to perform many simple daily tasks, such as:

- Setting up a bank account;
- Sign a rent lease;
- Sign an employment contract;
- Get a Partita IVA;
- Request your Universal Health Care coverage;

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- Enroll in school;
- Request residency in Italy.

As you can tell, getting a Codice Fiscale is a cornerstone of your life in Italy. Without it, you cannot really do anything.

How do you get a Codice Fiscale and where do you apply for it?

Requesting a Codice Fiscale is a simple process as you need to fill a paper form with your personal information (full name, date and place of birth, citizenship, and a domicile), and attach a valid ID.

In my experience, I always advise to provide a foreign address in order to avoid any confusion in regards to your tax position in Italy. Filling the form with an Italian address might, in very rare cases, be used as a declaration of residency of tax purposes. You can win against that in court, but you still need to start a trial and win it.

You can get your Codice Fiscale personally or you can delegate someone to do it on your behalf. Every Italian tax office as well as any consulate or embassy around the world can issue that instantly.

Having a Codice Fiscale has nothing to do with tax residency. Everybody can request a Codice Fiscale and never visit or pay tax to Italy. It is just an identification code, nothing more and nothing less.

If you plan to move to Italy, my keenest advice is to get the Codice Fiscale ahead of time. This allows you to save a lot of time and start ahead to get personal and tax matters sorted swiftly.

22. PARTITA IVA

The Partita IVA is the Italian VAT number. Many of you are confused by the fact that it mentions the word IVA (IVA=VAT), implying that you must charge VAT on your goods and services.

This is not the case as it depends on the tax regime whether you might charge VAT or not. Nonetheless, you cannot trade without a Partita IVA, which is required to operate as a self-employed, sole proprietor, partnership, corporation, association and other nonprofits.

How do you get a Partita IVA and which information is required?

The process to get a Partita IVA is quite straightforward. You can do it in person at the tax office or delegate an accountant to get a Partita IVA online, and the procedure normally takes 24 hours to be completed.

To get a Partita IVA, you must supply some information, which normally is:

1. Full name;
2. Codice Fiscale;
3. Residency address;
4. Type of activity performed;
5. Bookkeeping registered address (it can be your accountant);
6. Day on which you started trading.

Once you obtain your Partita IVA, you will be able to start your trade or your self-employed activity.

23. REGISTER AT THE TOWN HALL

Once you enter Italy with your VISA, you are finally ready to settle and register at the local town hall to benefit of the same treatment as any other citizen or resident of Italy.

In order to do so, you are required to file an application to the local Municipality. Unfortunately, there is not a single online portal to do it, and you must check with your local municipality on the required process. Milan council allows the residency application to be filed online through their portal, while other municipalities require the whole process to be filed in a very old-fashioned way.

In any case, you must submit your passport, along your residency permit, your codice fiscale, and your lodging information (declaration of hospitality, house ownership, or rental agreement).

You must also submit the relevant papers to your employment or self-employment. If you lack of this, you must show proof of at least € 6,000 in a bank account to support your application.

If you are in Italy under an Elective Residence VISA, you are also required to provide a valid private annual health insurance to back your registration.

24. EMPLOYMENT IN ITALY

In this book, you will not find all the answers related to how to secure a job in Italy, nor the answers to the issues and nuances related to the employment laws of Italy. Yet this chapter aims to explain the basics of the Italian system.

Italy is historically known for its highly regulated job market and the worker's unions dominance. In recent years, the governments have tried to deregulate the regulating framework, providing more flexibility and dynamism to the fast-changing job market.

The main employment rules are set out by the *CCNL* - *Contratto Collettivo Nazionale del Lavoro* (National Collective Bargaining Agreement) providing the main framework to be applied to working hours, salary, benefits, overtime pay, holidays, as well as the minimum pay.

Your employment contract states the applicable CCNL.

A full-time employment means that your weekly working hours match the ones as set by the applicable CCNL; part-time employment provides reduced working hours.

Employment contracts can be:

- temporary, when the contract end is indicated in the contract. This can be extended by the employer up to a maximum of 5 times and 36 months.
- permanent, when there is no ending date.

Normally, employment contracts are entered directly by the company. However, it may also be prompted by regulated employment agencies, to which the company refers in search of personnel.

Regardless of the employer, workers are treated under the applicable CCNL

The company hiring through agencies is bound together with the agency to pay any salary to the employer and the relevant national insurance taxes.

The Italian employment framework regulates the so-called “job on call” allowing the employer to call workers based on its needs, that is “on call.” Workers are paid for the actual days of work.

Job on call is allowable in certain industries only (e.g. tourism and hospitality) as per the applicable CCNL. The law caps to

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400 working days in a 3-year period, the maximum working period.

