

# Introducing our **Global Mobility & Immigration** Practice.



## Overview of our Practice

**Our team enjoys a strong reputation advising its domestic and international clients on corporate and non-corporate immigration matters, as well as on immigration-through-investment programs.**

- ▶ **Specialisation matters** – Lexia is widely recognized for its remarkable knowledge of the immigration legislation and the administrative customs of the Italian immigration authorities. We are constantly named among the top-tier Italian law firms in the field of immigration law and have received several awards by Italian legal directories.
- ▶ **Integrated multidisciplinary approach** – Through its dedicated teams, our firm can provide a multidisciplinary integrated approach covering all corporate, labour and tax aspects related to relocation in Italy.
- ▶ **Innovation matters** – We work side-by-side with our clients to identify the legal solutions that are most suited to match their needs. Our legal analysis is the outcome of an interactive process where our clients' goals are always in the spotlight.



- ▶ **International coverage** – We have a strong international network of independent law firms specialising in immigration law.
- ▶ **We are the official partner of the Government Agency for the attraction of foreign investments** –Thanks to this partnership, we have gained particular expertise in providing comprehensive assistance to investors interested in developing their business project in Italy and, at the same time, relocating to Italy.
- ▶ **Proven and successful track record** – We have a proven track record of successful relocation services we have provided regarding all types of visa. We have strong relations with competent Italian authorities and continuous interactions with them to ensure the correct enforcement of the applicable legislation.



*Selected among the 2022  
Leading Law Firms for the  
Italian market by the Legal  
500*



*Nominated among the Top  
Italian law firms for the 2021  
Top Legal Awards, and  
awarded with several other  
prizes and nominations by Top  
Legal.*



## Our Services

We offer legal assistance covering the full spectrum of services in the field of **Global Mobility & Immigration**.



- ▶ Preliminary assessment on the fulfilment of the legal requirements to obtain either an Italian visa and a residence permit or Italian citizenship;
- ▶ Legal advice to identify the most suitable visa or citizenship application;
- ▶ Full legal assistance for the applications for the security clearance, visa and residence permit in favour of foreign clients who intend to enter Italy and reside legally therein;
- ▶ Assessment and collection of the required documentation to obtain the relevant authorizations to work based on a case-by-case study;
- ▶ Legal representation of clients before Italian authorities;



- ▶ Completion of the Integration Agreement stipulated between the Italian State and foreign nationals residing in Italy for the first time, through which they commit to learn the Italian language (A2 level) and the most important civic duties in Italy;
- ▶ Registration of Italian residency;
- ▶ Enrolment in the national healthcare system;
- ▶ Application for the Italian ID and fiscal code;
- ▶ Application for the Italian passport in favour of Italian nationals living abroad;
- ▶ International transfer of goods and pets;
- ▶ Driving licence conversions etc;
- ▶ Assistance to enrol in public or private schools and universities;
- ▶ International Tax Advisory.



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## Our Practice

### Immigration services

- ▶ **European Blue Card** - The EU Blue Card Visa allows skilled foreign workers to enter Italy, apply for a Work Permit and be directly employed by an Italian company or employer. This application is particularly advantageous because the EU Blue Card is issued by Italian Authorities even beyond the quantitative restrictions on visas set out by an annual Government Decree. The EU Blue Card holders have the same civil and social rights as an Italian citizen and can apply for an Italian permanent residence permit after five years of continuous residence within the EU. The main requirements to obtain this visa are:
  - holding a Bachelor's Degree obtained through a university course lasting at least 3 years.
  - Having a job offer from an Italian company. This requirement can also be fulfilled by creating an Italian company that is willing and capable of hiring the visa applicant.
- ▶ **Intra-Company Transfer**- This type of Visa allows the temporary transfer in Italy of non-EU nationals who are either highly skilled workers or managers of foreign companies or multinational corporations who need to start, coordinate or provide support to the activities of the Italian subsidiary, branch or representative office. Thus, this procedure is applicable to foreign workers who are already employed abroad, belong to a professional category corresponding to a first-management level and intend to be temporarily seconded to an Italian legal entity strongly connected to their foreign employer company. Notably, this type of secondment requires the employment of the applicant in the same business sector for at least 3 months before their secondment in Italy.
- ▶ **Start-up Visa Program** - This Visa is granted to foreign nationals who are willing to establish an innovative Italian Start-up and have at least 50.000,00 euros to invest. The Start-up Visa program is a fast-track procedure for a self-employment visa issued by Italian Authorities within the annual quantitative restrictions on visas set out by a yearly Government Decree. An essential requirement for this Visa is the qualification of the Start-up as technologically innovative by an Italian ad-hoc Committee. In



