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ENTRY AND RESIDENCE

1.1 ENTRY VISAS:

Entry into the country is allowed to those foreigners who are holding a **valid passport**, or equivalent document and, in the majority of instances, an **entry visa** obtained from the Italian Embassy or Consulate in the home state or the state of residence of the foreigner.

Entry visas are either **short stay**, i.e. valid for stays of up to 90 days, or **long stay**, i.e. for stays for more than 90 days which will take the visa holder towards the granting of a **Residence permit** for Italy. This has the same function as the visa.

1.2 RESIDENCE PERMIT (PERMESSO DI SOGGIORNO)

HOW?

The Residence permit must be applied for at the **Questura** (the Provincial Head Office of the Police), of the province where you intend to reside **within 8 working days** of your arrival in Italy. Failure to apply for a Residence permit as specified will result in your expulsion from Italy.

Renewal of the Residence permit must be applied for at least 30 days prior to its expiry. Failure to renew it within 60 days of its expiry date will activate the expulsion procedure by the Prefecture (in the Province of Bolzano, the responsibility lies with the **Questore**).

The foreigner who has a valid Residence permit has the right to register him/herself in the Registry Office of the Town Hall where he/she desires to live. Within 60 days after renewing the Residence permit it is compulsory that you renew the declaration of **Dimora Abituale** (a declaration stating your actual address), presenting the renewed Residence permit at the Registry Office where you are registered.

EMPLOYMENT RESIDENCE PERMIT (LAVORO SUBORDINATO)

FOR WHOM?

The residence permit for employees is given to:

- those who come to Italy on the basis of an authorisation obtained by an employer from the directors of the **Provinciali di Lavoro**. (Each year the quota of foreigners allowed to come to Italy to work is established.)

With an entry visa for **Lavoro Subordinato** in your passport, you must present your copy of your advice of employment within 8 days of your arrival in Italy, indicating your place of residence, 4 passport photographs and a fiscal stamp (**marca da bollo**) to the value of € 10,33.

- those foreigners who are already holders of work permits, placed in the work market, **who at the time of renewing** are working regularly.

Renewal for those who already have a work permit or **ISCRIZIONE COLLOCAMENTO** and is working:

WHICH DOCUMENTS MUST BE PRESENTED IN THE QUESTUA?

- Original permit about to expire
- Copy of your work contract
- Copy of your advice of employment
- Photocopy of your work book (**libretto di lavoro**)
- Declaration of where you live or of your residence (also if you are a guest)
- 4 passport photographs
- fiscal stamp (**marca da bollo**) for € 10,33

NOTE: always bring with you your original passport!

Renewal for those who already have a work permit but are not working

WHICH DOCUMENTS MUST BE PRESENTED IN THE QUESTURA?

- Original permit about to expire
- Photocopy of your work book (**libretto di lavoro**)
- Registration at the employment agency
- Declaration of previous years income or pay slips or other proof of legal earnings from which you support yourself
- Photocopy of your passport
- Declaration of where you live or of your residence (also if you are a guest)
- 4 passport photographs
- Fiscal stamp (**marca da bollo**) for € 10,33

NOTE: always bring with you your original passport!

You can obtain a permit for **iscrizione liste collocamento** or registration at the employment agency for up to a **maximum of 1 year** from the date of when your previous employment contract ended. **This permit is not renewable a second time if you are still unemployed at the time when your permit expires.** Therefore:

ATTENTION !

As soon as you find work change immediately your type of permit from **iscrizione collocamento - attesa occupazione**, or registration at the employment agency - looking for work, to **lavoro** meaning work. To do this you must take your work contract to the Questura!

Whoever is unemployed for more than 1 year risks not having their legal permits renewed and must leave Italy

The Residence permit of the type registration at the employment agency (**iscrizione collocamento**) cannot be renewed! For more information contact the advisory agencies in time!

ENTRY AND STAY FOR TOURISM REASONS

Frequently foreign nationals invite friends or family members to come to Italy.

To do this the person invited must apply for a tourist visa.

WHERE?

At the Italian Embassy in the country of departure.

WHICH DOCUMENTS MUST BE PRESENTED?

- Passport;
- A written invitation from the family member or friend legally living in Italy who states that he or she will offer hospitality to the visa applicant;
- Return ticket (or reservation);
- Proof of sufficient funds to finance your proposed stay in Italy (90 days maximum, for a stay of 30 days you must show that you have about € 1.033). You must show that you have this money available to the Italian Embassy or Consulate, showing a receipt of a surety or a bank deposit made for you in an Italian bank by the person who has sent you the invitation.

At the time of applying for the visa, it is not necessary to have a private health insurance policy. It maybe advisable or convenient to obtain one in Italy when asking for a tourism residence permit at the **Questura** within 8 working days of your arrival (this is only for stays longer than 30 days).

1.3 RESIDENCE CARD OR STAY PERMIT (CARTA DI SOGGIORNO)

It is substantially a permission to stay in Italy indefinitely; a fundamental step towards social integration.

WHO?

Who can ask for it: the foreigner with a permit which allows an infinite number of renewals (work, asylum, family but not registration at the employment agency).

Requirements:

- 5 years of residence in Italy (photocopy of your Residence permit)
- Certificate or self-certification of your actual address
- Photocopy of your passport
- Declaration of previous years income which shows that your earnings is over € 4.390
- Declaration of work and income (your last pay slip)
- Certificate from the courts
- Certificate of pending criminal actions
- 4 passport photographs
- Fiscal stamp (**marca da bollo**) for € 10,33

WHERE?

At the **Questura** in your place of residence: in Bolzano in Via Marconi 33.

If you have applied for a residents card or stay permit also for your family (spouse, underage children who live with you, but not parents) then you must add the documents that are required for the uniting of your family, which are:

- The declaration that you have suitable accommodation (rented, declared guests, owned) with the Municipal certification of it's size)
- Your income earned must be the equivalent of that required for family reunion
- Certificates, translated and authenticated by the Italian Consulate (if in a foreign language) which show that the matrimony or the status of the underage children (if the spouse or children are already on the residence permit, then the wedding certificate and birth certificates are not required).

In the application for the Residents Card for families, the latter are exempt from the requirement of having resided in Italy for 5 years. The Residents Card may be refused if the foreigner has a criminal record. Once obtained, it may only be revoked if the foreigner is convicted of crimes as per Article 380 or 381 of the penal code. You do have the right to appeal to the TAR (Regional Law Courts) against refused or withdrawn Residents Cards.

ADVANTAGES OF THE RESIDENTS CARD

The Residents Card is of **unlimited duration** and has to be **authenticated after 10 years**; and for the first 5 years it is valid as an Identity Card.

WHY?

- You no longer to have to worry about renewing it every 1 or 2 years.
- Many social services (invalidity pensions, child allowances amongst others) are made available only to foreigners in possession of a valid Residents Card.
- Whoever has the Residents Card can only be deported for serious public order, national security reasons or other serious offences.

SERVICE PROVIDER (PRESTAZIONE DI GARANZIA)

Each year the numbers of non European Union community nationals allowed to enter Italy through one of two systems are established:

- Those who come to Italy on the basis of an authorisation obtained by an employer from the directors of the **Provinciali di Lavoro**.
- Service Provider (**Prestazione di Garanzia**)

The Service Provider, allows for a foreign national to come to Italy on a particular type of visa "**inserimento nel mercato del lavoro**," literally means inserted in the work market which is **valid for 12 months** with the aim to find work.

WHO?

Who can provide services, any citizen both Italian or foreign, with a regular Residence permit which has still more than one year's validity, who has adequate finances and does not have any past or pending penal court cases relating to '**Testo Unico**' or Article 380 - 381 (DPR 394/99 art.31).

TO WHOSE ADVANTAGE?

Of a foreign national who wishes to come to Italy and who has not previously been convicted or deported.

WHERE?

At the local Questura of the provider.

WHEN?

Within 60 days from the publication of the 'Decreto Flussi' (Flussi's decree) in the Gazzetta Ufficiale until the number established has been completed, this may even be before the 60 day period has expired (in the year 2001 the demand was such that the period lasted for only 15 days, from 17th May to 1st June). Therefore pay very close attention each year to the date of publication of this decree.

WHICH DOCUMENTS MUST BE PRESENTED?

In 2001, the following documents were requested:

- A copy of the identity document of the guarantor (who is already in Italy and guarantees)
- A copy of the identity document of who is guaranteed (who wishes to come to Italy)
- Bank surety or insurance policy of the guarantor on behalf of whoever wishes to come to Italy (in 2001 the sum of at least € 5,422.80 was requested).
- Declaration of hospitality by the guarantor on behalf of the guaranteed for the period of a maximum 12 months, starting from the day of arrival in Italy.
- Confirmation from the Municipal Technical Office (in Bolzano in Piazza Don Bosco, 15) that the accommodation is not over crowded in accordance with Provincial regulations.
- Declaration by the guarantor regarding his/her family and annual income.

