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otto
8 per
mille
CHIESA VALDESE
UNIONE DELLE CHIESE METODISTE E VALDESE

EU RESIDENCE PERMIT FOR LONG-TERM RESIDENTS

What is the EU residence permit for long-term residents?

It is a residence permit of unlimited duration that can be issued to a foreign national who has held a valid residence permit for at least 5 years.

What are the requirements for applying for this residence permit?

Persons who:

- have been legally residing in Italy for at least 5 years;
- possess a valid residence permit;
- have an income not less than the annual amount of the social allowance;
- have passed an Italian language test.

What are the types of residence permits that do not allow the issuance of an EU residence permit for long-term residents?

You cannot obtain the issuance of this residence permit if at the time of application you hold:

- a residence permit for study or vocational training purposes;
- a residence permit for medical treatment, special protection or temporary protection;
- a residence permit for asylum application (pending the decision of the Territorial Commission and the Court);

- a short-term visa or residence permit: not exceeding 90 days, for visits, tourism or business or a residence permit for seasonal work;
- a residence permit as a diplomat or consular or United Nations employee on mission in Italy.

Does the 5-year period of legal residence in Italy have to be continuous?

Yes, the 5-year period should be calculated from the date of issuance of your first residence permit. Any absences from the national territory do not interrupt the continuity of your stay in Italy. Be careful, though: in order to obtain the EU residence permit for long-term residents, you cannot be absent from Italy for more than 6 consecutive months or 10 months within the 5-year period. Higher absences may be allowed only if justified by serious and documented reasons (for example: military obligations, health problems).

How is the calculation of 5 years of legal residence carried out?

In calculating the 5 years of legal residence, periods of residence in which the applicant was in possession of a short-term or so-called "diplomatic" permit are not taken into account. Instead, periods in which he/she held a permit for study, training, temporary protection or humanitarian purposes are taken into account.

What is the minimum income to apply for this residence permit?

You must have a minimum income of no less than the annual amount of the social allowance (an economic benefit provided by the Italian state to those living in precarious economic conditions). This amount is calculated each year and you can check it on the INPS website.

Warning! The minimum income required may vary if you apply for the residence permit only for yourself or if you also apply for it for your family members.

What level of Italian language proficiency is required to apply for an EU residence permit for long-term residents?

You will need to demonstrate that you have a level of Italian language proficiency corresponding to level A2 of the Common European Framework of Reference for Languages, that is, a level of proficiency that allows the person to understand and interact in situations related to the everyday life sphere.

You will have to apply to participate in the Italian language proficiency test at the competent Prefecture based on your domicile by accessing the Ministry of the Interior's online platform (<https://portaleservizi.dlci.interno.it/Alisportello/ali/home.htm>).

The Prefecture will summon you within 60 days to take the language test at a Provincial Center for Adult Education (CPIA).

On the day of the exam you will need to bring with you a valid ID and the letter of convocation sent by the Prefecture. The test is conducted by computer, but you can request to take it in written form (the content, evaluation criteria and time limit for taking the test will remain the same).

You will be able to see the result of the test on the same site where you applied. If the test result is negative, you will be able to apply to take the test again after 90 days from the date of the first test. In case you are unable to attend the test, you have the right to apply to the Prefecture, before the date set for the test, to move your test to a later session. In fact, if you are unexcused absent on the day of the test, you will be able to rebook yourself to participate in the test only after 90 days. The only excused absence allowed is for health reasons, which you will have to prove with a certificate from your general practitioner or an ASL doctor.

You already have an Italian language proficiency certificate. Do you still have to take the test?

No. In fact, are exempted from the Italian language test those people who:

- possess a certificate of Italian language proficiency of not less than level A2 issued by the University for Foreigners of Siena, the University for Foreigners of Perugia, the University of Roma Tre or the Dante Alighieri Society;
- possess a certificate of Italian language proficiency of not less than level A2 issued by a CPIA;
- have obtained a secondary school diploma from an educational institution belonging to the Italian educational system or a CPIA (middle or high school);
- are attending a course of study at an Italian university;
- are attending a master's or doctoral program in Italy;
- are under 14 years of age;
- have severe language learning deficits certified by a public health facility;
- have a certificate of Italian language proficiency of no less than level A2 obtained as part of the credits accrued for the integration agreement referred to in Article 4-bis of the TUI;
- are staying in Italy to perform a "highly qualified job" (manager or highly qualified worker/employee of companies with headquarters or branches in Italy; university professor or researcher with an assignment in Italy; translator/interpreter;
- correspondent journalist officially accredited in Italy - Art. 27, paragraph 1, letters a), c) d), and q), of TUI).

