



Staying in ITALY



LEGALLY

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A cura di:
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What is the Aim of this Guidebook?

Nowadays, access to information is a fundamental right for everybody and, in particular, for those who live far from their home country with all the related language problems and the need to comply with often-unknown rules. Being informed helps immigrants to have a better life in Italy and also helps Italians to better co-exist with immigrants. Actually, being aware of the existing rules is the first step to comply with them and be law-abiding.

Improving the rules without providing correct information – e.g. who must do what, how, when and where to do it – is not enough. Thanks to this guidebook, which will be constantly updated on the website www.interno.it, the Ministry of the Interior takes a further step forward in providing increasingly clear and exhaustive information on immigration procedures and rules to all immigrants and to all Italians concerned, including employers (both families and businesses), voluntary associations and institutions.

Informing immigrants may be considered a “reform”, as fundamental as others, aiming at facilitating integration and co-existence between Italians and foreign nationals. In this respect, it is crucial for the government not to be left alone.

The Minister of the Interior
Giuliano Amato



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Introduction

The Immigration Guidebook of the Ministry of the Interior provides foreigners and the Italians concerned with a new instrument to find an answer to all the questions on immigration procedures.

Made up of eleven easily accessible information papers, it describes the procedures concerning renewal of residence permit, family reunion, citizenship, school enrolment, etc. This meets clarity and transparency needs, strongly felt by foreigners and by the Italian families and businesses which are particularly interested in labour market procedures.



Further clarity is provided by the translation into the most common languages among the immigrants living in Italy: English, French, Spanish, Albanian, Russian, Chinese and Arabic.

Procedures and rules, however, are subject to amendments. For this reason, this guidebook can also be found on the website www.interno.it, where it is constantly updated taking into account amendments in the Italian legislation and procedures.



Hiring Foreign Workers at their **First Employment**

If you want to hire non-European Union foreigners living outside Italy, under the Quota Agreement “decreto-flussi” which sets the maximum number per year of non-EU foreigners who can be allowed to come and work in the Italian territory, you must submit an application to the Sportello Unico per l’Immigrazione at Prefettura (Front Desk for Immigration) of your residence or where your company has its legal headquarters, or where the worker will perform the job.

1. How to apply

If you already know **the worker you intend to hire**, you must submit to the Sportello Unico:

- Personal application for work authorisation;
- Documents proving availability of suitable accommodation for the foreigner in accordance with regional regulations;
- Proposed residence agreement (contratto di soggiorno) containing the essential elements of the agreement and your commitment to pay for foreign citizen's return journeys to their countries;
- Your commitment to notify the Sportello Unico of any changes regarding work relationship (termination of work relationship, change of working place, etc.).

But if you do not personally know the worker, you can - by submitting the above-mentioned documents - apply for work authorisation of one or more people registered in the employment listings at the Italian diplomatic or consular representation of those countries which have signed ad hoc bilateral agreements with Italy.

These lists are classified by country of origin and contain foreigners' personal

data, their professional qualification, their level of Italian language knowledge, their job preference (seasonal, temporary or permanent), as well as the information about their training and the job sector in which they should be hired.

2. Activities at the Sportello Unico Immigrazione: STAGE 1

In order to enable the Employment Centres (CPI) to publicise the job applications of workers registered in the employment listings, the Sportello Unico sends such information to all the Italian Employment Centres by electronic mail. It also publicises the information on its website and by any other possible means.

The Sportello Unico:

- seeks the opinion of the Questore (Provincial Police Chief) to find out if there are obstacles on the part of the worker that may hinder work authorisation;
- seeks the opinion of the Provincial Labour Office as to whether the required minimum contractual standards are met or not and the employer's income capacity.

In case of one of the above offices' negative opinion, the Sportello Unico rejects the application.

In case of positive opinion:

- The Sportello Unico summons the employer to collect the work authorisation and sign the contract;
- It sends the documents to the Italian Embassy/Consulate by e-mail.

It is always important to remember that Subordinate work authorisation is valid for **6 months** from the date of issue, during which the worker must come to Italy and sign the contract at the Sportello Unico.

3. What the worker must do:

Once the foreign worker has received the work authorisation from you, he/she shall apply for an appointment with the Italian Embassy or Consulate in his/her home country. The Embassy/Consulate to which all the documents, including work authorisation, have been sent by e-mail, notifies the foreigner of the proposed contract and issues him/her an entry visa within **30 days**. It also must notify the Ministry of the Interior, Ministry of Labour and Social Welfare, INPS and INAIL.

Within **eight days** of entering Italy, the worker must go to the Sportello Unico that issued the work authorisation to sign the residence contract and submit an application for the residence permit; **otherwise, he/she is considered to be in the national territory illegally.**

4. Activities at the Sportello Unico Immigrazione: STAGE 2

When the worker reports to the Sportello Unico, the officer must:

- ✓ Verify the visa issued by the Italian Embassy/Consulate and the worker's personal data;
- ✓ Issue the fiscal code;
- ✓ Make sure that the foreign worker signs

the Residence Contract;

- ✓ Issue the residence permit application form and forward the data to the relevant Questura (Provincial Police Headquarters).

5. Issue of the Residence Permit

After going to the Sportello Unico, the worker has to go to a post office where he/she will send the form picked up at the Sportello Unico with the relevant envelope. The post office issues a receipt containing two personal identification codes (user ID and password), that can be used to check the status of the application by logging on to the website www.portaleimmigrazione.it.

The Questura will send a mail to the foreigner at the address indicated in the application form or a text message to the mobile number indicated in the application form, informing the applicant of the date he/she must go to the Questura to submit the photos and be fingerprinted. The Questura will then send another mail or text message informing the foreigner to collect the residence permit.

Issue and Renewal of Residence Permit

1. Where to apply

If you are a foreign citizen, you can apply for the issue and renewal of residence permits for the reasons listed below only at the **post offices** with the logo **Sportello Amico**. You can seek the free help of the *Comuni (Town Councils) taking part in the experiment or of the Benevolent Institutions (Patronati) in filling in the forms.*

- ✓ Guardianship
- ✓ Religious reasons
- ✓ Elective residence
- ✓ Studies (for more than three months)
- ✓ Mission

- ✓ Renewal of political asylum
- ✓ Internship for job training
- ✓ Pending reacquisition of citizenship
- ✓ Pending employment
- ✓ Permanent Resident Permit for foreigners (*now called EC Long-Term Residence Permit*)
- ✓ Self-employed work
- ✓ Subordinate work
- ✓ Subordinate seasonal work
- ✓ Family
- ✓ Family, minor aged 14 – 18
- ✓ Special cases provided for by art. 27 of the Immigration Law

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- ✓ Application for stateless status (renewal)
For any other reasons you must go to the Questura.

If you have the **authorisation** and are applying for the residence permit for work or family reasons, you can go to the **Sportello Unico Immigrazione** (Front Desk for Immigration).

If you are a foreign family member of an Italian citizen or of an EU citizen and would like to apply for EC Long-Term Residence Permit (carta di soggiorno) for family member of an EU citizen, you can choose to either submit the application through the post office or directly to the Questura.

2. What to do at the post office

At all the post offices you will find the **yellow kit** to be carefully filled in following the instructions.

3. What to do at the Comune or Benevolent Institutions

Here you do not need the paper kit. You can get **free and qualified assistance** in filling in the forms.

4. Where to submit the kit

The application kit, in an open envelope, must be submitted to the **Sportello Amico of the post office.**

Remember that if you are applying for the renewal of your permit, you must also submit a copy of the expired residence permit. You must always show your passport.