With the exception of the bank surety or **the insurance policy** and the **municipal confirmation regarding accommodation**, the other documents may be substituted by a self-certification as stipulated by the **Questura**.

If the **Questura** gives its authorisation, the foreign national (the guaranteed person) may then travel to Italy requesting a visa of the type '**inserimento nel mercato del lavoro**' (inserted in the work market) at the Italian Consulate. Within 8 days of arrival in Italy, you must ask at the **Questura** the '**inserimento nel mercato del lavoro**' permit. Now you may search for work. If you are unable to find work, you must return to your country at the end of this 12 month period.

Important! If you find work, you must return to the Questura immediately with the work contract (even if it's a short term contract) to change the permit from 'inserimento nel mercato del lavoro' to a 'per lavoro' work permit. In this case, with a job and a work permit, you may then obtain an unlimited number of renewals of this permit.

The guaranteed person has the right to be supported by the guarantor until he/she finds work and up to a maximum of 12 months. If the guarantor does not support the guaranteed person, he/she may apply to the bank to request permission to have access to the funds provided by the guarantor.

The parameters for the accommodation are the same for the reunited families (not overcrowded): 23m² for the 1st person, +15 for the second and +10 for every additional person.

For example, if the guarantor has an apartment measuring 70m² and there are 4 people living there along with himself, then he may only request for 1 further person to come to Italy.

1.4 REUNITING FAMILIES (RICONGIUNGAMENTO FAMILIARE)

WHO?

Who may ask or family reunification:

- A foreigner holding a residents card
- A foreigner holding a residence permit valid for not less than 1 year (for either working as an employee or self-employed, for asylum, to study or for religious reasons)
- In favour of
 - spouses not legally separated
 - children less than 18 years old
 - maintained parents
 - close relatives (within the 3rd degree) unable to work

WHERE?

At the **Questura** in your place of residence: in Bolzano in Via Marconi 33.

HOW?

The applicant must provide:

- Available rented accommodation, or owned or has the use of (copy of ownership document, rental contract or a declaration showing that you are a guest). You must also attach the certificate from the Municipal Technical Office or from the A. S. L. showing the measurements of the apartment. In Bolzano you must ask the Ufficio Tecnico comunale in Piazza Don Bosco 15. The minimum size of the accommodation are as follows: 23m² for the 1st person, +15 for the second and +10 for every additional person. (At present the Questura does not count a child less than 14 years old.)
- Must have an annual income of at least € 4.390 if you are requesting to be joined by 1 family member, € 8.780 if you request for 2 or 3 family members, and € 13.170 for 4 or more.
- Declaration of your previous years income (cud-Unico-730) and show your present income, i. e. your latest pay slip.
- Photocopy of your passport and a fiscal stamp (marca da bollo) for € 10,33.

Within a maximum of 90 days the **Questura** will give you their reply. If the application has been approved (a 'nulla osta'), then the family member(s) should approach the Italian Embassy and apply for a visa, showing their relationship (marriage certificate, birth certificates, civil status all translated into Italian). If you are a parent, you must show that you are supported by your child, providing details of money transfers to you by your child during the previous months.

Once in Italy with your reuniting family, or 'ricongiungimento familiare' visa, you must obtain from the **Questura** within 8 working days the family permit which is valid for work or to study.

Should the **Questura** refuse the permission or **nulla osta** for a family visa, then you may appeal to the courts.

1.5 REFUSAL, DETENTION, EXCLUSION (OR DEPORTATION)

REFUSAL

FOR WHOM?

For the foreigner who arrives at the Italian border without valid entry documents. They will be refused entry and accompanied back across the border:

- whoever enters Italy avoiding the border controls.
- without the required documentation, even if temporarily permitted onto Italian soil for reasons of public assistance.

Forbidden to refuse entry to:

- whoever applies for **political asylum**.
- whoever has the recognised status of **refugee**.
- whoever has the position of **temporary protection for humanitarian reasons**.
- underage children.

DETENTION

If **exclusion** is not immediately possible, then the **Questore** is permitted to detain an individual for the minimum necessary time at a **temporary holding centre**. The detention must be validated within 48 hours by a judge. Such validation will mean a stay in the centre for up to 20 days, with a possible extension for up to a maximum for a further 10 days.

EXCLUSION OR DEPORTATION

Exclusion is a very serious act: if you receive an exclusion order or fear to receive one then **immediately seek professional advice at an advisory centre and/or legal advice.**

TYPES OF EXCLUSION ORDERS

- Administrative exclusion
 - A [discretionary] decree by the Interior Minister [Secretary of State].
 - A decree by the Prefect (in the Province of Bolzano, this is the responsibility of the **Questore**).
- Judicial Exclusion
 - A [discretionary] order issued by a penal judge, which comes under the heading security reasons.
 - A [discretionary] order issued by a penal judge, whereby a prison term of not more than 2 years can be substituted with deportation.

Administrative Exclusion

Authority responsible	Reasons	Method	Where to appeal
Interior Ministry	State Security	Accompanied to the border	Tar Lazio
Prefetto/Questore	Violation of the laws regarding entry and residence (permits expired more than 60 days without applying for renewal, illegal entry)	Ordered to leave Italy within 15 days, or: <ul style="list-style-type: none"> - accompanied to the border - held in a temporary holding centre (if not certain of an individuals identity) 	Normal law courts within 5 days of receiving expulsion order
Prefetto/Questore	Foreigner suspected of being a habitual criminal as dictated by law	Ordered to leave Italy within 15 days, or: <ul style="list-style-type: none"> - accompanied to the border - held in a temporary holding centre (if not certain of an individuals identity) 	Normal law courts within 5 days of receiving expulsion order

HOW?

The exclusion decree must be a written order which details the reasons and the method of expulsion. If the foreigner does not understand Italian language, then the order must be accompanied by a (shortened version) in a language which is understood by the person to be deported. The foreigner must be informed that he/she has the right to the assistance of a lawyer.

The effects of an exclusion order:

- The foreigner and his/her underage children living with him/her must leave Italy;
- Forbidden to legally return to Italy within 5 years from leaving the country, which begin from the date of departure;
- All details of the foreigner deported will be sent to S. I. S. (Schengen Information System).

APPEALS

An appeal may be presented against the exclusion order at the ordinary law courts within 10 days of receiving the order.

WHERE?

Appeals must be presented to the law courts where the exclusion order was authorised.

Categories of foreigners who are not deportable:

The law states that some categories of foreigners cannot be deported and must receive either a temporary or permanent residence permit:

Category	Permit obtainable
Foreigners less than 18 years old	Permit for the child if unaccompanied (not renewable when the age of 18 is reached) Family permit (renewable) if a parent has all the legal documents or if the child is taken into legal custody by the courts
Foreigners in possession of a residents card (deportable only in the event of serious cases of public order or national security)	If the residents card is revoked (for convictions under Article 380 or 381) it may be possible to receive a new residence permit e. g. work permit.
Foreigner living with family (to the 4 th grade) or married to an Italian	Family permit practically for an indefinite period; you may also apply for a residents card.
Women (even illegal immigrants) who are pregnant and for 6 months after giving birth	Permission for medical care is given for up to 6 months after giving birth. You may also apply for your husband if without a permit (sanctioned by the constitutional court).

2

RESIDENCE, IDENTITY CARD, FISCAL CODE, DRIVERS LICENCE, SELF- CERTIFICATION, TRANSLATION AND LEGALISING OF DOCUMENTS

2.1 INSCRIPTION AT THE REGISTRY OFFICE AND RESIDENCE:

HOW?

Registration of personal data at the Registry Office (l'Ufficio Anagrafe) by a foreign national who is legally living in Italy (in possession of a renewable Residence permit) is just the same as for any Italian citizen by completing a form (APR 4) obtained from the registry office, with your personal details, where you come from and your address in the Municipality. When you request the form you must show your original Residence permit and your passport. The police will check that you live where you say you do.

Once you have obtained your registration at the registry office, you can ask for all the other documents you have the right to have from this office (civil status certificate, residence certificate etc.), it is also possible to obtain your Identity Card (which is not valid for travelling abroad) and you will have access to various services which the Municipality provides, such as social services, crèche etc. Registering yourself at the registry office is essential in having your drivers licence converted.

Entering your name onto the resident population register must be renewed at the same time as the renewal of your residents document. Renewal of your registration must be done within 60 days of the renewal of your residence permit by going to the registry office with your renewed residence permit. After a period of one year if you have not yet renewed your registration at the registry office, the law states that you can be cancelled from the registry as you are unable to be located, in this case you may have the possibility to renew your registration within the following 30 days.

