

Moving your tax residence abroad from Italy

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

IN SHORT

You stop being Italian tax resident only if, for most of the tax year (183 days, 184 in a leap year, with part-days counting in full), you have neither your habitual abode, nor your domicile, since 2024 the centre of your personal and family relationships, nor your physical presence in Italy, and you can rebut the presumption arising from registration in the population register (art. 2 TUIR, as amended by Legislative Decree 209/2023). Registering with AIRE is mandatory but not decisive, and citizens moving to a country on the 4 May 1999 Ministerial Decree list must also prove that the move is genuine. Italy has no general exit tax on individuals: art. 166 TUIR applies only to those carrying on a business.

Italian tax residence: the art. 2 TUIR tests after Legislative Decree 209/2023

From tax year 2024, art. 2(2) TUIR treats as resident anyone who, for most of the tax year, counting part-days:

- has their **residence** in Italy under the Civil Code, meaning their habitual abode;
- has their **domicile** in Italy, defined as the place where their personal and family relationships are mainly located;
- is **physically present** in Italy.

Anyone registered in the Italian population register for most of the year is also presumed resident unless they prove otherwise. Meeting any one test is enough. Residence is determined for the whole tax year, with no split: residents are taxed on their worldwide income (art. 3 TUIR), non-residents only on Italian-source income (art. 23 TUIR).

Domicile, physical presence and part-days in the year you leave

The new definition of domicile looks at personal and family ties rather than economic ones. According to Revenue Agency Circular 20/E of 4 November 2024, it covers marriage, civil partnerships, stable cohabitation and, if proven, stable social ties such as an annual club membership. Someone registered with AIRE and working abroad who keeps an Italian home with utilities connected and returns at weekends may still be domiciled in Italy.

Physical presence is a free-standing test: holidays and remote work count, and any part-day counts in full. Purely temporary or incidental presence, such as a connecting flight, may be disregarded.

In practice, if you are in Italy from 1 January and leave for good, the threshold falls in July: leaving on 2 July or later gives you 183 days of presence (184 in a leap year), because the day you leave counts in full, so you will usually remain resident for the whole year. Any later return, even for a few hours, adds to the count and brings the threshold forward. If you leave earlier, check that no test, including registration in the population register, is met for most of the year.

AIRE registration: a registry duty, and what it means for tax

A citizen who moves their habitual abode abroad for over twelve months must notify the consulate within 90 days (art. 6 Law 470/1988, most recently amended by Law 11/2026). AIRE registration removes you from the resident population register. It takes effect from the filing of a complete application, unless the move abroad had already been declared to your last Italian municipality. Since 2024, failing to report the move carries a fine of €200 to

€1,000 for each year, imposed by the municipality and cut to one tenth of the minimum for delays of up to 90 days (art. 11 Law 1228/1954, as amended by Law 213/2023).

Municipalities report AIRE registrations and removals made of their own motion to the Revenue Agency.

For tax purposes, registration in the Italian population register is a rebuttable presumption: prompt AIRE registration avoids having to rebut it, but is not enough: if your habitual abode, your family or most of your days remain in Italy, so does your tax residence.

Moving to a low-tax country: the art. 2(2-bis) TUIR presumption

Article 2(2-bis), untouched by the reform, deems Italian citizens removed from the population register to be resident if they move to a country outside a "white list" that was never issued. Under the transitional rule in art. 1(89) of Law 244/2007, the earlier wording still applies, referring to the countries listed in the Ministerial Decree of 4 May 1999, as Circular 20/E confirms.

As far as can be established, the list was last amended by the Decree of 20 July 2023, which removed Switzerland from 1 January 2024; Monaco and the United Arab Emirates, among others, remain on it. For moves to these countries the burden of proof shifts to the taxpayer. Under the guidance recalled in Circular 20/E (Circular 140/1999), you must show that you have lost every significant link with Italy and are genuinely and permanently settled in the new country. The tax return instructions cite as evidence the family's habitual abode, the children's schooling, and stable work or business abroad.

Dual residence and treaty tie-breakers: art. 4 of the OECD Model

If the new country also treats you as resident and a double tax treaty is in force, the treaty overrides domestic law. Italy's treaties generally follow art. 4 of the OECD Model, which applies these tests in order:

1. a **permanent home** available to you;

2. if you have one in both countries, your **centre of vital interests**, meaning the country with which your personal and economic relations are closer;
3. your **habitual abode**, if your centre of vital interests cannot be determined or you have no permanent home in either country;
4. your **nationality**;
5. failing all of these, **mutual agreement** between the tax authorities.