Your family members are with you in Italy and have a valid residence permit: can they also be granted an EU residence permit for long-term residents?

Yes. You can apply for this residence permit for:

- dependent spouse(s);

- minor child(ren) (including only of your spouse, or born out of wedlock, adopted, fostered or subject to your custody);
- dependent adult child(ren) whose health condition results in total disability (100%) that does not allow them to provide for their indispensable living needs;
- dependent parents.

To apply for an extension of the EU residence permit for long-term residents to family members, you must meet these requirements:

- The family member for whom you are applying must have been a **legal resident** in Italy for at **least 5 years** since the issuance of the first residence permit (warning! A newly born son/daughter will not be eligible for the issuance of a long-stay residence permit until he/she reaches 5 years of age);
- the family member must have passed the **A2 level Italian** test (this requirement is not necessary for those under the age of 14, those who have an Italian school diploma or have an exemption issued by the ASL);
- you must prove that you have "**suitable**" **housing**, that is, it meets the hygienic and sanitary requirements of Italian law and is large enough for the number of family members living inside it: you will have to bring to the Questura (Police Headquarters) the "housing suitability certificate" ("certificato di idoneità dell'alloggio") issued by your municipality;
- you must possess a **sufficient income**.
Please note: the incomes of cohabiting family members are also taken into account. The minimum required income is calculated by taking into account the amount of the social allowance, which is increased by half for each family member. If there are 2 or more children under the age of 14, the amount required is double the social allowance. For example, in 2024 the social allowance is 6.947,33 € annually. So if you apply for a residence permit just for you, you will need to have an annual income of at least 6.947,33 €. On the other hand, if you apply for the residence permit for your family members as well, you will have to calculate 3.473,66€ additional income for each family member (in case of 2 or more children under the age of 14, the required additional income is 6.947,33 €).

Who should be approached to obtain a certificate of housing suitability?

You must apply to the municipality. The housing suitability certificate can be applied for by the homeowner or the holder of the lease or by the person who has hospitality in the housing. Regarding how to submit the application and what forms to fill out, inquire at your municipality. It is almost always an online procedure: if you need support, you can turn to a patronage. The cadastral plan of the housing, that is, the map of the house, must be attached to the application.

How long does the EU residence permit for long-term residents last?

The EU residence permit for long-term residents is open-ended. This means that it does not expire, but must be updated every 10 years (every 5 years for minors). Renewal is automatic.

What are the rights attached to this residence permit?

The rights associated with this residence permit are as follows:

- to enter Italy without a visa;
- to stay in another country of the Schengen area even for more than 90 days (in compliance with the laws of that country);
- to carry out any work activity, whether self-employed or subordinate, with the exception of those which the law expressly reserves to the Italian citizen;
- access the services of the Public Administration, including procedures for the allocation of public housing;
- take advantage of social assistance and social security, health care and educational benefits: for example, benefit from the INPS allowance for civil disability and social allowance;
- participate in local public life in the forms provided by law;
- not be expelled from Italy, except for serious reasons of public order and national security.

To whom should you turn to apply for an EU residence permit for long-term residents?

You must apply to the Questura of the place where you have your residence. While for other types of residence permits it is sufficient to prove simple domicile in the territory, in the case of the EU long-term resident permit residency is a requirement for issuance.

How to submit the request?

The application must be submitted via Postal Kit at Post Offices offering the "Sportello Amico" service. Search the Internet for those in your city.

Keep in mind that if you need help filling out the Postal Kit, you can turn to a patronage office free of charge.

What documents will you need to include in the Postal Kit?

