

MAZZESCHI

ITALIAN IMMIGRATION & CITIZENSHIP

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NEWS, UPDATES AND CURIOSITIES ON ITALIAN
IMMIGRATION AND CITIZENSHIP

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ONLINE SCHENGEN VISA APPLICATIONS

On November 13, the EU Council adopted new rules which will allow to file Schengen visa applications online.

“

The two regulations will be published in the Official Journal of the European Union and will enter into force on the twentieth day after publication. The date on which the new rules will enter into force depends on when technical work on the visa platform and the digital visa has been concluded.

”

THE TWO REGULATIONS:

1

Establish an EU visa application platform, where, with some exceptions, Schengen visa applications will be submitted. Through this platform, applicants can input all relevant information, upload electronic copies of their travel documents and supporting materials, and complete their visa fee payments.



2

Eliminate the need for physical visits to the consulate in most cases. Generally, in-person appearances will only be required for first-time applicants, individuals with expired biometric data, and those holding a new travel document.

3

Substitute the existing visa sticker with a cryptographically signed barcode for enhanced security.



CHANGES TO EU BLUE CARD PERMIT: MUCH TO DO ABOUT NOTHING?



The decree implementing the new EU Blue card requirements has been published in the official gazette of 2/11/2023. The new rules will enter into force starting from 17/11/2023.



BELOW IS A SUMMARY OF THE MAIN NEW PROVISIONS:

- Education/professional experience required for unregulated professions:
- 3 years University-level degree or
- Post-secondary professional qualification of at least 3 years or
- 5 years of professional experience in the sector relevant to the job offer or
- 3 years of professional experience (acquired in the previous 7 years) for managers and specialists working in the field of information and communication technologies

We do not know yet the requirements that will be set for proving the educational qualification or professional experience in terms of documents.

Beneficiaries of international protection are also entitled to apply for an EU Blue Card, as well as seasonal workers



Job Offer:

- Minimum 6 months
- Annual salary not lower than that established by national collective agreements





During the first 12 months of legal employment, the EU Blue Card holder is subject to restrictions both on the change of employer and on carrying out works not fulfilling the criteria for admission



The EU Blue card holder can exercise a self-employed activity in parallel with the activity as a highly skilled worker



Long-term mobility: After 12 months of legal residence in a Member State as an EU Blue Card holder, the third-country national can enter Italy without a visa for highly qualified employment for a period exceeding 90 days, further to the issuance of the work permit. As soon as possible and within 1 month after the EU Blue Card holder has entered Italy, the employer must apply for an EU Blue Card work permit.



Short-term mobility: a third-country national who holds a valid EU Blue Card issued by another Member State can enter and stay in Italy for 90 days in any 180-day period to carry out a professional activity



NAVIGATING THE ITALIAN INVESTOR VISA: TOP TIPS FOR SUCCESS

TOP TIPS

THE ARDUOUS JOURNEY:
OBTAINING LETTERS AND
DECLARATIONS FROM BANKS
FOR THE ITALIAN INVESTOR
VISA APPLICATIONS



The Italian Investor Visa for Italy program is designed to attract foreign investors who are interested in making a substantial financial commitment to Italy with no minimum time in Italy and gaining access to the Italian tax relief scheme. Although the immigration process for investors is facilitated and prioritized by Italian authorities, obtaining the investor visa for Italy can be a complex and challenging process without a clear understanding of its requirements.

One of the basic requirements is the ownership of sufficient funds, which are also available, transferable and of licit origins. A simple copy of your bank statements and portfolios will not suffice, what the Investor Visa for Italy evaluation committee will ask for is also a statement declaration from your Bank/financial institute where your funds are kept confirming availability, transferability, and licit origins of the money. Seeking such letters often comes with challenges and difficulties.



BUREAUCRATIC
RED TAPE

Many banks have complex bureaucratic processes in place for releasing documents that are different from their standard letters. The kind of letter required by Investor Visa for Italy Committee is very specific and include a confirmation that the Bank has conducted very detailed checks on the client in accordance with financial anti money laundering international regulations (FATF).



- This may involve multiple layers of approval, extensive paperwork, and lengthy processing times for such declaration to be obtained. Applicants often find themselves caught in a web of administrative procedures.

