

# European Commission Withdraws ECJ Case Against Italy Regarding Registration Duty on Acquisition of Italian Immovable Property

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The European Commission has [announced](#) that it has withdrawn the case that it brought before the European Court of Justice (ECJ) against Italy regarding registration duty on the acquisition of immovable property located in Italy. As per the relevant Italian legislation, EU citizens of non-Italian nationality who do not intend to settle in Italy are excluded from the regime providing a reduced registration tax rate for their purchases of qualifying non-luxury residential property in Italy (first housing).

As a background, the European Commission:

- had opened infringement procedure no. INFR(2014)4075 on 10 July 2014 by way of a letter of formal notice;
- issued its reasoned opinion on 25 January 2018 (see [European Commission: Italy to lift restrictions on free movement of capital in relation to real estate investments \(29 Jan. 2018\)](#)); and
- on [24 January 2019](#), brought an action against Italy before the ECJ ([Case C-303/21](#)) (see [European Commission Brings Action Against Italy For Exclusion Of Certain EU Citizens From Registration Tax Relief On Purchases Of First Housing \(12 July 2021\)](#)).

The case was withdrawn from the ECJ by decision of the European Commission on 18 October 2023 following Italy's recent amendment of the relevant legislation to bring it in line with EU law (see [Parliament Enacts Amendments to Fulfil EU Law Obligations \(14 Aug. 2023\)](#)).