If you change from one address to another you must advise the registry office where you are registered. The cancellation of your registration, likewise any change of address will be notified to the Questura within 15 days.

2.2 IDENTITY CARD

FOR WHOM?

An identity card is given to those nationals who have obtained residence through their registration at the registry office.

HOW?

Serves as proof of personal identity and is valid for 5 years.

WHERE?

It must be requested from the registry office where your registration was completed.

2.3 FISCAL CODE

FOR WHOM?

Every citizen living in Italy must have their own fiscal code (**codice fiscale**).

HOW?

The fiscal code is made up of a series of letters and numbers and is used to identify an individual for fiscal reasons, for work related documents and to pay taxes.

WHERE?

It has to be requested from the local tax office, presenting your passport and your residence permit.

2.4 DRIVERS LICENCE

FOR WHOM?

A drivers licence is the authority given to drive vehicles and motorcycles

HOW?

It can be obtained by sitting an exam which includes demonstrating your ability to drive

WHERE?

For information go to the office of ACI or to any driving school

The international driving licence must be obtained in your country of origin and is valid for only one year in Italy.

2.5 IDENTITY DOCUMENTATION

In Italy it is deemed necessary to show proof of identity (identity card, passport, residence permit, residents card and even your drivers licence) on request by the Police, **Carabinieri**, **Guardia di Finanza** and **Vigili Urbani**. If you have been asked to show your documents but you are still waiting for them to be issued, you must keep and carry with you the receipt of your request.

2.6 SELF-CERTIFICATION

A number of certificates can be substituted by a declaration written by yourself (**autocertificazione**) on forms supplied by various administrations. You are responsible for the accuracy of your declaration.

2.7 TRANSLATION AND LEGALISING OF DOCUMENTS

FOR WHOM?

In the instances where you have a document in a foreign language, it must be translated and legalised for Italian legislation.

WHERE?

- You must go to the diplomatic representative of Italy in your country of origin (Embassy, Consulate).

- If the document which has to be translated is already in Italy, then you must go to the Bolzano Law Courts which have **Official Translators** or to authorised **Mediatori Interculturali**.

POLITICAL ASYLUM, POLITICAL REFUGEES AND PERMISSION FOR HUMANITARIAN REASONS

3.1 POLITICAL ASYLUM AND POLITICAL REFUGEES

Applications for political asylum and refugees to be recognised as refugees, which permits them to remain in Italy, must present the appropriate request.

WHERE?

- Go directly to the Police at the border
- At the Questura
- In Bolzano, you may go to the offices of “**Flüchtlingsberatung Caritas Consulenza Profughi**”, Caritas’ German section, with their head office in Via Marconi, 7.

HOW?

The request for recognition as a refugee will not be accepted if:

- If you have been already recognised as a refugee in another state;
- If you are already the holder of a residence permit of another state which adheres to the Geneva Convention
- If you have been previously convicted in Italy under the penal code Articles 380,1 and 380,2 or are deemed to be a danger for state security, are considered to be involved in organised crime syndicates (such as the Mafia), a habitual criminal involved in drug trafficking or belonging to terrorist organisations.

In these cases you will be **turned away at the border**. However, it is permitted to appeal against any such refusal to enter the state through the courts.

ADMISSION TO ASYLUM PROCEDURE

The **Questura**, gathers all the information from the applicant, makes an official record of the request (“ordinary report” and a “Dublin Format” report) and issues a **transitory residence permit under the “Dublin Convention”**. They will undertake to send the documentation to the **Central Commission** and send to the Prefecture the go ahead for a **financial contribution for first assistance** for the asylum seeker.

THE RIGHTS OF THOSE SEEKING ASYLUM:

- Freedom of movement throughout Italy;
- Health care;
- Enrolment in compulsory education;
- The possibility of obtaining public housing in a welcome centre;
- **Financial assistance** for those who do not have any funds or anywhere to stay.

The Central Commission will continue with the examination of the request. After about 4-12 months of making the request, the applicant will be summoned to Rome for a personal interview. A decision will be made at least 1 year after the personal interview by the members of the Commission who are obliged to give reasons for their decision.

The Commission may decide to **recognise the status of the refugee**. In this case the refugee will be given a residence permit for "Political Asylum" which is valid for 3 years, also a document which substitutes the passport and a card which certifies the status of a refugee. Or it may decide to refuse (**diniego**) or a refusal with a recommendation (**diniego con raccomandazione**). In the latter case the **Questura** will issue a **residence permit for humanitarian** reasons, valid for 1 year, with permission for work or study, renewable until such time as protection is required

THE RIGHT OF APPEAL

Appeal can be of two types:

3.2 RESIDENCE PERMIT FOR SOCIAL PROTECTION REASONS

A residence permit for Social Protection reasons relates to a foreign national who is in danger of violence or serious abuse which could have serious consequences as a result of trying to escape from that situation.

HOW?

The request is completed:

- at your local social services, at organisations or other bodies licensed in the register of the Department of Social Affairs;
- at the **Procuratore della Repubblica** if a criminal case has been started.

WHERE?

The **Questura** will verify the case and will undertake to issue a **residence permit for social protection reasons** which is valid for 6 months, it may be renewable for one year and/or can be converted into a residence permit for study or work.

4.

NATIONALITY

4.1 AUTOMATIC QUALIFICATION (ATTRIBUZIONE AUTOMATICA)

HOW IS IT OBTAINED?

- By having an Italian parent
- **Transition of right (Transizione di diritto)**, the foreigner who becomes an Italian citizen by naturalisation, passes on automatically Italian citizenship to their underage children, who when they reach the age of 18 years, can give up this citizenship if they are holding another passport or nationality.

4.2 NATIONALITY OBTAINED THROUGH LEGAL MEANS (CITTADINANZA PER BENEFICIO DI LEGGE)

The parent or grandparent of a foreign national, who are Italian, can obtain through a specific declaration, Italian nationality:

- If you do military service for the Italian State
- If you are employed in the Italian public services
- If, once reaching the age of 18 years, you have lived in Italy for at least 2 years

The foreign national born in Italy may become an Italian citizen if he/she has lived legally for at least 2 years consecutively, without interruption, in Italy before reaching the age of 18, and expresses a desire to become Italian before reaching their 19th birthday.

4.3 NATURALISATION

Naturalisation is obtaining Nationality through a law, how it may be obtained:

Following the marriage to an Italian Citizen:

HOW?

When you have lived legally in Italy for at least 6 months prior to your marriage or after at least 3 years afterwards.

WHERE?

Prefettura (in Bolzano Province it's the **Commissariato del governo**. For those living abroad, it's the responsibility of the Italian Consular authorities)

Interior Ministry: must issue, within 2 years of the request the decree of citizenship; should the time limit not be respected, then the person who has made the request can obtain from the judiciary (**giudice ordinario**) a declaration of citizenship.

Ordinary Naturalisation, is given to the foreign national who:

- Lives legally in Italy for 10 years
- Has always had all documentation in correct order

- Has an actual and permanent address

The application for citizenship by naturalisation must be presented to the government's Commissariat (**Commissariato del governo**).

A list of documents which must be presented to the Commissariato del governo for Ordinary Naturalisation: 10 years uninterrupted residence in Italy.

- Documents to be obtained in your country of origin:
 - Birth Certificate, complete with both parents names, translated into Italian and authenticated by an Italian diplomatic authority or Consul.
 - Penal certificate in your country of origin, translated and authenticated
- Documents which can be obtained in Italy, or self-certified (at your own responsibility):
 - A record of where you have resided during the past 10 years in Italy: indicating which city or town, address]
 - Family status: how many family members has your family in Italy
 - Penal situation: general certificate from the **casellario giudiziale** (law courts)
 - Declaration if income during the past 3 years: minimum allowable is € 8.236,31 if you are single. If you are married and are supporting your wife you must show that you earned another € 3.098,74 a year and for each child, a further € 517 a year.
 - A declaration which authorises your country of origin to provide the Italian authorities with all other information they request

NOTE: at present double nationality is not permitted for foreign nationals who request Italian citizenship through the 10 year rule; If you obtain Italian citizenship you must decide between obtaining Italian nationality or keeping your original.

5.

WORK

5.1 WORK FOR FOREIGN NATIONALS IN HOLDING A RESIDENCE PERMIT

Foreign nationals are permitted to enter Italy for employment reasons (seasonal or open ended contracts), to look for work or for self employment. The foreigner may change the type of work from employee to self employed and vice versa, without having to advise the **Questura**. When you renew your permit, they can be advised then. You can also change a tourist entry visa into a self-employment work permit, if you meet the necessary requirements.

5.2 WORK FOR WHO COMES FROM ABROAD

EMPLOYEE (LAVORO DIPENDENTE): AUTHORISATION

WHO?

The employer, either Italian or foreigner.

TO WHOSE BENEFIT?

