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How to

Obtain a residence permit for European Community (EC) long-term residents (SLP)

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

The residence permit for EC long-term residents (former residence card) was introduced by Legislative Decree of 8 January 2007 and rewrites the rules on residence card provided by 286/1998 "Uniform provisions concerning the discipline of 'immigration and the status of aliens".

The law concerning the residence permit has undergone several modifications over the years:
in 2002 by Law 189/2002;

by Legislative Decree No 3 of 2007;

by Legislative Decree No 160, October 3, 2008 which does not relate directly to the residence permit for EC long-term residents, but change the parameters of income;

in 2009 with the law July 15, 2009, No 94.

Legislative Decree 3 of 2007 provides:

- Reduction of the period of legal presence in Italy needed to apply for residence permit for EC long-term residents hereinafter "EC residence permit for SLP" 6 to 5 years;
- Replacement of the requirement of ownership of a residence permit for a reason that allows an indefinite number of renewals, with a residence permit valid for employment or self, family, religious, etc. ...;
- The opportunity to request a residence permit for EC SLP period for dependent parents;
- The possibility for the holder of a residence permit for EC SLP to go to work / reside / study for a period exceeding three months in other European countries which have transposed the European Directive.

Who can apply for residence permit for EC SLP?

May apply for non-EU foreign nationals residing legally in Italy for at least 5 years and have all the requirements of the law.

The current law includes these requirements:

- Possession of a residence permit valid (or at renewal);
- 5 years of uninterrupted legal residence in Italy;
- Annual income of not less than the amount of the social (€ 5,349.89 for 2010) if you require a residence permit EC SLP itself. If demand for this type of permit for family members under Article. 29 T.U. must take account of Legislative Decree No 160, October 3, 2008 amending the existing legislation on family reunification. For each dependent family member must be added to income amounting to half of the social.

For 2010: requesting a + family - income not exceeding € 8024.83;

applicant + two families - income not exceeding € 10,699.78.

For dependents must also demonstrate the suitability hygienic sanitary housing.

- Not to be dangerous to public order or state security and not even have any convictions not final, for crimes under Article 380 of the Criminal Procedure Code and, solely for non-intentional crimes, Article 381 of the Code. The decision of the commissioner refusing also takes into account time presence on their territory, and social inclusion, family and employment of the alien.

- The issuing of residence permit for EC SLP must pass by the applicant, a test of knowledge of Italian language, the rules of conduct will be determined by decree of the Minister, in consultation with the Ministry of 'Education, Universities and Research.

The residence permit for SLP There is a time limit and according greater rights than other residence permits, with the ability to:

- Perform any work or self except those expressly reserved to national law (for conducting activities of employment is not required of the contract of residence);
- Use of social security benefits, social assistance, health education, to take advantage of public goods and services including access to the procedure for obtaining public housing units, except as otherwise provided;

Can not be issued to foreigners staying in Italy for the following reasons:
studies, vocational training, temporary protection and subsidiary protection, short stay.

In order to grant a residence permit for EC SLP is not necessary that the non-EU citizen proves to have a contract of indefinite duration. Indeed the law does not specify in any way that this additional requirement is essential but only requires an adequate minimum income for the maintenance personnel and their families (in addition to other conditions provided by law).

The Administrative Court has ruled in a positive manner, recognizing the right of immigrant workers to apply for residence permit for EC LTR regardless of the type of employment contract in its possession. (Ruling No 3213/2006 TAR Veneto, Emilia Romagna TAR decision No. 1525/2008).

When can it be revoked?

The EC residence permit is revoked for SLP:

- If it was fraudulently acquired;
- In cases of expulsion;
- Lack or fail when the conditions for the issue referred to in paragraph 4, that is foreign and dangerous to public order and state security;
- In case of absence from the territory of the European Union for a period of twelve consecutive months;
- In case of granting a residence permit for EC SLP by another EU Member State or in case of absence from the State for a period exceeding six years.

Updated in March 2010.