The above limit does not apply to tourism, commercial businesses, and entertainment industries.

You can also work occasionally for a certain employer, up to 30 days (also non-consecutive) in a year, receiving a maximum remuneration of € 5,000 without triggering any National Insurance Contribution. This contract does not allow for any paid holidays, sick leaves, parenthood leaves, absence etc.

Apprenticeship contracts apply to workers between 15 and 29 years of age. This contract provides the framework for training and working activities.

At the apprenticeship end, the contract continues as an ordinary employment one, unless any dismissal applies.

Apprenticeship contracts include a training path organized by the employer to develop the apprentice professionally.

There are 3 types of apprenticeships:

1. Professional qualification/diploma apprenticeship;
2. Vocational apprenticeship;

3. Higher training and research apprenticeship.

In the first case, the apprenticeship is structured in such a way that connects the training carried out at the employer's premises with the training carried out by the training institutions operating within the regional systems of training and education. The duration is established by the qualification or diploma to be achieved and cannot last more than 3 years (extended up to 4 years in specific cases).

The employer is required to sign a deal with the training institution describing the content and duration of the employer's training obligations.

Vocational apprenticeship is aimed at achieving a professional qualification.

The training is carried out under the employer's responsibility, and it is integrated by a public training offer, up to a maximum amount of 120 hours, in a three-year period. The Region regulates the apprenticeship learning path.

Higher training and research apprenticeships aim at achieving university degrees or higher training.

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Employers must sign an agreement with the training institution determining the duration and the training scope. Training outside the company is carried out by the Universities.

Apprenticeships aim to bridge the gap between education and training, allowing the apprentice to gain direct knowledge of the labour market.

Employer and Universities or training institutions must cooperate to adhere to the apprenticeship regulations. The employer must provide a training and work project, while the training institution must provide the education and continuing support to the employee.

Apprenticeships are regulated by Regional Laws.

Domestic work is carried out by those who provide assistance at home to a single person or to a family unit. Domestic workers can be employed under a temporary or permanent contract and may or may not cohabit with the family unit or single individual. Unlike other employment contracts, the employer is always a family member. The employment contract must include the hourly or monthly remuneration, whether or not board and lodging are

included, and the working hours. Employers are required to communicate said employment and specific agreements to INPS through an online platform.

Domestic workers have the same rights of all employees in terms of holidays, ordinary and extraordinary working hours, sickness, and maternity.

Since domestic work is carried out within the family wall, trust is necessary and basic for a good relationship. Furthermore, this is the only type of employment relationship that provides for unappealable dismissal without specific reasons. Therefore, in the event of dismissal, workers have the right to indemnity but they cannot appeal the dismissal.

Should your employer provide a dismissal letter, the employee has 60 days to appeal it. The letter must be drafted in writing and delivered through registered mail or certified email.

The workers can be assisted by labour unions and trade unions.

Once the dismissal is appealed, the court ruling must be completed within 180 days. Appeals must be filed at the

local Employment tribunal where the employee must be represented by a lawyer.

Should a dismissal be ruled as unlawful, the penalties and fines vary depending on the size of the company, as well as the reasons behind the dismissal.

Within 60 days from the dismissal, the worker must apply to NASPI (unemployment benefit) at INPS. The application is filed online.

25. THE ITALIAN TAX SYSTEM

The Italian tax system is one of the most articulated and byzantine tax systems in the Western world. Italy is known for its strong bureaucracy and unfriendly tax system.

We have to say that the Italian tax system is very complicated, but from its complications, you can find great opportunities and loopholes to minimize the tax burden. Don't be fooled by the high nominal tax rates! If you use your tax deductions and breaks efficiently, you can greatly reduce your taxation to minimal and affordable levels.

The Italian income tax is named *Imposta sul Reddito delle Persone Fisiche* (IRPEF) and it is a progressive tax ranging from 23% up to 43%.

Progressive rates are such that the taxation remains the same within the bracket, while it increases for every income exceeding it.

On top of IRPEF, the taxpayer has to pay for the municipal and regional surcharge varying based on the municipality of residence. Those surcharges account for an extra 3% tax.

The Italian sales tax system is based on IVA, having three main brackets: 4% for essential products and primary residence, 10% on food and beverages, and 22% rate on any other product service.

VAT is not chargeable on financial, education, healthcare, and information services.

Real estate is taxed at purchase and possession. If you buy a property, you are expected to pay between 2% and 9% on registrar tax, while you pay roughly 1% tax on your real estate on ownership.

If you are a resident for tax purposes in Italy, you must also disclose your foreign held assets (bank account, real estate, cryptocurrencies, investment portfolio etc.) and pay wealth tax at a 0.2% rate.

