

eBook no 10

# Taxation on Portuguese Property Buyer, Owner & Seller

by

**Dennis Swing Greene** 



#### Ficha Técnica:

11<sup>a</sup> edição: Taxation on Portuguese Property: Buyer, Owner

& Seller - euroFINESCO eBook nº 10

Autor: Dennis Swing Greene

Designer: Maria de São José Belchior Horta

Distribuição: euroFINESCOs.a.

Tiragem: Internet Executado: Abril 2018

#### Reservados todos os direitos.

Esta publicação não pode ser reproduzida no todo ou em parte, por qualquer processo, sem prévia autorização por escrito do autor.

#### COPYRIGHT © ALL RIGHTS RESERVED

Violators will be prosecuted to the full extent of the law

#### euroFINESCO s.a.

# HEADQUARTERS Lisbon Branch Rua do Sol, 4 Rua António Maria Cardoso, 15, 4°D 8200-448 GUIA (Algarve) 1200-273 LISBOA (Chiado) tel: +351 289 561 333 tel: +351 21 342 4210

fax: +351 289 562 061 fax: +351 21 342 4212

Madeira Branch Internet

Rua do Aljube, 61, 2° Dt° e-mail: info@eurofinesco.com 9000-067 FUNCHAL (Sé) www.eurofinesco.com tel: +351 291 221095 Portugal

fax: +351 291 221103 mobile: +351 96 910 2813





Beyon	nd Advising on Taxation on Portuguese Property 5
Intro	duction
	Demographics
	Capital Appreciation
	Spain vs Portugal
nº 1:	<b>Before: as Buyer</b>
	Stamp Duty
	Property Transfer Tax
nº 2:	<b>During: as Owner</b>
	Income Tax - "IRS
	Category B: Letting as a Business Activity
	Category F: Rental Income:
	Municipal Property Tax - "IMI"
	Factor n°1: Constructed Area and Implantation
	Factor no 2: Type of Usage
	Factor no 3: Age
	Factor nº 4: Location
	Factor no 5: Quality of Construction
nº3:	<b>After: as Seller</b> 19
	Gift and Inheritance Tax
	Capital Gains Tax
	How to Calculate the gain
	CGT: Resident vs Non-Resident

nº 4:	Non-Residents and Fiscal Representation 21
	Fiscal Representative
	The Theory
	The Practice
	Professional Services
Conc	lusion
Other	euroFINESCO e-Books28



# Beyond Questions on Taxation and Portuguese Property

At *euro*FINESCO, we take pride in being a frontrunner in fiscal and expatriate services in Portugal, playing a leading role in interpreting Portuguese fiscal legislation as plain English for the foreign resident community since 1991.

#### PORTUGUESE TAXATION

- IRS Individual Income Tax Returns
- *IRC* Income Tax Preparation for Portuguese Nominee Companies as well as Non-Resident Companies
- Fiscal Residency Transitions to Portugal
- Fiscal Representation for Non-Residents

#### INTERNATIONAL TAX ISSUES

- Bilateral Tax Treaties
- US Tax Returns
- Compliance Issues

#### PERSONAL TAX PREPARATION

The Portuguese tax system offers surprising opportunities to the foreign resident. When properly prepared, Portugal can prove to be a "tax haven within Europe" for you.

#### PORTUGUESE "IRS" INCOME TAX RETURNS

FINESCO specializes in helping foreign residents by preparing their annual Portuguese *IRS* Income Tax Returns.

#### NOMINEE COMPANIES FOR PORTUGUESE PROPERTY

- Meeting basic compulsory compliance commitments;
- Liaison between *Finanças* and Company Owners.
- Resourcing information to Owners;

#### FISCAL REPRESENTATION

- Protecting your Valuable Investment
- · Meeting Compliance Requirements
- Resourcing Key Information
- Liaison with Finanças
- · Personalised Service
- · Payment Facility
- · Plain English

#### **DOCUMENTATION**

We can assist you by cutting through the bureaucracy:

- "Residências"
- Portuguese Wills
- Driving Licences
- Rates Exemptions
- Fiscal Numbers
- · Medical Cards

#### SMALL BUSINESS FORMATION

We can help expatriates launch new businesses in Portugal:

- Choosing the right structure
- Accountancy Services
- Social Security & VAT

### **CROSS BORDER ESTATE PLANNING**

Cross Border Planning for individuals becomes important when assets and income are split between two or more jurisdictions. If you are a foreign resident, married to a foreigner, have international sources of income, or have assets in a another jurisdiction, Cross Border Planning may be necessary to avoid unforeseen harsh Inheritance Tax consequences.

