

Labour Alert

Digital nomads: how to obtain the visa
to execute remote work in Italy

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With Decree dated February 29th, 2024 (the “**Decree**”), the competent Italian Ministry issued precise instructions on how and what the requirements are to enter and stay in Italy for the so-called “digital nomads” and, more in general, extra-EU citizens who intend to execute remote work in the country. These provisions are officially effective as of last April 5th.

More specifically, the Decree applies to **citizens of extra-EU states** who perform **high-qualified working activities** through **technological tools that allow remote work**. The nature of such occupations shall comply with the provisions set forth by section 27-*quater*, par. 1 of the Italian Consolidated Act on Immigration (i.e., Legislative Decree no. 286/1998) and therefore, it shall concern workers holding specific education degrees and/or professional skills (e.g., attesting to the completion of a higher educational path at least equal to level 6 of the Italian national Framework of qualifications, as referred by the relevant decree; a higher qualification confirmed by at least five years of professional experience).

The Decree differentiates between individuals who intend to operate as self-employed workers (“**digital nomads**”) or as actual employees (“**remote workers**”) for companies which are not headquartered on national territory, thus referring to employers or principals professionally operating business activities at the sole scope of production and exchange of goods and services which may also be set outside the Italian state territory.

Workers who intend to **carry out these working activities in Italy** for a period lasting **over 90 days** shall apply for an entry visa **outside the annual quota** set by the so-called “Flows Decree”.

Access to Italy is allowed to digital nomads or remote workers who:

- 1) earn a **minimum annual income amounting at least to EUR 25,000**, which is equal to three times the minimum level set for the exemption from health care cost-sharing;
- 2) are covered by **national health insurance**;
- 3) hold adequate documentation relevant to their **accommodation**;
- 4) have **at least a six-month experience** in the field of expertise pertaining to the working activity they will perform in Italy;
- 5) share their **employment or consultancy contract** or a binding work offer attesting to the high qualified nature of the working activities that will be performed on its basis.

Digital nomads and remote workers who comply with the mentioned requirements **are not requested to provide the temporary clearance** which, in ordinary cases, must be released by the competent immigration office in Italy before the involved subject enters the country.

Since accessing Italy, the workers have **eight days** to visit the competent police headquarters where they will submit a request for a residency permit, which will allow them to remain in the country for up to one year, extendable for an additional year provided the continued compliance with the initial requirements.

The police offices notify the release of the residency permit to:

- a) the competent Italian Local Labour Office (*ITL*), for all necessary verifications;
- b) the local headquarters of the Italian Social Security Institute (*INPS*) and the National Institute for Insurance against Accidents at Work (*INAIL*), so to enable the enforcement of social security provisions agreed upon by bilateral agreement between Italy and the origin state of the involved worker or provided by the Italian laws on the matter, in case said agreement was never executed;

c) the Italian Revenue Agency, to let the workers obtain an Italian fiscal code and/or a VAT number.

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For further information and explanations, you may contact:

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