

MAZZESCHI

Italian Immigration & Citizenship

March 2021, Vol 2

News, updates and curiosities on Italian Immigration
and Citizenship

CONTENT

Italian Immigration

- Can your fiancé re-join you in Italy?
- “Very special persons” Visas
- Which visa would suit you best if you are a Genius like Leonardo da Vinci?

Italian Citizenship

- Italian citizenship by investment: mind the Gap!

Living in Italy

- *Residenza*: what is it exactly under Italian Law?



These articles have been published during the period of Feb. 1st -28th in our website: www.mazzeschi.it

Can your fiancé re-join you in Italy?

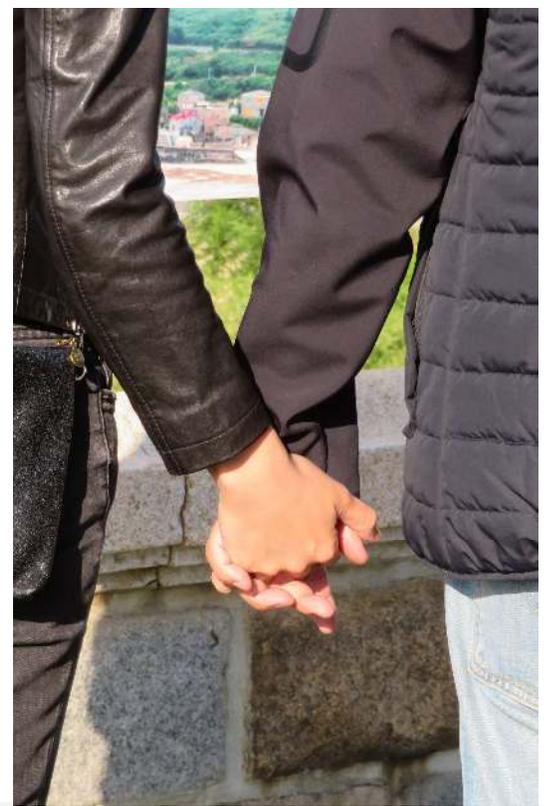


The return / entry into Italy, from countries specified in List E (click [here](#) to check the lists) is always allowed to Italian / EU / Schengen citizens and their family members , as well as holders of long-term resident status and their family members (Directive 2004/38 / EC).

The Prime Ministerial Decree of 14 January 2021 also confirms the possibility of entry into Italy, from the countries of list E, **for people who have a proven and stable emotional relationship (even if not cohabiting) with Italian / EU / Schengen citizens or with individuals who are legally resident in Italy (long-term residents), who must reach the home / domicile / residence of the partner (in Italy).**

Upon entry / return to Italy from these countries, it is necessary to fill in a self-declaration in which it must be indicated the reason for the entry / return.

This document must be shown to anyone responsible for carrying out the required checks and controls. It is advisable to have also any supporting documentation and to answer any questions from the personnel in charge.



“Very special persons” Visas

Foreign nationals who need to travel to Italy for reasons related to their political, governmental or public interest functions can obtain a mission visa (“visto per missione”). This visa can be applied for by:

- Government officers, employees of Public administration/public bodies or Employees of International organisations who are sent to Italy to perform their duties
- Private citizens whose importance and purpose of stay may be considered of public interest for relations between the home country and Italy



In particular, individuals who can be eligible for a Mission visa are:

- Officials employed by administrations of foreign countries on a work mission in Italy;
- Staff of the international organizations with which Headquarters Agreements are in force;
- Diplomatic personnel with no formal accreditation;
- Civilian personnel destined to serve at NATO military bases (military personnel are visa-free);
- Personalities and foreigners who hold high civil and religious offices;
- Personalities and members of delegations officially invited by the Italian Government;
- Participants in events and meetings envisaged by bilateral or multilateral agreements to which Italy is a contracting party;



The mission visa can be also issued to foreign correspondents – further to the issuance of a special clearance from the Ministry of Foreign affairs, Press service – and to close family members of the main applicant.

The application of the visa is filed directly with the Italian Consulate of residency. The visa can be issued for short stays (up to 90 days) or for longer stays. In case of intended stay of more than 90 days, the visa holder must apply for a residence permit (Permesso di soggiorno) within 8 working days of arrival, by submitting the application through an authorised post office.



Which visa would suit you best if you are a Genius like Leonardo da Vinci?

