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GMS Flash Alert

Immigration Edition

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Italy - New Quotas for Work and Residence Permits

On 12 October 2020, Italy enacted the annual decree setting forth the quotas for 2020 that apply for different categories of foreign workers in Italy. The decree known as the "Decreto Flussi" explains in detail all numerical limits for each category of worker/citizen permitted to enter Italy with a relevant work permit, the timing for submission of the work permit request, and the terms and conditions around applying for a work permit.[1] (For coverage of last year's *Decreto Flussi*, see GMS *Flash Alert* 2020-078, 18 April 2019.)

WHY THIS MATTERS

In order to work in Italy, Italian immigration and labour authorities require non-European Union (EU) nationals to obtain a specific authorisation, the so-called "Nulla Osta al lavoro" (work permit). Every year the Italian labour authorities establish a limited number of work permits to be made available. Working visas are issued under the quota system and a pre-determined number of visas are set down in the decree.

Note: Formal international assignments (up to a maximum five years in duration) are not part of the quota system and they are permitted according to Italian immigration rules following specific procedures.

Categories of Individuals Covered by Decree

The government established a quota of 30,850 "units" for "seasonal," "non-seasonal" employees, and self-employed individuals (a "unit" is a "person").

These units are divided as described below.

Non-Seasonal Workers, Self-Employed Individuals and Conversion of Permits of Stay

The decree provides for 12,850 "units" allocated for foreign citizens who belong to the following categories:

- 100 units for non-European nationals, residing abroad, who have completed specific training programs in their home countries according to Article 23 of D.lgs 25 July 1998, n. 286.[2]

- 100 units for subordinate (non-seasonal) work and self-employment work for nationals who have Italian origins at least from one parent and resident in Venezuela (limited to individuals with third generation Italian ancestry).

- 6,000 units for subordinate (non-seasonal) workers in the following sectors: road transportation, construction industry, hospitality and tourism. These units are divided into:

    a) 4,500 units for subordinate (non-seasonal) workers from Albania, Algeria, Bangladesh, Bosnia-Herzegovina, Republic of Korea, Ivory Coast, Egypt, El Salvador, Ethiopia, Philippines, Gambia, Ghana, Japan, India, Kosovo, Mali, Morocco, Mauritius, Moldovia, Montenegro, Niger, Nigeria, Pakistan, Republic of North Macedonia, Senegal, Serbia, Sri Lanka, Sudan, Tunisia, and Ukraine;

    b) 1,500 units for subordinate (non-seasonal) workers whose home countries have specific migratory cooperation agreements for 2020.

- 5,760 units for the conversion of permits of stay to subordinate work, divided into:

    a) 4,060 units for holders of a residence permit for seasonal work;

    b) 1,500 units for holders of residence permits for study and training;

    c) 200 units for holders of EU long-stay residence permits issued by other EU countries.

- 390 units for the conversion of permits of stay to self-employment work, divided into:

    a) 370 units for holders of residence permits for study and training;

    b) 20 units for holders of EU long-stay residence permits issued by other EU countries.

- 500 units for self-employment work, divided into:

  a) Entrepreneurs who want to invest at least EUR 500,000 in a relevant sector of the Italian economy and hire at least three people;

  b) Individuals belonging to a professional association or enrolled with an official register of professionals (for example accountants, lawyers, etc.);

  c) Individuals who have corporate roles, as defined, in a company;

  d) Highly-qualified artists or those who are considered as international celebrities;

  e) Foreign citizens who want to start up an innovative enterprise, as defined, in Italy.

Seasonal Workers

For 2020, the Italian authorities have provided for 18,000 units for subordinate seasonal workers classified as follows:

- 1,000 units for people who have worked in Italy as seasonal workers in the last five years, for whom the employer applies for a multi-year work permit, and nationals of: Albania, Algeria, Bangladesh, Bosnia-Herzegovina, Republic of Korea, Ivory Coast, Egypt, El Salvador, Ethiopia, Philippines, Gambia, Ghana, Japan, India, Kosovo, Mali, Morocco, Mauritius, Moldovia, Montenegro, Niger, Nigeria, Pakistan, Republic of North Macedonia, Senegal, Serbia, Sri Lanka, Sudan, Tunisia, and Ukraine.

- 6,000 units for workers in the agricultural industry, whose work permit applications have been requested by the relevant agricultural associations (Cia, Coldiretti, Confagricultura, Copagri, Alleanza delle cooperative).

- 12,000 units (including 1,000 units for those who request multi-entry seasonal work permits) to be given as required by the labour inspectorate with a specific circular letter based on the need of each Italian region.

When to Apply

Applications for work permits must be submitted in Italian to the local immigration authorities via a dedicated website – applications are being accepted on 22 October 2020 starting from 9:00am for "non-seasonal" workers, self-employed individuals, and conversion of resident permits (with possible exceptions), and on 27 October 2020 from 9:00am for "seasonal" workers.

All applications can be submitted by 31 December 2020.[3]

FOOTNOTES:

1 *Programmazione transitoria dei flussi d'ingresso dei lavoratori non comunitari nel territorio dello Stato per l'anno 2020 – D.P.C.M. 7 luglio 2020 - GU N. 252 of 12 October 2020*.

2 Immigration Law, D.lgs. n. 286/1998.

3 To see *Circolare 12 ottobre 2020. Flussi d'ingresso dei lavoratori non comunitari nel territorio dello Stato per l'anno 2020* click here.

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Contact us

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