The post office officer will issue you a **receipt** to be attached to the expired residence permit. This receipt *substitutes and has the same value as the renewal slip (cedolino) previously issued by the Questura.*

5. Costs

- **27.50 euros** to be paid using postal current account slip if you are applying for a residence permit valid for a period exceeding 90 days. The postal current account slip is available at the post offices with the Sportello Amico.

- **14.62 euros** for the revenue stamp (marca da bollo).

- **30 euros** to be paid to the post office officer while submitting the filled in application.

- *If you are a foreign family member of an Italian citizen or of an EU citizen and would like to apply for EC Long-Term Residence Permit (carta di soggiorno) for family member of an EU citizen, you do not have to attach the revenue stamp or pay the fee for the issue of the electronic residence permit.*

6. Issue of the Residence Permit

The Immigration Office at the **Questura** will send you a registered mail and a text message using the address and phone number indicated in the application form, summoning you to the police station to submit your photos and have your fingerprints taken. You will also be given an appointment to collect the **residence permit.**

7. Useful information

On the immigration web portal **www.portaleimmigrazione.it** you can find:

- General information about the application procedure;
- Addresses of authorised Comuni (Town Councils) and Benevolent Institutions;
- Addresses of post offices with Sportello Amico;
- The state of your application by inserting in the reserved area the *userid* and *password* indicated in the receipt you were given at the post office while submitting the application.

You can also use the following numbers:

800.309.309 (toll free) managed in cooperation with ANCI.

For general information and addresses of authorised Comuni and Benevolent Institutions. It is operational every day, 24 hours a day in Italian, English, Spanish, Arabic and French.

803.160 (toll free) of the Poste Italiane. **To find out the address of the post offices with Sportello Amico. It is operational from Monday to Saturday, from 8a.m to 8p.m.**

848.855.888 (at a cost of a local call). **For information about the state of applications. It is operational from Monday to Friday, from 8.00a.m. to 8.00p.m.**

Residence Permits to apply for at the **Questura**

The agreement between the Ministry of the Interior and Poste Italiane states that the following **9 kinds of residence permits** can be applied for at the *Questura* (Provincial Police Headquarters).

- ✓ Medical treatment
- ✓ Sport competitions
- ✓ Work holidays
- ✓ Humanitarian reasons
- ✓ Political asylum (application-issue)
- ✓ Minor age
- ✓ Justice
- ✓ Application for stateless status (issue)
- ✓ Integration of minor

New rules regarding permits valid for less than 3 months

From **2nd June 2007**, foreigners wishing to stay in Italy for **tourism, business, visits or studies** are not required to apply for a residence permit.

This change is contained in the **Law n. 68 of 28th May 2007**, issued in the Official Gazette n. 126 on 1st June 2007. According to the new rules, foreign citizens must simply report their presence in the national territory *complying with the formalities stated in the Minister of the Interior's decree dated 26th July 2007 (issued in the Official Gazette n. 181 on 6th August 2007)*. They have to directly report their presence to the border authorities when entering the country if they arrive from non-Schengen States and the border authority will stamp their travel document with a Schengen mark. If they are arriving from other Schengen States, they can directly report their presence to the *Questura* filling in the relevant form within 8 days of their arrival in Italy. If they are staying in a hotel/guest house, the hotel management will provide them with a copy of the hotel report, according to the law.

It is important that they do not stay in the Italian territory for a period exceeding 3



months or the shorter time indicated in the entry visa (if a visa is required) and that entry conditions are met.

Entry and stay in Italy for periods exceeding 3 months

Foreigners who would like to stay in Italy must apply for the residence permit.

Whoever arrives in Italy for the first time must apply for the residence permit within **8 days**.

A foreigner who is already in Italy and whose residence permit is about to expire must apply for its renewal within the time limit indicated below, and in any case not beyond **60 days** from its expiration.

In order to get a residence permit, it is necessary to have:

- Application form;
- Valid passport or any other equivalent document with the visa if required;
- Photocopy of the same document;
- 4 recent and identical passport size photos;
- Revenue stamp of 14.62 euros;
- Required documents for the type of residence permit one is applying for.

The application for **renewal** of the residence permit must be submitted at least:

- 90 days before its expiration, in case of a residence permit valid for 2 years;
- 60 days before its expiration, in case of residence permit valid for 1 year;
- 30 days before the expiration, in case of

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all other permits.

The **expiring date** of the residence permit is the same as the expiration of the entry visa:

- Up to **nine months** for seasonal work;
- Up to **one year** for subordinate work with a temporary contract, and for study or vocational training;
- Up to **two years** for self-employed work, for subordinate permanent work and for family reunion.

European Union Citizens

If you are a **European Union citizen**, you do not have to apply for the **EC Long-Term Residence Permit (carta di soggiorno)**. If you wish to stay in Italy for a period exceeding three months, you must go to the **Anagrafe (Register Office) of the Comune (Town Council)** where you live and apply for registration and you will receive a registration receipt.

Family Members of European Union Citizens

If you are a foreign family member of an

Italian citizen or of an EU citizen and you have entered Italy legally, you can directly apply for the EC Long-Term Residence Permit (carta di soggiorno) for a family member of an EU citizen at the Questura or through the post office.

In this case, you must complete the form and attach:

- ✓ Photocopy of passport or other equivalent document, with the visa if required;
- ✓ 4 passport size photos;
- ✓ Photocopy of certificates proving family relationship and if required, proof that the applicant is a dependent family member;
- ✓ Photocopy of EU citizen's receipt of application for registration at the *Anagrafe*.

Foreign family members of an EU citizen who can apply for the EC Long-Term Residence Permit are:

- Spouse;
- Direct descendants under 21 years old or dependent descendants as well as those of the spouse;
- Dependent direct ascendants and those of the spouse. ●

The EC Long-Term Residence Permit

1. Conditions of application

You can apply for the **EC Long-Term Residence Permit (Permesso di Soggiorno per Soggiornanti di Lungo Periodo - S.L.P)**, previously called **Carta di Soggiorno (Residence Card)** for yourself and your family members if:

- You have a residence permit and have been legally resident in Italy for a period of at least 5 years;
- Your minimum income is equivalent to the amount of the social security benefit. If you also apply for your family members the income is indicated in the following table:

NUMBER OF FAMILY MEMBERS (including the applicant)	REQUIRED INCOME
1 - 2 (one - two)	Annual income equal to the amount of social security benefit (5,061.68 euros for 2007)
3 - 4 (three - four)	Annual income equal to the double amount of social security benefit
5 (five) or more	annual income equal to the triple amount of social security benefit



The family members for whom you can ask an EC Residence Permit are those who are entitled to family reunion (spouse, minor children, minor children of the spouse or children born out of wedlock, adult children who are not self-supporting due to their health conditions, dependent parents).

If you apply for an EC Residence Permit also for your family members you shall attach a photocopy of suitable accommodation certificate.

2. How to apply

You must go to the post office where the application forms are **distributed** for free (**yellow kit**).

In order to fill in the application, please follow the instructions contained in the kit and in the paper "Issue-Renewal of the Residence Permit".

Together with the form (filled in and undersigned) you have to submit the following:

- ✓ Photocopy of the whole passport (or other equivalent document);
- ✓ Photocopy of the income tax return (Unico/CUD form relating to the previous year). Domestic workers (*colf/badanti* i.e. house helpers/caregivers) have to exhibit the INPS (National Social Security Insti-

tute) receipts or the statements issued by the INPS itself containing an analytical abstract of the contributions made;

- ✓ Police records certificate and registrations certificate regarding criminal proceedings (to be asked for at the Ufficio Casellario del Tribunale - Criminal Records Office of the Court);
- ✓ Copies of payslips for the current year;
- ✓ Certificate of residence and family situation;
- ✓ Postal slip certifying payment of the electronic residence permit (27.50 euros);
- ✓ Revenue stamp of 14.62 euros.

