



## THE BLUE CARD AND OTHER PARTICULAR CASES OF ENTRANCE NOT PROVIDED FOR IN THE FLOW DECREE

Within the regulations of the Immigration Consolidation Act (Legislative Decree no. 286/98) regarding the entrance and stay in Italy of foreign nationals for work purposes, art. 27 et seq. contain a list of classes of workers for which a work permit is not necessary or – whenever requested – is be issued outside of the entry quotas periodically set by the Flow Decree.

The so called “**entries outside of quotas**” – that is to say entries for work reasons allowed during the entire year, for which no threshold exists (exception made for entries for traineeships, professional and non professional sports activities and for voluntary work) – and provide for a simplified procedure for the issuance of work permits.

Furthermore, in some cases (seconded managers, university professors, skilled workers seconded in Italy, maritime workers, trainees and journalists) the work permit procedure is entirely by-passed, and an application for entry visa can be filed – either directly or upon communication to the Immigration One-Stop Shop – to the Italian Consulates or Embassies abroad.

In particular, the categories of workers that can resort to said streamlined procedures include:

- Highly skilled workers – EU Blue Card (art. 27 quater)
- Managers or highly qualified personnel seconded in Italy (art. 27, lett. A);
- University Professors in charge of an academic assignment in Italy (art. 27, lett. C)
- Translators and interpreters (art. 27, lett. D)
- Domestic help in specific cases (art. 27, lett. E)
- Trainees and workers seconded for professional training (art. 27, lett. F)
- Skilled workers seconded in Italy (art. 27, lett. G)
- Maritime workers (art. 27, lett. H)
- Employees transferred due to contract work (art. 27, lett. I)
- Workers employed in circuses or travelling shows abroad; artists and technicians working in lyrical dramas, theatres, ballets and concerts; dancers, artists and musicians employed in entertainment facilities, theatres, radio or TV channels, within cultural or folk events (art. 27, lett. L-M-N-O)
- Professional athletes (art. 27, lett. P)
- Journalists (art. 27, lett. Q)
- Foreign workers that, according to international agreements in force in Italy, carry out researches or occasional work in the framework of exchange or youth mobility programs or placed *au pair*, (art. 27, lett. R)
- Professional nurses (art. 27, lett. R-bis)
- International volunteers (art. 27 bis)
- Researchers (art. 27 ter)

- Teachers/ professors in foreign schools or universities operating in Italy (law n. 103/2002)



## Highly skilled workers – EU Blue Card (art. 27 quater)

Within the Consolidated Law on Immigration (Legislative Decree n. 286/98), legislative decree no. 108/2012 introduced **highly skilled workers** as a category of workers that can enter Italy out of the quotas set by the Flow Decree.

A highly skilled worker is a foreign national owning:

- a) a high-school certificate, issued by the competent authority of the Country of origin, attesting the completion of a post-secondary higher education program of at least three years.

The professional qualification diploma, certified by the Country of origin, must be recognized in Italy and fall within the “levels 1 and 2 and 3 of ISTAT classification of CP 2011 professions” (available in the website <http://cp2011.istat.it/>).

The recognition is only required for the vocational qualifications and not for school degrees.

As for the recognition of non-regulated vocational qualifications (higher vocational qualifications not equivalent to a regulated qualification in Italy), the circular letter of Ministry of the Interior dated 7 December 2012 pointed out that either foreign nationals or employers shall submit the application to the Ministry of Education, University and Research (Ministero dell’Istruzione, dell’Università e della Ricerca, Direzione Generale per l’Università, lo Studente e il diritto alla Studio Universitario, Ufficio IX – Piazza J.F. Kennedy, n. 20, 00144 Roma), using the form attached therein.

The application, containing information on the qualified profession that foreigners intend to perform in Italy, shall be equipped with the following documents:

- Certified copy of the educational degree;
  - Certified copy of the foreign degree duly translated and legalized;
  - Certified copy, duly translated and legalized, of the educational curriculum including the exams passed and related grades.
- b) As to the regulated professions, the requirements stated by the legislative decree no. 206/2007. To know the competent authority to the recognition of each qualification **check the list**. These subjects are regulated by both Legislative Decree no. 206/2007 and by art no. 49 of the Italian Presidential Decree no. 334/2004 as subsequently amended.

A further condition provided for such entries is that foreigners must be hired for the performance of remunerated employment.

Foreign workers who entered Italy pursuant to art. 27-quarter are issued a residence permit called “**EU Blue Card**”. Such permits have a two-year validity in case of an open-ended labour contracts; in all the other cases, their validity shall have the same duration as the employment contracts.