WHAT TO DO?

1

Begin the document request process well in advance of your visa application deadline. Familiarize yourself with the bank's specific requirements and timelines. Be persistent and follow up regularly to ensure your request progresses smoothly. An early approach will also help you understand from the beginning whether your bank is willing to issue a declaration in support of your investor visa and will leave you time for a plan b. Which leads us to the following point

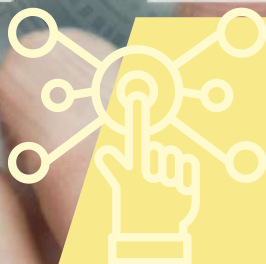


2 Most Banks will initially refuse to issue letters in the specific format proposed by Italian Investor Visa program and directly issue a simple standard letter and attach their AML policy. What to do? Insist on negotiating with your bank and find a compromise. In our experience, some investors managed to work with their banks on finding a different wording that could match the Investor Visa Committee's expectations regarding bank letters and declarations. Tailor your request accordingly.

3 Some banks may cite internal policies or simply be unresponsive to your requests, leaving you in a precarious situation. What to do? If you face resistance from your bank, escalate your request to higher-ranking bank officials. Consult with a legal advisor if necessary to understand your rights and options. You may also explore alternative banks willing to cooperate with your Investor visa application needs. Look for contacts with other investors who have already obtained similar letters from other banks.



Overcoming the complexities of obtaining letters and declarations from banks for your visa application can be a formidable challenge. However, with careful planning, persistence, and a clear understanding of the hurdles you may encounter, it is possible to increase your chances of success.



OBTAINING A DIGITAL
SIGNATURE FOR YOUR
INVESTOR VISA
APPLICATION IN ITALY

DIGITAL SIGNATURE IN ITALY

One crucial step in the process of applying for the investor visa for Italy is obtaining a digital signature, which plays a vital role in ensuring the security and authenticity of your application.

A digital signature is not only the electronic equivalent of your handwritten signature, but it also serves as a unique identifier for an individual or organization. In the context of an investor visa application for Italy, a digital signature is essential for two main reasons: security and authenticity of the documents.

WHY DO YOU NEED A CERTIFIED DIGITAL SIGNATURE?

HOW TO OBTAIN A DIGITAL SIGNATURE FOR YOUR INVESTOR VISA APPLICATION?



STEP 1. CHOOSE A TRUSTED CERTIFICATION AUTHORITY (CA)

Main challenge: Legal Requirements. Italy has specific legal requirements and regulations governing digital signatures. A minimum understanding of such standards is essential to select a CA correctly to ensure compliance.

How can we help? Based on our experience, we have the instruments to provide personalized guidance, ensuring you choose the right Certification Authority and meet all legal requirements.

STEP 2. APPLY
FOR A DIGITAL
CERTIFICATE

Main challenge: Documents Requirements. Each CA may have its procedures and criteria for issuing digital signatures. Facing the list of documents that are requested to apply for digital certificates can be confusing.

How can we help? We assist in preparing and organizing the necessary documents for digital signature procurement, saving you time and ensuring accuracy.

STEP 3.
AUTHENTICATION

Main challenge: authentication procedure. The CA generally requires thorough document verification, often involving in-person visits and live meetings for identity checks, most of the time this service is provided in Italian only.

How can we help? We facilitate the identity verification process, streamlining in-person visits to Certification Authorities, and ensuring smooth communication with them.

STEP 4. RECEIPT
OF DIGITAL
CERTIFICATE

Main challenge: this certificate can be requested in different forms (virtual or physical) and it will include your unique digital signature. Understanding which form of certificate suits your immigration purposes best can be hard.

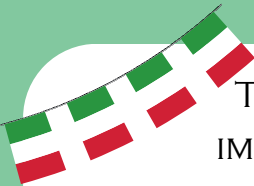
How can we help? We prioritize the security of your digital signature certificate, advising on best practices for safe storage and use.

With your digital certificate in place, you can sign all the required documents for your investor visa application. Ensure that you follow the guidelines provided by the Italian authorities for electronic submissions when selecting the provider. The Digital signature will also be useful for all everyday operations that involve having to sign forms/documents for public offices.





