

Lost in the troubles of daily life?



ARCOBALENO desk is your solution.

Un progetto di

 **movimento
difesa
del cittadino**



**MOVIMENTO
CONSUMATORI**



SOLIDARIETÀ SOCIALE

Progetto finanziato dal
MINISTERO DELLA
SOLIDARIETÀ SOCIALE



Why Arcobaleno Desks?	page 4
Consumers Associations	" 5
Home	" 6
Utilities	" 10
Purchasers & Guarantees	" 12
Bank and Post office	" 14
Insurance	" 16
Citizenship rights	" 18
I defend myself	" 21

Citizens and consumers. With a few problems more, due to language difficulties, different laws and legal systems, lifestyle patterns far from the ones they have grown used to.

Migrant workers in our country should find help in overcoming all these problems and easing their full integration into daily life. It is not just an economic, cultural and social matter, it is also a matter of daily routine made of bills, banks, insurance companies, complaints for mis-service and the thousand other problems that are already a burden for Italian citizens, let alone to non-EU citizens.

The Arcobaleno Desk project is aimed at meeting this demand for information, protection and help. It is a pilot project that starts from a few cities of special significance for the various migrant communities in Italy. The Movimento Difesa del Cittadino (Citizen Defence Movement) and the Movimento Consumatori (Consumers Movement) have decided to become involved in this new and not easy field of action, with the support of the Ministry of Social Solidarity.

The Arcobaleno Desks should be to these new citizens – now an essential resource for our country's economy and social needs – a reference point and a precious support to their full integration.

Antonio Longo, Chairman - Movimento Difesa del Cittadino
Lorenzo Miozzi, Chairman - Movimento Consumatori





The non-profit organisation **Movimento Difesa del Cittadino** is a partner to the National Board of Consumers and Users (**CNCU**) established by the Ministry of Economic Development in Rome in 1987, with the aim of promoting the protection of citizen rights through the information and legal advice provided by its experts. It has **61 offices** in 15 regions.

The Movimento is a strategic partner of Legambiente and operates in the mass information area first through its www.mdc.it portal and also through its monthly issue “Diritti&Consumi” and the bi-weekly newsletter “mdcnews”.



The **Movimento Consumatori**, partner to the National Board of Consumers and Users (**CNCU**), is an autonomous and independent non-profit association established in 1985. It has been a member of the A.R.C.I. Federation since its establishment and its specific goals include the protection of consumer and user rights as are granted by Law no. 281/98.

Its organisation is now formed by around **57 Divisions** distributed across Italy, on a locally independent basis. Updates on current domestic and European consumer issues or reports on association activities are available in “Consumers’ magazine”, the magazine of Movimento Consumatori, and at the website www.movimentoconsumatori.it.

Before purchasing an apartment you need to understand: How much money will you have to spend? How will you find an apartment? How will you obtain a loan?

In the first place, you should evaluate carefully the funds you have available, taking into account that the aggregate cost of a piece of real estate is formed by adding the purchase price plus the taxes, the Notary's fees and, where applicable, the real estate agent's fees.

Ways to find an apartment:

- by word of mouth;
- by appointing a real estate agent;
- by looking for "for sale" announcements in the area of interest and calling the sellers;
- by answering to sale announcements in the newspapers; paying particular attention in this case, because the descriptions are usually very brief and partial, and not always corresponding to truth, so we recommend not to answer to unclear announcements and not to pay third parties to make researches;
- by browsing the Internet.

Once you have chosen the apartment you would like to purchase, we recommend you check:

- that the apartment belongs to the person who claims to be the owner: ask him to produce proof of ownership and an ID document;
- that there is no mortgage on the apartment: make a query at the Real Estate Registrar. You may appoint the Notary to verify the existence of pending mortgages, building amnesty procedures and town plan issues.





Loans: useful information

If you do not have sufficient funds to buy a home you may need to apply for a bank loan. Below are a few pieces of advice:

- consider your income and your saving margins carefully;
- remember that a loan is a long-term financial commitment that might affect your future decisions and your family budget;
- before you enter into a loan agreement, obtain information about all its features and consider all possible offers together with the bank clerk. Then ask any question you feel necessary in order to understand in full the commitment you are undertaking.