Of the foreigner who wishes to undertake employment in Italy.

HOW?

The employer, Italian or foreigner, who wishes to establish in Italy a work contract with a foreigner, currently living abroad, must present to the **Direzione Provinciale del Lavoro** the following:

- The correct request for authorisation;
- A declaration that confirms the provision of suitable accommodation for the foreigner;
- A copy of the employment contract with the foreigner living abroad;

The **Direzione Provinciale del Lavoro** will establish that the offer made by the employer are not below that stipulated by the Provincial or National collective contracts. The request must be within the guidelines established with regards to the numbers of and the employment ability of foreigners permitted to enter the country each year.

Having obtained the authorisation, the employer must then go to the **Questura** to obtain the **nullaosta** with:

- a fiscal stamp (**marca da bollo**) for € 10,33;
- a copy of an identity document of the employer;
- a copy of the foreigners passport.

The employer will then send to the foreigner living abroad the authorisation. In turn the foreigner has 6 months from the date of the authorisation being issued, to obtain from the Italian consulate in his/her country of origin, the employment entry visa or "**lavoro subordinato**".

WHERE?

- **Direzione Provinciale del Lavoro**

- **Questura**

WHO CAN BE OF HELP?

- Immigrants Co-ordination CGIL/AGB, CISL/SGB, UIL/SGK

EMPLOYEE: REGISTERING AT THE EMPLOYMENT AGENCY FOR WHOM?

For the foreigner legally living in Italy the decree law 286/98 increases the possibility of finding work independently of the type of category which the residence permit was issued against and to register yourself with the employment agency.

According to the decree law 286/98 the following have the right to register themselves at the employment agency:

- Foreign employees holding a work permit for **Lavoro subordinato**, should they lose their job, for time left on their permit, and, however, for a period of not less than 1 year;
- Holders of Residents cards
- Holders of residence permits for family reasons;
- Holders of residence permits allowing them to look for work;
- Holders of residence permits for social protection work reasons;
- Holders of residence permits for **lavoro subordinato**;
- Holders of residence permits to study within the limits of the quota established by the annual decree relating to the programmed numbers permitted.

HOW?

To register yourself it is necessary to go personally for an interview at the work circumstantial section (**sezione circoscrizionale per l'impiego**), the former **ufficio di collocamento**.

At this point you must bring with you your personal data and written professional qualifications, if you have them.

WHICH DOCUMENTS ARE REQUIRED?

- Residence permit
- Personal identity document
- Fiscal code (codice fiscale)
- Any educational qualifications and any work training/professional qualifications obtained in Italy
- The work book (libretto di lavoro) is no longer required

A worker who moves to another part of Italy may also transfer his/her registration on the employment registry, maintaining your seniority earned.

WHERE?

At the **Sezione Circoscrizionale per l'Impiego**, in Via L. Da Vinci, 7, Bolzano.

FULL TIME EMPLOYEE (LAVORO DIPENDENTE): WORK BOOK (LIBRETTO DI LAVORO)

FOR WHOM?

For foreign nationals who have reached the age of 16, are holding a residence permit which allows them to work and intend to begin working as an employee (**lavoro subordinato**). As a result of the reforms it is no longer obligatory to immediately to hand over the **libretto di lavoro** to the employer. The terms of employment do, however, have to be entered into the book.

HOW?

For new arrivals

The foreigner WHOM arrives in Italy with an entry visa of the type **visto per lavoro subordinato**, after having applied for a residence permit and having begun work, can go to the **works inspectorate (Ispettorato del lavoro)** and ask for the **libretto di lavoro**.

WHICH DOCUMENTS ARE NEEDED?

- Authorisation to work issued by the Direzione Provinciale del Lavoro (the original and a copy)
- Residence permit
- Photocopy of your passport showing your entry visa
- Copy of your notification of employment stamped by the Ufficio del lavoro

If the documentation is in order, then the **libretto di lavoro** will be issued immediately to the worker, otherwise it can be collected at a later date by the employer or someone delegated to do so.

The foreigner WHOM enters Italy with a **visa for reuniting families (visto per ricongiungimento familiare)**, also useful to start work as per the decree law 286/98, can also register themselves on the work register.

For foreign nationals already resident in Italy

- Foreigners with a study permit: to those foreign students WHOM attend Italian public or private institutions of any type or level and intend to work during their study period (as per article 6 L. 943/86) are issued with a libretto di lavoro for part time employment. It is possible to convert the study permit into a work permit, depending on the annual intake quota established by decree.
- Foreigners with a permit allowing them to look for work (in attesa di occupazione) The inspectorate will issue them with a libretto di lavoro only when they have been hired. The employer must complete a request for the issuance of a libretto, attaching a copy of the residence permit and a letter offering employment.
- Foreigners WHOM have a permit for Social Protection reasons, the libretto will be issued when requested by the employer.

At the end of the work contract, the **libretto** must be given back to the worker who should keep it until his/her next work contract.

Should the book become lost, the Public Safety Authority (**Autorità di Pubblica Sicurezza**) must be contacted and then ask the **Ispettorato Provinciale del Lavoro** for a copy, showing them the report issued at the Public Safety Authority.

FULL TIME EMPLOYEE: LEGAL ASSISTANCE FOR WORK RELATED PROBLEMS

FOR WHOM?

For workers who have been fired, disciplined, salary discrimination etc.

WHO CAN HELP?

The following trade unions:

- CGIL/AGB
- CISL/SGB
- UIL/SGK

FULL TIME EMPLOYEE: SOCIAL SERVICES ASSISTANCE

FOR WHOM?

For employees who have illness related problems, injury, maternity, mobility, invalidity, pensions, unemployment indemnities etc.

WHO CAN HELP?

- INCA CGIL/AGB INAS CISL/SGB
- ITAL UIL/SGK

5.3 SELF EMPLOYMENT

SELF EMPLOYMENT - CO-OPERATIVE

FOR WHOM?

Even for foreigners living legally in Italy it is possible for them to work as self employed. They are nevertheless excluded from those particular activities which are reserved only for Italian citizens. It is furthermore possible to create a society made up of people or funds, or to set up a co-operative. Given the vast number of possibilities and problems which this entails, it's better to go to the **associazione di categoria** for further information.

To undertake self employment:

- In most instances you must list yourself with an Professional Association (Albo) or Register;
- For some activities specific requisites are required;
- To undertake some activities, authorisation may be required (A. S. L., Municipal, etc.);
- For all self employed activities, it is obligatory to have a Partita IVA which is like a VAT number;

Registering with a professional Association (**Albo**) and the setting up of a **partita IVA** do involve a cost. The taxes which are paid according to income earned, INPS contributions and for some activities, INAIL are paid directly to the various Authorities.

WHO CAN BE OF HELP?

- CNA - Italian Artisans Confederation, Confederazione Italiana Artigianato
- Confesercenti
- Co-operative League, Lega delle Cooperative.

5.4 WELFARE SERVICES: FAMILY ALLOWANCES, PENSIONS, REFUNDING OF CONTRIBUTIONS

FAMILY ALLOWANCES

FOR WHOM?

The **family allowance** is available for all employees, both Italian and foreign, correctly registered with the **Social Security** where the total income of the family does not reach the minimum level established by law.

HOW?

The applicant must make a request at the **INPS** office, completing a specific form.

WHERE?

The request for the family allowance must be made:

- For full time employees, but not farm workers, to your employer, with domestic and family service workers being an exception;
- In all other cases, to the main offices of INPS.

PENSIONS

FOR WHOM?

Employees, farmers and their employees, handicraft workers, traders, agricultural entrepreneurs, home helpers are obligatorily insured by **INPS** against invalidity, old age and widowhood.

HOW?

The types of pensions offered by **INPS** are; old age pensions, seniority pension, disability pensions, invalidity cheques and widowhood pensions.

WHERE?

To obtain a pension, it is necessary to present a request at the **INPS**, either directly or through **institutions** who help workers free of charge.

RECLAIMING CONTRIBUTIONS FOR REPATRIATION CASES

FOR WHOM?

Those foreign nationals who stop working in Italy and leave the country have the possibility to request the refunding of their contributions paid by them to the **INPS**, increased at 5% per year, unless this particular subject is covered by an international convention.

HOW?

- Present a request at the INPS
- Surrender your residence permit to the customs and immigration office at the boarder (keeping a copy and ensure that they endorse upon it that the original has been surrendered);
- The customs and immigration office will return the residence permit to the Questura who in turn will advise INPS that the permit has been returned;
- INPS will take care to return the sums due to the worker by transferring the money to a bank

account in the country of the returning worker.

WHERE?

- Istituto Nazionale di Previdenza Sociale (INPS)

WHO CAN BE OF HELP?