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this particular case, the certificate of 'no obstacles' to the issuance of the visa is notified within 30 days from the application, and the visa itself is issued with absolute priority.

- ▶ **Family Visa, Family Reunification, Family Cohesion** - The family Visa allows non-EU-nationals who are close family members of an EU citizen or of a third-country national moving to Italy to follow the latter in Italy. The family reunification Visa allows non-EU-nationals who are close family members of an EU citizen or of a third-country national already holding a residence permit in Italy to join him/her in Italy. Finally, the Family Cohesion allows non-EU-nationals close family members of an EU citizen or of a third-country national already holding a residence permit in Italy to obtain a residence permit while being already in Italy.
  
- ▶ **Elective Residency Visa** - The Elective Residency Visa is granted to third-country nationals who can economically sustain themselves without working. The applicant must demonstrate to have revenues deriving from non-work-related activities, such as pension, annuities, real estate properties, Government securities, stock, the ownership of a stable commercial and economic activity. In any case, the applicant must prove to have availability of non-work-related revenues amounting to at least € 31.160,00 per year. This kind of visa can also be issued to the cohabiting spouse, minor children and adult dependent children of the main applicant.
  
- ▶ **Self-employment Visa** - The Italian Flow Decree "Decreto Flussi" sets out a fixed number of self-employed visas that can be issued for the following categories of workers:
  - Entrepreneurs who are willing to invest at least € 500.000,00 in a strategic sector for the Italian economy;
  - Freelancers who intend to exercise regulated professions or unregulated ones that are represented at the national level by registered associations. It is required to demonstrate either a job contract of engagement/cooperation with specific clients or companies, or the availability of economic resources to start and perform the professional activity;
  - Holders of a corporate office within a capital company that has been active for at least 3 years.



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- ▶ **Investor Visa Program (so-called Golden Visa)** - The new Investor Visa is granted to non-EU citizen investors to enter and reside in Italy. More specifically, this kind of visa is issued to any third-country national willing to perform one of the following types of investment:
    - € 2 million in securities issued by the Italian government, to be held for at least 2 years;
    - at least € 500,000.00 in equity instruments of a company operating in Italy that has published at least 1 yearly financial statement;
    - at least € 250,000.00 into an existing Italian innovative Start-up company;
    - a philanthropic donation of at least € 1 million to support a public project in culture, education, immigration management, scientific research, recovery of cultural and landscape assets.
  
  - ▶ **Resident non-Domiciled Tax Program** - The Italian Government has implemented a flat-rate tax arrangement for wealthy individuals who want to relocate to Italy with their families and establish therein their fiscal residency. This fiscal arrangement consists of a flat tax of € 100.000,00 on incomes generated outside Italy. If an individual has opted for establishing their fiscal residency in Italy by choosing this flat-tax rate, the procedure to obtain a visa and residence permit is fast-tracked. The most suitable type of visa and residence permit is identified based on the applicant's preferences and possibilities. Despite the tight connection between the fiscal agreement and the visa, the visa application and the fiscal agreement follow two separate procedures.
  