The documents to be included inside the Kit are as follows:

- Forms 1 and 2: form 1 must be filled in with your personal data and those of your family members, if living with you in Italy, your tax code, the number of

your residence permit and passport, your addresses of residence in Italy in the last 5 years and your current contact information; form 2, on the other hand, must be filled in with the data on your employment contract and your income;

- receipt of payment of the postal bulletin;
- photocopy of the pages of your passport showing your biographical data, stamps and visas;
- photocopy of your residence permit;
- certificate of criminal record and pending charges to be obtained from the Public Prosecutor's Office (Procura);
- certificate of residence issued by the municipality;
- documentation about the house (for instance, deed of ownership, if you are the owner, or rental contract, if you have a lease in your name, or declaration of hospitality signed by the person hosting you);
- documentation showing that you have sufficient economic resources (tax return, CUD, pay stubs, current employment contract);
- certificate of A2 level of the Italian language.

When you go to the Post Office to mail the Kit, remember to bring your original residence permit and passport, as you will be asked to show them. Also, when you mail the Kit, the Post Office will notify you of the date of your appointment at the Questura for fingerprinting.

What documents should be included in the Kit if the application for an EU residence permit for long-term residents is also made for your spouse or parent?

- Form 1 and 2: Form 2 needs to be filled out only if the family member receives income of his/her own;
- photocopy of your passport and residence permit;
- photocopy of your spouse's or parent's passport and residence permit;
- certificate of criminal record and pending charges to be obtained from the Public Prosecutor's Office (Procura);
- certificate of residence and family status;
- documentation about the house (deed of ownership or lease agreement or declaration of hospitality);
- certification of housing eligibility issued by the municipality;
- income documentation (tax return, CUD, pay stubs, employment contract, including of your family member if he/she contributes to the family income);
- certificate of A2 level of Italian language.

What documents should you include in the Kit if you are also applying for an EU residence permit for long-term residents for your minor child(ren)?

- Form 1;
- photocopy of your passport and residence permit;
- photocopy of your child(ren)'s passport and residence permit;
- certificate of residence and family status;
- income documentation (tax return, CUD, pay stubs, employment contract);
- certificate of housing eligibility;
- certificate of school attendance if the minor is under compulsory school age;
- certificate of A2 level of the Italian language (if the minor has not already obtained a secondary school diploma).

Remember that each family member over the age of 14 must complete a separate Kit. If, on the other hand, your child is under 14 years old, you can include him/her in your Kit.

Are there any fees for sending the application via Postal Kit?

Yes, you must:

- purchase a 16.00 euros revenue stamp;
- pay the bulletin for the issuance of the electronic residence permit in the amount of 130.46 euros (directly in the Post Office);
- pay the sum of 30.00 euros for the mailing of the Kit (directly in the Post Office).

What documents do you need to bring to Questura on the day of the fingerprinting appointment?

At the Questura you need to bring:

- your passport (check that it has not expired);
- your residence permit;
- 4 passport photos;
- the letter that was delivered to you at the Post Office with the date of the appointment at the Questura;
- the receipt from the Post Office (so-called "insured" ("assicurata"));
- the receipt for the payment of the bulletin of 130.46 euros;
- the originals relating to the copies of the documents included in the Kit.

If a lot of time passes from the date of mailing of the Kit to the date of the appointment at the Questura for fingerprinting, bring with you updated work and home documentation.

While waiting for the residence permit to be issued, does the Post Office receipt authorize you to work?

Yes, the Post Office receipt authorizes you to work.

What happens if the documentation sent with the Postal Kit or submitted on the day of the appointment at the Questura is not complete?

The Questura gives you a request for supplementation with a list of the missing documents. In this case you must supplement the requested documentation as soon as possible; in the meantime, your file remains suspended.

What happens if the Questura finds that you do not qualify for an EU residence permit for long-term residents?

Before rejecting your application, the Questura must notify you, in a written document, of the reasons why you cannot be issued an EU residence permit for long-term residents. You have 10 days (from the time the notice is delivered to you) to send any defensive writings and any documentation you consider useful. It is important to meet the 10-day deadline so as not to risk the Questura deciding without you having a chance to explain your reasons. Defensive writings must be sent by certified electronic mail (PEC). If it is impossible for you to send a PEC, we advise you to send a registered A/R letter (raccomandata A/R) to the Questura address. It is not mandatory to contact a lawyer at this stage. You can write and send the defensive writings yourself. It is your choice whether or not to contact a lawyer.

