

# Immigration Amnesty - Sanatoria 2020

Article 103 Legislative decree n.34. May 19 2020

**Purpose:** to safeguard, through the regularization, the individual and collective health, as a consequence of the COVID-19 epidemic, and to promote the procedure for transforming undeclared work into a regular one.

## Business sectors of application:

1. agriculture, breeding and zootechnics, fishing and aquaculture, and all the connected activities (the connected activities are indicated in the attachment of the interministerial decree dated May 27, 2020)
2. Caregiving and support for oneself or for the family members, even if not cohabitant
3. Housekeeping

**Outcome:** to ensure manpower in strategic businesses

## From June 1st to July 15th, 2020

There is no numerical limit, everyone with the right requirements and documents can apply.

## There are 2 Procedures For 2 different situations

### First procedure: You have a job or have already found it:

If the person had an undeclared job, or if the person has found a job, in **one of the 3 business mentioned above**, the person obtains a Permit to Stay for Work according to the duration of the employment contracts.

**Attention:** It is your employer who must apply to the Sanatoria.

**Attention:** the contract must be real.  
**It's a Felony** to pay in order to obtain a job

**The employer has to pay the cost of the procedure in the amount of 500€ + a lump sum to be defined for the legalization of the work and as fiscal and contributions reimbursement**

### Second procedure: You are looking for a job

The person does not have a job  
+  
the permit to stay is expired after October 31, 2019  
+  
Before October 31 2019 the person had a regular employment in one of the three industries mentioned above.

**The person obtains a Temporary Permit to Stay of the duration of 6 months.**

**The person must pay for this procedure 130€**

## If the employment terminates,

The person will keep the permit to stay and there will be 2 scenarios:

- 1) the person finds a new job; he can renew the permit to stay due to the new contract (even if the new job is outside the three business sectors mentioned above).
- 2) the person doesn't find a new job; he can ask a permit for "looking for a new job", this permit has a duration of 1 year.

## Note:

The person can find a job **only in one of the three industries mentioned** above. At this point he/she can change the "temporary permit" in a "permit to stay for work".

## Note to the employer

The employer can't apply to the Sanatoria if, in the last 5 years, he/she has been sentenced for

- aiding illegal immigration
- Illegal recruitment
- Illegal employment

### Please Note

If the employer hires a worker without a permit to stay, the employer does not risk any charges because all the legal actions for illegal employment are suspended. In case the application is rejected for causes not due to the employer, the charges for illegal employment will be archived.

### Income limits for the employer:

- In the industry of caregiving or housekeeping the employer must have an annual taxable income of 20.000€ for family of 1 member, 27.000€ for family with more than one person. To reach this amount the employer can sum up the income of the spouse, of relatives within 2<sup>nd</sup> degree, even non cohabitant, and other income nontaxable as for example the disability income.
- If the employer is a firm or an institution the taxable income must be over 30.000€ per year.
- In case of a farming business, the income could be evaluated considering further indicators other than the revenue.

**If the employer is a foreign person, he/she must have a permit to stay for long resident in UE.**

## Note to the worker or who's looking for a job

The worker must demonstrate he/she was in Italy before March 8 2020, with:

Digital storage of fingerprints

Or Declaration of presence

Or Official documentation released from Public Office with date (are allowed, **for example**: medical certificate from a public health center, kids school application, transportation pass, telephone subscription with Italian provider, certificate from police, declaration from authorized shelter even religious, the declaration released from consulate offices in Italy)

### You can't apply

- If you have been the object of a ministerial exclusion order for prevention or terrorism (the "foglio di via" is not obstructing the application)
- If you have been reported as not admissible in the Schengen area
- If you have been reported as a person considered a danger to the community also in other countries of the Schengen area.
- If you have received a sentence (final or not) for:
  - ✓ Crimes that provide the arrest in flagrante delicto
  - ✓ Crimes against people's freedom
  - ✓ Drug crimes
  - ✓ Aiding and abetting of illegal immigration
  - ✓ Exploitation of prostitution

**It's a very long list of crimes**

### Please note:

The legal actions for illegal entrance and stay will be suspended for the worker applying for the immigration amnesty. But if the procedure will be rejected, those procedures will not be archived.

## Questions & Answers

### **Do I need a passport to apply?**

You need a passport or equivalent documentation.

### **If I have a permit to stay do I need to apply to Sanatoria in any case?**

It depends, but if you have already a permit to stay stable and convertible there's no need to apply.

**For example**, if you have an expiring permit to stay released for humanitarian reasons, you can already convert it without the restrictions of the three industries.

Consider that, as today, all the permits have been extended to August 31 2020, and from that date you have 60 days to fix an appointment with the police headquarters (questura). The time frame for this immigration amnesty is 45 days (from June 1 to July 15).

### **Asylum applicants, Dublino cases and plaintiffs are eligible to apply?**

There are not restrictions. If the other requisites are satisfied, they can apply to Sanatoria.

Consider that if you apply for this immigration amnesty you don't remove your Asylum application.

## Suggestions

The regulation is not yet very clear, so distrust of people who claim to be an expert.

It could be a good idea to search a job in one of the three industries mentioned above. They are hiring. And working there will be an advantage for the application.

The procedure will be managed by public officers, so do not trust people asking for money to help you in the application process.

**For help or further informations contact us at:**

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or leave a message on fb at Liberi Tutti Pavia

<https://www.facebook.com/liberituttipavia/>