

# GMS Flash Alert

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## Italy – Scrutiny of Integration Agreements and Points Earned by Foreign Nationals

Italy's immigration authorities are enhancing their scrutiny of the merit system – a points-based system that foreigners in Italy are subject to in order to obtain a residence permit – that forms part of the Integration Agreement that must be signed by immigrants upon entering Italy who hope to obtain a residence permit.

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### WHY THIS MATTERS

The Italian immigration office (SUI – *Sportello Unico per l'Immigrazione*) has started to check how many points non-European Union (EU) applicants have obtained in 2016. It is crucial that non-EU foreign nationals seeking to obtain a residence permit in Italy **obtain 30 credits within two years**. Also, “demerits” (or the removal of points) can occur if, for example, the individual is convicted of a crime or fails to attend training sessions on civic life in Italy.

Entitlement to the issuance of a residence permit will depend on an assessment which is made by the SUI. One month before the expiration of the two-year term, the Italian immigration office begins to assess the documents filed by the applicant or acquired by the office. In the absence of such documentation, the applicant may ask to be tested on his/her knowledge of the Italian language, civic culture, and civil life in Italy through a free-of-charge test administered by the *Direzione Generale per gli Italiani all'Estero e le Politiche Migratorie* or DGIT.

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### Background

The Integration Agreement is an agreement made between the Italian state and foreign nationals when they arrive in Italy for the first time, in which Italy's government agrees to support the integration process of foreign nationals and foreign nationals agree to achieve specific integration objectives. This agreement is based on the definition of integration as a process aimed at promoting the assimilation of foreign nationals in Italy.

The agreement has a duration of two years and is extendible for another year. The rules governing the agreement are contained in Art. 4-bis of the “Consolidated Law on the provisions concerning immigration and rules on the condition of foreigners” (Legislative Decree n.286/98)<sup>1</sup> and in Presidential Decree n.179/2011.<sup>2</sup>

This agreement is fundamental to getting a residence permit and being able to renew it.

The regulation which governs the Integration Agreement came into force on 10 March 2012. From this date, non-EU citizens entering Italy and seeking to apply for a residence permit with a duration exceeding one year must sign the Integration Agreement at the prefecture or at the provincial police headquarters.

The agreement obliges foreign nationals to learn the Italian language and the basic civic rules of life in Italy. Demonstrating an “A2” level of Italian and achieving other objectives (e.g., knowledge of Italy’s constitution, affirmation of adherence to Italy’s “Charter of the values of citizenship and integration,” etc.) earns, in each instance, a specific number of merits, or points. Thirty points are required to be earned within two years of signing the Integration Agreement before a residence permit can be issued. Upon signing the agreement, 16 initial credits are granted.

## Highlights of Basic Italian Language Requirement

The Integration Agreement mandates a minimum of an A2 level of spoken Italian within two years of signing the agreement, with the possibility of an extension bringing it to three years.

According to the guidelines of the Common European Framework of Reference for Languages: Learning, Teaching, Assessment (CEFR) for level A2, the foreign national must be able to answer questions about himself or herself, his or her family, work, the city in which he or she lives, things he or she buys wants to buy and things that are needed, etc.<sup>3</sup>

### FOOTNOTES:

1 Art. 4 bis of *Testo unico delle disposizioni concernenti la disciplina dell'immigrazione e norme sulla condizione dello straniero* (the “Consolidated Law on the provisions concerning immigration and rules on the conditions of foreigners”): <http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:DECRETO.LEGISLATIVO:1998-07-25:286!vig=3> .

2 *Decreto del Presidente della Repubblica 14 settembre 2011, n. 179* (Presidential Decree 179/2011): <http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legge:2011-09-14;179!vig=> . The Presidential Decree provided for the regulations that entered into force on 10 March 2012.

3 Common European Framework of Reference for Languages: Learning, Teaching, Assessment at: <http://www.commoneuropeanframework.org/cef/> .

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## Contact us

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*\* Please note that the KPMG International member firm in the United States does not provide immigration services.*

**The information contained in this newsletter was submitted by the KPMG International member firm in Italy.**

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