- Trade unions: INCA CGIL/AGB (Senegal nationals can take advantage of the assistance offered of the INCA trade union in Dakar)
- Trade unions: INAS CSIL/SGB
- Trade unions: ITAL UIL/SGK
- Immigration co-ordination CGIL/AGB

6.

HEALTH SERVICES

6.1 REGISTERING WITH THE NATIONAL HEALTH SERVICE (Servizio Sanitario Nazionale)

FOR WHOM?

Registering with the **Servizio Sanitario Nazionale (S.S.N.)** at the Local Health Authority (**L'Azienda Sanitaria Locale, A. S. L.**) where you are a legal resident, or in the absence of this, where you actually live. You must register yourself and family members supported by you. **It is compulsory (and free) for foreign nationals:**

- who hold residence permits for work as employees or self employment, for family reasons, for political and humanitarian asylum or for asylum seekers, waiting for adoption, waiting to be assigned or obtaining citizenship;
- registered on the employment agency (on a par with Italians entered on the same list) [includes the physical rehabilitation] or those who are involved in some form of work whose reason for stay as mentioned on their permit does not foresee the compulsory registration at the S.S.N.

NOTE: This only covers health care carried out in Italy. Any eventual care carried out abroad is at the patients expense.

Registration at the **A.S.L.** is valid for the whole duration of the residence permit; if the foreign citizen is not registered at the **Anagrafe** the legal address for the registration with the A.S.L. is the same as the one indicated on the residence permit. For **seasonal employees**, you must register at the **A.S.L.** of the Municipality who issued the residence permit.

Holders of residence permits for asylum seekers, the services are assimilated to those for unemployed people registered on the employment agencies records, meaning that they are exempt from paying for the minimum health care charges (known as the **'ticket'**).

WHO HAS THE RIGHT TO HEALTH CARE?

The following:

- those foreign nationals waiting to have their residence permits renewed for the following types; lavoro subordinato, for family reasons, asylum, waiting for adoption, waiting to be assigned or obtaining citizenship, to this end you must show your renewed permit or show proof that you have requested the renewal of your permit.
- underage children waiting to be registered (since birth) and children if foreigners registered with the S.S.N.
- family members (with all documentation in order) supported by a foreign national.

WHEN IS THE REGISTRATION WITH THE NATIONAL HEALTH SERVICE (S.S.N.) TERMINATED?

Registration with the S.S.N. ceases following instruction by the **Questura** to the **S.S.N.** for the following reasons:

- failure to renew your residence permit
- revocation or cancellation of your residence permit
- expulsion

that is unless the foreigner can demonstrate an appeal against the above mentioned points.

WHO IS NOT OBLIGED TO REGISTER?

Holders of residence permits for business reasons are not obliged to register, while some types of foreign workers and their families are not obliged to register with the **S.S.N.** but are advised to have some form of insurance cover against sickness, injury or maternity.

These are:

- foreign managers and specialised personnel of companies who have head offices in Italy representative offices of foreign companies who have their head office in a territory or state which is a member of the World Trade Organisation,- head offices in Italy, or Italian companies or companies from another member state of the European Union.
- Full time employees, employers who are foreign residents but have been transferred temporarily in Italy to a personal or business address to perform specific services
- journalists accredited in Italy or employees of the media being daily or weekly papers, periodicals or foreign radio or television.

The foreign nationals legally living in Italy who are not registered with the **S.S.N.** must pay for any health service received, urgent or otherwise, according to the rates established by the Region or Autonomous Province.

VOLUNTARY REGISTRATION WITH THE NATIONAL HEALTH SERVICE FOR WHOM?

Voluntary registration with the **S.S.N.** is possible for those foreigners

- With a regular residence permit for more than 3 months for reasons other than as employees or self employment, not registered on the employment agency's books, not for family reasons, not asylum seekers, nor waiting for adoption, waiting to be assigned or obtaining citizenship, these people pay an annual subscription which is valid for him or herself and for their supported family members. The amount payable is a percentage of their previous years income [either in Italy or abroad], just as for Italian citizens.
- Those who hold a residence permit to study or similar by paying an annual contribution which is not valid for supported family members.

FOREIGNERS WITHOUT DOCUMENTATION IN ORDER

Those citizens who do not have a legal residence permit, without sufficient funds are guaranteed:

- urgent hospital or clinical cure for injury or illness and access to preventative medical pro-

grammes

- pregnancy or maternity instruction at the same level as Italian women
- child health care instruction
- vaccinations, interventions regarding international prevention and cure for infectious diseases.

Poverty can be declared by self certification directly to the health centre where care has been requested.

For the foreign national who does not have the correct documentation, a regional identification code is used which is valid throughout all of Italy made up by the S.T.P. (**Straniero Temporaneamente Presente** $\text{\textcircled{D}}$ which means temporarily present foreigner), from the ISTAT code of the public health structure which issues it.

This code is valid when receiving prescription medicines at licensed pharmacies at the same cost as poor Italian citizens.

RESIDENCE PERMIT	COMPULSORY REGISTRATION	VOLUNTARY REGISTRATION	NOTE
"Lavoro subordinato"	X		
Insertion in the work market		X	
Registration with the employment agency	X		
Family reasons	X		
Study		X	Not valid for families
Health reasons	X		
Cure			To be paid for or by private insurance

Table 1. Summary of the type of registration with the National Health Service for the most common types of residence permits.

FAMILY DOCTOR (MEDICO DI BASE)

FOR WHOM?

Whoever is registered with the Health Services (health card or **tessera sanitaria**) has the right to chose a family doctor or G. P. (**also know as Il medico di Fiducia**). This is the doctor you must go to for general clinical examinations, the issuance of prescriptions, requests for specialist examinations, to have medical certificates (sick notes for work), call out for a home visit if you are too ill to go to the surgery and for other non-specialised services.

WHERE?

The choice of family doctor is made at the time of registering at the counters of the **A.S.L.**

6.2 PREGNANCY AND BABYCARE

FOR WHOM?

For the pregnant woman all medical check which are deemed necessary are guaranteed free of charge, even for women without residence permits during the pregnancy period, she cannot be deported from the country and has the right to all help necessary.

WHERE?

The **Family Planning Clinic (Consulorio Familiare)** is the most adapt and best place to help a pregnant women and to follow the development and growth of children afterwards.

HOW?

It is very important that in the first months of pregnancy that some tests on the state of health of both the baby and mother are carried out. Generally speaking most of these tests are free.

COMPULSORY VACCINATIONS**FOR WHOM?**

It is compulsory for all children in Italy to be vaccinated against the following; polio, tetanus, diphtheria and against hepatitis.

WHERE?

Generally by visiting the clinic during opening hours.

6.3 CONTRACEPTION

Contraception is the term for the method of avoiding unwanted pregnancies.

WHERE?

The best way to obtain information about contraceptives is by visiting a Family Planning Clinic (**Consulorio Familiare**).

6.4 TERMINATIONS OF PREGNANCIES**FOR WHOM?**

The woman who wishes to terminate her pregnancy is guided by the law, it is possible to terminate in these instances:

- if it is carried out at a public hospital
- only during the first 12 weeks since conception.

WHERE?

The woman who seeks an abortion can go to the **Family Planning Clinic**, to a hospital or ask advice from her own doctor.

HOW?

To interrupt a pregnancy, it is necessary to have a medical prescription issued by a doctor; best of all if it has been issued by the Family Planning Clinic.

For girls under the age of 18, legal permission will be required.

6.5 FAMILY PLANNING CLINICS

At every local health authority (**A.S.L.**) there is a family planning clinic which have the purpose of helping every woman who is pregnant and will follow children's development through to adulthood.

This service is free of charge even if the woman does not have a residence permit.

The family planning clinic provides numerous services aimed at singles, couples and groups. In particular the services offered are the following;

- health care for the pregnant woman (obstetric-gynaecologic, birth preparation and parenting

courses etc.);

- assistance for women who wish to terminate their pregnancy, in accordance with law 194/78;
- standard gynaecological help for illness connected to sexuality, sterility and infertility;
- help and consultation regarding the safe and knowledgeable use of contraception;
- prevention and diagnosis of tumours in the female genitalia;
- help and counselling with the social and psychological problems regarding the relationship between couples, parent-child relationships, pregnancy, birth, sexuality etc.;
- family counselling;
- help and counselling regarding the problems concerning separation, ill-treatment and violence within the family;
- information regarding adoption and family fostering
- health care for foreign children not registered with the National Health Service;
- vaccinations against German measles for women of child bearing age;
- pre-conception check-ups.

It is possible to ask for any of the above mentioned services at the clinic by either going there in person or making a telephone appointment.

All of these services are free of charge and it is not necessary to be referred to them by your family doctor.

6.6 DISTRICT HEALTH

Each Local Health Service is territorially subdivided further into District Health Service (**Distretti Sanitari**), which are the smallest organisation units of the **A.S.L.**, with the duty to guarantee to the population both individual and collective health prevention practices and first level health care.