Foreigners owning a EU Blue Card may have, during the first two years of legal work in Italy, some restrictions regarding both the working activities other than the “highly qualified” ones, and the possibility of changing their employers. In the former case, an absolute prohibition applies, whereas in the latter case any variation must be previously authorized by the competent Territorial Labour Authorities.

Family reunification is allowed independently from the duration of the residence permit, in compliance with the general terms and conditions provided for in art. 29 of the Consolidated Law on Immigration.

The new law provisions also regulate the status of long-term stay for the holders of the EU Blue Card; in such cases, the five years of regular stay can also be achieved by summing up periods of regular stay in another EU Member Country. It is however necessary for such migrants to regularly and uninterruptedly reside in Italy as EU Blue Card holders for at least two years.



## Procedure

The permit application (**form BC**) submitted by the employer shall be sent to the One-Stop Shop through the suitable IT procedure available in the website of the Ministry of the Interior (<https://nullaostalavoro.interno.it>).

In addition to the provisions of art. 22, paragraph 1, of Legislative Decree no. 286/1998 (i.e. guarantees on housing, residence contract proposal, etc...), employers shall also state:

- the binding job proposal **envisaging a duration of at least one year** for the performance of a working activity requiring a high vocational qualification;
- academic and vocational qualifications obtained by workers;
- the amount of workers' annual gross salary not lower than the triple of the minimum amount set for the exemption from the eligibility to healthcare spending (that is to say € **24,789**, namely 8,263 x 3).

After the issuance of the permit – within 90 days as from the filing of the application – foreign workers can apply for an entry visa to the Consulates or Embassies of their Country of origin, or – if already regularly residing in Italy for any other purposes – they can sign the residence contract directly at the One-Stop Shop for immigration. The entry visa is in any case necessary in case of applications involving for foreign nationals regularly staying in Italy under international protection, temporary protection or humanitarian reasons, besides for foreigners residing in Italy for seasonal work or seconded work under art. 27, letter a), g) and i) of the Consolidated Law on Immigration.

The work permit is withdrawn if foreign workers do not sign the residence contract at the One-Stop Shop for immigration 8 days as from their entrance to Italy, exception made for cases of “*force majeure*”.

A streamlined procedure is provided for **foreign nationals holding the EU Blue Card issued by another Member State**. 18 months after their legal stay in another EU Member State, in fact, foreign nationals can enter Italy for the performance of highly specialized work, with no need for a visa. In such case, employers shall submit the application for work permit within one month as from the foreigners' entrance to Italy.

In case of issuance of the permit, workers obtain an Italian EU Blue Card.

### Reference legislation

- c) [Legislative decree 28 June 2012, no. 108](#)
- d) [Circular letter Ministry of the Interior dated 3 August 2012](#)
- e) [Circular letter Ministry of the Interior dated 7 December 2012](#)



### Managers or highly qualified staff seconded to Italy (art. 27, letter A)

This case applies to managers or highly qualified employees of companies having their headquarter or offices in Italy, or representation offices of foreign companies having their headquarters in a Member State of the World Trade Organization. Pursuant to art. 40 paragraph 5 of the implementing regulation (Italian Presidential Decree 394/1999 and subsequent amendments), the highly qualified personnel must have been employed in the same sector for at least six months before the temporary transfer.

This applies to Italian and foreign companies operating abroad that ask for temporarily seconding their managers or staff with a particular knowledge of the Italian territory to a production unit of the same company or to another company belonging to the same group.

In compliance with [legislative decree no. 72/2000](#) seconded employees must be granted at least the minimum wage provided for by the national collective labour agreement envisaged for Italian or EU workers, as well as the payment of social security contributions envisaged by the Italian Laws. As to social security contributions, to existence of social security agreements between Italy and the country of origin must be assessed. Failing

such agreements, the seconding company shall pay the social security and insurance contributions according to the Italian regulations; if, conversely, such agreements are in force, employers will be exempted from the payment of contribution in Italy (however, through suitable documents, employers shall certify the situation of secondment to INPS, the Italian Social Security Service). Additional information is available in the website of [INPS](#).

Temporary transfers, whose duration depends on real company needs, **shall not exceed the maximum duration of five years, including eventual possible extensions**. At the end of the temporary transfer, open-ended or fixed-term hiring is possible within the seconding company.



## **Procedure**

The coming into force of [law no. 94/2009](#) (art. 1, paragraph 22, lett. r) introduces a distinction between an ordinary and a simplified procedure (devoted to employers who signed a **Memorandum of Understanding** with Ministry of the Interior **or joined an agreement signed by an organisation which the employer is member of**).



## **Simplified Procedure**

Employers entitled to follow the simplified procedure shall not apply for a work permit; rather, they simply need to submit to the One-Stop Shop on Immigration – by means of an on-line procedure – a communication containing the draft residence contract for employed work.

