



The Golden Visa Program in Spain and Portugal

Obtaining a residence permit is usually a must for foreign investors and a painful one for many, with lots of visits to Consulates and Immigration authorities involved. However, the Spanish and Portuguese Administrations have put in place a simple and effective way for qualified investors to obtain their permit: the Golden Visa Program.

<http://gold-visa.eu/>

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The success of the Golden Visa (GV) programs in Spain and Portugal cannot be denied. Approximately three thousand visas have been issued, mainly to investors from China, Brazil, Russia and the Middle East. However, both countries have recently introduced several amendments in their legislation to improve and clarify their respective programs. This not only reinforces both countries' commitment with the program but adds extra legal certainty.

Golden Visa in Spain

Law 25/2015, of July 28, has amended and introduced some important issues:

- It is now clear that applicants can also request reunification with their de facto partners and children of legal age and parents (the last two when economically dependent);

- If the investment is performed by a couple married in the community property regime, and said investment is equal to at least double the threshold for a single visa, both spouses can apply for a GV. For example, if they buy property of € 1,000,000 both of them can apply for a GV (the minimum threshold being € 500,000). If the investment is € 900,000, then only one of them could apply for the GV and the other would be eligible for reunification;

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- It has also been clarified that the GV allows its holder to live **and** work in Spain;

- Renewal of the GV has been simplified and the periods extended: after the initial duration of one year, the visa turns into a 2 year residence permit which can then be renewed for 5-year periods as long as the applicant fulfils the initial investment conditions;

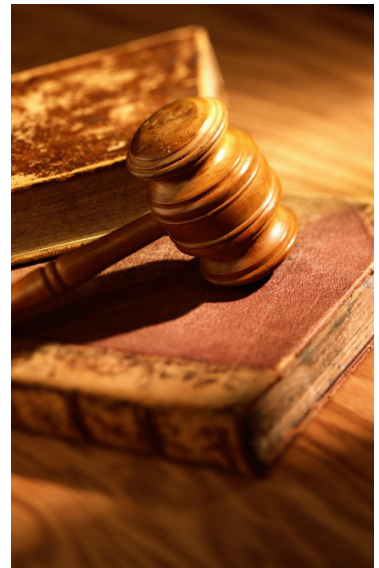
- Investors can also now choose to invest € 1 million in investment funds or venture capital funds;

- Real estate investors now have

more time to finish the necessary procedures. A deposit agreement will be enough to secure a 6-month visa.

The initial conditions of the program still apply, ie:

- a) Acquisition of property for a minimum amount of € 500,000 (with no liens or encumbrances);
- b) Minimum capital investment of € 1,000,000 (in shares or bank deposit);
- c) Minimum investment in Spanish bonds of € 2 million;
- d) Execution of a relevant investment.



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Golden Visa in Portugal

Law 63/2015, of June 30, has introduced new options for investors:

- Acquisition of property construction of which was finished at least 30 years ago or located in urban renewal areas, and refurbishment works in the amount of € 350,000;

- Transfer of capital of at least € 350,000 to be applied in scientific activities developed by public or private institutions which are part of the national technological and scientific system;

- Transfer of capital of at least € 250,000 to be applied in investment or support of artistic production and recovery or maintenance of cultural heritage;

- Acquisition of participation units of at least € 500,000 in investment funds or venture capital dedicated to the capitalization of small and medium enterprises.

However, the minimum threshold can be 20% lower if the investment is executed in territories of low density. These territories are defined as having less than 100 inhabitants per square km or GDP which is less than 75% of the national average.

The initial conditions of the program still apply, ie:

- a) Acquisition of property for a minimum amount of € 500,000 (with no liens or encumbrances);
- b) Minimum capital investment of € 1,000,000;
- c) Creation of at least 10 jobs.

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