The District Health Service is the place where some medical services are carried out such as nursing or administrative. The District service is the only interlocutor of the citizen and the community, offering global and measured answers to complex social, health and work integration needs.

7.

SOCIAL ASSISTANCE (ASSISTENZA SOCIALE)

In Alto Adige, being an autonomous province, the primary responsibility for Social Assistance lies with the **Provincia Autonoma di Bolzano**.

7.1 MANAGEMENT ENTITIES OF THE SOCIAL SERVICES: COMMUNITY AUTHORITIES AND SOCIAL SERVICES AGENCIES OF BOLZANO

As per the Provincial law number 13 of April 30th 1991, the **Provincia Autonoma di Bolzano** delegated the direct management of the social services to the municipalities, who in turn sub-delegated it to the District Community or **Comunità Comprensoriali**, public organisations which unifies numbers of municipalities in the same areas. In the territory of the city of Bolzano the management of all the social assistance functions has been given by the Town Council to the **Azienda Servizi Sociali di Bolzano (ASSB)** meaning the Social Services Company of Bolzano, an organisation authorised under the provincial law number 16 dated 11.11.97.

SOCIAL SERVICES COMPANY OF BOLZANO (AZIENDA DEI SERVIZI SOCIALI DI BOLZANO)

As of January 1st 1999, a single entity manages social assistance services in Bolzano, the **Azienda Servizi Sociali di Bolzano (ASSB)**. This entity, at the same level as the **Comunità Comprensoriali**, takes care of, through promotional, preservation and recovery initiatives, the well being of Bolzano's citizens, maintaining personal and family autonomy.

FOR WHOM?

- the young
- families
- elderly
- handicapped persons
- mentally disturbed people
- socially disadvantaged people

HOW?

- financial assistance (minimum income)
- home help
- social assistance
- pedagogical and educational assistance
- assistance in the work place
- crèche
- nannies
- family planning

- anti violence centres
- refuge centres for women
- “subway” E youth centres
- “emergency elderly” service
- day centres for the elderly
- elderly assistance day centres
- refectories for the elderly
- “climatic stays” (health reasons) for the elderly who have insufficient funds
- rest homes and care centres
- handicapped and mentally disturbed assistance
- socially disadvantaged assistance (structures and services reception centres for newly arrived foreign citizens, Nomads Camps for Sinti’s and Rom’s, drug addicts services, dormitories for men and women).

7.2 SOCIAL HEALTH DISTRICTS (DISTRETTO SOCIO-SANITARIO)

FOR WHOM?

The Social Health Districts (**Distretto Socio-Sanitario**) is the first reference point to satisfy the social health needs for all citizens of any zone.

HOW?

The **Distretto** offers;

- information and advice on social and health services
- social and health services which can be carried out in the main office of the **Distretto** or at the home of the person who requires assistance, or in another building in the area.

The social assistance services offered in the **Distretto** are as follows;

- economic assistance
- home help
- social assistance
- pedagogical and educational assistance
- help in the place of work

7.3 DISTRICT SERVICES (SERVIZI DISTRETTUALI)

ECONOMIC ASSISTANCE

FOR WHOM?

The service of economic assistance means the distribution of a sum of money to families or individuals who find themselves in a particularly difficult situation.

HOW?

The economic service regards:

- introductory minimum income (**reddito minimo di inserimento**) to satisfy the fundamental living needs such as home and board; whoever takes advantage of this facility can also obtain a certificate which guarantees the exemption of paying the health care '**ticket**' which is the minimum charge made for any health service assistance.
- **Specific services (prestazioni specifiche)** in particular circumstances, extraordinary payments can be made to head off family or individual emergency situations.
- Amongst these:
 - Refund of expenses for using telephone help (telesoccorso)
 - A contribution towards the installation of a telephone for elderly people
 - A contribution for handicapped people towards the cost of purchasing and/or modification of transport
 - Covering the costs of fostering children
 - A contribution for child assistance (up to the age of 3 years old) by child home help assistants (Tagesmütter).

HOME HELP (AIUTO DOMICILARE)

FOR WHOM?

The service may be requested by people who find themselves in a condition, whether partial or total, physical and/or mental incapacity to manage their family lives without external help.

The facility consists of the granting of services, either at home or in a day care centre for the elderly with the aim to reduce the need to be taken into a residential care centre.

WHERE?

The social health **Distretto** can provide you with all relevant information about this facility and it's there that requests to enter the programme can be made.

SOCIAL ASSISTANCE (ASSISTENZA SOCIALE)

FOR WHOM?

The service of social assistance intervenes on behalf of citizens who find themselves in difficult situations, and together with the applicant will create a help programme. The service is given by social workers.

The services foreseen are:

- social assistance and advice to families or individuals with actions taken towards overcoming social problems;
- information and help in gaining access to services and facilities which take care of children and families
- the fostering of children within the same family group or to another family, institution or community boarding centre.

The service is free of charge.

PEDAGOGICAL AND EDUCATIONAL ASSISTANCE

FOR WHOM?

All citizens who are in need of help and support for the development of their own personality.

HOW?

- to be received and heard
- support, programming and the activation of social support actions
- support for the families through counselling and collaboration with various public and private services
- organisation and creation of groups of volunteers and self-help
- education at home

This facility is provided by teachers. The service is free of charge.

HELP IN THE WORK PLACE

FOR WHOM?

This office takes care of and prepares projects regarding the insertion in the work place, together with the service of **inserimento lavorativo** of the **Provincia Autonoma di Bolzano**, for people who are mentally retarded, with psychological or behavioural problems, with motor, neurological or are physically handicapped or those with dependency problems.

8.

HOUSING AND ACCOMMODATION

FOR WHOM AND HOW?

The foreign national who is in possession of a valid resident's card or residence permit and is looking for an apartment has 3 alternatives;

- buy one
- rent one
- go to a reception centre or a guest home, made available by the Town Council and the Provincial government in collaboration with local private or volunteer associations.

N.B. Reuniting families

To obtain permission to reunite your family is it necessary to have an apartment big enough to invite your family, based on criteria established by the town council. The Municipal law states that for 2 people the apartment must measure at least 38m², for every additional family member a further 10m² is required.

8.1 RENTED ACCOMMODATION

FOR WHOM AND HOW?

There are numerous methods in finding an apartment to rent, the most practical are:

- read the local newspapers which contain housing adverts
- go to an estate agents

In every case, once accommodation has been located you must agree the rental agreement and afterwards register it in the Registry Office (**Ufficio del Registro**).

It is normal practise that when agreeing the contract, 3 months rent in advance is paid as a caution, to pay for any damage caused during the rental period. The caution is refunded should the house be returned to the owners in the same condition which it was rented in the first place.

With regards to industrial workers, the social co-operative **Temporary Home** has signed an agreement with the Industrial Association of the Province of Bolzano in which they will endeavour to find suitable living accommodation/dormitories for non residential industrial workers.

8.2 SOCIAL ACCOMMODATION

Council housing are allocated by IPES (**Istituto Per l'Edilizia Sociale**), on the basis of indispensable prerequisites such as **5 years residence or work** in the Province of Bolzano.

IPES, on receipt of the request, will register the applicant on their scaling list (**graduatoria**) and assign accommodation depending on availability.

The scaling list is published in their offices and at the Town Hall, with an indication of the points obtained by the applicant.

Appeal against the scale must be presented within 30 days upon receipt of the communication.

These appeals are examined by the Commission who assigns accommodation within 60 days. The definitive list will be made public.

The following must be attached to the application to IPES:

- copy of the residence permit or resident's card;
- declaration from your employer;
- copy of your last income declaration (as per the provincial law number 13 dated 17.12.98, article 99).

NOTE: the request for council housing must be presented or renewed between the months of September and October each year.

It is also possible to go to the **Uffici di Edilizia Abitativa** (literally means the offices for habitation buildings) of the town council of your residence; generally the requirements stipulated by the Town Council are the same as asked by IPES.

8.3 HOUSING BENEFITS (SUSSIDIO CASA)

Housing benefits can be requested by the contract holder of a rental contract.

The request for housing benefit is presented to IPES or to the town council of the place of your residence, attaching the following documentation;

- photocopy of your resident's card or residence permit;
- photocopy of your identity card;
- photocopy of your registered rental contract and a photocopy of the tax payment made for the contract's registration;
- declaration of your previous years income;
- the licence which permits the house to be rented (obtainable from the Municipal's technical offices);
- proof of rent payment;
- certificate of non licensed accommodation (for contracts prior to August 1999), this can be done at the Town Councils Ufficio Tavolare or by a self-declaration by the owner;
- fiscal stamp (**marca da bollo**) for € 10,33;
- eventual separation or divorce documentation.