IT IS IMPORTANT TO REMEMBER THAT

The EC Long-Term Residence Permit:

- Is valid for an indefinite period;
- Is valid as *personal identification document for 5 years* (subsequently the applicant may ask for its renewal by submitting new photos)
- Cannot be granted to a foreigner who is a threat to State security and public order;
- Can be requested neither by holders of a permit for study, professional training, temporary protection, humanitarian reasons, **asylum application when the related status has not been recognised yet**, nor by short-term residence permits holders.

EC Long-Term Residence Permit for Live-in Spouse

How to apply

If you are spouse of a foreigner who holds an EC Long-Term Residence Permit or of a foreign national who has applied for an EC Long-Term Residence Permit you can apply for said permit for family reasons **by filling in the Form 1 (Modulo 1) of the yellow kit and sticking a 14.62 euro revenue stamp on it. (Form 2 shall be filled in only if you have your own income).**

Moreover, together with the form (duly filled in and signed) you have to attach the following:

- ✓ Photocopy of the whole passport (or other equivalent document);
- ✓ Photocopy of the income tax return of ▶

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the spouse (*Unico* or *CUD* form relating to the previous year) and **of your own income tax return, if any**. Domestic workers (*colf/badanti* i.e. house helpers/care-givers) have to exhibit copies of the INPS (National Social Security Institute) receipts or to show the statements issued by the INPS itself containing an analytical abstract of the contributions made;

✓ Criminal records certificate and registrations certificate regarding criminal proceedings (to be asked for at the *Ufficio Casellario del Tribunale* - Criminal Records Office of the Court);

✓ Photocopy of the official documents attesting the marital relationship (marriage certificate). If such a certificate comes from abroad, it has to be translated into Italian and authenticated by the Italian diplomatic/consular representation;

✓ Photocopy of suitable accommodation certificate;

✓ Postal slip certifying payment of the electronic residence permit (27.50 euros)

EC Long-Term Residence Permit for Minor Children over 14 Years of Age

How to apply

If you are a minor child over 14 living with a foreigner holding an EC Long-Term Residence Permit or of a foreigner who has applied for an EC Long-Term Residence Permit you can apply for said permit for family reasons by filling in the *Form 1 (Modulo 1)* and sticking a 14.62 euro revenue stamp on it.

Together with the form you have to attach the following documents:

✓ Photocopy of the whole passport (or other equivalent document);

✓ Photocopy of the official documents attesting the minor child status. If this documentation comes from abroad, it has to be translated into Italian and authenticated by the Italian diplomatic/consular representation (if the minor has entered Italy with a visa for family reunion, the above-mentioned documentation is not necessary);

✓ Photocopy of suitable accommodation certificate;

✓ Postal slip certifying payment of the electronic residence permit (27.50 euros)

EC Long-Term Residence Permit for Dependent Live-in Parents

How to apply

If you are a live-in parent of a foreign national holding an EC Long-Term Residence Permit or of a foreign national who has applied for an EC Long-Term Residence Permit you can apply for said permit for family reasons by filling in *Form 1* of the yellow kit and sticking a 14.62 euro revenue stamp on it.

Together with the form (duly filled in and signed) you have to attach the following:

✓ Photocopy of the whole passport (or other equivalent document);

✓ Photocopy of the income tax return of the child (*Unico* or *CUD* form relating to the previous year). Domestic workers (*colf/badanti* i.e. house helpers/care-givers) have to exhibit copies of the INPS (National Social Security Institute) receipts or to show the statements issued by the INPS itself containing an analytical abstract of the contributions made;

✓ Criminal records certificate and registrations certificate regarding criminal proceedings (to be asked for at the *Ufficio Casellario del Tribunale* - Criminal Records Office of the Court);

✓ Photocopy of the official documents attesting the parental status. If such a certificate comes from abroad, it has to be translated into Italian and authenticated by the Italian diplomatic/consular representation;

✓ Photocopy of suitable accommodation certificate;

✓ Self-certification on your residence and family situation;

✓ Postal slip certifying payment of the electronic residence permit (27.50 euros)

When submitting your application for EC long-term residence permit you have to pay 30 euros to the post office.

MINOR CHILDREN

■ *Minor children under 14 shall not submit a separate application from that of their parent (or parents) they live with. In this case parents, when applying for a residence permit or for an EC Long-Term Residence Permit shall ask for the registration of the minor child under 14 in their docu-*

ment by filling in the relevant part of Form 1.

- When a minor child registered in one of the parents' residence permit or residence card is 14, he/she will have a residence permit for family reasons until the age of 18 or the EC Residence Permit.

- The residence permit for family reasons allows the holder to access social services, to attend study or professional training courses and carry out subordinate or self-employed work, provided that he/she meets the minimum age requirements to work.

- The residence permit for family reasons is valid for the same length of time as the residence permit of the foreign family member who received the authorisation for family reunion and is renewable together with the permit belonging to said foreign family member.

- At the age of 18, the foreigner with the residence permit for family reasons is granted a residence permit for study reasons, access to work or work, depending on the relevant activity. ●

Asylum Application

1. You can apply for refugee status if:

In your home country you were directly and personally persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, or if there is a well-founded and proved reason to hold that you may be persecuted in case you return to your home country (in compliance with the Geneva Convention).

2. You cannot submit your application for refugee status in Italy if:

- You have already obtained refugee status in another State;

- You come from a State, other than that of your origin, that adheres to the Geneva Convention and where you stayed for a certain period of time but never applied for the refugee status;

- You have already been convicted in Italy of a crime against the State or State security, a crime against public security, or one of the following crimes: reduction to slavery, theft, robbery, vandalism and pillage, or a crime connected with the selling of and illegal trafficking in weapons and narcotics. The same applies also if you have been convicted of the crime of association with Mafia or for belonging to terrorist organisations;

- You have committed war crimes or crimes against peace and humanity.



3. Where to apply

- ✓ With the Italian Border Police Office on arrival; or

- ✓ With the Immigration Office of the locally competent *Questura* (Provincial Police headquarters) if in the place where you entered Italy there is not a Border Police Office.

4. How to apply

You can apply with the Police Office where you will receive ad hoc forms in which you will have to:

- State the reasons why you are applying for refugee status;

- Provide any other information and documents necessary for supporting your application;

- Attach a copy of a valid personal ID document (passport, ID card, etc.), if you have any, or provide personal details to Police Authorities by indicating an address where ▶

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your correspondence is to be sent to.

The *Questura* will provide you with a copy of your application and of any documents you have produced and will take your photo and fingerprints.

5. Who decides on your application?

The *Questura* will immediately send the application, together with the necessary enclosed documents, to the competent *Commissione Territoriale per il Riconoscimento dello Status di Rifugiato* (Territorial Commission for the recognition of refugee status). This Commission will decide whether to grant you the refugee status or not. There are 7 Commissions in Italy (Gorizia, Milan, Rome, Foggia, Siracusa, Crotone and Trapani). The *Questura* will send a notice to the address indicated in your application, specifying the date of the summoning at the Commission.

It is important that you always inform the *Questura* of any changes in domicile in order to receive all the correspondence. Remember that it is very important for you to appear before the Commission. In fact the interview will give you the opportunity to better explain your situation and the reasons why you fear persecution. If you do not appear before the Commission, they can decide on your application only by examining the available documents without listening to you.

