



•ALERT•

10 JANUARY 2024

Immigration: holidays' news

Here are the recent news in Italian immigration, with the latest events and interventions on the subject that have taken place during the period between December 20th, 2023 and January 8th.

DECEMBER 2023: SOME INTERVENTIONS ON THE SUBJECT OF THE BUDGET LAW 2024

In the context of the approval of the Budget Law 2024, immigration was also intervened in, in particular with one of the consequent Law Decrees.

The related Decree-Law No. 215 of December 30th, 2023, postpones to December 31st, 2024, the deadline for the entry into force of paragraphs 4-bis and 4-ter of Article 17 of Decree-Law No. 5 of February 9th, 2012, "Simplification in the matter of recruitment of non-EU workers and administrative documentation for immigrants".

These two articles in fact remove the phrase "*without prejudice to the special provisions contained in the laws and regulations concerning the discipline of immigration and the condition of foreigners*" from two different texts, respectively Article 3, paragraph 2, of the Consolidated Text of the Decree of the President of the Republic of December 28th, 2000, no. 445 of 28 December 2000 and Article 2, par. 1 of the regulation referred to in Presidential Decree No. 394 of August 31st, 1999, allowing foreigners to use substitute declarations in their requests, limited to states of affairs, personal qualities and facts that can be certified or attested to by Italian public entities.

UKRAINE: OFFICIAL EXTENSION TO 31/12/2024 OF THE TEMPORARY PROTECTION PERMIT

The novelty, already the subject of our communication (available [here](#)), was officially introduced with the Budget Law 2024.

With paragraph 395 of Article 1 of the Budget Law, the validity of residence permits for temporary protection expiring on December 31st, 2023, (although the Council of the European Union considers the year to expire on March 4th, based on the date of the start of the conflict), issued to Ukrainian citizens who have taken refuge in Italy, is extended to December 31st, 2024.

It is understood that these residence permits will lose their effectiveness and will be revoked, even before their expiry date, if the Council of the



European Union adopts the decision to terminate temporary protection.

ROMANIA AND BULGARIA INCREASINGLY PART OF THE SCHENGEN AREA

The Council approved the lifting of internal air and sea border controls with Bulgaria and Romania.

The EU Member States reached agreement on the lifting of internal air and sea border controls with Bulgaria and Romania. The decision was taken unanimously after a written procedure. In the Council communiqué, the Spanish Interior Minister said he was pleased that air and sea controls will be abolished in 2024, after 12 years of negotiations. The change will be implemented from March 31st, 2024. This date corresponds to the winter/summer timetable change established by the International Air Transport Association (IATA).

After this first step, the Council will then have to take a further decision to set a date for the abolition of internal land border controls.

LCA's Immigration team is at your disposal for further clarifications on the above-mentioned issues and will keep you updated on the latest developments in Italian immigration law.

CONTACTS

Team Immigration

immigration@lcalex.it

LCA STUDIO LEGALE

www.lcalex.it
info@lcalex.it

MILAN

Via della Moscova 18
20121 Milano
T +39 02 7788751

ROME

Piazza del Popolo 18
00187 Roma
T +39 06 340091

GENOVA

Via XX Settembre 31/6
16121 Genova
T +39 010 5956039

TREVISO

Via Sile 41
31056 Roncade (TV)
T +39 0422 789511

BRUSSELS

Place Poelaert 6
1000 Bruxelles
T +32 2 3154000

DUBAI

IAA Middle East Legal Consultants LLP
Liberty House, Office 514, DIFC
T +971 4 3860090