Anytime foreign laws are introduced into a plan, complexity is an inevitable outcome because contradictory legislation must be accounted for. Because laws are so different in the international arena, planning in advance becomes essential.



# Why invest in Portuguese Property?

Portugal, like any other country in Europe, has an array of taxes that relate to "Immovable" Property. Some are connected to owning your home, others to different forms of derived income, while still others to its transfer. What was that proverb about Death and Taxes?

Prior to analysing Portuguese taxation related to buying, owning and selling property, we must first answer the basic question: *Why invest in Portuguese Property?* This is an essential question that requires solid answers before launching into a substantial commitment in a new country. Choosing residential property has different connotations from many other forms of investment. The risks and rewards are distinct from stocks and shares or gilts.

The potential on-going rewards, whether through direct use from owner occupancy or diverse forms of rentals, can bring in an excellent return with potentially promising tax treatment in Portugal. Renting in the Portuguese market can take any of several forms: high yielding seasonal lets, usually concentrated in popular resort regions; long-term stable lets to elderly retirees who wish to free up capital formerly locked up in their homes, or the traditional rental market to Portuguese nationals, working expats as well as others.

# **Demographics**

The heart of the answer lies in the demographic reality of an aging Europe. We have all heard about the "greying of Europe". A recent report in the journal Science revealed a picture of a fastageing population. Life expectancy for British women, for example, has risen from just 50 a century ago to nearly 80 now. And by 2080 it is expected to rise to 100.

The consequences for Society are startling. As it impacts on our youth-dominated culture, the ageing population will spark a seismic change in the landscape, making all the familiar features unrecognisable. In all areas of life - pensionable age, crime patterns, popular culture, politics and family relationships - nothing will be left untouched.

Over the coming years, as the "baby-boom" generation retires, there will be a tide of seniors migrating south to the warmer, more hospitable climates. In neighbouring Spain, demographers predict that the number of foreign property owners will increase by *five fold* in the next decade alone. For a tiny country like Portugal, this wave of retirees translates into a huge influx of new home owners looking for their place in the sun. Not only will traditional destinations such as the Algarve or the Estoril-Cascais area remain popular, whole new regions of the interior will be discovered by this coming invasion of greying Northern Europeans.

# **Capital Appreciation**

For over 50 years property has proved to be the most consistent vehicle for investment, with property prices doubling approximately every 7-10 years.

Since the inception of statistical surveys, property has proven to be a great medium to long-term investment, regardless of short-term market fluctuations.

Unlike almost any other asset, you have a wide range of long-term, low-interest financing available to help you in the purchase your property.

You also have the added benefit of being able to obtain income throughout your ownership of the property.

# Spain vs. Portugal

Unless you have specific links to Portugal, you may be considering other countries for investment property options. While there are innumerable criteria to take into consideration, a head-to-head comparison of eventual forms of taxation will prove to be one of the key factors in making an informed decision. The following chart lists the principal taxes in Spain and Portugal and the respective marginal rates. While neither country would be normally classified as a "low-tax jurisdiction", it is quite transparent that of the two countries, Portugal is the more benign in many important sectors.