6. What decisions can the Commission take?

The Territorial Commission will take the decision on your application within 3 days of the interview. They can decide one of the following:

- ✓ Grant you the refugee status;
- ✓ Reject your application, but even if you don't meet the requirements for obtaining refugee status, the Commission can independently assess the dangerousness of your repatriation and ask the *Questura* to issue you a **residence permit for humanitarian protection**. This permit is valid for

one year, is renewable and will allow you to work;

- ✓ Reject your application: in that case the *Questura* will order you to leave the national territory.

7. If you don't speak Italian

If you don't speak Italian, you can ask for an interpreter or a cultural mediator in filling in and writing out – if possible, in your language or in one of the most common languages (ENGLISH, FRENCH, SPANISH and ARABIC) – the information form and the statements concerning the reasons for your application.

8. What happens after applying?

■ When the Police Authorities ascertain that the *documents submitted are the right ones*, the *Questura* of the province where the application was submitted issues a residence permit valid for three months, which is renewable until the Competent Territorial Commission decides on the case.

■ If you have arrived in Italy *without ID papers stating your nationality and personal data*, or if your application for refugee status recognition is based on elements that need to be verified, you will be hosted in one of the **Identification Centres for a maximum of 20 days**. If within that time your application has not been examined by the Competent Territorial Commission yet, you will be entitled to leave the centre and will be given a residence permit valid for three months and renewable until the Competent Territorial Commission decides on the case.

If you don't have means of subsistence, you can ask the competent *Prefettura*, through the Police Authorities where you applied, to be hosted in a municipal reception centre for the whole period of examination of your application for refugee status.

9. Remember that at the Identification Centre:

- ✓ You will be guaranteed urgent ambulatory and hospital treatments;

✓ You will be allowed to receive, under no special conditions, visits from your family members, your lawyer, the UNHCR and any other organisations or bodies for refugees' protection recognized by the Italian Ministry of the Interior;

✓ You are not forced to remain at the Centre during the day, except during night-time, of course under the rules set by the body running the Centre. You can also ask the official in charge of the Centre to be away over an extended period of time – beyond the time set by the Centre's rules – because of special reasons (family, health);

✓ Non-authorized and unjustified exit from the Centre for a prolonged period is tantamount to your renunciation of your application for refugee status.

10. What can you do to appeal against the rejection of your application?

If you are hosted in an Identification Centre, you can – within 5 days of the rejection of your application – **make an appeal** to the President of the Territorial Commission, asking for your application to be re-examined. The appeal has to be based on new elements emerged after the decision of the Commission or on facts existing before but not considered by the Commission. The request for review will be decided on within 15 days.

In any case, within 15 days of notification of the rejection of your application by the Commission, you can **appeal to the Ordinary Court of Law** with territorial jurisdiction (if you are abroad you can do it through the Italian diplomatic representation).

In both cases, you can request the Prefetto (Prefect) of the province where you live to allow you to remain in the national territory until the decision on your appeal. You'll be notified of the Prefetto's decision within 5 days of the request and, in case your request is accepted, you will be informed of the conditions of your stay in Italy.

11. What happens if you are granted the refugee status?

■ The Commission will grant you the refugee status and give you a card proving you've been granted the refugee status.

■ Together with the card, the *Questura* will give you a travel document allowing you to go abroad and return to Italy (this travel document has the same validity period of the residence permit);

■ In order to get identity documents, you'll have to go to the *Comune* (Town Council) in your place of residence;

■ You will be entitled to a residence permit valid for two years;

■ You will have the same rights and duties as Italian citizens, only except some rights ensuing from the Italian citizenship (for example: the right to vote, to take part in competitions for public jobs, etc.).

■ If you need to obtain some certificates or documents from your home country to exercise a right in Italy, the Italian authorities will help you obtain them, or will issue certificates or documents substituting in every respect the official documents of your home country.

■ You absolutely cannot go back to your home country. If it happens, that could in fact cause the cessation of your refugee status because it would be considered as a manifestation of your will to avail yourself again of the protection of your country of origin. Likewise, any application for a passport at the diplomatic representation of your country in Italy will be considered as your will to avail yourself of the protection of your home country.

■ The personal document given to you by the *Questura* will allow you to travel abroad for a period not exceeding three months, without visa requirement. If you need to reside abroad for a longer period, for example for employment reasons, you have to apply for a visa at the diplomatic representation of the country you are planning to go, then you can start the procedure for the "transfer of responsibility" to that new State which will host you. ●

Family Reunion



1. Conditions of application

A foreign national, holder of an **EC** Long-Term Residence Permit or of a residence permit for subordinate work, self-employment, asylum, study, family or religious reasons, valid for at least one year, can apply for a family clearance for his/her family members, as a right to family reunion.

2. Family members concerned

- ✓ The spouse;
- ✓ Children under 18, even if they are the spouse's children or they born out of wedlock, unmarried or separated parents' children, provided that the other parent, if existing, gives his/her consent;
- ✓ Dependent children over 18, in case they cannot provide for their keep due to serious health conditions resulting in permanent inability to earn their living;
- ✓ Dependent parents who have not adequate family support in the country of origin or provenance.

3. Activities carried out by the Sportello Unico (Front Desk for Immigration)

■ If the above-mentioned conditions are met, application forms for an entry clearance (*nullaosta*) shall be submitted or sent to the competent Sportello Unico with the necessary documentation concerning adequate accommodation and required minimum income, as well as with a photocopy of your passport and residence permit.

■ The family member shall submit to the Italian Consular Authority in his/her country of residence supporting documentation in regard to family relationship, his/her minority or health conditions.

■ A receipt of the application and documentation received is given to the applicant by the *Sportello Unico*.

■ If all requirements are satisfied, the Sportello Unico issues an entry clearance within 90 days of application or rejects the application and informs the Italian Consular Authority.

■ Should the *Sportello Unico* not issue an entry clearance within 90 days of application, the family member shall submit to the Italian Diplomatic or Consular Authority abroad a copy of the receipt of the application and relevant documentation which was submitted to the *Sportello Unico* by his/her relative, in order to obtain an entry visa.

■ Within 8 days of arrival in Italy, the family member is required to go to the Sportello Unico where the entry clearance was issued. There, a form will be provided to be filled out and also an application form for residence permit. Failing to comply, the foreign national will be considered as illegally staying in the Italian territory.

■ A residence permit for family reasons entitles the holder to take subordinate work or self-employment, to be granted access to education and to health care provided by the National Health Service.

4. Family members entering with their relatives

In order to foster family cohesion and unit, if you hold an entry visa for subordinate work (with at least one-year contract), for continuous self-employment, for study or religious reasons, you can enter Italy with the same family members allowed to family reunion.

Relatives accompanying a foreign national holding an entry visa shall comply with the same procedure and submit the same documents as for family reunion.

The application for an entry clearance for a family member can be submitted by proxy.

The following documents have also to be submitted:

- ✓ Photocopy of the identity card of the proxy;
- ✓ Proxy for an Italian national or a foreign national legally residing in Italy to submit an application for an entry clearance for family members. The form for the proxy, which is available at the Italian diplomatic/consular representation, is filled in and signed before the official of the Italian Consulate by the foreign national who has already been granted an entry visa for the above-mentioned reasons.

A foreign family member of an Italian or EU national is not required to apply for an entry clearance at the *Sportello Unico*, but can apply for an entry visa directly at the Italian Embassy.

5. Issue of a residence permit

■ After having collected the application form from the *Sportello Unico*, the family member is required to send the aforesaid form through a post office. The relevant receipt with two personal identification



codes (userid and password), issued by the post office, will allow the foreign national to follow the status of his/her application on the website www.portaleimmigrazione.it.