Having said so, Italy provides for countless tax breaks helping to reduce your tax burden. For instance, you can get 50% tax back on every Innovative Startup investment, or up to 110% for any qualifying home improvement.

The efficient use of tax breaks is fundamental to master the Italian tax system and to enjoy your Dolce Vita without any adverse tax consequence.

26. NEW RESIDENTS TAX REGIMES

Italy recently introduced advantageous tax regimes for new residents of Italy. This is an attempt by the Italian government to make its jurisdiction more attractive to foreign individuals.

The types of incentives and tax break are targeted to three main aggregates: workers, high net worth individuals, and pensioners.

Employed and self-employed who transfer their residency to Italy enjoy 70% tax exemption on their income, meaning that whatever they earn, 70% of it is not taxed at all for 5 years. The percentage is increased to 90% if the taxpayer lives in a Southern area.

If you move to Naples, you start suffering taxation on your income if you make more than € 100,000. Don't believe it? Guess how much tax you pay on € 10,000, since 90% of your income is tax free.

The regime can be extended for further 5 years if the taxpayer claims at least one family dependent or buys a residential home in Italy.

The best part about this tax scheme is that it does not provide any cap for your earnings. In fact, if you make money in the millions, you still benefit of a 70% or 90% tax exemption.

Who doesn't want to attract High Net Worth Individuals? They are attractive, big spenders, and they can generally boost the economy of the area they live in.

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In 2015, Italy introduced a € 100,000 flat tax for new residents to claim against any foreign income. It doesn't matter how much money you make, you pay that flat tax against your whole income.

You can also extend it to any of your family members for an extra € 25,000.

This scheme lasts up to 15 years and allows you to repatriate your monies. Unlike other regimes overseas (most notably the UK Remittance Basis Charge – RBC), the taxpayer can spend the money in Italy without any further charge.

Furthermore, no wealth tax nor Controlled Foreign Companies rule applies to the taxpayer.

Finally, Italy introduced a 7% flat tax for pensioners relocating to Southern Regions. To qualify, the taxpayer must receive a foreign pension and relocate to a qualifying municipality.

A qualifying municipality is any town with 20,000 inhabitants or less located in the Southern regions of Abruzzo, Apulia, Basilicata, Calabria, Campania, Molise, Sardinia, and Sicily.

Further qualifying municipalities are located in Lazio, Le Marche, and Umbria. However, such towns must have a population of 3,000 or less.

The 7% tax covers any foreign income for 10 years after the taxpayer moves to Italy, also avoiding the disclosure of any foreign held assets and any wealth tax payment.

If you are a new resident of Italy, you have various options to greatly reduce your tax burden for the first 10 years of residency.

27. REGISTER TO THE NATIONAL HEALTH SYSTEM

The right to healthcare is one of the basic human rights, without any race, religion, political beliefs, economic, or social condition.

The Italian national healthcare system (SSN) is a universal public service that guarantees healthcare to all its citizens and residents. The SSN is financed through the general taxation system (taxes); however, certain healthcare services require a fee payment (i.e. medical prescriptions, specialist doctor appointments etc.).

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Fees are normally waived (or greatly reduced) to low-income households. The main goal of the Italian SSN is not to discriminate its access upon the economic condition.

To register to the Italian SSN, you must register as a resident at the local Comune, then you must enroll at the local ASL obtaining your registration and health card called Tessera Sanitaria or TS.

With your Tessera Sanitaria, you can access the healthcare system and specifically the following services:

- General Practitioner and pediatrician;
- Free hospitalization in public hospitals or private affiliated ones;
- Drugs and prescriptions;
- General medical exams and surgeries;
- Vaccinations;
- Blood tests;
- Rehab and physical assistance.

If you hold any of the below Permesso di Soggiorno, you must register at the national SSN:

- Employment;
- Self-employment;
- Family reasons;

- Political asylum and asylum seekers;
- EU Blue Card;
- Social protection.

The registration is then automatically extended to any family dependent to the Residency Permit holder. Individuals holding any other Permit are not required to register to the national healthcare. However, they are required to pay for a private health insurance or to voluntarily contribute to the Italian healthcare system.

This scenario commonly applies to Elective Residence VISA holders.

Voluntary contribution varies depending on the region in which you seek registration, and it also varies depending on your income level threshold. The minimum contribution is set at € 387.34 per applicant.

However, is there any category of individuals who is not required to register voluntarily nor mandatorily to the Italian health care system?

Yes, there are! Foreign citizens staying for 3 months or less (excluding au pairs) and those who hold a residence permit

for medical treatments cannot register with the SSN. It is therefore advisable that women during pregnancy and up to six months after the child's birth are issued a permit for "medical treatments" which instead allows them to register with the SSN.