Try out Leonardo's mirror writing - *Try out Leonardo's mirror writing*

Leonardo: the Genius

[Leonardo da Vinci](#), was born near Florence in a period when Italy was divided in many different States. During his life he travelled and worked for the Medici in Florence, the Duke of Milan, the Pope and Cesare Borgia (Duke of Urbino), the Republic of Venice and finally also for the King of France.

Leonardo's mirror writing

Leonardo left behind [thousands of notes and manuscripts](#), which were over time to become located in their present collections in *the Victoria and Albert Museum, Windsor Castle, the Louvre, Biblioteca Nacional de España, Biblioteca Ambrosiana* (Milan). One collection is held by Bill Gates.

Many of these notes are written in mirror-cursive which was originally thought to be some sort of code, but then was attributed to da Vinci's left-handedness. He started writing at the right side of the page and moving to the left. Only when he was writing something intended for other people did he write in the normal direction.

The purpose of his mirror writing is unknown, but one idea is that it may have kept his hands clean. People who were contemporaries of Leonardo left records that they saw him write and paint left handed

He also made sketches showing his own left hand at work. As a lefty, this mirrored writing style would have prevented him from smudging his ink as he wrote. (*_)

Try It Out! Type a message to generate it in Leonardo's style.

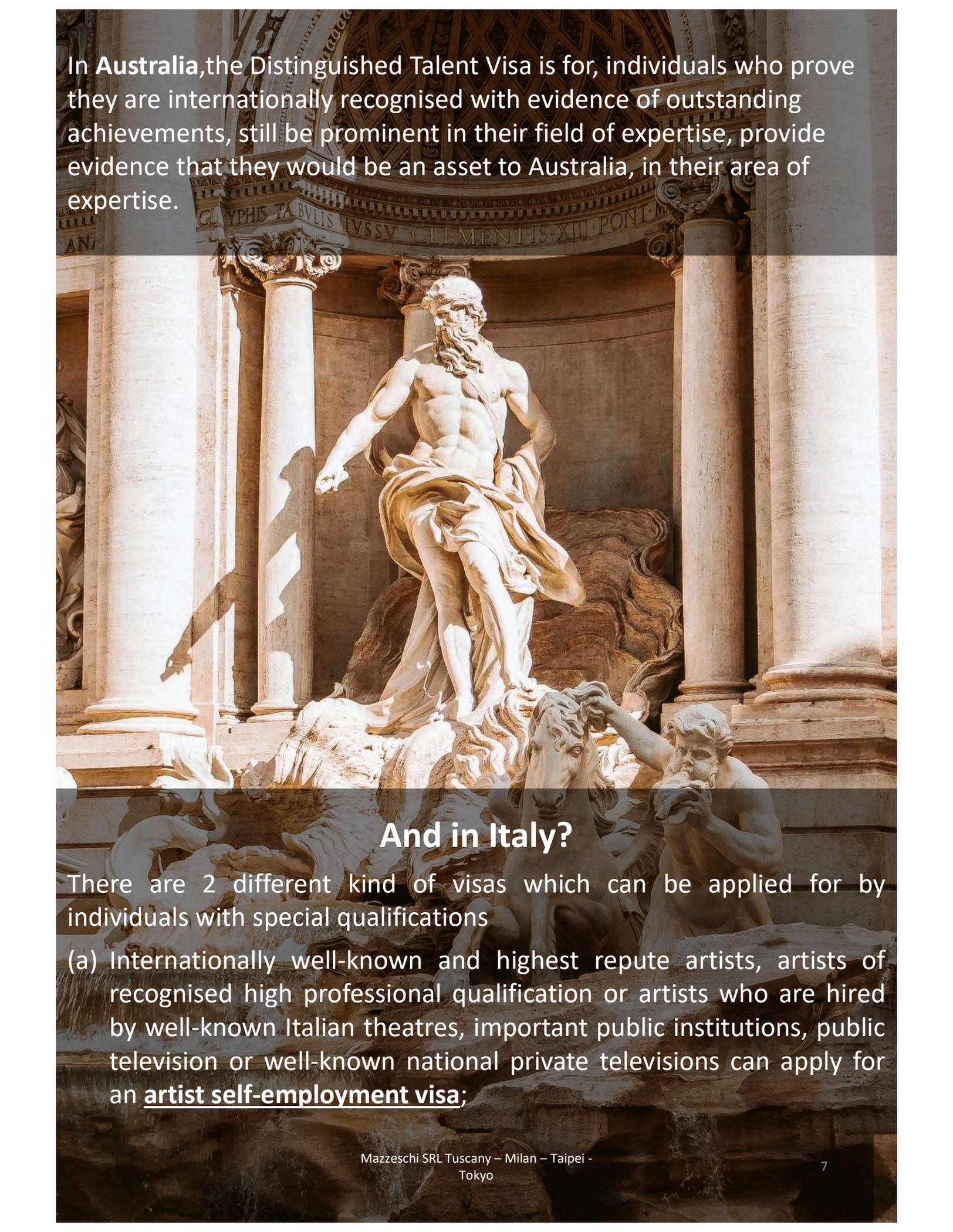


How a Genius could travel during the Renaissance?