■ The Questura (Provincial Police Headquarters) will notify the foreign national, at the address and mobile phone stated in the application, of the date he/she must go to the Questura to submit his/her photos and be fingerprinted, as well as of the subsequent date **to collect his/her residence permit.**

Foreign Minors

Foreign minors, although they have illegally entered the Italian territory, are entitled to the rights set out in the New York Convention on the Rights of the Child of 1989 where it is stated that in all actions concerning children *“the best interests of the child shall be a primary consideration”*.

In Italy the body established by law and responsible for monitoring residence conditions of foreign minors temporarily admitted on the national territory, as well as for coordinating activities of all authorities involved, is the Committee for Foreign Minors, established at the *Ministero della Solidarietà Sociale* (Ministry of Welfare).

Minors living in Italy can be subdivided into:

■ **“Accompanied”**, when the custody of a

minor is granted by formal order to a relative within third degree of kinship and legally residing;

■ **“Unaccompanied”**, minors who are in Italy either without their parents or other adults who are legally responsible for assisting or representing them.

1. Rights To education

All foreign children, also without valid residence permit, are entitled to attend any kind of school levels (and not only compulsory education). Enrolment of foreign minors is based on the same procedures and requirements as envisaged for Italian children and can be requested at any time of the school year.

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Minors falling under compulsory education are enrolled by their parents or guardians in the grade corresponding to their age unless the teachers' board decides that the child can attend a different grade, having regard to:

- School system in the minor's country of provenance;
- Evaluation of skills, qualifications and level of competence of the child;
- Course of studies in the minor's country of provenance;
- Educational qualifications, if any.

To health care

Foreign minors holding a residence permit (issued for minor age, guardianship, family reasons, social protection, asylum application or asylum) shall be registered by their guardians with the National Health Service (S.S.N.). Foreign children are entitled to all benefits ensured by the Italian health service.

Children shall be registered with their *Azienda Sanitaria Locale* (Local Health Unit) having jurisdiction over their residence or abode stated in their residence permits, submitting the following documents:

- ✓ **identity card;**
- ✓ **fiscal code;**
- ✓ **residence permit;**
- ✓ **self-certification regarding the minor's residence or abode** (a more than three-month stay in a temporary hosting centre is considered a person's place of habitual abode).

Once a person is registered, he/she can choose his/her family doctor and paediatrician.

During registration the person will receive the *Tesserino sanitario personale* (Personal Healthcare Card) and also to the following free services (or to pay only a reduced charge, known as "ticket", depending on the Italian region): examinations at health care centres, specialist examinations, home call, hospitalization, vaccinations, blood tests, X-rays, scans,

medicines, post-traumatic treatment, prostheses.

Foreign children without residence permit cannot be registered with the S.S.N. but they have the right to the necessary and urgent medical assistance and hospitalization, even in case of prolonged treatment, to treatment for any illness or injury, to programmes of preventive medicine. In any case, minors are granted access to:

- Treatment and measures regarding antenatal and postnatal care;
- Provision of necessary health care to a child;
- Vaccinations, according to the regulations and within the regional campaigns for preventive medicine;
- International prophylaxis services;
- Prophylaxis, diagnosis and treatment of infectious diseases.

To employment

Italy accords to foreign minors the same treatment envisaged for Italian minors regarding the right to engage in wage-earning employment (admission to employment only after the age of sixteen and after having completed compulsory education).

2. An "unaccompanied" minor

is also entitled to the right to:

Protection and assistance

Italy accords to an unaccompanied minor the same treatment envisaged for Italian minors in the field of protection and assistance to a minor.

In particular, the relevant rules provide for the following:

- ✓ **Accommodation in a place of safety** for an abandoned child provided by the competent local Authority (the *Comune* as a rule);
- ✓ **Starting a guardianship process**, if the child's parents are unable to exercise their parental responsibility;
- ✓ **Child Guardianship**, under the care of a family or an assistance centre, when the child is temporarily lacking a proper family

environment.

Guardianship can be decided upon by the *Tribunale per i Minorenni* (Youth Court) (judicial guardianship order) or by the Social Service Department of the local *Comune* (Town Council) when the minor's parents or guardian are unable to exercise their parental responsibility for the child. In that case, parents or guardian shall give their consent, along with the *Giudice Tutelare* (Guardianship Judge) who upholds and enforces this type of guardianship (consensual guardianship).

When an unaccompanied minor is found by an authority on the Italian territory he/she shall be reported to:

- ✓ the **Procura (State Prosecution Office) at the competent Youth Court, unless the minor is hosted by a family member (within fourth degree of kinship) able to care for him/her;**
- ✓ the **Giudice Tutelare for a guardianship order;**
- ✓ the **Committee for Foreign Minors, unless an asylum application was submitted.**



Not to be expelled

A foreign minor cannot be expelled, except on grounds of national security or public order (in that case, the Youth Court has jurisdiction).

However, an unaccompanied minor may be repatriated through a project of assisted repatriation aimed at guaranteeing the right to family unity.

The decision on whether a minor should be repatriated rests with the Committee for Foreign Minors which, on the ground of a specific investigation conducted in his/her country of origin, shall consider what is in the best interest of the child.

If the Committee for Foreign Minors rules that the minor should be repatriated, assisted repatriation is executed and the minor is returned to his/her family or to the competent authorities in his/her country of origin.

Unlike expulsion, repatriation does not imply a ban on re-entering the country for ten years.

Should a minor deem that repatriation is not in his/her best interest, he/she has the right to appeal, through his/her parents or guardian, to the Judiciary (either Ordinary Court of Law or Regional Administrative Court) against the decision of the Committee.

To a residence permit

All unaccompanied minors are entitled to be granted residence permits as minors, only on the basis of being under the age of eighteen (and as such they cannot be expelled).

A residence permit as a minor can be converted into a permit for guardianship if the Committee for Foreign Minors does not impose repatriation, and hence a guardianship order is issued by the Youth Court or by the *Giudice Tutelare* upon initiative of the Social Services.

A residence permit for guardianship entitles the holder to take employment under the Italian laws governing employment of minors and can be converted into a residence permit for study or employment, when majority is attained.

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If the guardian is a cohabiting foreign national who is legally residing in Italy, the minor is registered in the guardian's residence permit until he/she reaches the age of 14 when he/she can obtain his/her own residence permit for family reasons.

Applications for a residence permit for an unaccompanied minor shall be submitted by the person having parental responsibility, namely:

- ✓ **by a guardian**, if appointed;
- ✓ **by the legal representative** of the institution or assistance centre or local Authority, if the minor is placed under the care of an institution or assistance centre or if he/she is under the care of a local Authority.

To apply for asylum

Foreign unaccompanied minors have the right to apply for asylum, through the person having parental responsibility, if there are grounded reasons to believe that they can be persecuted in their home countries for reasons of race, religion, nationality, membership of a particular social group or political opinion.

Applications for asylum are examined by the **competent Territorial Commission for the Recognition of Refugee Status**. If a minor is recognized refugee status, he/she is entitled to a residence permit for asylum. Should the application be rejected, the Commission may request the *Questore* to grant a residence permit for humanitarian reasons, if they deem repatriation dangerous and in any case inappropriate. A minor has the right to appeal to the Ordinary Court of Law against the decision of the aforesaid Commission, through his/her parents or guardian (*see "Application for Asylum"*).

3. The age of majority

The possibility for a foreign minor to remain in Italy with a regular residence permit after attaining majority depends on the residence permit he/she held as a minor (for family reasons or guardianship), and on other circumstances and requirements.