The Italian healthcare system does not exclude from its coverage those individuals who are non-compliant with the immigration regulations. Those individuals can access the basic services provided by the system.

They have access to any urgent or anyway essential hospital and surgery treatments, even continuative, for diseases and accidents. Besides, they are allowed access to preventive medicine programs safeguarding individual and collective health such as vaccinations and infectious diseases treatments.

28. INPS AND SOCIAL BENEFITS

INPS is the Italian National Insurance Contribution, administering the pension system of Italy.

The Italian pension system is a Pay as You Go one; therefore, current workers pay into the system which in turn

pays the pensioners. As the demographic of Italy is changing, the contributions are changing too: it becomes difficult to sustain such population ageing with more pensioners than workers.

Having said that, there are different INPS types of payment.

If you are employed, you suffer a 27.57% INPS rate on your gross cost of salary: 2/3 is paid by your employer while 1/3 is on you.

If you take a closer look at your monthly pay slips, you can clearly spot the INPS contribution deducted from your gross pay at 9.19% rate.

If you are self-employed as an artisan or in commerce, or if you are a partner in a partnership, you have a different type of contribution scheme (INPS Artigiani e Commercianti), which is made up of a fixed and variable contribution.

The fixed contribution is currently at € 3,900.00, payable in 4 instalments due in February, May, August, and November.

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This amount is due up to € 15,878.00 of taxable income; should you make less, you still have to pay that. Even if you are at loss, you must pay that amount.

On the amount of income exceeding the minimum threshold and up to € 102,000.00, the contribution rate is 24.09%.

Whatever is not included in the previous two categories is defined as Gestione Separata, paying a flat 25.98% on taxable income up to € 103,000.00.

Normally, you can be enrolled in just one INPS contribution system, and should you do two activities, only the prevailing one has to be accounted for INPS contribution purposes. Let's say that you are employed, and you run a side business selling online flipped stuff. You already pay INPS at your employment and you should register at the Gestione Commercianti too. However, your employment prevails and you are not required to register nor to pay any other contribution.

How many years do you need to contribute to get a pension in the future?

To secure a future pension treatment, you are required to contribute into the system for at least 9 full years. If you contribute any less, you will not have the right to receive a pension from the Italian government.

However, those years of contribution will not be lost as you can totalize the periods throughout Europe and other countries with which Italy has a social security agreement.

Those years will then count towards the number of years required from your country to receive a pension benefit in the future.

But it is different for Americans. If an American citizen is self-employed in Italy, he/she must contribute to the social security system in the United States. This does not apply if the American citizen is hired in Italy, paying thus the same rates as any other employee in Italy. Remember also that INPS payments are deductible against income; therefore, they always carry a tax saving whenever they are paid.

INPS also provides Social Benefits to workers and retired people. Most notably INPS provides for unemployment benefits, Babysitter bonus, children bonus, maternity allowance, and lower income support and integration.

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IMMIGRATION STRATEGIES

FROM THEORY TO PRACTICE

Theory has to come to practice at some point. If you have read it so far, it means that you are really interested in how to immigrate to Italy. In this section, I will outline the practical guidelines in regard to each VISA and the required steps to be undertaken. Prior to digging deeper into each VISA, it is important to outline few steps in common for each VISA.

29. POWER OF ATTORNEY

Every VISA is issued by an Italian consulate overseas. It is therefore not possible to obtain a VISA while being present in Italy. You cannot come to visit Italy on a tourist VISA and apply for your VISA here. Don't even try, it is a waste of time.

Applying to the foreign consulate means that you need to have all the required documents for your application ready, and you will likely need documents from Italian authorities (Chamber of commerce, Immigration office, County Labor office etc.). How can you get such documents?

You can apply personally walking in person to each office, submitting all the relevant documents and dealing with the Italian bureaucracy in person (and its waiting times) or you can delegate someone to do so. Furthermore, the Italian bureaucrats hardly speak any other language than Italian.

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Unless you are 100% confident with your language and legal/immigration skills, we advise to seek the support of a trusted professional to deal with all the processes.

How can you do that? You need to provide to the professional a power of attorney, thus granting him/her the powers to represent you and to submit the relevant documents.

The power of attorney process is made of few steps. First, the power of attorney has to be drafted in the local language. The document must include your details, as well as that of your trusted professional, and the power conferred, such as the power to represent you, submit the documents, request certificates, etc.

You then need to notarize the document in front of a public notary in your jurisdiction. The notary must seal the power of attorney with his/her stamp and swear that he/she is certain of your identity, and you signed in front of him/her.

If the notary misses any of the two statements above, the power of attorney is not valid in Italy.

The next step is to request the apostille. The apostille is the international legal document allowing the notarization to be valid overseas.

