



•ALERT•

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The “P.A. bis” decree introduces a new type of entrance

The P.A. bis decree converted into law integrates the rules for hiring foreign workers: here are the news

Recently the Italian Parliament approved Law no. 112 of 10 August 2023, which converted the so-called “*P.A. bis Decree*” (Law Decree no. 75 of 22 June 2023), which, *inter alia*, introduced a new type of “out-of-quota” work and residence permit, i.e., excluded from the entry flows decrees mechanism to be enacted regularly by the Italian Government.

This new type of work and residence permit has been introduced by amending Article 27 of Legislative Decree 286/1998, adding the letter “i-bis)” after letter i) in the first paragraph, and thus providing that are excluded from the entry quota system those workers who:

“Have been employees, for at least 12 months in the 48 months preceding the application, of undertakings having their seat in Italy, or of companies in which they have a shareholding, as shown by the latest consolidated balance sheet [...], operating in States and territories not belonging to the European Union, for the purposes of their employment in the offices of the aforementioned undertakings or companies present in Italian territory”.

The ultimate aim of this new type of work and residence permit is therefore to allow foreign workers who have worked abroad directly for Italian companies or for companies with Italian participation to deepen their working relationship directly in Italy.



From a procedural point of view, if, on the one hand, on the “*Portale Ali*”, the web platform set up by the Ministry of the Interior for the issuance of entry clearance for employment reasons, an *ad hoc* procedure is not yet available, it is important to note that, on the other hand, the *P.A. bis Decree* has extended also to this particular case the exemption from the request for a *nulla osta* in the case of signing with the Ministry of the Interior – after consultation with the Ministry of Labour, Health and Social Policies – a special Memorandum of Understanding.

LCA Corporate Immigration Team is available for further clarification on the above-mentioned matters and will keep you updated on the latest novelties of Italian Immigration Law.

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