At the time of Leonardo, an individual could travel to another State usually by obtaining a letter or permission denominated “salvacondotto” (safe-conduct) and it has been found the original malaconotid issued by Cesare Borgia to Leonardo dated 1502, where Leonardo was given the permission to travel freely within the territory after having been appointed by the Duke as “*Architecto et Ingegnero Generale*”.

Which visa could Leonardo obtain in present times?

Most countries have special visas to facilitate the entry and stay of individuals with special skills and who could be beneficial for the national economy. In **USA**, aliens with extraordinary ability in the sciences, arts, education, business, can obtain the O-1A visa. In **UK**, the Global Talent Visa is for whoever is a “leader or potential leader in academia or research, arts and culture, digital technology”. in **France**, the Talent Passport Foreigner of International or National Fame” (L313–20–10 °) visa can be obtained by any individuals who is able to prove to have national or international reputation, or to performers or anyone who has created a literary or artistic work.



In **Australia**, the Distinguished Talent Visa is for, individuals who prove they are internationally recognised with evidence of outstanding achievements, still be prominent in their field of expertise, provide evidence that they would be an asset to Australia, in their area of expertise.

And in Italy?

There are 2 different kind of visas which can be applied for by individuals with special qualifications

(a) Internationally well-known and highest repute artists, artists of recognised high professional qualification or artists who are hired by well-known Italian theatres, important public institutions, public television or well-known national private televisions can apply for an **artist self-employment visa**;

b) A **“mission visa” (visto per missione)** can be issued to foreign nationals who need to travel to Italy for reasons related to their political, governmental or public interest function, in particular:

- Government officers, employees of Public administration/public bodies or Employees of International organisations who are sent to Italy to perform their duties
- private citizens whose importance and purpose of stay may be considered of public interest for relations between the home country and Italy.

Work visas can also be obtained by **investors, entrepreneurs and startupper**.

What can you do if you are not a “Genius”?

In order to work in Italy, NON-EU citizens must obtain work authorization. Immigration for work purposes in Italy is based on a quota-system which is fixed annually by means of a Decree — the so-called *“decreto-flussi”*. The decree sets the numerical limits (quota) for each category of foreign nationals allowed to apply for a work permit and the period during which applications can be submitted. Work permits are normally granted on a “first come, first served” basis.

Extra Quotas Admissions

Several categories of workers are excluded from the cap and are not subject to a fixed limit, such as ICT assignments, highly qualified workers, executives or managerial employees assigned to the Italian branch of a foreign legal entity, university lecturers and professors, translators and interpreters, professional nurses, researchers, etc.

How to be hired with a local contract

If someone wants to be hired directly by an Italian company, an option could be the **EU Blue card** (Carta Blu UE — Art. 27-quater of Italian Immigration law), a work permit for non-EU highly skilled workers. It was introduced in Italy to implement EU Directive 2009/50. (*)

The EU Blue Card can be applied for at any time of the year, as it **is not subject to the limitations of the immigration yearly quotas**. To obtain the work permit, the applicant shall meet the requirements below:



- **3 year University diploma:** the foreign worker must be in possession of an academic degree awarded on completion of a University course of at least 3 years' duration and, if required, of the necessary professional qualifications (if the position offered is for a regulated profession). The degree must be validated by the Italian Consulate in the country where it was issued (Declaration of Value — *Dichiarazione di Valore*).
- **1 year job offer:** the applicant shall have a valid work contract to work in Italy or a binding job offer from an employer based in Italy.
- **High-level job position in Italy:** The position offered in Italy must be for a highly qualified position, falling within Level 1, Level 2, or Level 3 of Italian Institute of statistic jobs classification [ISTAT CP 2011](#).
- **Minimum € 25,000/year salary:** the salary offered must not be lower than 3 times the minimum wage to be exempted from national health care contributions i.e. € 24,789.