When majority is attained, unaccompanied minors holding a residence permit for guardianship may apply for a residence

permit for study, employment seeking, subordinate work or self-employment, if:

- ✓ **They have completed three years' stay in Italy, that is, they entered before the age of fifteen;**
- ✓ **They were admitted to a two-year project of social and civil integration managed by a national private or public institution and registered in compliance with the law;**
- ✓ **They attend a course of study or are employed in compliance with relevant regulations or if they have signed a employment contract, although they have not started working yet.**

Minors holding a residence permit for family reasons may apply for a residence permit for study or subordinate work or self-employment when majority is attained.

Minors who were convicted of a crime before the age of eighteen can be granted a residence permit for social protection after having served their sentences, if they followed a programme of social assistance and integration.

The residence permit for social protection may also be granted by the *Questore*, upon proposal of the Social Service Department of the Comune, if the foreign minors were subject to violence and serious exploitation (prostitution, labour exploitation, etc.) and if their safety is in serious danger.

A residence permit for social protection entitles the holder to take employment and can be renewed. ●



Foreign Nationals and **Anagrafe**

Registration with the *Anagrafe* (Register Office) is a measure enabling the mayor or his delegate to check the foreign national's habitual residence within the municipal territory.

1. How to register

In order to register with the *Anagrafe*, you must be over 18. You must personally go to the *Anagrafe* of the *Comune* (Town Council) of your residence where you will be given a form to complete and sign.

Here you must also declare the residence in Italy of any family members under 18.

Together with the application, you must also produce:

- ✓ Residence permit valid for longer than 3 months;
- ✓ Valid passport or an equivalent document;
- ✓ Fiscal code;
- ✓ Documents proving your civil status containing data that are not shown in your passport (i.e. birth, marriage, divorce, kinship etc.).

These documents must be either:

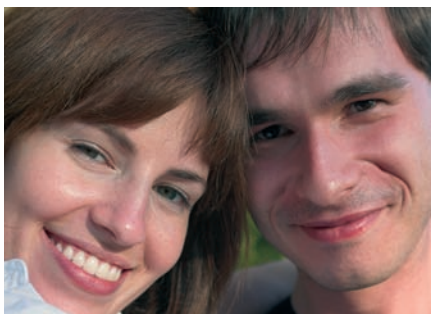
- original, issued by the competent authorities in the country where the event took place, translated into Italian and then certified;

or

- original, issued by the Consular Authorities of your own country in Italy with authentication of your signature at the local *Prefettura*.

If you are living in a reception or community centre, a residence statement signed by the person in charge is required.

Registration of the application is made only after the *Anagrafe* officer, through the *Polizia Municipale* (Municipal Police), has checked that you (and your family if the application also included them) are actually living at the given address. Only upon



confirmation can the application be registered with the *Anagrafe*. In this case, the date of the application submitted to the *Anagrafe* of the *Comune* will be the effective starting date of your residence.

2. It is important to know that

Being registered with the *Anagrafe* is fundamental for several administrative formalities, such as issuing a driving licence and enrolment in the *Servizio Sanitario Nazionale* (National Health Service).

■ All personal data (name, surname, place and date of birth, citizenship) indicated in your passport must match exactly the data in your residence permit.

■ Any registration, change or deletion at the *Anagrafe* will be officially communicated to the local *Questura* (Provincial Police Headquarters) which has territorial jurisdiction.

■ If you are not registered with the *Anagrafe* you must communicate any changes of address to the local *Questura*, which has territorial jurisdiction, within 15 days.

■ You must then declare your place of residence (also when changing place of residence or address) to the Tax Department of the *Comune* of your residence for the solid waste disposal tax. You will be given the relevant form to fill in at the counter of the *Anagrafe*.

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- If you have been living in a reception centre for more than 3 months and have relevant documentary evidence, the reception centre is considered to be your habitual abode.

Within 60 days of the renewal of your residence permit, you must again provide a statement of habitual residence to the *Anagrafe* officer of the *Comune* by enclosing a copy of your new residence permit. Otherwise your name might be deleted from the register of the *Comune*.

3. How to change place of residence

If you want to move to another *Comune*, you must send the application to the *Anagrafe* of your new residence, within 20 days of actual transfer.

When making your application, you must produce:

- ✓ Valid identity document;
- ✓ Residence permit or the application receipt for your expired residence permit renewal;
- ✓ Italian driving licence and/or owned vehicles registration documents (if any).

In your application, you must point out your personal details and the address where you intend to establish your new habitual abode. If you intend to live with another family, consent from the family situation certificate holder will be required. If the application also involves your family, all family member details are to be stated.

4. How to change address

If you want to change address within the same *Comune* in which you reside, you must duly apply to the *Anagrafe* of your residence by producing a valid identity document (passport or ID), a valid residence permit (of all those who intend to change address), an Italian driving licence and/or

registration documents of owned vehicles (if any).

5. Deletion from the *Anagrafe*

You should remember that your name will be deleted from the registers of the *Anagrafe* of the *Comune* of habitual abode or residence:

- In the event you move abroad or to another *Comune*;
- If, after repeated checks or according to the general population census, you are not found at the given place of residence;
- If you fail to renew your habitual abode declaration and one year has elapsed since your residence permit expired without applying for its renewal. In this case, you will be informed in advance and asked to renew the declaration within 30 days.

6. Identity card

In order to obtain an identity card, you must go to the *Anagrafe* and produce:

- ✓ **3 identical recent passport-size photographs;**
- ✓ **Valid passport;**
- ✓ **Valid residence permit or application for the renewal of the expired permit.**

You must remember that the identity card

- is valid for five years and is not valid for travelling abroad;
- does not entitle a foreign national to stay in Italy in the absence or on expiration of his/her residence permit, unless otherwise provided for by international conventions or agreements. ●



Education and Foreigner Nationals

In Italy, education is both a right and a duty, namely the right to study and the duty to attend school until the age of 16. Foreign nationals with a valid residence permit in Italy are granted education on the same conditions as applied to Italians.

Note: the legislation on residence permits for study was amended with Decree-law 154 of 10th August 2007- "Implementation of Directive 2004/114/EC on the conditions of admission of third-country nationals for the purpose of studies, pupil exchange, unremunerated training or voluntary service" published in the Official Journal 216 on 17th September, 2007.

1. Right to education for foreign children living in Italy

Foreign children:

- **Are eligible for education** on the same conditions as applied to Italians independently of their legal or illegal status;
- **Are obliged to attend school** according to the relevant laws in force;
- **May apply for admission** during any school term.

If foreign children do not have any identity documents or if they have irregular or incomplete papers, one of the parents or the legal guardian of the children must take full responsibility for certifying each child's personal details. In this case, foreign children are admitted on condition, without any detriment to final qualifications at the end of every level of education.

2. How to enrol

Children who must attend the school are enrolled by their parents - or by the legal guardian - in a grade corresponding to their actual age, unless the teaching board decides otherwise, taking into account var-

ious elements (home country school regulations; knowledge assessment, skills and educational level of the student; educational courses attended in their home country; any educational qualification).

3. Right to education for foreign adults living in Italy

Foreign adults are also entitled to receive education.

Their right to study allows them to learn Italian, which is their first need (literacy courses at various levels).

If you want to obtain a lower secondary school degree, you should apply to the school headmaster specifying your personal details and level of education. Moreover, you have to prove that you have a good knowledge of the Italian language and a valid residence permit.

If you have already attended compulsory education and wish to carry on with your studies, you can directly enrol at a higher secondary school in order to get the relevant degree.

4. Education for foreign nationals living abroad

Foreign nationals living abroad may attend higher education courses or technical-vocational training courses by applying for a student visa to the competent Italian diplomatic or consular authorities in their country of origin.

