

Mobility: immigration alert

March 2020



Italy

Coronavirus - assessing the impacts for foreigners in Italy

Executive summary

To counter and contain the spread of the COVID-19 virus, on 31 January 2020 the Italian government declared a state of emergency for 6 months and various measures have been adopted throughout the country since then to restrict movement and social interaction.

The current lockdown is in place until 3 April 2020, but further extension is under assessment by the Authorities.

Travel to Italy and associated quarantine requirements

Entrance and movement within the country is to be avoided except for compelling reasons. All unnecessary travels to Italy should be postponed.

Starting from 17 March to 25 March 2020, those entering Italy from abroad are subject to self-isolation measures for 14 days, irrespective of their nationality or means of transport. Also, a notification of the entrance must be submitted to the competent health department (A.S.L. or A.T.S.).

Only where there is a proven business reason will travel be allowed for a stay of up to 72 hours, which may then be extended for a further 48 hours in critical circumstances. However, this exemption only applies if an individual has no symptoms of illness.

Movement within the country

It is mandatory, under penalty, that people stay at home. Travel is allowed only for documented work reasons,

health reasons, to return home or other serious reasons. It is mandatory to provide a signed self-certification on the reason of travel.

It is in any case forbidden for individuals who are quarantined or positive to the virus to leave their homes and to travel.

Visas and matters associated with overstaying

Some Italian Consulates and Embassies abroad have suspended the issuance of visas for Italy. For those already in Italy, the current situation and associated travel bans may result in an overstay of their visa. According to the Schengen Visa Code, those prevented from leaving the country before the expiry of the authorized stay shall request an extension of the visa if force majeure, humanitarian reasons or serious personal reasons are proved.

Where the total stay goes beyond the allowed 90-days period in any 180-day period, it may be possible to request a temporary residence permit for "calamity" reasons (Art. 20-bis of Italian Immigration law) to the Authorities.

Residence permits

In light of the situation and in order to employ as much public staff as possible to control the current health situation, the 17 March decree has recently extended the suspension of the terms for processing the applications for issuance and renewal of residence permits - which were initially suspended until 2 April 2020.

All pending applications between 23 February and 15 April 2020 stand suspended and this period shall not be counted: applications filed during this period will not be processed until 15 April 2020. In addition, and notably, the validity of all permits has been extended: residence permits (permessi di soggiorno) with an expiration date between 31 January and 15 April 2020 will be valid until 15 June 2020.

Generally speaking, the renewal of the Italian residence permit may be rejected on the ground of prolonged absence from the Italian territory. The extension and duration of the allowed absence varies according to the type and duration of the residence permit.

However, the current exceptional situation may justify a prolonged absence (e.g. individual cannot re-enter Italy due to travel bans or health reasons). Strong delays in issuance of permits and processing immigration procedures in general are expected.

General Situation in Italy

Following 9 March Decree of the Italian Presidency of the Council of Ministers, a single Protection Zone for the entire national territory has been created. The entire country is now on lockdown.

With 11 March "I stay at home" Decree, people are requested to stay at home and exit only for compelling reasons. All social activities, with all public events and indoor activities (e.g. concerts, fitness centers, theaters) stand suspended. Schools and universities will remain closed until 3 April 2020; starting 12 March, restaurants and bars have to stay closed.

Transports, banking, financial and insurance services are guaranteed, even if a reduction/suppression may be arranged on the basis of actual needs and minimum essential services.

All retail commercial activities are suspended, with the exception of food and basic necessities activities. Newsagents, tobacconists, pharmacies and parapharmacies remain open. In any case, the interpersonal safety distance of one meter must be guaranteed.

As of 22 March 2020, it is forbidden to move outside the municipality of current localization, except for absolute urgency, health reasons or proved working reasons.

Resources

Every day updates on the situation are shared at the webpage www.salute.gov.it/nuovocoronavirus

For English speakers, the official website of Civil Protection also provides information here www.protezionecivile.gov.it/home.

Please contact your local EY advisor for any queries or assistance required.

Claudia Giambanco
Tel: +39 06 855675332
Email: claudia.giambanco@it.ey.com

Fabrizio Cimino
Tel: +39 02 85143241
Email: fabrizio.cimino@it.ey.com

Paolo Santarelli
Tel: +39 02 85143271
Email: paolo.santarelli@it.ey.com

Barbara Damin
Tel: +39 06 85567240
Email: barbara.damin@it.ey.com

Francesco Buzzegoli
Tel: +39 02 85143583
Email: francesco.buzzegoli@it.ey.com

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