What happens if the Questura, even after evaluating your defensive writings, finds that you do not meet the requirements for issuing an EU residence permit for long-term residents?

The Questura must hand you a formal rejection decision, in which it clearly explains the reasons why this type of residence permit cannot be issued in your case. It is your right to contact a lawyer to appeal the decision of the Questura. Warning: the appeal must be filed within 60 days after the decision is delivered to you. Therefore, contact a lawyer as soon as possible.

If the Questura rejects your application for an EU residence permit for long-term residents, can it issue you another type of residence permit as an alternative?

If the Questura considers that in your case there are no legal requirements for the issuance of an EU residence permit for long-term residents, it is obliged to consider whether there are requirements for the issuance of a different type of residence permit. The same thing happens if your EU residence permit for long-term residents has been revoked, but you cannot be expelled from Italy.

Let's take an example: you have a residence permit for work reasons and after 5 years of residence in Italy you apply for an EU residence permit for long-term residents. The Questura rejects your application. Can you still get your work residence permit renewed?

Yes, if you do not qualify for the issuance of the EU residence permit for long-term residents, but you do qualify for the renewal of the residence permit you already have, the Questura will have to proceed with the renewal.

Can the commission of certain crimes in Italy have consequences for the issuance of an EU residence permit for long-term residents?

According to Italian law, this residence permit can be refused-or revoked-if the foreign national is considered dangerous to public order or state security. In assessing dangerousness, the Questura verifies the presence of convictions in Italy for certain types of crimes: for example, narcotics offenses, robbery, some serious cases of theft, the crime of violence or threat to a public official (e.g., law enforcement or health personnel), the crime of false attestation or declaration to a public official of one's personal details, the crime of aiding and abetting irregular immigration, the crime of caporalato and labor exploitation, the crimes of sexual violence, family abuse, stalking, etc. Convictions are not required to be final. In Italy, a sentence is said to be "final" when, upon appeal, the superior court called upon to review the case confirms the conviction.

In any case, the Questura, before issuing a refusal, is required to assess any convictions received in Italy by balancing them with other rights, first and foremost the protection to the right to private and family life of the foreigner in Italy. This means that the Questura must take into account the length of stay in Italy, the presence of family ties, and the performance of work activities, all elements that demonstrate integration into Italian society.

What are the other cases in which the EU residence permit for long-term residents can be revoked?

In case of absence from the territory of the European Union for a consecutive period of 12 months; or in case of absence from Italy for a period exceeding 6 years.

With an EU residence permit for long-term residents, are you allowed to settle in another European country?

Yes, you can stay in another Schengen country, for study or work, even for more than 90 days, subject to the laws of the other country. The same right extends to your family members. If another European state issues you an EU residence permit for long-term residents, your Italian residence permit will be revoked.

You have been granted asylum or subsidiary protection: when your 5-year residence permit expires, can you apply for an EU residence permit for long-term residents?

Yes, if you have a residence permit for asylum or subsidiary protection, there are specific requirements to apply for the EU residence permit for long-term residents:

- you must have been resident in Italy for at least 5 years: in this case, the calculation of the period of residence in Italy is made from the date of submission of the application for international protection, that is, from the date of signing Form C3 at the Questura;
- you must have an income of not less than the annual amount of the social allowance;
- It is not necessary to pass the Italian language test;
- In case you also apply for a residence permit for your family members, you do not need to submit a certificate of housing eligibility.

On your EU residence permit for long-term residents, in the "annotations" section it will say "international protection recognized by Italy" with the date. If your international protection ceases, for example because you have returned, even for short periods, to your country of origin (where there is no longer any danger to you), you will be issued, if you are eligible, with a new EU residence permit for long-term residents, but this time without the annotation on the recognition of international protection. If, on the other hand, you are no longer eligible to apply for a long-term permit, the Questura will assess whether you are eligible to apply for other types of residence permits (e.g., work, family, or other residence permits).

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