To claim treaty benefits you normally need a certificate of tax residence from the other country. The treaties with Germany, Switzerland and Panama allow the year to be split: a person who permanently moves their domicile ceases to be resident in the first country from the following day. According to Circular 20/E, tie-breakers can also override the population-register presumption where the other country treats you as resident. For countries on the 4 May 1999 list any treaty still applies. The Revenue Agency treats the 2-bis rule as shifting the burden of proof rather than creating a separate residence status, and still applies the treaty (rulings 55 and 370 of 2023); the Supreme Court (judgment 35284 of 18 December 2023) held the presumption rebutted for a taxpayer who had proved, with several documents, residence in the UAE under the treaty. There is, however, no general Revenue Agency position: the burden of proof stays with the taxpayer, a genuine move must be fully documented and the specific treaty reviewed. Some countries on the list have no double tax treaty with Italy. Monaco is a special case: the 2015 tax information exchange agreement (Law 231/2016) includes, in art. 12, dual-residence tie-breakers similar to art. 4 of the OECD Model. Where there is no agreement at all, only Italian domestic rules apply.

Exit tax for individuals: what art. 166 TUIR covers

Italy does not tax unrealised gains on an individual's private assets, such as shares, funds or real estate, on departure. The exit tax in art. 166 TUIR applies to **persons carrying on a commercial business** who move their tax residence abroad: for a sole trader, business assets not left in an Italian permanent establishment are treated as disposed of at market value. Payment in five annual instalments is available only for EU or EEA countries that provide adequate exchange of information and assistance in tax collection. As drafted, the rule does not reach self-employed professionals or private investors.

After you leave, Italian-source income such as rent from Italian property remains taxable in Italy. For gains on shares, treaties based on art. 13 of the OECD Model generally give taxing rights to the country of residence, except for real-estate-rich companies. Also check that your companies do not stay Italian resident because they are managed from Italy (art. 73 TUIR).

Form RW, IVIE and IVAFE in the year of departure

Form RW (art. 4 Decree-Law 167/1990) and the wealth taxes IVIE and IVAFE (art. 19 Decree-Law 201/2011) apply to residents. In the year you leave:

- **if you remain resident** for that year, form RW must list all foreign investments and assets held during the year, including accounts opened and a home bought in the new country. IVIE is due, normally at 1.06% of the value, pro rata to your share and months of ownership, subject to the main-home exemption within its limits and not due if it comes to €200 or less, together with IVAFE: 0.2% on financial products (0.4% if held in countries on the 4 May 1999 list) and a flat €34.20 per bank or savings account, not due if the average annual balance is €5,000 or less. Crypto-assets are subject to a 0.2% tax on their value;
- **if you are non-resident** for the whole year, RW, IVIE and IVAFE do not apply; Italian-source income and local taxes on Italian property remain.

Where the treaties with Germany, Switzerland or Panama split the year, neither the law nor Revenue Agency guidance says whether form RW, IVIE and IVAFE cover the whole year or only the period of Italian residence: the instructions ask for assets held during the tax year, and the taxes are computed on days or months of ownership. Each case needs its own assessment. In the absence of official guidance, a prudent choice may be to report in the RW section also the assets held after departure.

Documenting the move: practical steps

Advance rulings on residence are not available, since the question turns on facts: your protection is the evidence you keep. Prepare:

- a calendar of days spent in Italy, with travel records;
- the purchase or lease of your home abroad and the related utility contracts;
- evidence that your family has moved, such as the children's school enrolment;
- your employment contract or business records abroad and a certificate of tax residence;
- clear decisions on your Italian home (letting it, occasional use, utilities);
- a review of any directorships in companies you hold.

The move also affects inheritance and gift tax: if the deceased or the donor is resident in Italy, the tax applies to assets wherever located.

From 1 January 2027: new article numbering in the Income Tax Code

The new Consolidated Income Tax Act (Legislative Decree 117 of 19 June 2026) applies from 1 January 2027 and repeals arts. 1 to 191 TUIR. Comparing the texts, the rules discussed here appear to be carried over without substantive change: residence stays in art. 2 (paragraph 2-bis becomes paragraph 3), arts. 23 and 73 become arts. 25 and 82, and the exit tax moves to art. 193, whose paragraph 9 on instalments appears to match the current one in substance, with updated cross-references, subject to corrective decrees: the numbering may still change. The link to the 4 May 1999 list should continue to rest on the transitional rule in Law 244/2007, which has not been repealed, although there is no express coordinating provision.

What to do in practice: moving your tax residence abroad step by step

1. **Before leaving:** choose the departure date with the 183-day threshold in mind and check whether the destination is on the 4 May 1999 list.
2. **Within 90 days:** notify the consulate of the move to register with AIRE.
3. **From arrival:** gather the evidence listed above under "Documenting the move", including a certificate of tax residence from the other country.