In addition to typical loans, there are loans targeted to specific categories of people, such as **young couples** who wish to buy a home - these usually have lower interest rates and may cover the entire value of the apartment, or **non-subordinate workers**, i.e. people who work on term contracts - these loans usually provide for discounted preliminary expenses and are granted in faster times.

To obtain a loan, it is usually sufficient to apply for it with a bank and produce the documents required by the bank. Interest **rate** and duration of the loan are the most important factors to consider when choosing a loan. The rate may either be:

- **Fixed:** when it remains the same throughout the loan term;
- **Variable:** when it is determined on the basis of variable parameters that need to be defined with objectivity and impartiality.

As a rule, 60 days may be more than enough to obtain a mortgage loan, however we recommend to take action in prudent advance and explain clearly your requirements to the bank.



Lease agreements

Lease agreements are valid only when in written form. If your landlord forces you into a non-written agreement you may claim refund of the rent paid without an agreement before a justice of peace.

All lease agreements must be registered in compliance with the law, if they are not neither the owner nor the lessee can obtain tax facilitations (reduced registration tax, deduction from taxable income etc.);

What costs are you required to pay?

- 1) the cleaning service;
- 2) lift maintenance;
- 3) electricity in the parts in common of the building;
- 4) ordinary heating costs and porter costs;
- 5) petty maintenance expenses;

Forms of lease

- **Free rent:** the parties to the agreement are free to determine the amount of the rent and the other terms of the lease, subject to the obligation of a minimum lease duration of **4 years + a 4-year** mandatory extension);
- **Agreed rent:** the rent is agreed upon according to certain criteria set forth in agreements between tenant's and owners' associations. In this type of lease the rent is in any case below market values.

Useful tips

Foreigners lawfully staying in the country may access to **social housing**; these may be collective or individual according to the specifications established by town or regional laws or by voluntary associations or foundations. These are usually organised as lodging houses, open to Italian and foreign citizens until they find a permanent housing accommodation.

Foreigners with stay permits and those who stay lawfully, registered with the





Employment Office or working as subordinate employees or self-employed, are entitled to access on equal conditions as Italian citizens to public housing, and to avail themselves of the intermediation services of the social agencies established by the regions or by local authorities.

You have a problem? Ask the SUNIA

The **S**indacato **U**nitario **N**azionale **I**nquilini e **A**ssegnatari (National Union of Tenants and Grantees) was established with the purpose of protecting the tenants, grantees and the persons in need for housing. It also supports citizens in the stipulation of lease agreements, monitors rents and charges and provides assistance in eviction procedures, including by making available lawyers and experts in the various issues related to housing. The union may be joined freely and on a voluntary basis, with no need for any formalities. For information please check the www.sunia.it for the office nearest to you.

USEFUL LINKS:

Notarial association: www.notariato.it

Tenants Union: www.unioneinquilini.it

National Union of Tenants and Grantees: www.sunia.it

Home and utilities: www.casaeconsumi.it

Revenue Office: www.agenziaentrate.it

Union of Home and Land Tenants: www.sicet.it

National Association of Environment and Land Tenants: www.uil.it/uniat

Italian Confederation of Real Estate Owners: www.confedilizia.it

Revenue Office's tax information and support line: **848.800.333**



How do I pay my bills? Daily-life issues that need to be coped with and solved. How? Here are a few tips ...

Electricity problems: errors in the bill, delays in service activation. What to do.

Any citizen may challenge a bill for many reasons, in the majority of cases because of differences between the consumption charged and the consumption estimated by the user. If you receive a bill that is particularly high and you do not think you have consumed as much electricity as you were charged with, you will need to mail a written complaint by registered letter return receipt requested to the branch office responsible for your area. If, on the other hand, the activation of the service is being delayed, the provider is required to activate it by the deadline established in its service charter, otherwise the provider itself is required to advise you of a different deadline. The citizen is entitled to receive an indemnity and liquidated damages where applicable - damages, however, need to be proved.

