



Permit to stay for family reason - -- work activity before its issuance

Circular letter dated 11 May 2018

Dear All,

We would like to inform you that the Ministry of Labour and Social Policies has issued the annotation (n.4079 of 7th May 2018) regarding work activity for the foreigners who have applied for the permit to stay for family reason.

According to the article 30, point 2 of the Legislative Decree n.286 of 25th July 1998 and the article 14, point 1 of the Decree of the President of the Republic 394/1999, the permit to stay for family reason allows a foreigner to work under employment or self-employment contract without applying for the work permit for subordinate work reason. Furthermore, the article 5, point 9-bis of the Legislative Decree n.286 of 25th July 1998 allows the foreigners who have made an application for the permit to stay for subordinate work reason to have work activity temporarily while they are waiting for its issuance.

This annotation n.4079 clarifies that also the family members have the same timing to commence work activity as those who apply for the permit to stay for subordinate work reason. This is to say that they can start to work pending the issuance of the permit to stay for family reason with the simple postal receipt, which attests that the application for the mentioned permit to stay has been made, and their stay in Italy is in order. The obligations and the conditions established by the current legislations with reference to work activity must be respected.

Should you need any further information and/or clarifications on the above topic, please apply to your usual contact person with KPMG - Immigration team.

Your faithfully,

KPMG Fides Servizi di Amministrazione S.p.A.

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