  - ▶ **Italian Citizenship** - The main alternative prerequisites to obtain Italian citizenship are the following:
    - having Italian ancestry;
    - being married to an Italian citizen;



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- having resided legally in Italy for a continuous period of time. Most commonly, the period of continuous residence in Italy requested to obtain Italian citizenship through residency is 5 years for nationals of an EU Member State and 10 years for Third-Country nationals. Shorter periods of time are required to foreign nationals born in Italy, stateless people, foreigners with Italian origins and foreign children adopted by Italian parents.

There are three alternative types of procedure to obtain Italian citizenship: an administrative procedure at the competent Italian Consulate abroad, an administrative procedure at the competent Municipality or at the competent Local Immigration Desk of the Ministry of Interior, and a Judicial procedure before the Tribunal in Rome.

### **Global Mobility Services (some examples)**

- ▶ **Integration Agreement** - Foreign nationals applying for the first residence permit in Italy are required to sign an Integration Agreement with the Italian State. By this agreement, the foreign national commits to learning the Italian language (A2 level), learning the principle of the Italian Constitution and the most important civic duties in Italy. Failure in abiding by the agreement can imply the revocation of the residence permit.
- ▶ **Registration of residency** - Foreign nationals holding a residence permit, like Italian citizens, have an obligation to register their exact place of residency if they live in Italy on a permanent basis. The competent office to address in order to register residency is the Population Register ('Anagrafe') of the Municipality of residency. Registering residency gives access to many social and civil rights, such as:
  - a long-term residence permit after 5 years of continuous registered residency;
  - citizenship after 10 years of continuous registered residency;
  - social and welfare services and benefits delivered by the Municipality of residency;
  - obtaining an Italian identity card;
  - obtaining a driving license;
  - enrolling children in kindergartens managed by the Municipality;



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- accessing assistance from Job Centers.
  - ▶ **Enrolment in national healthcare** - Foreign nationals have the obligation or the faculty, depending on their type of residence permit, to enrol in national healthcare. The enrolment gives them access to all public health services available to Italian citizens. The mandatory enrolment is free of charge, whereas the optional enrolment is subjected to a fee proportional to the income of the applicant.



## Our Team



### Pietro Derossi

**Pietro Derossi** graduated from Law School in 2016 with distinctions and honourable mention. He was admitted to the Italian Bar Association in 2018 after working in the criminal field as a judge assistant at the Turin Court of Assizes.

In Brussels, he worked as a legal expert in migration and international protection for the European Council on Refugees and Exiles, a foremost European actor in the protection of migrants' rights. In Greece and Cyprus, for 2 years, he worked as an expert in refugee-status-determination for the European Asylum Support Office, the EU Agency competent in supporting Member States in implementing international and European migration law.

As a freelance researcher for the Italian Permanent Observatory on Migrants, he has been the author of several legal and informative publications intended to promote a more efficient and humane regulation of migration fluxes.

He speaks Italian and English.

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### Maria Cherubini

**Maria Cherubini** graduated in Law from the Bocconi University in Milan, with a thesis about the role played by migrant workers at the international level.

During her academic experience, she has participated in several internships including one at the Prefecture of Milan for the recognition of International Protection during which she had the opportunity to learn the procedures necessary to obtain the various types of international protection.

Before starting her collaboration with Lexia Avvocati, she gained experience in a leading international firm in Milan in the field of labour and immigration law. She is fluent in Italian and English.

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### Melissa Cabrera

Melissa majored in International Relations at Loyola Marymount University in Los Angeles with a focus on macroeconomics and migration flows. During her studies, she worked for the Trade Commission of Peru in Los Angeles, where she was exposed to international trade and tourist migration flows.

Melissa assists Lexia Avvocati's Global Mobility & Immigration team in the field of immigration law, focusing on procedures for the recognition of the right to Italian citizenship.

She is fluent in Italian, English, and Spanish and has basic knowledge of French and Korean.

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