TAXES	SPAIN	PORTUGAL
Personal Income Tax (IRPF / IRS)	24% - 43% (>€46k)	14.5% - 48% (>€60k)
Tax on Non-Residents (IRNR)	25%	25% (28% on lets)
Non-Resident Property Tax	3% pa on Property value	none
Real Estate Tax (Plusvalia/IMI)	0.5% - 1%	0.5% - 0.8% / 0.3% - 0.5%
Capital Gains Tax on Property	flat 15% non-resident 5% withholding	50% exemption; balance at marginal rates
Wealth Tax (IP)	0.2 % - 2.5% p.a.	none
VAT (IVA)	8% / 18%	6% / 13% / 23%
Inheritance Tax (ISD)	7.65% - 34%	Immediate Family exempt Others: 10% Stamp Duty
Property Transfer Tax	7% (Stamp Duty)	up to 6% ( <i>IMT</i> )

# Local Lodging Plan for Non-Residents from euroFINESCO



If you have qualifying short-term tourist lets, our *Local Lodging Plan* allows you to reduce your Portuguese income tax assessment to just 5%. Even more important, this specific category of income is normally taxable only in Portugal, exempt from subsequent assessment in your home country of tax residency in most cases.

(If you do not as yet have a Local Lodging License for your property, **euroFINESCO** can help you obtain the necessary permit **at no extra charge** as part of our standard Fiscal Representation service)



nº 1: BEFORE

as Buyer

As a Buyer of property in Portugal, what taxes will you face? It is the entity (*individual* or *company*) that acquires a property which assumes all of the costs related to the purchase: legal fees, notary and registrations costs as well as the following forms of taxation. The only expenses payable by the seller are Estate Agent commissions (if any) and fees paid to a lawyer if representation is deemed necessary.

# **Stamp Duty**

One must also pay Stamp Duty on deeds, contracts, documents, titles, books, papers and financial operations. This tax is paid by the purchaser.

The Stamp Duty is levied on the value of each taxable deed or operation at a tax rate, which varies according to the type of deed or operation. For real property, either a gift or sale is assessed at 0.8%.

# **Municipal Property Transfer Tax**

"IMT", formerly called "Sisa", is levied when property is bought and sold: the *transfer for consideration* of ownership rights or of partial ownership on real estate (immovable property). The taxable person is the one who acquires the property.

For buildings intended exclusively for residential purposes, the rates are:

# Portuguese Mainland - primary residence

Amount liable	Percentage Rates - 2018		
to Transfer Tax (in Euros)	Marginal Rate	Adjustment	
Up to 92 407 Over 92 407 - 126 403 Over 126 403 - 172 348 Over 172 348 - 287 213 Over 287 213 - 574 323	0% 2% 5% 7% 8%	0 1 848,14 5 640,23 11 358.99 11 959,32	
over €574 323	single rate of 6%	-	

# Portuguese Mainland - secondary residence

Amount liable	Percentage Rates - 2018		
to Transfer Tax (in Euros)	Marginal Rate	Adjustment	
Up to 92 407 Over 92 407 - 126 403 Over 126 403 - 172 348 Over 172 348 - 287 213 Over 287 213 - 550 836	0% 2% 5% 7% 8%	0 1 268.90 2 263.60 4 157.80	
over €550 836	single rate of 6%	-	

# Madeira and Azores - primary residence

Amount liable to Transfer	Percentage Rates - 2018		
Tax (in Euros)	Marginal Rate	Adjustment	
Up to 115 509 Over 115 509 - 158,004 Over 158 004 - 215,435 Over 215 435 - 359,016 Over 359 016 - 717,904	2% 5% 7% 8%	0 2 310.18 7 050.29 11 358.99 14 949.15	
over €717,904	single rate of 6%	-	

# Madeira and Azores - secondary residence

Amount liable to Transfer	Percentage Rates - 2018		
Tax (in Euros)	Marginal Rate	Adjustment	
Up to 115 509 Over 115 509 - 158 004 Over 158 004 - 215 435 Over 215 435 - 359 016 Over 359 016 - 688 545	2% 5% 7% 8%	0 1 155.09 5 895.20 10 203.90 13 794.06	
over €688,545	single rate of 6%	-	

Rural property	5%
Building plots	6.5%
Offshore Companies	10%

#### **Assessment and Collection**

Payment must be made prior to the Deed of transfer at the local tax office or online via Internet. Even if the transaction is exempt, a completed declaration is still required.



as Owner

As the Owner of a property, one faces a variety of taxes: *Income Tax* on any income derived from the property as well as *Property Tax*, related to the infrastructure needs and services required associated with the property.

