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A d v o g a d o s

Insights

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About the Digital Nomad Visa/Residence Permit aka the D8 Visa

Synopsis

The Portuguese Government's announcement of the Digital Nomad Visa added Portugal to the list of European countries offering digital nomad visa programs.

Portugal is already one of the most popular countries to live in Europe for most digital nomads. During the Covid-19 pandemic, remote working became increasingly popular, with numerous countries offering new digital nomad visa programs worldwide.

At present, at least 11 European countries offer digital nomad visas, and more are expected to follow.

Also known as the D8 visa, this residence permit is an active income alternative to the popular Passive Income Earner Residency Permit, aka the D7.

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Entry and residence in Portugal for non-EU citizens

Portugal allows citizens from many countries to visit the country as tourists for a period of up to 90 days, allowing travelling to other Schengen countries. These tourist visas can be extended further, but travelling will be restricted to the country issuing such an extension.

In some cases, non-EU nationals must apply personally for a tourist visa if a visa-free scheme does not apply at a Portuguese Consulate in their country of origin or residence.

Extending a tourist visa repeatedly can, in some instances, be considered fraudulent behavior. Therefore, we strongly advise against this practice. Longer stays or settling in Portugal requires undertaking a specific process to apply for a residence permit.

The Digital Nomad Visa (Temporary Stay)

The Digital Nomad Visa is a temporary visa option bridging the gap between tourist and long-term residence visas. It enables the holder to work remotely and legally for foreign-based companies while residing in Portugal. The digital nomad visa eliminates the need for frequent "visa runs," which are often necessary for tourist visas with a short stay.

The Portuguese temporary stay visa for digital nomads has a validity of up to one year. It can be extended for another two years, making it suitable for remote workers. With this visa, the applicant can work as a self-employed freelancer or online business owner while being allowed to travel freely in and out of Portugal.

To qualify for this particular visa, demonstrating the ability to financially support oneself during the stay in Portugal is crucial. According to the Portuguese government, the minimum income threshold is four times the country's minimum wage, which means having at least €3.040,00 per month is necessary.



The Digital Nomad – Residency Permit D8 (Visa stage)

The temporary stay visa is ideal for remote workers seeking a more extended stay in Portugal to obtain residency. It is also suitable for individuals who wish to initiate the process of acquiring Portuguese citizenship.

Similar to the D7, the Portuguese Consulate of the country of origin or residence must issue the entry visa. Some countries have outsourced part of this process to third-party visa processing centers.

The process and paperwork vary in each country but often include an interview, the filing of forms, and the need to provide documentation.

To apply for a DNRP - D8, proof of financial means above a legal minimum threshold is required. Minimum income thresholds are indexed for this type of visa to be four times the Portuguese minimum wage, which would result in Euro 3.040,00 per month.

If the applicant works as a freelancer or for a third-party, official authorization to work overseas must be obtained from the employer before applying for the first stage of the visa.

As a rule, the D8 entry visa is valid for 120 days.



Obtaining a residence permit D8

The applicant must travel to Portugal and complete the residence permit application process within 120 days of the date of issue of the D8 visa.

The visa allows two entries into Portugal and to stay in Portugal for up to 120 days. The process must be completed before the Foreigners and Borders Authorities.

The DNRP D8 holder should not leave Portugal for more than six consecutive months or eight non-consecutive months during the validity period of the residence permit. However, travelling abroad is allowed for justified professional and personal reasons.

A DNRP D8 must be renewed at the end of the second year for another three years. By reaching the fifth year, the applicant may apply for permanent residency and/or citizenship if further requirements are met.

Consular Registration in Portugal

Consular registration, though not mandatory in Portugal, is important as it enables the Embassies to assist its citizens more efficiently when certificates are required and to contact residents speedily, if necessary.

Benefits of the Portuguese DNRP / D8 Visa

DNRP holders may reside in Portugal and travel within other EU and Schengen area countries (and other territories with open borders within Europe).

A DNRP entitles its holder to apply for the regrouping of family members who are part of the household and/or are dependents, as follows:

1. Spouses or partners
2. Children (minors or adults who are single and studying and qualify as dependents)
3. Parents (if qualifying as dependents)
4. Minor siblings under the tutelage of the residence permit holder (additional requirements may apply).

DNRP holders are entitled to the same level of health care services and education, and social security rights as Portuguese citizens and other residents.

A DNRP does not preclude the holder from exercising a professional activity in Portugal.

DNRP holders may apply for permanent residence and/or citizenship after five years. Portugal allows multiple citizenships, and citizenship applicants are not required to renounce prior citizenship.

Taxes

When meeting the minimum stay requirements, DNRP holders and their families are expected to qualify as tax residents in Portugal.

Resident individuals can apply for tax residency in Portugal under the non-habitual tax residence regime. The NHR grants new residents a more beneficial tax regime than those falling within the scope of the existing concept of ordinary tax residency.

About GFDL

Gil Figueira & Devillet Lima Advogados is a Portuguese law firm.

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Our lawyers are often engaged to provide comprehensive legal advice for businesses and private clients across several industries.

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