4. **If you run a business:** assess the exit tax before leaving (art. 166 TUIR).
5. **In the tax return for the year of departure:** if you are still resident for that year, file form RW and pay IVIE and IVAFE.

Key risks when moving tax residence abroad

- **Residence that stays in Italy.** If your habitual abode, family or prevailing presence remains in Italy, you stay tax resident and all your worldwide income remains taxable in Italy (arts. 2 and 3 TUIR).
- **Presumption for listed countries.** An Italian citizen who moves to a country on the 4 May 1999 list is treated as resident unless a genuine move is proved; the burden of proof stays with the taxpayer (art. 2(2-bis) TUIR).
- **Failure to register with AIRE.** The municipality imposes a penalty of €200 to €1,000 for each year (art. 11 Law 1228/1954).
- **Companies managed from Italy.** Companies you hold may remain resident and taxable in Italy (art. 73 TUIR): board positions should be reviewed.

Legal sources

- [Art. 2 TUIR, text in force – Normattiva](#)
- [Legislative Decree 209 of 27 December 2023 – Normattiva](#)
- [Art. 1\(83\) and \(89\), Law 244 of 24 December 2007 – Normattiva](#)
- [Ministerial Decree of 4 May 1999, text in force – Ministry of Economy and Finance, DEF database \(Italian\)](#)
- [Ministerial Decree of 20 July 2023 \(Switzerland\) – Official Gazette](#)
- [Italy–Monaco tax information exchange agreement, Law 231 of 1 December 2016 – Official Gazette \(Italian\)](#)
- [Ruling no. 55/2023 \(Italian\)](#)
- [Ruling no. 370/2023 \(Italian\)](#)
- [Double tax treaties – Department of Finance \(Italian\)](#)

- [Circular 20/E of 4 November 2024 \(English courtesy translation\) – Revenue Agency](#)
- [Art. 6 Law 470 of 27 October 1988 \(AIRE\) – Normattiva](#)
- [Art. 11 Law 1228 of 24 December 1954 \(fines\) – Normattiva](#)
- [Art. 166 TUIR, exit tax – Normattiva](#)
- [Art. 4 Decree-Law 167 of 28 June 1990 \(form RW\) – Normattiva](#)
- [Art. 19 Decree-Law 201 of 6 December 2011 \(IVIE and IVAFE\) – Normattiva](#)
- [IVIE, tax base and rate – Revenue Agency](#)
- [IVAFA, tax base and rates – Revenue Agency](#)
- [Rulings and residence – Revenue Agency \(Italian\)](#)
- [OECD Model Tax Convention 2017 – OECD](#)
- [Legislative Decree 117 of 19 June 2026 – Normattiva](#)

Frequently asked questions

How many days can I spend in Italy after moving abroad?

Under the physical presence test you must stay below 183 days (184 in a leap year), and any day spent partly in Italy counts in full. You can still be resident with fewer days if your habitual abode or your main personal and family ties remain in Italy.

Is AIRE registration enough to end Italian tax residence?

No. It is a registry obligation, but tax residence depends on habitual abode, domicile and physical presence. If you move to a country on the 4 May 1999 list, you must also rebut the art. 2(2-bis) TUIR presumption.

If I move to Switzerland, do I still have to prove I am no longer resident in Italy?

Switzerland was removed from the 4 May 1999 list from 1 January 2024, so the 2-bis presumption no longer applies from tax year 2024. The ordinary art. 2 TUIR tests still

apply, as does the Italy–Switzerland treaty, which allows the year to be split.

Is there an exit tax when I move my residence abroad?

There is no general exit tax for individuals. Art. 166 TUIR taxes unrealised gains only for those carrying on a commercial business, on business assets not left in an Italian permanent establishment.

Do I file form RW and pay IVIE and IVAFE in the year I leave?

Yes, if you are still resident in Italy for that year, as a rule including accounts and property acquired abroad after the move; if you are non-resident for the whole year, you do not. Where a treaty splits the year (Germany, Switzerland, Panama), the point has not been clarified and needs case-by-case review. On bank and savings accounts IVAFE is €34.20 per account, not due if the average annual balance is €5,000 or less.

Can I ask the Revenue Agency for an advance ruling on my residence?

No. The Agency treats ruling requests on residence as inadmissible, because they depend on facts. That is why documenting the move matters.

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

Related questions

[When is an individual tax resident in Italy?](#)

[Does AIRE registration mean I no longer pay tax in Italy?](#)

[Which ties with Italy can cast doubt on a move to the UAE?](#)

[What should one know when moving from Italy to Switzerland?](#)

[Does someone who moves abroad pay an exit tax on their shareholdings?](#)

[Can one ask the Italian Revenue Agency for a binding opinion on an uncertain case?](#)

Other guides

[Italy–UAE tax residence](#)

[Italy's flat tax for new residents](#)

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

[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.