

Italian Visa for Digital Nomads: at last it is real

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Brief guide on the features and requirements of this new type of visa to Italy for non-European citizens

After lots of online rumours, Italian immigration law is finally 'digitalized'.

After two years of waiting since the formal introduction of the Visa for Digital Nomads, the Decree regulating its actual implementation was eventually published: non-EU citizens who intend to move to Italy to carry out remote work activities for a period longer than 90 days can now apply for a Visa to enter Italy.

Therefore, this paper clarifies to anyone potentially interested in enjoying the Italian 'dolce vita' while keeping their foreign job: (a) who are the 'digital nomads' according to the new Italian law; (b) what are the formal requirements to apply for the visa; (c) what is the procedure to obtain the Italian residence permit; (d) duration, renewability of the residence permit for digital nomads, requirements of minimum stay in Italy and fiscal consequences; (e) the safeguards to family unity for this type of visa applicants.



Who are the Digital Nomads that can obtain a Long-Term Visa for Italy?

According to the definition provided by the Decree, 'Digital Nomad' refer to non-EU citizens meeting the following three subjective requirements:

- ▶ they carry out working activities by using technology tools allowing them to work from anywhere in the world (including Italy);



- ▶ they are highly skilled according to the definition laid out in the Italian Immigration Act, as they hold a University Degree or working experiences of several years in a field that requires technical/specialized knowledge and the execution of non-manual tasks;
- ▶ they are self-employed workers, collaborators, or employees of a company with headquarters abroad or in Italy.

What are the formal requirements that must be proven when applying for a Visa at the Italian Consulate?

L'autorità consolare Italiana, nel decidere sulla domanda di Visto, verifica la presenza dei seguenti requisiti:

The Italian consular authority, in examining the visa application, verifies if the following requirements are met:

- ▶ A minimum yearly gross income higher than € 26,000;
- ▶ Work experience of at least 6 months within the field of the specific working activity that will be carried out in Italy;
- ▶ Being in possession of valid health insurance covering the entire period of stay in Italy (not longer than 12 months). The health insurance must cover all types of necessary medical expenses or hospitalizations during the stay in Italy;
- ▶ Being in possession of suitable accommodation for entry into Italy, such as a hotel reservation or a lease agreement;
- ▶ Employees and workers with a continuous professional collaboration contract with the same company must submit the employment or collaboration contract or the binding job offer signed by both parties;
- ▶ A statement signed by the employer (in case of an employee) or by the contractor (in case of a self-employed worker), declaring the absence, in the previous 5 years, of criminal charges against him/herself related to a) aiding and abetting illegal immigration, b) exploitation of prostitution or trafficking in human beings for the purpose of sexual exploitation, c) exploitation of labour.

What is the procedure for becoming a digital nomad in Italy and obtaining an Italian Residence Permit?

1. The first phase of the procedure is the application for a National Visa for Digital Nomads at the Italian Consulate or Embassy in the foreign country of residence. In this phase, one will have to prove the fulfilment of all requirements described in Chapter B.



2. The second phase is the application, within 8 days of arrival in Italy, for a residence permit at the Police Headquarters ('Questura') of the place where the worker is staying in Italy during the first period.

The applicant must show their passport with a National Visa as well as the documents submitted when applying for a Visa as certified by the competent Consulate.

Is the Visa for Digital Nomads renewable? Is there a minimum stay in Italy required? Is it mandatory to become an Italian taxpayer?

The first residence permit has a maximum duration of 1 year and allows the holder to stay continuously on the Italian territory.

No Visa is ever renewable according to Italian Law. On the contrary, the residence permit, which is the document that allows continuous stay in Italy, can be renewed. The residence permit can be renewed for unlimited times as long as the applicant meets the same initial requirements, such as the minimum income, doing highly skilled work and holding health insurance. Given the absence of any contrary provision, the change of employer or contractor/s during the stay in Italy should be allowed.

It is noteworthy that continuous residency in Italy is not required in order to renew the residence permit. This means that, due to the general rules applicable to all types of residence permits, it is only required that the foreigner is in Italy at least once every 180 days for the purpose of renewing the residence permit. Thus, it is allowed even an occasional presence in Italy.

Consequently, since the general rule provides that only people living in Italy for more than half a year (at least 183 days per year) are Italian taxpayers, the digital nomad who neither overruns this threshold nor establishes their main personal and professional affairs in Italy can avoid paying income taxes in Italy.

Can the Digital Nomad bring their family to Italy?

Yes, the digital nomad can bring their minor children and their spouse.

These family members can be issued a Visa and a Residence Permit for Family Members of the same duration as the digital nomad's Residence Permit.

Stay tuned

The implementing Circular of the Ministry of Interiors will be soon published, and it will contain more detailed information regarding this visa and the supporting documentation.

Check regularly our Blog on Immigration Law for real-time updates: <https://www.italianvisa.it/category/blog/>



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