

# Moving to Italy under the new residents regime (Article 24-bis TUIR)

By [Pietro Cumpostu](#), Chartered Accountant (Dottore Commercialista) Updated 25 October 2026

## IN SHORT

Individuals who become tax resident in Italy after living abroad for at least nine of the previous ten years can elect to pay a lump-sum substitute tax on their foreign-source income, whatever its amount (Article 24-bis of the Italian Income Tax Code, TUIR). For those moving from 1 January 2026 the tax is €300,000 a year, plus €50,000 for each family member included. The regime lasts up to fifteen years, allows individual countries to be excluded, removes the RW reporting duty and the IVIE and IVAFE wealth taxes, and limits Italian inheritance and gift tax to assets located in Italy. Italian-source income remains taxed under the ordinary rules.

## Italy's flat tax for new residents: the amount in force today

---

The substitute tax was introduced by the 2017 Budget Law (Law 232/2016) and has been raised twice. The amount depends on when the move took place:

- **up to 10 August 2024:** €100,000 for the main taxpayer and €25,000 for each family member;
- **moves after 10 August 2024** (Decree-Law 113/2024): €200,000 for the main taxpayer, while the amount for family members stayed at €25,000;

- **moves from 1 January 2026** (Law 199/2025, the 2026 Budget Law): €300,000 for the main taxpayer and €50,000 for each family member.

For family members, on a literal reading of the law, what counts is the date of their own move: those moving from 1 January 2026 pay €50,000 even if the main taxpayer moved earlier. The Revenue Agency has not yet commented on this; specialist commentary takes the same view.

The rules on timing refer to residence under Article 43 of the Civil Code, meaning habitual abode, not registry enrolment or tax residence, which is assessed for the whole tax year. The Revenue Agency's page refers to tax residence: for those who settle in Italy close to these dates it is prudent to check which amount applies. The tax is paid in one instalment by the income tax balance deadline, with form F24 ELIDE and tax code NRPP, and is not deductible.

## Eligibility for the new residents regime: nine out of ten years abroad

---

The option is available to individuals who:

- become tax resident in Italy under Article 2(2) TUIR;
- have not been resident in Italy for at least nine of the ten tax years before the first year of the option.

The regime is open to foreign and Italian nationals alike. According to Circular 17/E of 23 May 2017, Italian citizens arriving from a country on the list in the Ministerial Decree of 4 May 1999 must also rebut the residence presumption in Article 2(2-bis) TUIR. From tax year 2024, residence is assessed under the criteria reformed by Legislative Decree 209/2023, described in the [guide on moving tax residence](#); earlier years follow the rules then in force, including, according to the Agency, the conclusive presumption based on registry enrolment (Circular 20/E of 4 November 2024).

## Tax ruling and election in the tax return: how to join

---

The option is elected in the income tax return for the year of the move or for the following year (Revenue Agency Measure of 8 March 2017, no. 47060), stating the last country of tax residence, whose tax authorities the Agency then notifies, and any countries excluded.

The wording of Article 24-bis (Article 11(1)(f) of the Taxpayers' Charter) requires the option to be exercised after a favourable answer to a ruling request (interpello). The Measure, Circular 17/E and the Agency's updated pages, also after the 2023 reform of rulings (Legislative Decree 219/2023), instead treat it as optional: the option can be elected without a ruling, or before an answer arrives, by giving the eligibility details in the return. The new Code repeats the same wording from 2027: filing a request often remains the prudent choice.

The request is filed with the official check list and supporting documents, even before residence is established in Italy, and is no longer admissible once the option has been elected. The option renews tacitly each year. If the tax was paid on time but the election was left out of the return, Circular 17/E allows late regularisation (remissione in bonis, Article 2(1) of Decree-Law 16/2012; from 2027 Article 344 of the Consolidated Act on compliance and assessment, Legislative Decree 141/2026): the conditions must be met, the election must be made by the next tax return and the minimum penalty of €250 must be paid. Missed or partial payment of the tax cannot be cured: according to the Agency, *ravvedimento operoso* does not apply and the option is forfeited.

