

The case of extra-communitarian citizen non resident in Italy

Extra-communitarian citizens **non residents in Italy** must attain an entry visa for autonomous employment from the Italian Embassy or Consulate.

The request must be accompanied with the following documents:

- the certificate of the financial economic parameters released by the Italian Chamber of Commerce situated in the place where the activity is suppose to start.
- the declaration of Public Authority that no cause hinders the beginning of the activity (for example, for retail trade, the certificate will be released by the town council that verifies qualifications for practising the activity).

In case the foreigner wants to be a part of a company or a co-operative **already** registered at the **Registro Imprese** as partner or administrator, the certificate of financial parameters is **not** required. But there is a need to present the following to the Embassy:

- The copy of the declaration of responsibility that the lawyer representing the company or co-operative will preventively send to the Direzione provinciale del lavoro;
- The representative lawyer's declaration that certifies an amount of fee superior to the minimum sum established by the law.
- The copy of the last balance sheet transmitted by the company.

The case of **establishing a new company** is different for which the requisites must be preventively verified by a **notary**.

In all these cases the visa will only be released if an entry quota is available for autonomous employment.

Once the entry visa is attained, it is obligatory to request a **permit of stay for autonomous employment to the questura through post office**. The permit of stay must be requested within 8 working days from the date of entry in Italy.

Camera di Commercio di Viterbo

Tel. 0761 2341

www.vt.camcom.it

Via Fratelli Rosselli 4

01100 Viterbo

**Settore attività connesse al
Registro imprese**

Tel. 0761.234452-457

Fax. 0761.345755

E-mail: registro.imprese@vt.camcom.it

Albo imprese artigiane

Tel. 0761.234438-439-428

Fax. 0761.234507

E-mail: marco.micheli@vt.camcom.it

Ufficio relazioni con il pubblico

Tel. 0761/ 234472/06

Fax 0761-234557

E-mail: urp@vt.camcom.it



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MAKING BUSINESS! A short guide for extra-communitarian citizens who want to carry-out autonomous work activity



Extra-communitarian citizen already residing in Italy

Let us see the first situation that regards extra-communitarian citizen **already residing** in Italy. The main condition is whether in possession of resident permit or permit of stay CE for long term stay or one of the following permits of stay:

- for autonomous employment;
- for subordinate employment;
- for family purposes;
- for asylum or humanitarian purposes;
- for stateless;
- for integration of minors.

Even students can carry-out an autonomous work, but only if they convert their study permit to a permit for autonomous employment.

The conversion can be occur in two distinct cases:

- 1) The owner of a permit of stay for study purposes or vocational training in progress of validity, that upon reaching major age or after the attainment of a college diploma or a specialization title in Italy, intends to request the conversion of the permit in a permit for autonomous employment can present the request to the Sportello Unico of the prefecture. In these cases, there is no need to verify the availability of the quotas. But if the student wants to practise an entrepreneurial, commercial, or artisan activity, he/she must prove to possess economic requisites that must be certified by the Chamber of Commerce.
- 2) Instead, if the foreigner is an owner of a permit of stay for study purposes or vocational training in progress of validity, but doesn't enter in previous casuistry, he/she can present the request of conversion together with the certificate released by the Chamber of Commerce. In this case, he/she can be authorized only in the limit of quotas.



Once the permit of stay for practising a financial activity is attained, the extra-communitarian citizen can register his/her activity at the **Albo delle Imprese Artigiane** or at the **Registro delle Imprese**.

Albo delle imprese artigiane

Things to do in registering one's activity at the Albo delle Imprese Artigiane

For the registration at the Albo delle Imprese Artigiane the following conditions are essential: The activity must have as its prevailing objective the production of goods, even semi-manufactured, excluding agricultural, commercial and administration of foods and beverages activities, like bar and restaurants.

The activity must be carried-out providing an organizational and structural autonomy intended also as availability and possession of means of production (proved by a proof of purchase or property titles) and direct recruitment of operating expenses.

The owner must indicate that the larger part of the his/her work activity occurs in the artisan business and its services must not only be directive, but also manual.

For the practise of particular activities (electricians, hairdressers, car repair, road transport firms, cleaning and/or portage firms) the owner must possess specific professional requisites like: work experience or study title. If this requisites have been developed outside the European Union, there is a need to request an acknowledgement from the Department of Economic Development, otherwise the acknowledgement of requisites is up to the Chamber of

Commerce, addressee of the registration request. For the practise of a roaming activity, ex. bricklayer, furniture assemblage, the owner must established his/her residence in one of the municipalities of the province.

It is important to know that the artisan activity can be carried-out either as individual or partnership type of business.

At this point, the applicant must present himself/herself to the town council where the activity is suppose to start **within 30 days** from the start of the said activity. The town council will provide to effect the on-the-spot inspection at the business office and will consequently transmit the results to the Albo delle Imprese Artigiane at the Chamber of Commerce.

The registration form can be downloaded from the sites of the Chambers of Commerce or can be requested at the town council.

The registration cost is equal to 31,00 euro for secretary rights aside from the revenue stamp fee which costs 14,62 euro.

The registration at the Albo is necessary to benefit special terms for the artisan and to permit the automatic registration to the I.N.P.S.

Registro imprese

Things to do in registering one's activity at the Registro delle Imprese

If the foreigner doesn't have the requisites for the registration at the Albo Artigiani he/she must register his/her activity at the **Registro delle Imprese of the Chamber of Commerce**. This registration must always occur **within 30 days from the start of the activity**, and using the **form I1**, that can be downloaded from the site of the Chambers of Commerce or directly from Chamber offices. The form must always be enclosed with an identity document and the permit of stay.

Even in this case the revenue stamp fee costs 14,62 euro while the secretary rights to be deposit is of 23,00 euro.

For the registration at the Registro delle Imprese, there is no need of specific requisites except for those regarding profession and study titles established for the activity of:

- Car Repair
- Cleaning Firms
- Service Installation Firms
- Portage Company
- Trade
- Administration of food and beverage

Study and professional titles acquired outside the European Union must be merit-rated by the Department of Economic Development.