Upon obtaining the apostille, you must translate the power of attorney and the apostille into Italian and send it to the local consulate for the translation approval.

Once you receive that, you can finally send the power of attorney to your trusted professional who can now be able to represent you.

30. NULLA OSTA

Nulla Osta roughly translates as clearance certificate. The *Nulla Osta* is a paper issued by the immigration office and/or the Chamber of Commerce stating that there are no obstacles/issues in regard to your application. In other words, the office issuing the paper does not raise any questions in regard to your application.

If you apply for VISA involving the Chamber of Commerce such as the self-employment VISA, corporate position VISA, or the high skills profession VISA, you are likely to be requested to show a *Nulla Osta* from the local Chamber of

Commerce, stating that you can perform that profession in Italy. Some Chamber of Commerce do not provide the *Nulla Osta*.

The Immigration office *Nulla Osta* is the ultimate paper you are required to gather to apply for your VISA at the foreign consulate.

31. ACCOMMODATION AVAILABLE

Once you apply for your VISA at the Italian consulate, you are required to provide a proof of accommodation. In order to obtain a VISA and enter the Italian territory, the authorities want to make sure that you have a permanent residency available; you cannot apply for any VISA by providing a hotel booking. If you are now thinking about a long-term Airbnb, forget about it, this is not allowed as well.

You are therefore required to have a valid accommodation in place before filing your application. If you own any residential property in Italy, you can therefore use it and you must provide a copy of your purchase deed at application. This is, however, a very marginal case because normally applicants do not own any property. How to prove your accommodation then?

An alternative option is to sign a rental agreement in Italy. In such case, you need to show the rental agreement and the tax office registration.

I have to admit, this case is also very unlikely because you normally want to check the place you will live in, and landlords are reluctant to lease properties to individuals who might be unavailable to come to Italy, and then cancel the contract soon.

So? What's the bottom line?

The ultimate option is to obtain a declaration of hospitality. In this case, an Italian resident has to file a paper stating that he/she will host you and thus you have a permanent home available.

If your host is the owner of the premises, he/she must attach the purchase deed. Alternatively, if he/she rents the premises, the rental lease must be attached to the declaration.

Don't worry, when you will finally move to Italy, you can switch your residency place at your own will.

32. OTHER DOCUMENTS

Certain documents are required for any VISA application. Therefore, we introduce the common documents required for any procedure instead of listing them in any of the following chapters.

First, you need a valid passport issued from your home country. This sounds basic and nonsense, after all, who would apply without a valid passport? Who wouldn't, right? Well, somebody completed all the paperwork and forgot the most important piece of all, the foreign passport.

You must also have a proof of your physical address in the jurisdiction, such as a government ID, driver's license, or state ID. The proof is required to determine the consulate to which you must apply.

You cannot apply to any consulate randomly, but you must apply to the Italian consulate located in the jurisdiction in which you permanently reside.

It might happen that you are residing in a foreign country with a VISA. Think about an Australian citizen living in the USA. In this case, the applicant must request a VISA to the

Italian consulate in the USA; therefore, a proof of permanent legal residence has to be provided (i.e. Green card).

Every application requires your photograph. Funny enough, the size is 45mm x 35mm. So if you live in the US, you must then crop it using your scissors.

In every case, you must fill the VISA application form and pay the application fee. Note that the fee is adjusted at the beginning of every calendar quarter, thus you must be up to date on the fee.

The payment has to be performed using a cashier's check or money order-- no credit card, no online payment, no cryptocurrencies. You can only use their good old-fashioned payment system.

Note that if you apply at the end of each quarter, you might be required to pay the new quarter's fee if the application is processed after the quarter end.

You must also have a booked flight to support your application. Given that you don't know the exact timeline to issue the VISA, we advise to buy a fully flexible and

refundable ticket to provide to the Italian consulate. You can then cancel the ticket and book a cheaper flight later.

Note that your VISA will have a starting date, therefore your flight departure must be on/after such date.

Finally, you are required submit a Mailing passport declaration addressed to yourself so the passport can be mailed back to your home.

33. ELECTIVE RESIDENCE VISA

Elective Residence VISA provides for the easiest route of application because you do not need to provide any document from Italy (with the exception of the accommodation proof) and application requisites are fairly straightforward.

The Elective Residence VISA requires the applicant to provide for documented and detailed guarantee of substantial and steady private income. This means that you need to provide passive income sources to support your stay in Italy.

It is important to focus on the words substantial and steady. First of all, if you are a single applicant, you are required to provide a minimum of € 31,000 passive income sources per year. The amount is increased of 20% for the second applicant and of an extra 5% per further applicant.

The amounts are based on the minimum social pensions payment, thus they are subject to reviews any time the pension payment changes.