Failures and suspensions

In case of failure, or of service discontinued by mistake, you will have to give immediate notice to the provider, and the provider will have to repair the failure by the deadline established in its service charter, except in case of particularly complicated failures. In both cases you will always be entitled to claim an indemnity.

Problems with the telephone: errors in the telephone bill

There are many circumstances in which telephone bills may be challenged, usually it is the case of differences between the consumption charged and the one estimated by the user. In any case you may complain for failures, mistakes in the directories, changes of number, relocation of lines, no activation of the line. If you receive a high bill which you think is being mischarged you will have to mail a written complaint to the main offices of the billing telephone provider.





Maybe you did not know that ...

In case of failure, delay in the activation of the line, service discontinued by mistake, you may file an application for a settlement procedure through a consumer association, in order to reach a quick settlement free of charge.

Where and how to pay bills

Bills are usually paid by:

- postal current account;
- bank current account;
- on-line

USEFUL LINKS:

Power and Gas Authority: www.autorita.energia.it

Communications Authority: www.agcom.it

Fisco Oggi (tax newsletter): www.fiscooggi.it



A few tips for an informed purchaser ...

How do guarantees work and what rights do they secure?

If a product you have bought does not work or is not compliant, you will need to:

- return to the shop within two months from the date of purchase;
- keep the slip (for at least two years as an evidence), or the payment receipt of your debit or credit card;

The guarantee secures:

- the repair of a faulty product;
- its replacement;
- reduction or refund of the price paid.

When and how can I replace a clothing item I have purchased?

The seller is responsible for faults in the items sold (provided that they occur within two years from the sale) and is required to replace them. Consumers may choose, at no additional cost, either to have the item repaired or replaced, or to terminate the agreement as the case may be.

The consumer has the burden to prove the fault and the date of its occurrence, if the fault occurs after six months from the sale of the item. If, on the other hand, the fault appears within six months from the sale and delivery of the item, it is assumed that the fault already existed when the item was purchased, and the seller will be responsible for proving the contrary.

What is the right of withdrawal?

Consumers are entitled to withdraw from a purchase, without being subject to any penalty or required to specify a reason, within 10 business days. Effective from the date on which a product is delivered and if no provision for withdrawal is given





and the seller's address is not specified, the 10 days will start from the moment in which such information become known, without exceeding, however, three months from delivery. In the case of services, the 10 days term is effective from the date of execution of the relevant agreement.

USEFUL LINKS:

Imq: www.imq.it

Trade and Market Authority: www.agcm.it

Ministry of Economic Development: www.sviluppoeconomico.gov.it

Tax Police: www.gdf.it

Italy's National Standardisation Agency: www.uni.com

European Union: http://europa.eu/index_it.htm



The relationship between consumers and banks is a delicate one, we recommend reading our recommendations ...

How do I open a bank current account?

Opening a bank current account is free of charge. After execution of the current account agreement the bank will provide the account number. The account holder will also have to take note of the corresponding bank details, i.e.:

- ABI code, identifier of the chosen bank;
- CAB code, identifier of the branch of the chosen bank with which the current account was opened.

Now the current account is fully active.

How do I open a post office current account?

- In order to apply for a BancoPosta account you will need to fill out the "Banco-Posta Account and Additional Services Application Form" available online (in Acrobat file format) and at all post offices. The form, duly filled out and signed (in 4 copies), must be submitted to a post office

Cheques: useful tips

When you issue a check, always remember that:

- you must have sufficient fund coverage on your account;
- cheques for amounts above € 12,500.00 must be marked as "non transferable";
- when you receive a cheque you should verify that it is whole, for it may have been stolen and you might incur in a liability.





Money transfers abroad:

There are many agencies where you may transfer money abroad from Italy, each with different operating practices, requirements, pros and cons. These agencies and services are:

- Western Union
- Travelex Money Transfer
- Bancoposta Money Gram
- Eurogiro
- Vaglia Internazionale
- Money Bookers
- PayPal

USEFUL LINK:

Italian Banks Association: www.abi.it

Consorzio PattiChiari: www.pattichiari.it

The portal where to choose the best credit card: www.cartedipagamento.com

Poste Italiane: www.posteitaliane.it



Having your car insured is mandatory in Italy. Therefore, as soon as you purchase a car you will have to obtain a civil liability policy. Please check our recommendations before choosing one ...