The communication shall be made through the **CD form**, available in the website of the Ministry of the Interior, destined to the sending of on-line applications (<https://nullaostalavoro.interno.it>).

The list of agreements signed is available in the website of the [Ministry of the Interior](#).



## **Ordinary Procedure**

This procedure applies to employers that did not sign/join any memorandum of understanding with the Ministry of the Interior.

The seconding company operating in Italy shall file a secondment permit request (**form D**) to the One-Stop Shop for Immigration through the on-line procedure available in the website of the Ministry of the Interior (<https://nullaostalavoro.interno.it>). The permit is issued following the approval of the relevant Labour Territorial Authority and the Police Headquarters.

Once such permit is obtained (the One-Stop Shop will issue it to the employer and will send it on-line to the relevant diplomatic representation), foreign workers will apply for the entry visa to the Consulate or the Embassy of their countries of origin.

It must be highlighted that managers and highly skilled staff can be also seconded to perform **self-employed activities** within the seconding company. In such case, the seconding company will not be in charge of applying for the work permit as in the case of employed workers; on the contrary, workers themselves shall directly file the application to obtain the entry visa from the Consulate or Embassy of their country of origin. Workers shall file the document certifying that no employed working activity will be performed. Workers shall file to the Labour Territorial Authority the contract for the provision of services, consultancy or others (see art. 40, paragraph 22, of the Implementing Regulation [Presidential Decree no. 394/1999](#) and subsequent amendments).

## **Additional reference legislation**

- f) Legislative Decree no. 72 dated 25 February 2000 (whose provisions, set to implement the Directive 96/71/EC on the secondment of employees from companies established in a Member Country, also apply to the secondment from companies set-up in a non-EU Country).



### University Professors performing an academic mandate in Italy (art. 27, lett. C)

Art. 27 of the Consolidated Law provides for a simplified procedure for University Professors entering Italy for academic or research purposes in universities or educational and research institutes operating in Italy. Unlike the other cases of entry out of quotas, where the stay cannot exceed the overall period of four years, including extensions or renewals, in this case a **permanent open-ended employment** is also allowed.



#### Procedure

The coming into force of law no. 94/2009, also in case University professors envisages both a simplified procedure (dedicated to Universities or National Research Institutes, either public or private, which signed a **memorandum of understanding** with Ministry of the Interior **or joining to an agreement signed by a member organization**) and an ordinary procedure:



#### Simplified Procedure

Public or private Universities or National Research Institutes entitled to follow the simplified procedure need to submit to the One-Stop Shop on Immigration – by means of an on-line procedure – a communication containing the draft residence contract for employed work.

The communication shall be made through the **CF form**, available in the website of the Ministry of the Interior, destined to the sending of on-line applications (<https://nullaostalavoro.interno.it>)

The list of agreements signed pursuant to art. 27 paragraph 1-ter is available in the website of the Ministry of the Interior.

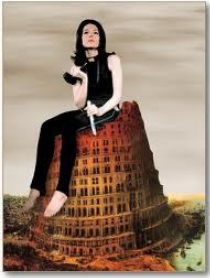


#### Ordinary Procedure

This procedure applies to public and private Universities or National Research Institutes that did not sign/join any memorandum of understanding with the Ministry of the Interior.

The University or National Research Institute shall file a university professor employment request (**form F**) to the One-Stop Shop for Immigration through the on-line procedure available in the website of the Ministry of the Interior. Such application shall also contain the name of the University/Research Institute of origin of the teacher/professor. Once such permit is obtained (the One-Stop Shop will issue it to the employer and will send it on-line to the relevant diplomatic representation), foreign workers will apply for the entry visa to the Consulate or the Embassy of their countries of origin.

It must be highlighted that university professors can also enter Italy to perform **self-employed activities**. In such case, the work permit shall not be requested to the One-Stop Shop for immigration; on the contrary, teachers/professors shall directly file the application to obtain the entry visa from the Consulate or Embassy of their country of origin. Workers shall file the document certifying that no employed working activity will be performed. Workers shall file to the Labour Territorial Authority the contract for the provision of services, consultancy or others (see art. 40, paragraph 22, of the Implementing Regulation Presidential Decree no. 394/1999 and subsequent amendments).



### Translators and interpreters (art. 27, lett. D)

Translators and interpreters can enter Italy out of quotas both for employed and self-employed working activities.



### Procedure

In case of **employed work**, the employer shall file a work permit to the One-Stop Shop for Immigration. The permit application (**form G**) shall be sent through the on-line procedure available in the website of the Ministry of the Interior (<https://nullaostalavoro.interno.it>). It shall contain the educational degree or the professional certificate as interpreter or translator, specifying the languages spoken by the foreigner. The title shall be a degree issued by a public school or a public or authorised institute, according to the current regulation in force in the issuing Country, duly approved by the relevant Embassy or Consulate.