The resources must be steady, meaning that you must prove the income availability over time. A lottery winning, despite greatly exceeding the amount, is not a steady source of income.

Therefore, which are qualifying income sources? These are pensions, annuities, dividends, capital gains, rentals, etc.

Employment and self-employment resources are always disregarded.

If you work as a freelancer, you cannot use such income to support your application. But if you envelop your activity into an LLC or LTD, it suddenly becomes a qualifying source of steady income.

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You can also envelop your private saving plan into an annuity payment overtime! You can be creative with your income sources and you might be able to restructure it based on your needs.

In order to apply for the Elective Residence VISA, you must submit the following papers:

- Bank statements (recent six months);
- Two letters of reference from major banking institutions and/or chartered accountants;
- Last two tax returns or income proof forms if you are not required to file a tax return;
- Applicant's letter specifying the reasons for the stay.

The application might also include other applicants, such as the spouse or any dependent children.

You can clearly understand that the main point of this application is to determine the amount of income available to yourself in order to support your life in Italy.

34. STUDY VISA

Bologna is the oldest University in the world, or one of the oldest depending on how you actually define the term

University. No wonder that every year thousands of non-EU students enroll in higher education courses provided by the Italian University system.

Qualifying University courses must be provided by a certified University institution in Italy and the course must provide at least 20 hours per week.

A common strategy to move to Italy is to enroll into an Italian As Second Language course provided by Universities where you actually study Italian. Upon completing the course, you can then change your permit of stay.

In order to obtain the Study VISA, you are required to provide the complete documentation in regard to the course you intend to attend. Any of the below documents is sufficient to prove your enrolment:

- An official letter of acceptance from an Italian academic institution;
- A letter of acceptance from an American academic institution stating that you have been accepted and admitted to its center in Italy;
- A letter of acceptance from an American academic institution providing for the Study Abroad Program,

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and a letter of acceptance from the accredited academic institution in Italy.

The acceptance letter must be shown to the local immigration office once you arrive in Italy. Therefore, it must be signed by the School Dean and drafted (or translated) into Italian.

You are then required to provide a financial guarantee showing your ability to fund your own studies. You can do that by showing a recent bank statement, or if your parents are financially responsible, they must provide an affidavit of financial support attaching their most recent cash balance.

If you are granted a scholarship, this must be filed to the office for their scrutiny.

In regard to the lodging, unlike other VISAs, you can be lodged in a hotel or a university dorm.

Finally, you are required to subscribe to a health insurance coverage. You can provide a declaration that your current coverage will pay for any medical expenses, emergency and hospital stays while in Italy, or you can sign an Affidavit on

health Insurance, swearing that you will get one once you arrive in Italy.

Residence permits for study reasons allow you to carry out a subordinate work for not more than 20 hours a week, also accumulable for 52 weeks, notwithstanding the annual limit of 1,040 hours.

The Study VISA is a rather underestimated immigration strategy. If you cannot qualify for any other VISA, this is a good way to start your stay in Italy.

35. SELF-EMPLOYMENT VISA

The self-employment VISA covers several professional categories, and it is used by different categories of individuals attempting to move to Italy.

Other than self-employed, this VISA is used by freelancers, lecturers, journalists, entertainment industry personnel, among the others.

Prior to digging deeper into each profession, we have to highlight that this one of the toughest VISAs to obtain because the main rationale backing the law is that you first

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need to have a proven track record as a self-employed in your home country and you intend to expand or extend your business in Italy.

The intent has to be shown at the time of your application, and it just cannot be the desire of moving to Italy, but rather a well justified case supporting your VISA. Very tough!

As a self-employed, you might be required to register at the Italian Chamber of Commerce or, if you apply as a professional, you need to obtain the registration at the Italian chartered body (applicable to engineers, doctors, accountants, auditors, etc.), to support your VISA.

Upon receiving confirmation from such chartered bodies as well as complying with the income requirements, you can apply for your VISA at the foreign consulate.

Lecturers and translators follow the same path, though they need to provide the letter from the Italian University or higher education institution inviting them to provide their services.

Finally, entertainment industry personnel can obtain a VISA providing detailed evidence of their work, their track records, as well as a formal invite to work in Italy.

36. CORPORATE POSITION VISA

If I buy a company, can I get a VISA? This is another common misconception about the corporate position VISA. Italy grants a VISA based on the fact that you are the managing director or a board member of a company, regardless of its ownership.

First of all, you need to be appointed as a managing director of a company who has filed its accounts for at least three years, and it is not under voluntary liquidation or dissolution.

Not every foreign citizen can be appointed as a managing director. In fact, a reciprocity agreement between Italy and the foreign country must be in place.

This condition is then verified by the Chamber of Commerce where the company is registered.