What should I do before I sign a civil liability policy, and what is the bonus malus?

- be certain that the insurer is a properly certified one, included in the list available from the ISVAP (Istituto per la Vigilanza sulle Assicurazioni Private, private insurance authority) website;
- read the information about the company and the insurance product before you sign the policy;
- read carefully the “**uncovered value, exclusion and right of recourse**” clauses, those that might be the more hazardous with costs to be borne by the insured.

The **bonus malus** fee applies to cars, motorcycles and motorbikes. Under this clause the premium depends on the score attributed to the vehicle owner's behaviour during time. The lower the score (merit category), the lower the premium payable.

What is direct refund?

Direct refund applies, effective from 1 February 2007, to all accidents where the insured has no fault or has partial fault and that have caused damage to the vehicle or minor injury to the driver. You will submit the claim and request for refund to your own insurance company, that will settle the indemnity directly. Therefore, you may not claim a refund from the insurer of the person who has caused the accident.





When should I avail myself of the settlement procedure for vehicle liability insurance?

Usually when there is a controversy about the responsibility for or the amount of damages. The procedure is however useful also to file a claim, apart from the reasons above, for excessive delays or difficulties in keeping contact with the insurer. The procedure guarantees an answer within 30 days from the claim, does not include bureaucracy and is at no cost to the consumer.

USEFUL LINKS:

National Association of Insurers: www.ania.it

Private Insurance Authority: www.isvap.it

ISVAP help line: **06.42.133.000**

Movimento Consumatori: www.movimentoconsumatori.it



ID cards must be applied for at the municipal offices ("Comune"), the renewal of the stay permit must be applied for at Post Offices. Here are the "golden rules" to find your way through in the complicated world of bureaucracy ...

What is an ID card?

The ID card is a personal identification document with a validity of five years. It can be obtained by filling out the relevant application form, available at the municipal offices of the town of residence.

To obtain an ID card, EU citizens must produce a valid ID document and the stay paper, non-EU citizens must produce their passport and stay permit - if they are not renewing the latter they must return the ID card - (in the case of foreign citizens and stateless persons).

How do I get my stay permit?

Applications for stay permits are usually submitted to the Police headquarters (Questura) of the main Italian towns; however, certain types of permits may be obtained from municipal offices, assistance organizations ("patronati"), the Immigration Desk or post offices. Foreigners, i.e. all non-EU citizens, may enter in Italy by showing their passport and, where required, the visa issued in their country of origin. As soon as they arrive in Italy they will need to apply for a **stay permit** only if they are not staying for business, tourism, visit or study purposes for less than three months.

Those who are already in Italy with a stay permit close to expiration should apply for its extension at least:

- **90 days prior to expiration, for stay permits valid 2 years;**
- **60 days prior to expiration, for stay permits valid 1 year;**
- **30 days prior to expiration in all other cases.**





Do I need to make certified copies of any document?

Certified copies are not necessary in the case of documents issued by or kept with Public Administration offices, copies of publications, educational or employment certificates and of fiscal documents which private individuals are required to keep. In these cases a statement of true copy of the original signed before the competent employee, or produced or mailed together with the copy of the ID document, will be sufficient.

What does self-certification mean?

It is a way of streamlining the relationships with the PA: statements about personal status, events and abilities can be produced in lieu of conventional certificates with no need to submit the actual certificates at a later moment. PA offices are required to accept these self-certification statements, except in those few cases where the actual certificates must be produced, e.g. wedding procedures, relationships with judicial authorities, documents to be sent abroad. Citizens are not required to pay any stamp tax when the intended use of the document is exempt from tax under the law, e.g. when the document is needed for pensions, family allowances, military service, registration with unemployment lists.

Medical certificates, health certificates, veterinary certificates, certificates of origin, EU compliance certificates, trademarks and patents cannot be self-certified.

How is Italian citizenship obtained?