NOTE: to obtain housing benefits it is not necessary to have lived or worked for 5 years in the Province of Bolzano; it is necessary to have a rental contract registered in the correct way.

8.4 RECEPTION CENTRES AND GUEST HOUSE ACCOMMODATION

Foreign nationals with correct residence permits awaiting to find definitive accommodation, can go to the reception centres or **centri di prima accoglienza** if not already working or does not have workers guest house accommodation if already working.

The **centri di prima accoglienza** have been created to guarantee a service of reception for those persons in a difficult situation. To take advantage of these reception centres in Bolzano, it is necessary to present a request to the immigrant reception centre office of the **ASSB**, run by **O.D.A.R. - Caritas**. It is open to all foreign unemployed adults. The stay in the centre is limited

to a maximum of 30 nights per year, distributed in 3 periods. Entry into the centre is permitted between the hours of 19.00 and 22.00 hours and the building must be vacated between the hours of 07.00 and 08.30, it is not possible to enter the premises during the day.

Documentation required to make a request:

- Permission or resident' card
- work book to confirm the status of unemployed
- certificate of suitability to live in the community issued by the A.S.L.

As soon as work has been found, you may then gain access to the **Casa del Giovane Lavoratore** and remain there for a maximum of 6 months. To obtain this, you must go to the Office of the **ASSB: Servizi a Persone in Situazione di Disagio in Via Claudia Augusta 45**, taking with you your residence papers and a declaration from your employer.

The workers Guest Houses (**casa albergo per lavoratori**) are secondary reception centres run by IPES or by authorised private or volunteer organisations. To gain access to these Guest Houses you must apply to IPES, attaching to the application your residence papers, declaration of employment by your employer and your declaration of income earned.

NOTE: To gain entry to this type of accommodation it is not necessary to have lived in the Province of Bolzano for 5 years.

8.5 HOUSE PURCHASE

To take advantage of financial assistance helping you to purchase accommodation, the applicants must be in possession of the following **pre-requisites**:

- to have been a resident for at least 5 years or to have a place of work in the Province of Bolzano;
- not be an owner of a property or the holder of a title which permits free use of a property;
- not be a family member which has received a public contribution towards the purchase or construction of accommodation, except in the instances where you are forming a new family;
- not have a total income above the minimum levels as established by article 58 of the provincial law number 13/98.

Whoever wishes to purchase a home can always consult the estate agencies publicity in the newspapers, or visit an estate agency.

To obtain a mortgage you should go to a bank.

In the instances of low income it is possible to obtain a mortgage with an assisted interest rate through the Provincia di Bolzano, presenting the request to the **Ufficio Promozione Edilizia Abitativa**, (or the office promoting habitable buildings); only those who have reached the age of 23 can obtain a Provincial mortgage.

9.

SCHOOL AND UNIVERSITY EDUCATION

Schools allow the young to grow intellectually and to prepare themselves towards a professional career. **Adult education** is destined to update or qualify those already employed, or anyway, is outside learning circles. The latter deals with specific objectives, practical in type, of a short duration and frequently mean a part of the course is theoretical and a part practical.

9.1 SCHOOL ENROLMENT

In Italy the present legislation (which is presently being modified) states that it is obligatory for children to attend school from the age of 5 or 6 years old up to the age of 16.

All children of immigrant families must be enrolled into compulsory schools, even if they do not hold residence permits. To enrol in a school, children must have a **vaccination certificate** and a **medical certificate**. In the Province of Bolzano, there are schools which teach in Italian language as well as schools teaching in German and Ladina.

HOW?

School enrolment can be done at any time during the academic year.

- children of foreign nationals have the right to education independent to the regularity of their residence papers
- children of foreign nationals are enrolled into the class which corresponds to their age, unless the Teachers Association decides that they should be entered into a different class (that of the class immediately below or above their age group).
- To increase their knowledge of Italian and/or German language, they can have intensive language courses.
- qualified intercultural mediators can be used as the means of communication between schools and the immigrant families.
- Schools can initiate intercultural receptions and initiatives through foreigners associations and volunteer associations.

9.2 CRÈCHES

In the Province of Bolzano, only the Town Councils of Bolzano and Merano manage crèches. Babies from the age of 3 months old to 3 years can be enrolled. The request can be made in either the month of April or October each year. You can make the request as soon as the baby is born. Attendance is not compulsory, however if there are prolonged absences, the family may be requested to withdraw the baby. The service is provided for a fee. The hours are in general, from 7.30 a.m. to 5 p.m.

9.3 KINDERGARTENS

It is possible to enrol children from their 3rd year to their 5th. There are both private and public

kindergartens. Regarding the public schools, enrolment is generally made directly at the school of choice (the one nearest to your home) during the months of January and February. The schools hours may vary, but generally they are from 7.45 a.m. to 12.15 and 2.15 p.m. to 5. Attendance is not compulsory and it is fee paying.

COMPULSORY SCHOOL: COMMON CHARACTERISTICS BETWEEN PRIMARY AND SECONDARY SCHOOLS

The academic year begins in September and ends in June. Enrolment and attendance are compulsory and is free. Schools accept new pupils regardless of the time of year. For children who have attended schools abroad, it will be the school who decides which class to enter the child. To enrol a child in a school (usually the nearest to home) you must present a request to the school of your choice during the month of January preceding the start of the school year. Admission to the following school year depends on the student being promoted by the teachers who evaluate the learning capacity of the child. If this deemed to be insufficient in a number of subjects then the pupil is considered to have failed and must repeat the year. Amongst the subjects taught there is religion, however it is possible to request formally to not to have to do this particular subject. Half way through each academic year, each pupil receive a written evaluation report on their levels of learning in each subject by each teacher. This report must be signed by a parent and returned to the school. Usually pupils also are given homework to do in order to deepen their knowledge of what has been taught in class. School books are on loan and are free, at the end of the academic year these books are returned to the school to be reused the following year. Twice a year, parents have the opportunity to meet their child's/children's teachers in a general audience or meeting (**udienze generale**). Once a week each teacher is available at the school to meet the parent(s) of the child/children to offer specific advice or information about their learning ability, this is an individual audience or **udienza singola**. In order to help the rapport between teachers and parents, the parents nominate amongst themselves class representatives. Absence from school, late arrivals or early departures must always be justified in special booklets used as a line of communication between parents and the school. If the child is absent from school for more than 5 consecutive days the not only must the child bring with him/her a justification by a parent but also a medical certificate from the family doctor. A number of primary schools try to help children with language difficulties (Italian or German), by using, for a limited period, **Intercultural Mediators** of the same mother tongue as the child/children.

If the school offers it, it is possible to enrol a child in a class with extended hours, usually to 4 p.m. (full time). Over and above the classes foreseen during the academic year, a number of schools organise extra-scholastic activities or didactic trips. These are usually upon payment of a fee. Pupils may also take advantage of school refectories or canteens, purchasing meal vouchers from the town hall of your residence. There are also specific activities organised out of school hours aimed at foreign children, such as those organised in Bolzano by some schools' directors in collaboration with the various social co-operations or associations active locally.

L'Istituto pedagogico (Pedagogical Institution) in Italian has put together a schools guide for foreigners which can be obtained in Via Ronco, 2, Bolzano, or telephone 0471-411453.

PRIVATE SCHOOLS

At present in the Province of Bolzano there are a number of crèches and kindergartens which are run privately, in addition to primary and secondary schools. Some of the private schools allow children to follow courses which are aimed at catching up academically, up to the age where pupils are awarded the 'diploma di maturità'.

9.8 ADULT EDUCATION

For adults who do not have an education from compulsory school and do not have any formal qualifications, there are evening classes for workers, known as the '150 hours.' Students who are enrolled on these courses have a possibility to have some flexibility in their working hours. The duration of these courses are linked to the academic school year. Further information can be obtained from the **scuola media Leonardo da Vinci**.

In the principal centres of the Provincial governments offices, even language courses for foreigners are held. For courses in Italian language, you can go to the **scuola media Danti Alighieri** or to **private schools** specialised in language courses. The **European Social Fund ESF (Fondo Sociale Europeo FSE)**, in Via Piave 3, Bolzano, has information on all work training courses held in the Province organised with funds from the European Community.

9.9 RECOGNITION OF ACADEMIC QUALIFICATIONS OBTAINED ABROAD

The responsibility for recognising qualifications obtained abroad for those who wish to further their education at university level lies with the university or the institute of university education, who do so under their own autonomy and conforming to respective guidelines, also considering bilateral agreements and international conventions.

9.10 RECOGNITION OF PROFESSIONAL QUALIFICATIONS

Foreign citizens, legally living in Italy who hold professional qualifications obtained in a foreign country which does not belong to the European Union and who intends to enrol themselves on a professional order or association belonging to their profession, can request the recognition of their qualifications thus permitting them to follow their corresponding profession in Italy. The request for recognition must be presented to the relevant Ministry and the request must indicate the profession or professions for which recognition has been requested. The Ministry will verify that the documentation provided is complete and will communicate to the applicant any eventual integration within 30 days of receipt of the request.

