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## **SWISS DOMICILE PERMITS C: NEW LANGUAGE SKILLS REQUIREMENTS**

As of Jan. 1, 2019, the Law on Foreigners, and their Integration (LStrI) and the Ordinance on Admission, Residence and Employment (VZAE / OASA) had introduced **minimum language proficiency requirements for the issuance of permits to foreigners**.

Initially, citizens from the following states were excluded from this linguistic requirement: Belgium, the Netherlands, Italy, France, Austria, Germany, Denmark, Spain, Portugal, Greece and the Principality of Liechtenstein.

As a result of the Swiss Federal Court sentence mentioned in the paragraph below, in Ticino all citizens (excluding Italian citizens) applying for a C domicile permit are required to prove their language proficiency (fide or CELI certificate **minimum oral skills lever A2 and written skills level A1**) in order to obtain a C permit.

As of January 1, 2023, in order to obtain a domicile C permit, even applicants who are entitled to the permit as a result of settlement agreements are required to provide a proof of language proficiency. In Canton Ticino, only applicants whose native language is Italian (Italian citizens) are exempted from this attestation. This change follows the jurisprudence of the Federal Supreme Court (STF 2C\_881/2021, May 9, 2022, consid. 4.2 and 4.3) and the instructions of the State Secretariat for Migration in Bern (see SEM-LStrI Instructions, no. 3.5.2.3, status as of Oct. 01, 2022).

If language proficiency requirements are not met, a B stay permit will be released.

The obligation to prove language skills does not apply to the mere renewal of C domicile permits.

**For further information please do not hesitate to contact us**

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