In case of entry to perform **self-employed work**, the work permit is not necessary. Workers shall directly file the application to obtain the entry visa from the Consulate or Embassy of their country of origin. Workers shall file the document certifying that no employed working activity will be performed. Workers shall file to the Labour Territorial Authority the contract for the provision of services, consultancy or others (see art. 40, paragraph 22, of the Implementing Regulation Presidential Decree no. 394/1999 and subsequent amendments).



### Domestic help in specific cases (art. 27, lett. E)

Italian or EU citizens that after a stay abroad move to Italy are allowed to grant access to their domestic help in case they have been working for them as full-time workers for at least one year, in order to continue in Italy the domestic help activity started abroad. The application cannot be submitted in favour of the domestic help foreign citizens not being EU nationals.



### Procedure

The permit application (**form H**) shall be submitted through the on-line procedure available in the website of the Ministry of the Interior (<https://nullaostalavoro.interno.it>). The work contract signed abroad must be validated by an Embassy or Consulate, and the application shall bear the date on which the authentication was made. Once such permit is obtained, foreign workers will apply for the entry visa to the Consulate or the Embassy of their countries of origin.

Within eight days as from their entry to Italy, foreign workers shall go with their employers to the One-Stop Shop for Immigration to sign the residence contract and to apply for the residence permit.



### Trainees and workers seconded for vocational training (art. 27, lett. F)

The entries out of quotas for vocational training purposes as provided for by art. 27, lett. f, of the Consolidated Law on Immigration, are divided into two different categories pursuant to art. 40, paragraph 9 of the Implementing Regulation - Italian Presidential Decree n.394/1999 and subsequent amendments. The categories are as follows:

- a) entries to perform traineeships aimed to the completion of a vocational training path;
- b) entries to perform training following a temporary transfer of secondment decided by the employing organisation.

#### a) Traineeships

The Inter-Ministerial Decree dated 22 March 2006 defines the criteria and conditions according to which foreign nationals can perform periods of traineeship in Italy.

The trainees who entered Italy under art. 27 are entitled to a residence permit for study purposes that can be converted – differently from all the other permits issued under art. 27 – at the end of the traineeship and within the quotas, into permits for work purposes, provided that employers are willing to hire trainees with a regular work contract.

**For the year 2012**, the Decree issued by the Presidency of the Council of Ministers dated 16 October 2012 destined 6,000 quotas to the holders of residence permits for study, traineeship and/or professional training purposes, which can be converted into residence permits for employed work, and 1,000 quotas to those who intend convert such permits into residence permits for self-employed work.

The deadline for such applications is 30<sup>th</sup> June 2013.



#### Procedure

In compliance with the rules in force, foreign trainees do not need to apply for a work permit: they are issued an **entry visa** for study or training purposes directly by their Embassy or Consulate, within the limits of a quota annually determined. Despite being allowed out of the quotas set by the Flow Decree, entries for traineeships are by any means possible only in a limited number, determined on an annual basis by an Inter-Ministerial Decree.

**For the year 2012**, the Decree of the Ministry of Labour and Social Policy dated 12 July 2012 set the maximum number of 5,000 entries allowed for traineeships (such number is shared among autonomous Regions and Provinces as described in the annex to the decrees). The quotas are available until the 30<sup>th</sup> June 2013: after such date the Embassies – failing a new Decree – will stop issuing visas for traineeships.

The **traineeship project**, duly approved by the relevant authority pursuant to the current regulations of the Region where the traineeship takes place, shall be attached to the application form to be submitted to the Embassies or Consulates of the country of origin.

**Please note that** in compliance with Ministerial Decree n. 142/1998 traineeships are based on agreements between accredited professional training bodies (e.g., employment agencies, universities, schools etc.) that act as intermediaries, and public or private employers. Trainees are not required to sign the agreement, but also the training project attached, which will be signed by way of acceptance.

In general, traineeships are based on so-called framework agreements not aimed to the immediate placement of one or more trainees in a company. In any case, it is necessary for each trainee to enclosed to the framework agreement a training project containing a series of indications including, in particular, the procedures in which the traineeship is performed and its duration. Both the agreement and the project shall also provide that training bodies guarantee room and board to trainees; the traineeship agreement may also state that such burden is directly taken on by the employer.

### Reference legislation

- Law decree no. 138/2011 (converted in law no. 148/2011) – art. 11
- Circular letter Ministry of Labour n. 24 dated 12 September 2011
- Law no. 153/2012 (art. 1, paragraphs 34 and 35)
- Guidelines on traineeships (State-Regions agreement dated 24 January 2013)

## b) Vocational training

Entries for vocational training purposes are only allowed in the framework of a secondment work relation, namely in case foreigners are already employed by a company operating abroad and are temporarily transferred or seconded to an Italian employer or to a foreign employer operating in Italy for training purposes.



