TO THE CITIZENS OF THE EUROPEAN UNION - TO WHOM THIS MAY CONCERN

Subject: focus on Italian Law implementing Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States - the so called 'Dichiarazione di presenza' ('Declaration of presence').

Italian Legislative Decree No. 30/07 implementing Directive 2004/38/EC, as amended and supplemented by Italian Legislative Decree No. 32/08, provides that, for stays up to ninety (90) days, citizens of European Union can submit to the local police the so called 'Dichiarazione di presenza' ('Declaration of presence').

Police will return copy of this 'dichiarazione di presenza' that has to be produced in case of control. If, on the contrary, 'dichiarazione di presenza' is failed to be shown, EU citizen is presumed to be an overstayer (thus having exceeded the three-month period of stay allowed), unless objective evidence of a shorter stay in the Country is provided (eg, airplane ticket).

Finally let me stress that for stays longer than three months, registration in the population register by 'Comune' of the place of residence is required.

Do not hesitate to ask for any additional question on the subject.

Kindest regards,

(V. Fantozzi)