



SOCIEDADE DE ADVOGADOS, SP,RL
 ROGÉRIO FERNANDES FERREIRA
 & ASSOCIADOS



Nº23/21

NEWSLETTER

THE PORTUGUESE GOLDEN VISA
 UPDATE FEBRUARY 2021

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 Legal Week – RFF was the only Portuguese in the "Private Client Global Elite Lawyers" 2018, 2019
 STEP Private Clients Awards - RFF "Advocate of the Year 2019" (shortlisted)
 IRED Tax Correspondent Angola, Mozambique and East-Timor, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020

SUMMARY

The Golden Visa regime, in force since 2012, enables third country (non-EU) nationals that intend to conduct investment activities in Portugal to obtain a temporary residence permit. The beneficiaries of Golden Visa are entitled to live and work in Portugal, further benefiting from a visa exemption for travelling within the Schengen Area. They can also request family reunification, apply for permanent residence and, eventually, apply for Portuguese citizenship, by naturalization, provided all other requirements set out by the Nationality Act are fulfilled.



www.rfflawyers.com
 Praça Marquês de Pombal, 16 – 5th (Reception)/6th
 1250-163 Lisboa • Portugal
 Rua Eng.º Ferreira Dias n.º 924
 4100-241 Porto
 T: +351 215 915 220 • F: +351 215 915 244
contact@rfflawyers.com



INTRODUCTION

The Golden Visa is a residence permit program, introduced in Portugal in 2012, which enables non-EU citizens who intend to conduct investment activities in Portugal to obtain a temporary residence permit for investors (“Golden Visa”).

Between 2012, when the “Golden Visa” Portugal scheme started, and 2020, more than 9.000 residence permits to investors were granted, and more than 16.000 residence permits were granted to the investor’s family member.

AMMENDMENTS TO THE GOLDEN VISA LEGISLATION

The Portuguese Government just approved (12.02.2021) the legislation pertaining changes of the Golden Visa program.

As expected, the main changes will impact on the investments connected with real estate namely in Lisbon, Oporto, and coastal areas. In these areas the real estate will only be allowed for non residential properties.

Besides the changes in real estate and increase in the investment thresholds was also announced.

The amendments will start on the 1st January 2022.

It was announced a grandfather clause meaning that the approved changes to the regime will not affect the application submitted until this date and the renewal of residence permits already granted.

THE NEW THERSHOLDS

INVESTMENT ACTIVITIES	UNTIL 31 DECEMBER 2021 – INVESTMENT AMOUNT	AFTER 1 JANUARY 2022 – INVESTMENT AMOUNT
PURCHASE OF REAL ESTATE	€500.000.	Non residential properties: €500.000. Residential properties: €500.000 – Only in the interior regions, Azores, and Madeira.
PURCHASE AND REHABILITATION OF REAL ESTATE	€350.000	Nonresidential properties: €350.000. Residential properties: € 350.000 – Only in the interior regions, Azores, and Madeira
CAPITAL TRANSFER	€ 1.000.000	€1.500.000

<p>CAPITAL TRANSFER TO BE APPLIED IN SCIENTIFIC RESEARCH ACTIVITIES PERFORMED BY PUBLIC OR PRIVATE SCIENTIFIC RESEARCH INSTITUTIONS INTEGRATED WITHIN THE NATIONAL SCIENTIFIC AND TECHNOLOGICAL SYSTEM.</p>	<p>€350.000</p>	<p>500.000</p>
<p>ACQUISITION OF PARTICIPATION UNITS IN VENTURE CAPITAL FUNDS OR INVESTMENT FUNDS ESTABLISHED IN ACCORDANCE WITH PORTUGUESE LAW AND SPECIALIZED IN CAPITALIZATION OF ENTERPRISES, WHEREBY THE PARTICIPATION UNITS' MATURE OUGHT TO BE OF LEAST 5 YEARS AND AT LEAST 60% OF THE VALUE OF THE INVESTMENTS OUGHT TO BE IN ENTERPRISES.</p>	<p>€350.000</p>	<p>500.000</p>
<p>CAPITAL TRANSFER FOR ESTABLISHING A CORPORATION IN PORTUGAL, COMBINED WITH THE CREATION OF 5 JOBS OR REINFORCEMENT OF AN EXISTING PORTUGUESE CORPORATION'S CAPITAL COMBINED</p>	<p>€350.000</p>	<p>500.000</p>

WITH THE CREATION OR MAINTENANCE OF THE EXISTING JOBS, WITH A MINIMUM 5 PERMANENT JOBS FOR A MINIMUM PERIOD OF 3 YEARS.

INVESTMENT ACTIVITIES IN LOW DENSITY TERRITORIES

The golden visa regime foresees lower investment amount thresholds when the investment is made in a low-density territory.

The minimum investment amounts may be **reduced by 20%**, in case the investment activities – except for the capital transfer in an amount equal or higher than € 1.500.000 (new Law) and capital transfer in an amount equal or higher than €500.000 (new Law), for investment in the acquisition of participation units in venture capital funds or investment funds are made in certain low density territories (which are specified as level III territories of the common classification of territorial units for statistics –NUTS), where there are less than 100 local habitants *per sq. km.* or a local average gross domestic product (GDP) *per capita* below 75% of the national average GDP *per capita*.

Lisbon, February 17th, 2021



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ROGÉRIO M. FERNANDES FERREIRA
& ASSOCIADOS

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The Portuguese Golden Visa
UPDATE February 2021

Rogério M. Fernandes Ferreira

Filipa Gomes Teixeira

Duarte Ornelas Monteiro

Joana Marques Alves

Yasser Tavares Vali

Raquel Cabral Duarte

(Private Clients team)

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