### Procedure

The seconding company operating in Italy shall file a work permit application (**form I**) to the One-Stop Shop for Immigration through the on-line procedure available in the website of the Ministry of the Interior (<https://nullaostalavoro.interno.it>). The application form shall include the training project approved by the Region and state the duration of the training period (never exceeding two years).

Once such permit is obtained (the One-Stop Shop will issue it to the employer and will send it on-line to the relevant diplomatic representation), foreign workers will apply for the entry visa to the Consulate or the Embassy of their countries of origin. Within eight days as from their entry to Italy, foreign workers shall go with their employers to the One-Stop Shop for Immigration to sign the residence contract and to apply for the residence permit.



### Skilled workers seconded to Italy (art. 27, lett. G)

The case regulated by art. 27, lett. G provides for the entrance out of quotas for **skilled workers** from Italian or foreign organisations operating in Italy with own headquarters, representation offices or branches, called to perform specific tasks for a limited period of time. Pursuant to art. 40, paragraph 11 of the Implementing Regulation - Italian Presidential Decree n.394/1999 and subsequent amendments, these activities shall include particular works or services for which specific experiences are needed.

The pre-requirement for the entrance of said workers is the existence of a **company link between the foreign seconding company and the Italian company**. Such link exists in case the secondment takes place in a production unit of the same company or within another company belonging to the same group.





## Procedure

The coming into force of [law no. 94/2009](#) (art. 1, paragraph 22, lett. r) introduces a distinction between an ordinary and a simplified procedure (devoted to employers who signed a **Memorandum of Understanding** with Ministry of the Interior or **joined an agreement signed by an organisation which the employer is member of**:



## Simplified Procedure

Employers entitled to follow the simplified procedure shall not apply for a work permit; rather, they simply need to submit to the One-Stop Shop on Immigration – by means of an on-line procedure – a communication containing the draft residence contract for employed work.

The communication shall be made through the **CL form**, available in the website of the Ministry of the Interior, destined to the sending of on-line applications (<https://nullaostalavoro.interno.it>

The list of agreements signed is available in the website of the Ministry of the Interior.



## Ordinary Procedure

This procedure applies to employers that did not sign/join any memorandum of understanding with the Ministry of the Interior.

The seconding company operating in Italy shall file a secondment permit request (**form L**) to the One-Stop Shop for Immigration through the on-line procedure available in the website of the Ministry of the Interior (<https://nullaostalavoro.interno.it>). The permit is issued following the approval of the relevant Labour Territorial Authority and the Police Headquarters. Once such permit is obtained (the One-Stop Shop will issue it to the employer and will send it on-line to the relevant diplomatic representation), foreign workers will apply for the entry visa to the Consulate or the Embassy of their countries of origin.



## Maritime workers (art. 27, lett. H)

Personnel employed in foreign contracting companies providing maritime services onboard of Italian cruise ships can entry Italy out of the Flow Decree quotas.



## Procedure

A work permit is not required for workers belonging to this category Entry visas are issued by Italian Consulates or Embassies in short terms and through simplified procedures. To require a visa, maritime workers shall attach to the application form a valid passport or a travel document, a copy of the contract between the foreign company and the Italian ship owner, the enrolment number of the ship in the International Register and the enlistment contract.

The visa issued allows maritime workers to stay also on board also when the ship sails in territorial waters or while it is docked in a national harbour.

Foreign maritime workers that intend to disembark in Italian harbours or in harbours located in the Schengen Area will receive **transit visa** in view of the confirmation of the presence of the ship issued by the relevant Italian Port Authority (section 17 of Inter-Ministerial Decree on Entry Visa dated 11 May 2011). For foreign maritime workers disembarking in Italian territories, general regulations on entries and stay – as provided for by the Consolidated Law on immigration – apply.



### Workers transferred following a tender contract (art. 27, lett. I)

Employees of foreign companies temporarily transferred to Italy to perform jobs subject to a tender contract signed by the foreign employer and individuals or corporate bodies located in Italy can enter Italy outside of the quotas.

In this case the work permit, the visa and the residence permit are issued for the time strictly necessary to carry out the job (maximum two years).



### Procedure

The entry procedure envisages the issuance of a work permit to be filed by the contracting authority operating in Italy to the One-Stop Shop for Immigration. The permit application (**form G**) shall be sent through the on-line procedure available in the website of the Ministry of the Interior (<https://nullaostalavoro.interno.it>).