9.11 SPECIAL ARRANGEMENTS FOR THE HEALTH PROFESSION

The Minister for Health decides the modality of registering with the professional orders and specialised lists for foreign nationals with a health profession, upon verification and assessment of their knowledge of the Italian language. The **Minister for Health** also decides the modality of recognition of the academic qualifications for health care obtained in non European Union countries. The Prime Minister's annual decree provides for the recognition of these qualifications and admission to the necessary exams, within the limit of the set quotas.

10.

PROFESSIONAL TRAINING

Professional Training School or Technical College (**Formazione Professionale**) in the Province of Bolzano takes care of basic training of the young and updating the work skills of the workers. The Autonomous Province of Bolzano offers training courses in either Italian or German languages. At the two technical colleges in Bolzano there is a careers service which offers information regarding training and entry into the work market.

HOW?

Through strict collaboration with the companies in the area, the **Formazione Professionale** offers the possibility to develop the necessary competencies for a positive entry into the work market, benefiting the social and professional growth of the individual.

The three fundamental types of courses offered by the **Formazione Professionale** are:

- full time training courses
- apprenticeship courses
- continuous education

WHERE?

Training courses are organised by the **Formazione Professionale** in Italian, German and Ladina languages.

10.1 TYPES OF COURSES

FULL TIME COURSES

FOR WHOM?

The full time courses are aimed at those people who have ended their secondary school education, those who have already some form of professional qualification or have a 'state diploma.'

HOW?

The courses are designed and proposed considering the needs of the work market with the aims to help the students to find employment in the following sectors; agriculture, the hotel trade, commerce and services, industry and handicraft and social professions.

WHERE?

Training courses are organised by the **Formazione Professionale** in Italian, German and Ladina languages.

APPRENTICESHIP

Some work contracts allow the company to employ a young person with the aim to have him/her study a trade at the **Formazione Professionale** during working hours.

FOR WHOM?

Apprenticeship courses, usually lasts between 3 and 5 years, allows the apprentice to obtain a

more complete ability thus permitting him or her to follow their chosen profession. The courses may be attended by young people who have completed their compulsory education and are under the age of 25; in certain situations that age limit may be raised to 29.

HOW?

In the form of a special contract which envisages the collaboration between the company and the technical college (**Formazione Professionale**) to train the apprentice who in turn will be paid for work done.

WHERE?

Training courses are organised by the **Formazione Professionale** in Italian, German and Ladina languages.

CONTINUOUS EDUCATION

FOR WHOM?

Continuous education or learning is aimed at adults who are either already employed or are looking for work.

HOW?

Continuous education foresees the following initiatives;

- aimed at workers who wish to update or improve their professional levels;
- courses promoted by companies strictly connected to technological or organisational innovations.

WHERE?

Training courses are organised by the **Formazione Professionale** in Italian, German and Ladina languages.

10.2 PROFESSIONAL AND EDUCATIONAL CONSULTATION SERVICES

FOR WHOM?

The professional and educational consultation services provides to both the young and adults useful direction and advice in their choice of the most adequate training course. Even for those people who are experiencing difficulties in finding work or those who wish to find better employment can have specific information from the advisers on the most suitable course available.

HOW?

Advice is given during interviews which are aimed at discovering the actual desires, capacity and professional attitudes of the individual concerned.

WHERE?

Training courses are organised by the **Formazione Professionale** in Italian, German and Ladina languages.

11.

THE PROTECTION OF RIGHTS

11.1 RIGHTS TO A DEFENSE AND 11.2 LEGAL AID

FOR WHOM?

All foreign nationals are guaranteed the same rights to a defence lawyer as Italian citizens.

HOW?

Foreign nationals who are under investigation or are undergoing trial who do not earn enough to pay for a lawyer, neither in Italy or abroad, have the right to Legal Aid (**gratuito patrocinio**), can choose their defence lawyer who will be paid for by the state.

Legal Aid can be requested for:

- during penal procedures
- whilst serving a sentence
- at procedures for young offenders
- at procedures in front of the Tribunale di Sorveglianza

WHERE?

Legal Aid can be requested in writing and sent (by recorded delivery) to the presiding judge's chambers.

11.3 PUBLIC DEFENDER (DIFENSORE CIVICO)

FOR WHOM?

The Public or Civil Defender is available to all citizens to advise free of charge in their dealings with the public administration.

HOW?

The Public or Civil Defender has the role of guarantor with the duty to notify, even on his/her own initiative, abuse, malfunction, errors and delays in the administration with regards to citizens.

11.4 PROVISIONS ON BEHALF OF CHILDREN

The underage children of foreign citizens who live with their parents or guardians and have legal documentation and is listed on one or both of their parents residence permit up to reaching the age of 14 years old is governed by the judicial situation of their parents with whom they live, or the more favourable legal situation of one of the parents with which they live. Again up to the age of 14 years, the child who is entrusted or under guardianship (as per article 4 of the law number 184, dated 04.05.1983), is listed on the residence permit of whichever foreigner he/she is entrusted and is governed by the judicial situation of the person to who he/she is entrusted, if it is to his/her advantage.

Once the age of 14 years has been reached, the child listed on the residence permit or resident's

card of the parent will be given a **residence permit for family reasons**, or a resident's card, valid until the child becomes legally an adult. The young offenders court, for serious reasons connected to psychological development, taking into consideration the age and health condition of the youth who is on Italian soil, can authorise the entry or the stay of a family, for a limited period, even departing from the norms regarding immigration. This authorisation can be revoked when the serious conditions which justified the issuance of a residence permit have been overcome or resolved, or the families' actions are considered to be incompatible with the needs of the child whilst in Italy. The decisions are communicated to the diplomatic representative or Italian consul and to the **Questore** for them to carry out their duties.

EXCLUSION OF A CHILD

In the instances that a child of a foreign national has to be excluded, the procedure is activated at the request of the **Questore** by the young offenders court.

11.5 MEASURES AGAINST RACIAL DISCRIMINATION

The single text regarding immigration introduces some important remedies against racial discrimination and acts of intolerance towards immigrants.

FOR WHOM?

They are measures aimed at punishing anyone who engages in acts of discrimination for reasons of **'race or colour,'** or for reasons regarding a person's **'nationality, religious or ethnic'** background and whoever puts into jeopardy the recognition and the exercising of human rights in every aspect of public life.

AGAINST WHOM?

These measures are aimed against:

- Public officials or employees who in the carrying out of their duties commit or omit acts against foreigners, who by merely being foreign nationals are unjustly discriminated against;
- Whoever imposes disadvantageous conditions or refuses to provide to a foreigner possessions or a service offered to the public;
- Whoever imposes illegal and disadvantageous conditions or whoever refuses to employ, access to accommodation, education or social services to a foreigner legally living in Italy just because they are foreign;
- Whoever impedes a foreigner operating his/her legitimate business;
- Whoever commits acts of discrimination against a foreigner within the work place;
- Whoever behaves in a xenophobic or racist behaviour.

HOW and WHERE?

A written complaint must be presented to the judges' chambers of the ordinary law courts of where the complainant lives.

12.

CULTURE, INTERCULTURAL EDUCATION

12.1 CENTRES FOR CULTURAL DEVELOPMENT AND 12.2 INTERCULTURAL EDUCATION

FOR WHOM?

Foreign citizens living in the Autonomous Province of Bolzano can take advantage of the services provided by the cultural development and language learning centres.

HOW?

The institutions are active at youth level, after school activities, permanent education and scientific fields.

WHERE?

Promotion and language learning are the responsibility of the bi-lingual and foreign language offices (**Ufficio Bilinguismo e lingue straniere**) with regards to the Italian Cultural section and Permanent Education offices (**Ufficio Educazione Permanente**) for the German Cultural section.

The entities and organisation of the Permanent Education sector organise fee paying courses in cultural, personal education, computer technology, language courses and many others besides.

12.3 DEVELOPMENT CO-OPERATIONS

FOR WHOM?

Both the Provincial government and the Town Council of Bolzano make available to individuals or legal associations, with their main office in Bolzano Province, funds or human resources to promote co-operation activities, peace and solidarity in developing countries.

HOW?

Those interested must present their request on a pre-printed form outlining the estimated budget for the financing of the project to the entity whom you wish to finance the project.

WHERE?

The office which is responsible for the co-ordination of these resources is, for the Provincial Government; **Ufficio Affari di gabinetto ò Servizio cooperazione allo sviluppo della Provincia Autonoma di Bolzano**. As for the Municipal government or Town Council; **Ufficio di Pianificazione Sociale**.