## Fifteen-year duration, revocation and forfeiture

---

The option ends in any case after fifteen tax years from the first year of validity and cannot be renewed. Before then it can:

- be **revoked** in the return for any year after the first, or by notice to the Agency if no return is due;
- be **forfeited** if the tax is not paid, or only partly paid, by the deadline, or if the person moves tax residence abroad.

Past effects are preserved, but revocation and forfeiture bar a new option, including as a family member: paying on time is essential.

# Family members and cherry picking: extending the option and excluding countries

---

The option can be extended, also in different years, to the relatives listed in Article 433 of the Civil Code:

- spouse or civil partner;
- children, including adopted children, or failing them the closest descendants;
- parents, or failing them the closest ascendants, and adoptive parents;
- sons- and daughters-in-law, parents-in-law;
- brothers and sisters, including half-siblings.

Each family member must meet the nine-year test. All extensions end at the main taxpayer's fifteenth year. Revocation or forfeiture by the main taxpayer extends to family members, while a family member's forfeiture does not affect the main taxpayer. If the main taxpayer leaves the regime, a family member can become a main taxpayer for the remaining years.

Under so-called **cherry picking** (paragraph 5), the taxpayer can exclude one or more countries. Income from those countries is then taxed under the ordinary rules, with a foreign tax credit and the usual reporting duties. The list of excluded countries can only be extended in later years, never reduced.

## What income the substitute tax covers and what is excluded

---

Foreign income is identified as the "mirror image" of the rules under which Article 23 TUIR taxes non-residents (Article 165(2) TUIR). According to Circular 17/E it includes, for example:

- interest on foreign accounts and dividends from foreign companies;
- gains on non-qualifying foreign shareholdings;

- income from property located abroad;
- income from work performed abroad.

Italian-source income, such as rent from Italian property or dividends from Italian companies, is taxed under the ordinary rules.

Gains on **qualifying shareholdings** realised in the first five tax years of the option are excluded from the substitute tax and taxed under the ordinary rules.

For foreign companies and trusts, Circular 17/E clarifies that the income of interposed entities is attributed directly to the individual and covered by the substitute tax.

## Exemption from RW reporting, IVIE and IVAFE

---

For every year the option is valid, the main taxpayer and the family members included do not file the **RW section** (Article 4 of Decree-Law 167/1990) and do not pay **IVIE** on foreign property or **IVAFA** on foreign financial assets (Article 19(13) and (18) of Decree-Law 201/2011), as provided by Article 1(153) of Law 232/2016. The exemption covers only the countries included in the option. For countries excluded through cherry picking, reporting and taxes remain due, as does RW reporting of qualifying shareholdings in the first five years.

## Inheritance and gift tax on foreign assets

---

For estates opened and gifts made in the years in which the option of the deceased or donor is valid, Italian inheritance and gift tax is due only on **assets and rights located in Italy** (Article 1(158) of Law 232/2016). According to Circular 17/E the rule also applies to other gratuitous transfers and to segregation of assets, such as contributions to a trust. It also applies to family members included in the option, while assets in excluded countries remain taxable.

For international families, succession planning should follow the duration of the option: when it ends, tax applies again to assets wherever located. From 1 January 2027 the rule is set out in Article 88(6) of the Consolidated Act on registration tax and other indirect taxes

(Legislative Decree 123 of 1 August 2025), which refers to Article 246 of the new Consolidated Income Tax Act.

## Tax treaties and certificates of residence

---

According to Circular 17/E, those who join the regime are also resident in Italy for treaty purposes, because all their income bears Italian tax, unless the individual treaty provides otherwise. This is the case of the Italy–Switzerland treaty, which does not treat as resident a person who is not subject to the ordinary taxes on all Swiss-source income (Article 4(5)(b)), which the literature cites as an exception to treaty residence for those opting in (Diritto e pratica tributaria internazionale no. 2/2026). According to G. Turri (Fiscalità & Commercio Internazionale no. 11/2025), an unpublished Revenue Agency ruling requires Switzerland to be excluded from the option in order to obtain the benefits of that treaty; this is not an official published position. The source country may also ask for an Italian certificate of tax residence: it is prudent to check in advance, country by country, whether it grants treaty benefits to a person taxed on a lump-sum basis.