The One-Stop Shop issues the work permit after assessing that the employer operating abroad grants to his/her employees at least the minimum wage provided for by the national collective labour agreement envisaged for Italian workers, as well as the payment of social security contributions envisaged by the Italian Laws. Once such permit is obtained (the One-Stop Shop will issue it to the employer and will send it on-line to the relevant diplomatic representation), foreign workers will apply for the entry visa to the Consulate or the Embassy of their countries of origin.

### Non-EU employees of companies having their headquarters in a Member State

Workers employed by employers having their headquarters in a Member State of the EU do not need to apply for a work permit, being it sufficient that the client **informs** the One-Stop Shop (through the on-line procedure - **form M2**) about the contract based on which services will be provided, together with a statement of the employer containing the names of the workers to be seconded and stating the regularity of their situation in relation to the residence and labour conditions of the EU Country in which the company has its headquarters. The sending of documents is aimed to the issuance of a residence permit, therefore workers can enter Italy without needing an entry visa (if coming from a Country of the Schengen Area), and can ask for the residence permit to the police headquarters after showing the receipt of the submission of the communication by the employer.

### Reference legislation

- Law no. 46/2007 (art. 27, sections 1-1bis)
- Circular letter of the Ministry of Interior dated 13 May 2008



Workers employed in circuses or in travelling shows abroad; artistic and technical staff in lyrical dramas, theatrical shows, ballets and concerts; dancers, artists and musicians employed in entertainment facilities, theatres, radio or TV broadcasters, cultural or folkloristic events (art. 27, lett. L-M-N-O)

A suitable entry to Italy outside of quotas is envisaged for a series of workers employed in the entertainment sector. In case of workers belonging to these categories, the work permit shall not be requested to the One-Stop Show for immigration, but to Ministry of Labour and Social Policy, in compliance with [circular letter no. 34 dated 31 December 2006](#). The permit is issued for an initial period not exceeding twelve months. An extension is possible, although in the case of dancers, artists and musicians employed in entertainment facilities, such extension is exclusively allowed for the continuation of the working relation with the same employer.

Workers in the entertainment sector can entry out of quotas to carry out a self-employed work. In this case, however, Embassies and Consulates issue the entry visas on the sole condition that applicants shall not work for producers or clients other than the ones for which the visa is issued.



### Procedure

The work permit shall be applied to the Ministry of Labour and Social Policy (or, in case of Sicily, to the Entertainment Employment Office of Palermo) using the [appropriate forms provided by the National Employment Office for the national entertainment sector – Directorate-General for employment – 2<sup>nd</sup> Division](#), by annexing the documents listed in the [Circular letter no. 34/ 2006](#).

The application can only be sent in a paper format through **Form A** annexed to [Circular letter no. 34/2006](#)

In case of **self-employed work in the field of entertainment**, the entry visa – both for short and long periods of time – is exclusively granted foreign artists of great renown or highly qualified professional skills, or to artists or bands employed by famous theatres, R.A.I. (the Italian public television), or particularly relevant public authorities. The requirements and condition for obtaining the visa are listed in Annex A to the [Inter-ministerial Decree dated 11 May 2011](#).



### Foreign athletes (art. 27, lett. P)

Another simplified entry procedure for work reasons concerns the workers that come to Italy to perform a **sports professional and amateur activity** for an Italian sports association.

In this case as well, these are not real entries outside of quotas, since every year a suitable Decree issued by the President of the Council of Ministers sets the maximum number of foreign athletes allowed to become members of Italian sports associations, a quota that CONI (the Italian Olympic Committee) subsequently shares among the Italian Sport Federations.

In the case of **season 2012/2013**, the [Decree issued by the Presidency of the Council of Ministers dated 18 January 2013](#) sets a limit to 1,352 foreign athletes.

This quota may include both the entry of athletes for employed or self-employed work, and the affiliation of foreigners already present in Italy with a regular residence permit for work reasons or family reasons. Such Threshold does not apply to coaches and sports trainers.



### Procedure

In this case the work permit is replaced by a **nominal statement of approval** by the Italian National Olympic Committee (C.O.N.I.) according to the procedure described by the CONI circular letters dated [19 June 2006](#) and [28 July 2011](#).

Once in Italy, professional athletes shall sign the residence contract at the competent One-Stop Shop and apply for a residence permit.

Self-employed athletes performing professional and amateur sports activities also need a nominal statement issued by the CONI that, together with the permit issued by the relevant police headquarters, shall indicate the personal details and the activity performed athletes, besides the information and the contacts of the company. In case of **non-EU amateur athletes**, the procedures to enter Italy are described in the [circular letter of Ministry of the Interior dated 2 March 2007](#).



### Journalists (art. 27, lett. q)

Entries out of quota are allowed to correspondents officially accredited in Italy and employees regularly paid by foreign mass-media including newspapers, radio and TVs.

