

Mobility: immigration alert

March 2017

Italy

2017 work permit quotas for non-EU nationals released

Executive summary

Italy has recently published its 2017 Immigration Quota Decree ("Decreto Flussi") allowing non-EU nationals who fall within the circumstances set out in the Decree to obtain a work permit. Applications can be filled in starting from 14 March but for the submission it will be necessary to wait until 20 March, and those seeking permits should make the applications as soon as possible to increase the chance of success.

Background

Work permits are not always immediately available in Italy - it can be necessary to wait until the appropriate quotas are released by the Government in order to apply. An Immigration Quota Decree is normally issued on a yearly basis, since the Government reviews the actual need for immigration permits each year.

The Decree sets quota limits for each type of permit and also outlines the period during which applications can be submitted. Permits are normally granted on a first come, first served basis.

These quotas do not apply in respect of Intra Company Transfer (ICT) permits for assignees.

The content of the 2017 Quota Decree

The Decree has set a total quota of 30,850 permits, to be allocated amongst the following categories:

- ▶ Non-Seasonal Workers -Total 3,000 permits:
 - ▶ Foreign nationals who have completed specific educational programs in their home country: 500 permits.
 - ▶ Certain officers and administrators of Italian companies (restrictions apply), plus certain self-employed individuals from the following categories: a) Entrepreneurs (restrictions apply), b) Freelance workers, c) Highly skilled or renowned Artists d) Founders of Start-up companies: 2,400 permits.
 - ▶ Foreign nationals resident in Argentina, Brazil, Uruguay or Venezuela, with Italian ancestry: 100 permits.
- ▶ Conversion of existing permits - 10,850 permits:
 - ▶ Conversion of seasonal permits into standard sponsored work permits 5,750 permits.
 - ▶ Conversion of study/internship/training permits into subordinate work permits: 4,000 permits.
 - ▶ Conversion of certain long term residence permits ("permesso di soggiorno CE") issued by another EU member State into subordinate work permits: 500 permits.
 - ▶ Conversion of study/internship/training permits into independent work permits: 500 permits.
 - ▶ Conversion of certain long term residence permits ("permesso di soggiorno CE") issued by another EU member State into independent work permits: 100 permits.

▶ **Seasonal workers - 17,000 permits:**

- ▶ Seasonal workers in touristic and agriculture field - who are nationals of the following countries: Albania, Algeria, Bosnia-Herzegovina, Egypt, Ethiopia, former Yugoslav Republic of Macedonia, Gambia, Ghana, India, Ivory Coast, Japan, Kosovo, Mali, Mauritius, Moldova, Montenegro, Morocco, Niger, Nigeria, Pakistan, Philippines, Senegal, Serbia, South Korea, Sri Lanka, Sudan, Tunisia, Ukraine: 17,000 permits (Those who have previously come to Italy for seasonal work purposes will not be subject to nationality restrictions).
- ▶ A quota of 2,000 permits among the 17,000 mentioned above is reserved for foreign nationals who have entered Italy for seasonal work purposes at least once during the last 5 years. In this case, the employer needs to apply for a multi-year work permit for subordinate seasonal work.

Online filing of applications for non-seasonal workers and the conversion of existing permits can be submitted from 20 March. Online submission of applications for seasonal workers will only be available from 28 March.

Applications can be drafted in advance and saved for later submission on the Ministry of Interior's website:

- ▶ Starting from 14 March for non-seasonal workers and the conversion of existing permits.
- ▶ Starting from 21 March for seasonal workers.

Next steps

Employers should evaluate their need for work permits for non-EU nationals in the appropriate categories and apply as soon as possible from 20 March onwards. Due to the high volume of requests filed each day, applying for a permit in a timely manner increases the chance of success.

Italy

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