Once you are appointed as a Managing Director, you are required to obtain a few documents to submit your *Nulla Osta* application at the Immigration Office.

BASICS OF IMMIGRATION

The company's legal representative must draft a statement to the local Labor County office stating that you will receive a remuneration exceeding € 8,400 per year and that you will not be employed by the company. This declaration is called *Dichiarazione di responsabilità*.

If you are the legal representative, you must submit such declaration.

You must also provide a recent Company Certification of Enrollment (*Visura camerale*), the most recent approved budget and its account filing. Some Immigration Offices also request the latest Corporate tax return.

These documents are sufficient to obtain the *Nulla Osta* from the Italian immigration office.

Once you have the *Nulla Osta* in place, you can submit your application to the Italian consulate overseas, provide your recent tax returns and your bank statements to prove that you fit the minimum income criteria, and then you are good to go!

The same strategy applies if you are the managing director of a foreign company establishing a representative office in

Italy. The whole strategy implies that you (the managing director) are required to move to the new established representative office in Italy to carry out your work.

The procedure is simplified, because you don't need to have a company active for at least three years. However, you must spend some time to register your office in Italy.

This is another great strategy as it provides almost nil cases of rejection.

You can keep operating for your foreign business, thus satisfying the annual minimum income criteria to retain your residency permit.

37. BUSINESS VISA

The Business VISA is a type of short-term VISA that allows you to stay in the EU for up to 90 days out of 180.

In order to apply, you need to have a business intent or carrying some affairs in Italy requiring your presence.

To obtain such VISA, you must hold an invitation from a company based in Italy, inviting you to carry business in Italy.

Nothing to be said that the inviting company must be existing and registered at the local Chamber of Commerce as well as be currently trading.

The application can be submitted upon providing a health insurance with a minimum coverage of € 30,000, your hotel accommodation, and proof of solvency (3 months bank statement).

This VISA does not allow for any extension, nor apply for a different one.

With this VISA, you can move freely in the whole Schengen territory for the 90 days period.

38. STARTUP VISA

Italy is supporting new Startups through various tax incentives. On top of that, Italy grants a VISA for any qualifying startup idea.

Long story short, if you have a brilliant startup idea, you can be granted a VISA to move to Italy.

The procedure to obtain a Startup VISA is entirely online, bypassing the Italian immigration office as the procedure is administered by the Ministry of Foreign Affairs.

The applicant needs to fill the application form, provide evidence of minimum € 50,000, as well as the startup presentation deck.

At this stage, the applicant needs to forward the documents to the Italian Startup Committee ("ISC") which reviews the application and awards the VISA.

The ISC needs to provide a judgment on the startup business potential, therefore there is some uncertainty on the outcome. The ISC has the final word on the startup potential and its credibility.

Unlike other VISA option, the startup VISA is put under the judgment of a committee.

Once the ISC issues the *Nulla Osta*, you can apply for the VISA issuance at the foreign consulate, upon providing minimum income requirements of € 8,400 and a proof of accommodation.

Theoretically, this VISA has great potential and a wonderful intent. However, the ISC judgement has a great impact on the popularity of this route. If you are in business, it makes more sense to create an Italian representative office of your foreign company.

At least, the path is smoother and your chances of success are higher.

39. EU BLUE CARD

The EU introduced a common immigration pattern for highly qualified foreign workers, the so-called EU Blue Card.

How does the EU define high skills?

According to the EU regulations, any individual holding a Bachelor's degree upon completing three-year courses or certain workers with professional-technical qualification are considered to be highly skilled worker.

For instance, air pilots, engineers, accountants, lawyers, and programmers, among others, are considered highly skilled.

To such individuals, the quota system does not apply and they can carry out paid work on behalf of and under the management of third parties.

Furthermore, they can apply for an EU residence permit for long-term residents upon:

- 5 years of residence in any EU Member State;
- Holding the “EU Blue Card” for at least 2 years.

By meeting the abovementioned requirements, all holders of the EU Blue Card are granted an EU residence permit for long-term residents with the wording “Former holder of an EU Blue Card.”

Basically, to get an EU Blue Card, you must receive a job offer from Italy and your remuneration must be no less than € 27,000 gross.

EU Blue card, unlike the regular employment VISA, falls outside of the quota system, granting free access to Italy.

40. INVESTMENT VISA

If I buy a home, can I get a VISA? This is one of the most common questions we get. Unfortunately, buying a home is not a sufficient condition to be granted a VISA.

If you are interested in the Italian real estate market, you can check my e-book *The Italian Homebuyer's Guide*, which provides a thorough overview of the Italian real estate market.

Done with infomercial and back to our initial statement. The Italian government has introduced an Investment VISA, also renamed the *Golden VISA*, providing a VISA to investors. The logic is simple: you invest in Italy, you get a VISA. As simple as that.

