

THE GOLDEN VISA FOR INVESTORS

SPAIN AND PORTUGAL

I. NEW SPANISH OFFICE AND ALLIANCE

We are proud to announce our new Spain office and alliance in Madrid to provide legal, tax, and immigration services to our US clients investing and doing business in Spain and Portugal. In this week's alert we will focus on the Spanish visa program and next alert we will focus on the Portugal visa program.

II. STATUS OF THE VISA PROGRAMS

It is important to note that recent political gossip says that the visa program will change, but not be eliminated, it is currently active and will continue with some modifications. So the time is now to begin applying for the visas.

The Golden Visa Program is one of the global initiatives within the Schengen Agreement. Spain and Portugal have implemented the Golden Visa Program—which provides foreign investors the opportunity to acquire Spanish residency and/or citizenship. Below is discussion of the Spanish Golden visa.

III. THE GOLDEN VISA FEATURES- SPAIN

The Golden Visa is a pathway to Spanish citizenship if the foreign investor desires. When initially granted, the Spanish Golden Visa is valid for one year. Afterwards, the investor may renew the visa in two-year periods or apply for temporary residence, so long as the investment still exists. If granted, temporary residence is valid for two years and may be renewed every two years. Within five years of continuous residence, the investor may apply for permanent residence. Generally, a permanent resident may apply for citizenship after ten years living

continuously in Spain and meeting additional immigration requirements. However, residents of Latin American countries (Mexico, Colombia, Peru, etc.) may apply for citizenship after two years of continuous residence in Spain.

IV. BENEFITS

All Golden Visa holders have the right to travel within the Schengen Zone without additional visa requirements. Spanish Golden Visa holders may bring their qualifying dependents (spouse, children under 18 years of age, and over the age of 18 if they are dependents of the nuclear family, as well as dependent parents and in-law). Investors and their qualifying dependents may legally live, work, and study in Spain. Additionally, they may qualify for various public benefits, such as public health care (free of charge). As well as opting for the Spanish Public Education System.

V. INVESTING IN SPAIN

Spain is the fourth economy of the European Union and the fourteenth of the world. Its geographical location makes Spain the gateway to the European Union, North African, Middle Eastern, and Latin American markets. As well, it has favorable taxation treatment for foreign investments. These features, among others, make Spain attractive for foreign investors. There are four main types of economic transactions that could make an investor and his qualified dependents eligible for the Spanish Golden Visa.

1. Real Estate Purchase

- Minimum Investment: 500,000 €

- Requirements: (1) If land has been purchased and recorded, submit the Certificate, including purchase amount, issued by the Land Registry within three

months prior to applying for the Visa. (2) If land has been purchased and not yet recorded, proof of filing and payment if the property purchase has not been recorded in the Land Registry. (3) If purchase has not been finalized, submit preliminary contract, down payment proof, and letter from Spanish financial institution proving required funds are available.

2. Spanish Public Debt Investment

- Minimum Investment: 2,000,000 €
- Requirements: Certificate from the Bank of Spain or other Spanish financial institution indicating investor is the sole owner of the Spanish Public Debt for at least five years.

3. Company Stock or Shares

- Minimum Investment: 1,000,000 €
- Requirements: Investment Statement from the Spanish Registrar of Investments indicating ownership. If investor is in the process of acquiring Company Stock or Shares, he may present proof of investment certified by a financial intermediary registered at the Spanish National Stock Market Commission or at the Bank of Spain.

4. Substantial Spanish Bank Account Deposit

- Minimum Investment: 1,000,000 €
- Requirements: Certificate from financial institution indicating the investor as the bank's account sole owner.

VI. PROCESS

Acquiring the Spanish Golden Visa is a four-step process—which an investor can apply for within Spain or at the Spanish Consulate in their country of residence. First, the investor must obtain a Foreigner’s Identification Number. Second, the investor must make or take sufficient steps to invest in Spain. Third, apply for the Visa at the applicant’s residence country Spanish Consulate or in Spain at the “*Unidad de Grandes Empresas*.” Once the initial application is submitted, the response time of the Spanish government is twenty business days. Fourth, attend fingerprinting appointment and obtain Spanish ID.

VII. CONCLUSION

Spain is one of the most attractive countries within the European Union for foreign investors. The Golden Visa Program under the Schengen Agreement provides foreign investors a pathway to expand their global investments and expand their mobility around the European Union.

This alert is a document with basic information about the Golden Visa, this is not intended as legal advice or opinion.

We have created an alliance with the firm Abruque International Advisors and work as a team.

For an evaluation and initial consultation on the Golden Visa and to determine if you qualify, please contact our office.

Sincerely,
Ruben Flores, Attorney & CPA