For countries excluded through cherry picking, the treaty applies under the ordinary rules, including the foreign tax credit. On income covered by the substitute tax, foreign taxes cannot be credited.

## Practical points for families and high-net-worth individuals

---

Before moving, it is worth:

- reconstructing the residence history of the previous ten years for each family member;
- mapping the source of income, Italian and foreign, and where assets are located;
- considering whether to exclude high-tax countries that give rise to a foreign tax credit;
- planning any sale of qualifying shareholdings beyond the five-year period;
- aligning wills, gifts and trusts with the duration of the regime;
- keeping a calendar of payment deadlines.

The regime cannot be combined with the incentives for returning teachers and researchers (Article 44 of Decree-Law 78/2010) or with the former returning workers regime (Article 16 of Legislative Decree 147/2015) (Article 1(154) of Law 232/2016). The ban also covers the new returning workers regime (Article 5 of Legislative Decree 209/2023), but only for individuals who become tax resident in Italy from tax year 2027 (Article 2 of Decree-Law 38/2026). Those who moved between 2024 and 2026 and meet the conditions of both regimes may consider applying them together.

## From 1 January 2027: Article 24-bis becomes Article 246 of the new Code

---

The new Consolidated Income Tax Act (Legislative Decree 117 of 19 June 2026), applying from 1 January 2027, restates the regime in Article 246 with amounts of €300,000 and €50,000. It does not restate the earlier amounts, but it does not repeal the rules on their timing (Article 2 of Decree-Law 113/2024 and Article 1(26) of Law 199/2025), so those who moved before 2026 should, on a reasonable reading, keep paying the amounts in force when they moved. Paragraph 7 bans combination with the returning workers regime (Article 225) and the researchers' incentive (Article 226); for returning workers the 2027 start date set by Decree-Law 38/2026 still applies. No official guidance has yet been issued on either point.

## What to do in practice: joining the flat tax for new residents

---

1. **Before moving:** check the nine-out-of-ten-years requirement for each family member and, for Italian citizens coming from a country on the 4 May 1999 list, the evidence needed to rebut the residence presumption.
2. **Ruling request, if you file one:** with the checklist and documents, possibly before establishing residence; it is not admissible after the election.
3. **Election:** in the tax return for the year of the move or the next, stating the last jurisdiction of residence and the excluded countries, which can later only be added to.

4. **Every year:** pay the tax by the balance deadline (form F24 ELIDE, code NRPP) and complete the RW section for excluded countries.

## Key risks of the flat tax for new residents

---

- **Missed or partial payment.** It leads to forfeiture and rules out a new option, including as a family member; according to the Revenue Agency, voluntary correction (ravvedimento operoso) is not available.
- **Date of the move.** Close to 10 August 2024 or 1 January 2026 the amount may change, because the timing rules refer to civil-law residence (art. 2 Decree-Law 113/2024; art. 1(26) Law 199/2025).
- **Qualifying shareholdings.** Gains realised in the first five years are taxed under the ordinary rules (art. 24-bis TUIR).
- **Treaty benefits.** The source country may ask for a certificate of residence and assess whether to grant them to a person taxed on a lump-sum basis: this should be checked country by country. The Italy–Switzerland treaty does not treat as resident a person who is not subject to ordinary tax on all Swiss-source income (Article 4(5)(b)); see above.