Italian citizenship by investment: mind the Gap!

A large red circular logo with a white horizontal bar across the center containing the text "MIND THE GAP" in white capital letters.

MIND THE GAP

Have you ever heard of **Italian Golden Visa**? Or about the **Italian citizenship by Investment**? – **Be careful when you hear (or read) these nice words.**

Italy is a very attractive country to migrate for various reasons, such as: it is a Member of the European Union, it has attractive prospects for investments,

it is widely known for its food, wine, history, design, manufacturing, luxury brands and it is also the third-largest economy in the EU.

However, if you are thinking of moving to Italy, be aware of any agencies, advisors or anyone else that offers helping to obtain Italian citizenship easily, in a very short period of time and regardless of not being resident in Italy for the necessary minimum time required, having a criminal record or not having sufficient income.

So far, there have been many cases where Italian authorities found out organized criminal groups that offer “an easy-path” to make the Italian dream come true.

Italian immigration and citizenship are not easy, however, there are many “legal paths” that allows you to come to Italy and live here.

So, it is highly important to understand your situation, your possibilities, your objectives and to find out the immigration option that fits you best.

Residenza: what is it exactly under Italian Law?

The first component of the residency is based on physical presence in Italy, which must be regular and



continuous, as opposed to sporadic and occasional. If an individual spends time both in Italy and in another country, the periods of presence outside of Italy are calculated and compared with the periods of presence in Italy to see which one is prevalent.

The second component of the residency is subjective; based on an individual’s intention to stay and live in Italy for the foreseeable future.

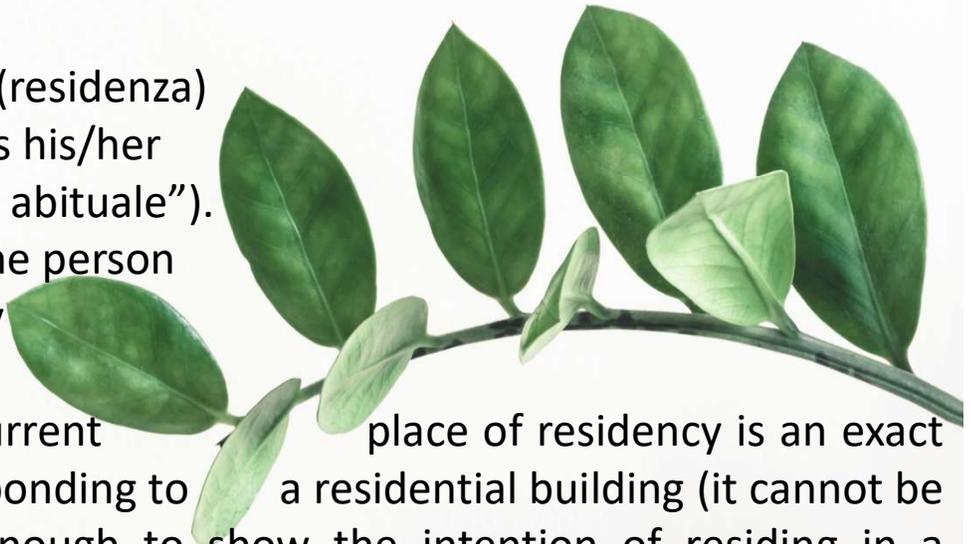
In order to determine an individual's intention to live in Italy on a regular basis, reference is made to a number of things, including but not limited to an individual's conduct, social and personal habits, working relationships, family relationships, business and personal activities.

The place of residency (*residenza*) is where the person has his/her "usual living" ("*dimora abituale*").

That is to say, where the person and family live on a day to day basis (art. 43 of

the Civil Code). The current address usually corresponding to

an office). It is not enough to show the intention of residing in a particular place; this must be assessed on the basis of objective grounds (i.e. the person/s must be physically present at the chosen address)



Disclaimer

The information provided on these articles (i) do not, and they not intended to, constitute legal advice; (ii) are for general informational purposes only and may not constitute the most up-to-date legal or other information (iii) may contain links to other third-party websites. Such links are only for the convenience of the reader; (iv) readers should contact their attorney to obtain advice with respect to any particular legal matter.

Contact information

Mazzeschi SRL

www.mazzeschi.it

info@mazzeschi.it

WRITERS

Marco Mazzeschi

Costanza Petreni

Giuditta Petreni

Yuu Shibata

MAZZESCHI



Mazzeschi SRL Tuscany – Milan – Taipei
Tokyo