#### Procedure

The work permit is not necessary, and the entry visa shall be directly applied by the worker to the Italian Embassy or Consulate in the applicants' countries.

[For more information](#)



[International Agreements]

**Foreign workers carrying out researches or occasional work in the framework of programs for the exchange of young people, mobility of youngsters or workers placed *au pair*, pursuant to current international agreements in force in Italy (art. 27, lett. R)**

These are entry options only available for short stays and in the framework of specific international Agreements in force in Italy.

In particular, as to **entries for working holidays**, they are exclusively reserved to young foreigners from Australia, Canada and New Zealand, given that specific agreements were signed with these countries only.

As for ***au pair* job placements**, they are only available to the citizens of the Countries that signed the Agreement of the Council of Europe on *au pair* placement of dated 24 November 1969, ratified by Italy through Law no. 304 dated 18/05/1973, namely Belgium, Bulgaria, Denmark, Finland, France, Germany, Greece, Italy, Luxemburg, Moldavia, Norway, Spain and Switzerland.



#### Procedure

As to **entries for working holidays**, it is not necessary to apply for a work permit in order to obtain the entry visa, which can be directly applied for to the Embassies or Consulates of foreigners' countries. The requirements and conditions to obtain visas are provided for in the specific international regulations, signed by Italy and formally in force.

The work permit, although not necessary for entry purposes, is needed in case foreigners intend to work in Italy. In such case, employers may apply for the work permit also after the entry of workers to Italy. The permit application (**form N**) shall be sent through the on-line procedure available in the website of the Ministry of the Interior (<https://nullaostalavoro.interno.it>).

The work permit is issued by the One-Stop Shop for Immigration for an overall period not exceeding six months, and allows foreigners to work for the same employer for no more than three months (without prejudice to the possibility of working for different employers for the maximum period of six months).

As to entries for ***au pair* placement**, the work permit shall be applied for before entering Italy and has a maximum duration of three months. The permit application (**form N**) shall be sent through the on-line

procedure available in the website of the Ministry of the Interior (<https://nullaostalavoro.interno.it>) that can be accessed through a free-of-charge registration.

The *au pair* employment contract (see the text of the form) shall be submitted, if required, to the One-Stop Shop, which will evaluate its validity for the purpose of the subsequent issuance of the work permit.



### Professional nurses (art. 27, lett. r-bis)

Particularly meaningful, given the shortage of nurses in Italy, is the case of professional nurses allowed to entry Italy out of quotas in compliance with Law no. 189/2002 (the so-called “Bossi-Fini Law”).

The work permit for the employment of foreign nurses residing abroad can be applied by both public and private healthcare facilities, cooperative companies, in case directly managing the entire healthcare structure (or a ward or service thereof), or by employment agencies.

In any case, the pre-requirement for the issuance of the work permit is that such foreigners are professional nurses whose educational degree was recognized by the Ministry of Health, and registered in a Professional Roll.

Unlike the other categories, professional nurses can also be employed with open-ended contracts in Italy.



### Procedure

Before applying for the work permit, in case the professional qualification was obtained in a non-EU Country, it is necessary to obtain the title recognition by the Ministry of Health.

The title recognition procedure shall be started by the employer interested in hiring the professional from the foreign country, or by the foreigner if already owning a regular residence permit in Italy. For recognition purposes, an assessment will be made not only of the degree owned, but also of the educational curriculum, since the title shall be translated and legalised by the diplomatic representation in Italy in addition to the entire educational plan, indicating the total number of hours of each subject and for each year of study.

Further details on the recognition procedure are available in the website of the Ministry of Health.

Once the title recognition is received, employers can apply for the work permit (**Form O**) through the suitable online procedure available in the website of the Ministry of the Interior (<https://nullaostalavoro.interno.it>).

Once such permit is obtained (the One-Stop Shop will issue it to the employer and will send it on-line to the relevant diplomatic representation), foreign workers will apply for the entry visa to the Consulate or the Embassy of their countries of origin.

**Please note that** in order to work as nurses in Italy it is necessary to be registered in the relevant Professional Roll (IPASVI). The registration in such Roll depends – besides on the ownership of the recognised title – on the passing of an exam aimed to evaluate the knowledge of the Italian language by foreigners, as well as of the special provisions regulating the professional practice in Italy. For this reason, after obtaining the work permit, foreign workers are issued an entry visa for a short period of time, allowing them to access the Italian territory to perform the exam and, once the exam is passed, to register in the relevant professional Roll and therefore being regularly hired (see Inter-Ministerial Decree dated 11 May 2011.)