Requirements:

- ✓ Age over fourteen;
- ✓ Enrolment certificate on the chosen vocational or specialization training course issued by an Italian school or institute;
- ✓ Insurance policy for medical treatments and hospitalization, if not entitled to health care in Italy;

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- ✓ Proof of sufficient financial resources not less than half of the Italian minimum annual social security allowance;
- ✓ Documents proving that the foreign national has money to return to his/her country at the end of study.

Furthermore, it shall be determined:

- Conformity between education attained in their home country and courses in Italy;
 - Correspondence between school programmes in Italy and a foreign national's real educational and cultural requirements.
- As regards minors, restrictions and protective measures are to be taken.

5. What to do after having received a student visa

Having obtained a student visa, you must go to the *Questura* (Provincial Police Headquarters) in the place where you want to live and apply for a residence permit for study purposes within 8 days of your arrival.

If foreign students are under age, their parents or the legal guardian should apply on their behalf: the residence permit is issued within 20 days and has the same duration as the entry visa.

6. Study and work

By previous agreement with schools, residence permits for study purposes entitle foreign nationals to have subordinate work for no more than 20 hours a week and for a maximum of 1.040 hours a year. As regards minors, restrictions and protective measures are envisaged by the Italian child labour law and regulations.

UNIVERSITY ENROLMENT

Every year by 31st December, universities fix the number of places reserved for foreign students wishing to enrol on university courses for the following academic year. However, the admission of foreign nationals is subject to the availability of accommodation facilities at universities and the result of the entry examinations.

As to university enrolment, the competent Italian diplomatic or consular representation in the foreign national's country validate secondary school diplomas issued in the home country and give all information



about the local evaluation system and scale of grades, which determined the grade or the evaluation indicated in his/her diploma.

1. Where and how to apply for a study visa

You (and any of your relatives coming to Italy) can apply for your entry visa to the Italian diplomatic or consular representation in your home country.

Application shall state:

- ✓ All your personal details and those of your relatives;
- ✓ Essential data contained in passport or any other travel document;
- ✓ Destination country;
- ✓ Purpose of stay and its length.

When applying, you shall produce the following documents:

- ✓ Passport or any other equivalent travel document;
- ✓ Documents concerning travel purposes;
- ✓ Accommodation availability;
- ✓ Documents proving that you have enough funds to come to and stay in Italy;
- ✓ Certificate of validity in Italy of your secondary school diploma issued by the competent Italian diplomatic or consular representation in your home country.

2. When and how to renew residence permits

Residence permits for study purposes are renewed:

- If in the course of the **first year** you

have passed an examination;

■ If in **the following years** you have passed at least two exams (however, residence permits cannot be renewed for more than three years beyond the legal length of the degree course concerned).

Moreover, residence permits can be further renewed to obtain a PhD or post-graduate qualification for the whole length of the course, and at the end of the course for one more year.

3. Foreign students living in Italy

You are admitted to university on the same conditions as applied to Italians if:

■ You live in Italy and have a Long-Term Residence Permit or a residence permit issued for subordinate work, self-employment, family, political asylum or humanitarian protection and religious reasons;

■ You have lived in Italy with a regular resi-

dence permit for at least one year and have high education qualifications issued in Italy;

■ You hold final diplomas awarded by Italian schools abroad or by foreign/international schools operating in/outside Italy, recognized through bilateral agreements or specific legal provisions, irrespective of your place of residence.

4. How to change a residence permit for study purposes into a residence permit for work purposes

If you have graduated, you can change your residence permit for study purposes into a residence permit for work purposes independently of fixed migrant quota (their number will be deducted from the fixed migrant quota of the following year).

To this end, you must submit the relevant application to the *Sportello Unico per l'Immigrazione* (Front Desk for Immigration) and produce your university diploma. ●

Health Care for Foreign Nationals

EU and non-EU nationals registered with the *Servizio Sanitario Nazionale* (S.S.N. - National Health Service) are entitled to receive health care provided for by law and have equal treatment as Italian citizens regarding compulsory contributions, health care given in Italy by the S.S.N. and its time limit.

1. Foreign nationals required to register with the S.S.N.

■ Foreign nationals with a residence permit having a regular subordinate work, or self-employment, or being enrolled in the unemployment listings;

■ Foreign nationals with a regular residence permit or those who are renewing their permits for the following reasons: subordinate work, self-employment, family, asylum, asylum application, adoption, foster care, citizenship or religion;

■ Foreign nationals' dependent family members (with a valid residence permit) included in the above list.

Foreign nationals not falling within the above-mentioned categories do not have to register with the S.S.N.. Nevertheless, they have to take out a sickness, accident and pregnancy insurance policy, valid throughout Italy and extended to their dependent family members as well.

2. Where to register

In order to register with the S.S.N., you should go to the *Azienda Sanitaria Locale* (ASL - Local Health Unit) in your place of residence or where you currently live (as stated in your residence permit) and must produce the following documents:

- ✓ Identity card
- ✓ Fiscal code
- ✓ Residence permit

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✓ **Self-certification regarding your residence or abode** (a hosting centre where you have lived for more than three months can be considered your habitual abode).

When registering with the S.S.N., you will be able to choose your family doctor or paediatrician.

3. Registration validity

■ Registration with the S.S.N. is valid for the whole length of the residence permit, as well as during its renewal. This registration can be extended by simply producing all the papers proving the residence permit renewal application to the competent ASL.

■ In case of lack of renewal or revocation of the residence permit, as well as in case of expulsion order, the registration is no longer valid, unless the foreigner involved proves to have filed an appeal against the above measures.

4. Health care provided

On registering with the S.S.N., you will be given a **Tesserino sanitario personale** (*Personal Healthcare Card*) entitling holders to receive medical assistance either without payment or by paying a contribution (called **ticket**), the amount of which may vary according to the region they live in. This medical assistance consists of check-ups in out-patient departments, specialist examinations, home visits, hospitalization, vaccinations, blood tests, X-ray examinations, ultrasound scans, medicines, rehabilitative and prosthetic treatment.

FOREIGN NATIONALS NOT REGISTERED WITH THE S.S.N.

If you have a valid residence permit, but you are not among those having to register with the S.S.N., you have two opportunities:

a) you may voluntarily register with the S.S.N. along with your family members living in Italy. You may register voluntarily if:

✓ You have a residence permit longer than three months (with the exception of a permit for study purposes);

✓ You and your family members are on the list of the patients who can be treated by your residence ASL or, should it be your first registration, the ASL of the address stated on your permit.



You are not eligible for this registration if you have a residence permit for treatment purposes. Under those circumstances, you will receive medical assistance after paying the ASL the fees provided for by law, the amount of which may vary according to the region you live in. If lacking sufficient financial resources, in the event of accidents or sickness, you will be granted all out-patient treatments, as well as emergency or ongoing basic hospital assistance and all preventive medicine programmes (such as vaccinations) in accredited public and private health structures.

b) you may purchase an insurance policy - valid throughout Italy with an Italian or foreign insurance company - **which covers sickness, or accidents and prenatal care, as well as in case of pregnancy.**

Medical assistance is always provided

- ✓ During pregnancy and motherhood;
- ✓ For child health purposes;
- ✓ Through vaccinations, according to regulations in force and within general disease prevention campaigns approved by the different regions;
- ✓ Through international disease prevention programmes;
- ✓ Through infectious disease prevention, diagnosis and treatments.

Foreign nationals can state they are in need and that they are consequently unable to pay health treatment provided by the S.S.N. by means of a written self-certification to be submitted to the health structure giving medical assistance.