What is a qualifying investment?

To secure this VISA, you are required to provide any of the below investments:

- € 2,000,000 in Italian government bonds;
- € 1,000,000 in a local Charity;
- € 500,000 in the paid-up capital of a private limited company;

- € 250,000 in the paid-up capital of an innovative startup.

The numbers seem fairly high, don't they? Is it worth to invest such monies into the program securing a VISA?

Regardless of the convenience, this program allows the investor to obtain an approval before transferring any money. Thus, when the money is invested, the VISA is secured at 100% rate.

Going back to the amounts to be invested, a common concern is that the government bond option is expensive and somehow risky. Italian government bonds have a low rating among the Western countries, furthermore, there are more savvy ways to invest such sums.

The alternative options are cheaper but riskier. In fact, what happens if you invest half a million in a private company in Italy and it goes bankrupt? Will you lose your money and your VISA?

The answer is yes. However, there are two strategies to circumvent it.

BASICS OF IMMIGRATION

First, you can invest the money in your own company. If you own the company you will invest the funds in, you are in control of your own money and you basically create a vehicle to store your investment for the VISA purposes. You can also use the company to make business and potentially create a new activity.

Alternatively, you can invest in any other company, but you can bind your investment to a so-called *patrimonio destinato*. Your investment becomes a subset of capital of the company which is preserved in case the company goes bankrupt.

Basically, if the company goes bankrupt, the creditors cannot repossess your investment as it is segregated from the company itself.

If you decide to go through the investor VISA path, you can be creative and avoid any pitfalls associated with your investment.

A good feature about the investor VISA is that it becomes applicable to the family members as well. This means they don't need to go through the family reunification VISA.

41. FAMILY REUNIFICATION

Family reunification is the right to family unity. It is the right to maintain, create or reconstruct a family unit. This fundamental right is protected by our Constitution and by other international and European conventional texts.

Family reunification is the legal institution that allows foreign citizens regularly residing on the national territory to obtain the entry and the consequent authorization to reside for one or more family members that are in the Country of origin.

Non-EU citizens regularly residing in Italy holding an EU residence permit for long-term residents or a residence permit lasting not less than one year, can request the family reunification for the following family members:

- Spouse;
- Underage children;
- Children of any age if unable to take care of themselves;
- Parents.

To apply for the family reunification VISA, the foreign citizen living in Italy has to prove a minimum gross income level, amounting to € 5,889.00 increase of € 2,945.00 per family member seeking reunification.

BASICS OF IMMIGRATION

If the foreign citizen applies for two family members, the minimum income is € 11,778.00.

Holders of a residence permit for family reasons can work as employed and self-employed without having to convert their permit into another type of residence permit.

Civil unions are defined as unions between two individuals of the same gender, through a declaration carried out before a Registry Office official and in the presence of two witnesses.

The parties acquire the same rights and assume the same duties, and they both have the obligation to provide mutual moral and material assistance and to cohabit.

Civil unions cannot be established if any of the two parties is already married or joined with another person. Should the civil union be dissolved, said dissolution has immediate effects and does not require any period of separation.

In order to celebrate a civil union, foreign citizens must hold a valid passport or equivalent document, as well as a clearance document to celebrate the civil union issued by the diplomatic authority of their Country of origin.

If the clearance document cannot be requested because the laws of the foreign citizens' State do not recognize civil unions between persons of the same gender or similar institution, the clearance document may be replaced with a certificate suitable to certify the subjects' free marital status.

Foreign citizens residing in Italy must submit a VISA application form to the local Immigration Office. Upon completing the online application, applicants have to submit the paper documents to the local Immigration desk to obtain a *Nulla Osta*.

This paper is sent to the foreign Italian Embassy or Consulate of the Country of origin or of residence of the family member to be reunified for the issue of an entry visa.

Upon arrival to Italy, the family member must file its residence permit application with 8 days from the arrival date.

42. FINAL NOTES

As you might have realized, there are multiple strategies to adopt if you want to immigrate to Italy.

BASICS OF IMMIGRATION

You must bear in mind that this book provides a framework for the general immigration strategies. However, there might be different nuances depending on the foreign consulate where you apply.

Each consulate has its own jurisdiction and might request further or additional documents to support your application, as well as restrict working hours or VISA issuance. Long story short, your experience with the Italian consulate varies depending on the local consulate itself.

If you want to think about moving to Italy permanently, you have to think in two steps. The first one is how to obtain the best and easiest VISA, while the second step is to settle down and potentially change VISA or residency permit once here. Remember that foreign consulates tend to slow things and processes down, therefore it is imperative to have a robust strategy prior to your application.

Are you ready to move to Italy?