Italian citizenship is obtained:

- **automatically**
 - 1) by birth
 - 2) by filiation



3) by paternity/maternity acknowledgment

4) by adoption

5) by descent

- **by request**

6) by wedding

7) by naturalization (granted by then public authorities on certain conditions, e.g. long-term residence in the Italian territory - usually ten years, clean criminal record, waiver of original citizenship, or for specific merits).

USEFUL LINKS:

National Association of Italian Communes: www.anci.it

Ministry of the Interior: www.interno.it

The Citizens' Portal: www.italia.gov.it

The Immigration Portal: www.portaleimmigrazione.it

Poste Italiane: www.posteitaliane.it

Ministry of Social Solidarity: www.solidarietasociale.gov.it

Automobile Club d'Italia: www.aci.it

Ministry of Finance: www.finanze.it

State Police: www.poliziadistato.it

For info about the status of stay permit procedures: **848.855.888**

For general information: **800.309.309**

For information about authorised post offices: **803.160**





How can I enforce my rights as citizen and consumer? There are two ways to do this in Italy, as you may read below ...

Controversies may be settled in Italy through ordinary Courts, or out of Court.

The possibility to resort to ordinary Courts for the protection of rights is certainly a guarantee of constitutional relevance for citizens, however it may imply certain inconveniences. In the first place, the excessively long duration of trials, due to the present critical status of civil procedures and to the fact that jurisdiction is structured into three levels of judgment. In addition, appealing before ordinary Courts is very costly.

Out-of-Court settlement. What is it and what are its pros?

The National Consumers Associations recognised under Law no. 281/98 are committed to spreading the culture of out-of-Court settlement of controversies ("conciliazione") for a quicker and more effective protection of citizen, customer and consumer rights. As to the pros of this form of settlement, it must be said that it is:

Effective: it allows the parties to settle the controversy between themselves, without the formalities of ordinary justice;

Confidential: it allows the parties to communicate in a protected and safe environment, where the arbitrator guarantees that the parties' confidentiality is respected in full;

Cost-effective: it costs definitely less than an ordinary trial;

Quick: on average, one meeting is sufficient to reach a settlement;

Satisfactory: it allows both parties to find an appropriate solution for their respective requirements;

Flexible: its procedural rules are tailored to the parties' actual requirements;

Pro-active: out-of-Court settlement allows the parties to maintain, strengthen and possibly recover their relationship;

Risk-free: once the settlement procedure is started, the parties are not obliged to reach an agreement or to comply with any decision; if the attempted settlement is unsuccessful, the parties' respective interests are not affected.

A number of service companies have entered into an agreement with consumer associations in order to establish out-of-Court settlement procedures. These companies are: Telecom, Poste Italiane, Tim, Wind, H3G, Ania, Banco Posta, Banca Intesa, Capitalia. For complaints about mis-services of these companies you may address any of the consumer associations belonging to the National board of Consumers and Users to start a settlement procedure.

Beyond out-of-Court settlement. Who is the Justice of Peace?

Justices of the Peace are officials of the judiciary like ordinary judges, but they are honorary judges serving on a temporary basis. Citizens may address a Justice of Peace for controversies relating to:

- **tangible assets** with a value not exceeding € 2,582.28;
- **settlement of damages** caused by vehicles and vessels not exceeding the amount of € 15,493.71;
- **challenge of deadlines;**
- **introductions causing nuisance** to users of residential property;
- **compliance with distance requirements** from trees and hedges;
- **measurement and utilisation of condominium services;**
- **challenge of administrative sanctions** not exceeding the amount of € 15,493.71.





The presence of a lawyer is not always needed before the Justice of Peace; however, anyone may take action on his/her own if the value of the controversy does not exceed € 516.46 or, where such value is higher, the Justice may allow the applicant to “stand personally in the action”.

USEFUL LINKS:

www.unioncamere.it

www.movimentoconsumatori.it

www.sportelloconciliazione.it





**You may find
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desks in:**



Call toll-free number > 800.912.637

Check the website > www.sportelloarcobaleno.it

E-mail to > info@sportelloarcobaleno.it

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