## Researchers (art. 27 ter)

The procedures for the entry of foreign researchers were amended by the Law Decree no. 17 dated 9 January 2008. Such decree introduced within the Consolidated Law on Immigration art. 27-ter entirely dedicated to the entrance and stay in Italy for scientific research purposes.

The new regulations define the category of foreign citizens that can access such entry channel, specifying that such foreigners shall own a higher education title that in the Country in which it was obtained allows the access to PhD graduate programs.

Entries for scientific research also include Research Associates and Beneficiaries of post-graduation Scholarships; conversely, those that enter Italy to obtain a specialisation diploma, PhD, university master degrees, and specialisation courses not linked to the performance of research activities are excluded from this category, being it considered as an entry for educational purposes.

The work permit shall be applied by **one of the Research Institutes included the list of the Ministry of Education and Research**.

The permit application for scientific research purposes shall be based on an **agreement** signed between the Research Institute and the Researcher, with which the Institute undertakes to welcome the researcher and to provide a series of guarantees; on the other side, the researcher undertakes to develop a research project previously approved by the Institute. The agreement also regulates:

- The legal relationship between the parties
- The working conditions of the researcher and the resources at his/her disposal, which shall not be lower than the double of welfare allowances
- The coverage of travel expenses
- The signing of a healthcare insurance for the researcher and his/her family members, and the obligation for the Institute to register them in the National Healthcare System.

In case of denial of the permit, the agreement will automatically terminate.

The work permit for scientific research purposes can be requested also by foreign nationals already in Italy for other purposes, exception made for the cases of stay for applying for asylum or for temporary protection purposes. In such case, once the work permit is obtained, the residence permit for scientific research purposes is issued in lieu of an exemption from visa.

The residence permit for scientific research allows to perform research activities as employed worker, self-employed worker or in the form of scholarships to train to research. The holder of such permit, in case owning the same conditions and requirements as Italian citizens, may carry out a teaching activity linked to the research programme and compatible with the statutory and regulatory provisions of the Institute.

The owners of residence permits for scientific research purposes are **entitled to family reunification** under ordinary conditions, irrespective from the duration of the permit.



## Procedure

The permit application (**form FR**) filed by a research institute registered in the suitable roll kept by the Ministry for University and Research, shall be sent to the One-Stop Shop through the suitable on-line procedure available in the website of the Ministry of the Interior (<https://nullaostalavoro.interno.it>).

In case researchers intend to perform in Italy research activities in the field of **healthcare professions**, the visa is issued subject to the recognition of the educational title by the Ministry of Health; if medical activities are not provided, the legal responsible of the healthcare facility in which the research activity is carried out shall issue a specific statement to be sent to the diplomatic and consular authorities.

Once in Italy, researchers are entitled to a residence permit of the same duration as the research program, which can be renewed in case of extension of the program itself (after producing the renewal of the reception agreement).

Researchers can begin the research activities also before the residence permit is issued.

**Please note that non-EU foreign nationals already accepted as researchers from other EU Countries** may enter and stay in Italy without applying for a visa for a **maximum period of three months** in order to continue their researches.

In such case, researchers shall not apply for a residence permit; they will only send an on-line communication to the One-Stop Shop (**Form FC**) annexing the agreement signed in the other Country as well as a statement by the Institute in which they will perform their working activity in Italy. Conversely, in case of researchers who intend to stay in Italy for a period exceeding three months, a new agreement shall be signed and a residence permit shall be applied for.



### Entry and stay for volunteering activities (art. 27 bis)

Legislative Decree no. 154 dated 10 August 2007 provides a particular case of entrance out of quotas for international volunteers; this option is devoted to foreigners aged between 20 and 30, belonging to organisations promoting volunteering programs.

In the case in point, it is not a real entry “out of quotas” since every year a Decree sets the maximum number of foreigners allowed to participate in volunteering programs.

**Please note that entries for volunteering purposes – even if provided for by law – have not been activated yet**, since the above mentioned Ministerial Decree aimed to define the annual number of foreigners allowed to participate in volunteering programs has never been implemented.



### Teachers of foreign schools and universities operating in Italy (law n. 103/2002)

The law no. 103 dated 24 May 2002 allows entries out of quotas to foreign teachers employed in foreign schools operating in Italy for at least five years and authorized pursuant to Presidential Decree n. 389/94, as well as to university professors employed in Italian branches of foreign Universities or Academic Institutes as provided for by art. 2 of Italian Law no. 4/99.



### Procedure

Employers shall apply for the work permit on-line through **Form DS** available in the website of the Ministry of the Interior (<https://nullaostalavoro.interno.it>.)

Once such permit is obtained (the One-Stop Shop will issue it to the employer and will send it on-line to the relevant diplomatic representation), foreign workers may apply for the entry visa to the Consulate or the Embassy of their countries of origin.