ILLEGAL FOREIGN NATIONALS

In the event of accidents or sickness, illegal foreign nationals without a valid residence permit are entitled to receive all out-patient treatments, as well as emergency or basic hospital assistance, even if ongoing, in accredited public and private health structures. To this end, illegal foreign nationals have to ask any ASL for a **card** called **STP (Straniero Temporaneamente Presente - Foreign National temporarily living in Italy)**, which is valid for six months and renewable.

In order to obtain this card, you will have to declare:

- ✓ All your personal details;
- ✓ Your lack of sufficient financial resources.

Illegal foreign nationals may ask that their names and family names are not specified on their cards.

The STP card entitles illegal foreign nationals to:

- ✓ Basic medical assistance;
- ✓ Emergency and non-emergency hospitalization, as well as day hospital treatments;
- ✓ Out-patient treatments, as well as emergency or basic hospital assistance, even though ongoing, in the event of accidents or sickness.

Hospitalization in health structures does not involve any report to public authorities. Sometimes (for national security reasons or under other serious circumstances) public authorities may ask for the foreign national's medical report, as also required of Italian citizens.

ENTRY AND STAY FOR TREATMENT PURPOSES

1. Where and how to apply for entry visa

If you want to be treated in Italy, you can - also with another person coming with you - ask for a specific entry visa to the competent Italian diplomatic or consular representation in their country.

Once in Italy and within 8 days of your arrival, you have to apply for the specific residence permit to the *Questura* (Provincial Police Headquarters) in the place where you want to be treated. Otherwise, your position will be considered illegal.

2. Documents Required

The application shall include the following documents:

- ✓ Medical certificate proving pathologies;
- ✓ Statement of the selected accredited Italian health structure, both public and private, specifying type, starting date and expected duration of treatment, as well as the length of any likely stay in hospital;
- ✓ Certificate proving that caution money was deposited in favour of the selected health structure (30% of total expenses according to the estimated treatment cost);
- ✓ Documents proving that you have enough money to pay the total amount of hospital charges, as well as board and lodging outside the health structure;
- ✓ Documents proving that you have enough funds to return to your country together with the person who came with, if any.

A translation into Italian of all documents issued abroad must be enclosed.

Citizenship

Italian citizenship is based on the principle of descent, according to which children having an Italian father and/or an Italian mother are Italian.

However, foreign nationals are eligible to be granted Italian citizenship in case of:

- A. marriage to an Italian citizen**
- B. residence in Italy**

A. GRANTING CITIZENSHIP BY MARRIAGE

1. You can submit your application

- From the date of your marriage if you are married to an Italian national and have resided legally in Italy for at least six months;
- Three years after your marriage if you live abroad.

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During these periods, no dissolution, annulment or cessation of all civil effects of your marriage should occur and no legal separation should be underway.

2. What to do

The application for the Italian citizenship shall be submitted to the *Prefettura* in the foreign national's place of residence, by properly filling in the application form on which a 14.62 euros revenue stamp has to be stuck.

If you live abroad, you can submit your application to the competent Consular Authority three years after your marriage.

3. Documents Required

The application shall include the following documents:

- ✓ **Summary of birth certificate** translated and authenticated in conformity with all relevant instructions given in the application form;
- ✓ **Criminal record certificate** issued in your home country duly translated and authenticated in conformity with all relevant instructions given in the application form.

Filling in the various special sections of said application form, you can self-certify:

- ✓ Place of residence;
- ✓ Family situation;
- ✓ Legal position in Italy.

Likewise, filling in and undersigning another special section of said application form, you can submit an attested affidavit substitute declaration instead of the following documents:

- ✓ Italian citizenship certificate of your spouse;
- ✓ Papers proving marriage validity.

EU nationals can self-certify their legal position in their home country by simply filling in a special section of the application form.

Political refugees can submit an attested affidavit substitute declaration regarding their correct personal details and their legal position in their home country.

If the aforesaid required papers are irregular or insufficient, on submitting your

application, the *Prefettura* will ask you to duly regularize or complete all documents within a fixed date: if you do not meet this deadline, your application will be rejected.

The Italian citizenship granting procedure has to be concluded within 730 days of submitting the application, provided that there are all the required documents.

At the end of the preliminary inquiry stage, after a favourable opinion expressed by the *Prefettura* and once ascertained there are no hindrances for national security reasons, the Italian citizenship granting decree is prepared and signed by the Minister of the Interior and then notified to you by your residence *Prefettura*.

Within 6 months of the notification of this decree, you have to make an oath in the *Comune* (Town Council) of your place of residence: from the following day you will acquire the Italian citizenship.

Once acquired the Italian citizenship, you are not compelled to renounce your nationality.

4. Rejection of the application

The application for the Italian citizenship is rejected:

- For national security reasons;
- When a final judgement was passed against the applicant for particularly serious crimes either in Italy or abroad.

B. GRANTING CITIZENSHIP BY RESIDENCE IN ITALY

1. You can submit your application if

- You are a non-EU national and have legally lived in Italy for at least ten years;
- You are a EU national and have legally lived in Italy for at least four years;
- You are a stateless person or a political refugee and have legally lived in Italy for at least five years;
- You are a child or a second degree lineal grandchild of Italian nationals by birth and have legally lived in Italy for three years;
- You were born in Italy and have legally lived in Italy for three years;
- You are a person of age, adopted by an



Italian citizen and have legally lived in Italy for five years after your adoption;

■ You worked for the Italian State, even abroad, for at least five years (in case of service abroad it is not necessary to have your residence in Italy and you can submit your application to the competent consular authority).

2. What to do

The application for the Italian citizenship shall be submitted to the *Prefettura* in the foreign national's place of residence, by properly filling in the application form on which a 14.62 euros revenue stamp has to be stuck.

3. Documents required

Al formulario de solicitud deberá acompañarse la siguiente documentación:

✓ **Summary of birth certificate** with all personal details (except for foreign nationals born in Italy) translated and authenticated in conformity with all relevant instructions given in the application form (to be submitted to the *Prefettura*);

✓ **Criminal record certificate** issued in the foreign national's country of origin duly translated and authenticated in conformity with all relevant instructions given in the application form.

By filling in the sections of the application form, you can self-certify:

- ✓ Place of residence;
- ✓ Family situation;
- ✓ Legal position in Italy.
- ✓ Last three years' income.

EU nationals can self-certify their legal position in their home country by simply filling in a special section of the application form.

Political refugees can submit an attested affidavit substitute declaration regarding their correct personal details and their legal position in their home country instead of the aforesaid documents, as well as a copy of the recognition of their refugee status.

If the aforesaid required papers are irregular or insufficient, on submitting your application, the *Prefettura* will ask you to duly regularize or complete all documents within a fixed date. Non-fulfilment entails the rejection of the application.

At the end of the preliminary inquiry stage, after a favourable opinion expressed by the *Prefettura* and once ascertained there are no hindrances for national security reasons, the Italian citizenship granting decree is prepared.

The Italian citizenship granting procedure has to be concluded within 730 days of submitting the application, provided that there are all the required documents.

Once acquired the Italian citizenship, you are not compelled to renounce their nationality.

Upon proposal of the Minister of the Interior, the President of the Italian Republic signs the Italian citizenship granting decree, which is afterwards notified by the competent *Prefettura*. Within 6 months of the notification of this decree, you have to make an oath in the *Comune* of your place of residence: from the subsequent day you acquire the Italian citizenship.

4. Rejection of the application

Discretionary power in administrative matters is provided for by law as to document evaluation. The application for the Italian citizenship may be rejected for national security reasons, as well as for other reasons, such as: short legal residence time, lacking financial resources, previous convictions or low integration level. ●