REPORT ON THE MAIN LAWS GOVERNING ITALIAN CITIZENSHIP



THIS REPORT PROVIDES AN IMMEDIATE OVERVIEW OF THE CURRENT LAW ON EUROPEAN NATIONALITY AND IS EXCELLENT FOR ANALYSING MATTERS ON DUAL CITIZENSHIP.

Currently, Italian citizenship is regulated by Law no. 91, February 5th, 1992.

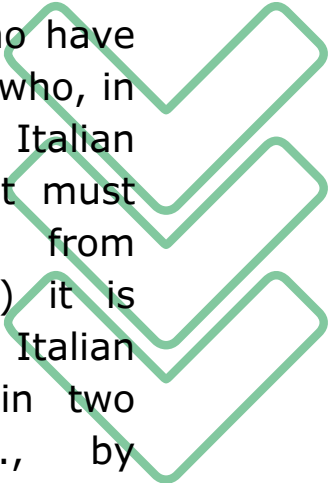
The key principles of this law are: i) the child born from an Italian father or mother is an Italian citizen by descent (principle of *ius sanguinis*); ii) it is possible to maintain dual citizenship; iii) the importance of will of the person concerned, thus meaning that the acquisition or loss of citizenship must always be originated by expressing the intention by the subject involved; iv) the gender equality between man and woman concerning the capacity of transmitting Italian citizenship to their children.

Following the Law no. 91, 1992, other regulation came into force, integrating or amending in part the modalities of acquiring Italian citizenship.



AMONG THESE, IT IS WORTH MENTIONING THE FOLLOWING:

Besides the recognition of Italian citizenship by those who were born from Italian parents or those who have an Italian ancestor (who, in fact, already are Italian citizens at birth but must obtain recognition from relevant authorities) it is possible to acquire Italian citizenship mainly in two other ways, i.e., by marriage or by residency (naturalization).





By marriage: a foreign spouse of an Italian citizen is entitled to apply for Italian citizenship once he or she has lawfully resided in Italy for at least two years following the marriage, or after three years from the date of the marriage if resident abroad (these terms are reduced by half if there are children within the married couple). Other requirements are absence of criminal records and knowledge of Italian language.



By residency (naturalization): non-EU applicants can apply after 10 years of uninterrupted and continuous residency and EU citizens after 4 years of residency. Reduced terms of just 3 years of residency are allowed if the applicant has parents/grandparents who are (or have been in the past) Italian citizens at birth. Other requirements are: i) proving an income produced and taxed in Italy; ii) absence of criminal records; iii) knowledge of Italian language.



NOTHING IS LOST:
HOW CAN I
REACQUIRE MY
ITALIAN
CITIZENSHIP?

HOW CAN I REACQUIRE MY ITALIAN CITIZENSHIP?

Italian citizenship can be lost for various reasons, the main ones being having acquired another citizenship before 1992 when Italy did not allow dual citizenship, or having acquired another one in a State where naturalization automatically entails the loss of Italian citizenship.



READY TO GO: WHAT IS THE FIRST THING TO DO?


The reacquisition of Italian nationality can take place in two ways:

1

automatically after one year from the date of establishing residence in Italian territory, unless expressly renounced within the same period;

2

if you formally declare your intention to re-acquire it and have established or to establish, within one year from the declaration, residency in Italian territory.



Note: In the event that the transfer to Italy is not carried out within the year, the declaration made before the Consulate shall remain ineffective.

WHAT HAPPENS...

... if I voluntarily renounced my Italian citizenship?

If you were an Italian citizen and later decided to renounce it by naturalizing in another country or for any other reason, you can surely apply to regain Italian citizenship.

... if I want my children to have Italian citizenship?

Your minor children can apply with you at the same time but they should be residents with you in Italy and be involved in the process.

... if I do not have all my documentation ready?

It is highly important to gather and prepare a set of documents before coming to Italy.

... if I do not want to stay away from my family. Can they come with me to Italy?

Absolutely. In case of non-EU family members, they can join you and request a permit to stay for family reasons.

... if I need to come back to my foreign country?

You need to remain resident in Italy until the end of the process, then you can decide to move back your residency. The procedure usually lasts from 4 up to 12 months.



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