## Legal sources

---

- [Article 24-bis TUIR, text in force – Normattiva](#)
- [Article 1\(152\)-\(159\), Law 232 of 11 December 2016 – Normattiva \(section 'commi 101-200'\)](#)
- [Article 2, Decree-Law 113 of 9 August 2024 – Normattiva](#)
- [Law 199 of 30 December 2025 \(2026 Budget Law\) – Normattiva](#)
- [Article 2, Decree-Law 38 of 27 March 2026 – Normattiva](#)
- [Revenue Agency Circular 17/E of 23 May 2017 – Agenzia delle Entrate.pdf/8c361223-0cf1-b41b-be4a-db33664d5855\)](#)
- [Revenue Agency Measure of 8 March 2017, no. 47060 – Agenzia delle Entrate](#)

- [New residents, optional regime – Agenzia delle Entrate](#)
- [New residents, legislation and guidance – Agenzia delle Entrate](#)
- [Revenue Agency Circular 20/E of 4 November 2024 – Agenzia delle Entrate](#)
- [Article 19, Decree-Law 201 of 6 December 2011 \(IVIE and IVAFE\) – Normattiva](#)
- [Article 88, Legislative Decree 123 of 1 August 2025 \(Consolidated Act on registration tax and other indirect taxes\), text in force – Normattiva](#)
- [Legislative Decree 117 of 19 June 2026 – Normattiva](#)
- [Italy–Switzerland tax treaty of 9 March 1976 – Fedlex \(Italian\)](#)
- [OECD Model Tax Convention 2017 – OECD](#)

## Frequently asked questions

---

### How much is Italy's flat tax for new residents today?

For those moving their residence to Italy from 1 January 2026, the substitute tax is €300,000 for each year, plus €50,000 for each family member included. Those who moved earlier pay the amounts in force on the date of their move; family members moving from 2026 pay, on a literal reading, €50,000.

---

### Can an Italian citizen use the regime?

Yes, provided they have not been resident in Italy for at least nine of the previous ten years. Those returning from a country on the list in the Ministerial Decree of 4 May 1999 must also rebut the residence presumption that applies to Italian citizens.

---

### Is a ruling from the Revenue Agency mandatory?

The law refers to it, but according to the Agency the ruling is optional and the option can be elected directly in the tax return. Filing a request, with the check list and the required documents, often remains the prudent choice.

---

Are dividends from Italian companies covered by the substitute tax?

No. The tax covers only foreign-source income. Italian-source income is taxed under the ordinary rules, as are gains on qualifying shareholdings realised in the first five years.

---

What happens if the tax is not paid by the deadline?

Missed or partial payment leads to forfeiture from the year the payment relates to, with no voluntary correction, and bars a new option. The effects of previous years are preserved.

---

Does the regime reduce inheritance tax on foreign assets?

Yes. For estates opened and gifts made in the years the option is valid, Italian tax is due only on assets and rights located in Italy, except for those in countries excluded from the option.

---

More answers on the topics of this guide are on the [FAQ](#).

## Related questions

[How does the Italian new-residents regime \(art. 24-bis TUIR\) work?](#)

---

[Which income is covered by the new-residents flat tax?](#)

---

[Which income is excluded from the new-residents flat tax?](#)

---

[Does the new-residents regime also affect inheritance, gifts and foreign-asset reporting?](#)

---

[Can the new-residents regime and the inbound-worker regime be combined?](#)

---

[Is the Italian new-residents regime an alternative to the former UK "non-dom" regime?](#)

## Other guides

[Italy's 7% flat tax for foreign pensioners](#)

---

[Moving tax residence abroad](#)

---

[Italy–UAE tax residence](#)

---

[Trusts in Italy: how they work and are taxed](#)

---

[Family holding companies and succession](#)

---

[UAE and Liechtenstein foundations](#)

---

[All practical guides](#)

---

[All frequently asked questions](#) – short answers on international tax and HNWIs, moving tax residence and generational transfers, holdings, trusts and foundations, court-appointed experts

## Contact

Risks and obligations depend on the facts of each case: for an analysis of the specific case, see the contact page.

**Contact form**

Legislation cited with the article numbering in force until 31 December 2026. For information only; it does not replace advice on a specific case.