#### Individual Income Tax - "IRS"

If you have income arising in Portugal related to your Property, you (or your fiscal representative) must report any earnings on an annual income tax declaration ("IRS"). Non-residents can then claim a foreign tax credit in their home jurisdiction, usually offsetting the Portuguese assessment.

# Category B - "Letting" as a Business

Owners engaged in tourist related business activities are eligible for privileged treatment under the "Simplified Regime". If you let out furnished accommodations to tourists on a short term basis, you are only taxable on 15% of your invoiced income and enjoy an 85% exclusion. Beware, however, that there are accessory requirements, such as licencing of premises ("Local Lodging"), VAT reporting when income exceeds €10,000 p.a. and Social Security deductions as of the second year of business (unless eligible foe an exclusion). For Non-Residents, Portuguese tax of 3.75% is final; there is no further assessment in the home jurisdiction. Being fully compliant usually means only a very modest tax burden.

For more information, please consult "euroFINESCO eBook n°2: Self-Employed in Portugal".

# **Category F - Long-term Residential Rents**

Long-term property lets to residents (usually having a rental contract between landlord and tenant) are included in  $Category \ F$  and are reported on " $Anexo\ F$ " in the April/May filing period. Note that the fiscal year in Portugal corresponds to the calendar year.

When a rental agreement exceeds six months, a written contract is required by law. At many levels, it is important to spell out expectations, rules and requirements during the renter's stay in your property. Everyone's rights need to be protected and a written contract is a prerequisite to a satisfactory arrangement for all concerned.

With a proper contract, registered with *Finanças*, tenants should be eligible for a housing tax credit, much as they would as if they were paying a mortgage.

# **Deductible Expenses**

The income from rents, net of allowances, will normally be subject to IRS at a separate rate of 28%. Necessary expenses incurred in the business activity – not just maintenance and repairs as before – are now deductible. This means that the agent's costs are now covered. Note that expenses for building contents (furniture, appliances, comfort or decoration) are not eligible.

On "Anexo F" report your fiscal number, registration details regarding the property, the total amount of invoiced income as well as any deductible expenses. Finanças will add the net to other sources of income, such as pensions, interest, etc. Tax is calculated on total income at marginal rates (14.5% - 48%) for Residents or a flat rate of 28%.

If you need the full picture, consult "euroFINESCO eBook nº 9: Income from Portuguese Property".

# Property Tax - "IMI"

At the heart of the Portuguese Property Tax is the "VPT" Evaluation System ("Valor Patrimonial Tributário"). Comprised of five basic components, this calculation is based on "market value" rather than "potential rental income" as in the previous system.

# Factor n°1: Constructed Area and Implantation

The area is a function of cost. The 2018 value per m<sup>2</sup> is €603. Area coefficients are determined as follows:

Type of Area	Coefficient
Covered Habitation Area	1
Outbuildings	0.3
Garden and Patio areas	0.025
Surrounding land	0.005

To calculate this primary factor, add the areas, previously multiplied by the respective coefficients, then multiply by the cost per square metre. This base will then be altered by the remaining coefficients.

# Factor nº 2: Type of Usage

The Area Factor is adjusted by type of Usage, having been assigned coefficients. Residential Property normally has a coefficient of 1.0.

# Factor nº 3: Age

Next, the base is adjusted according to the year of construction or last re-evaluation of the property, ranging from 1.0 for new property and 0.35 for houses more than 80 years old.

#### Factor nº 4: Location

The Location Coeficient ranges from a low of 0.3% and 3%, a ten fold spread. How these coefficients play out can make a make a big difference in your yearly operating costs.

# Factor nº 5: Quality of Construction

This component is a two-edged sword: attractive features, such as a pool or private garage, will push up the overall value of your home. Living on a dirt track, as opposed to a tarmac road, will drop the appraisal.

#### FACTOR Nº 5: Quality of Construction

#### VARIABLE COMPONENTS:

Single Family Dwelling (0,0 - 0.20 %)
Construction Quality (0.0 - 0.15 %)
Exceptional Location (0.0 - 0.10 %)

#### FIXED RATE COMPONENTS

<u>Increase:</u>	<u>%</u>	Decrease:	<u>%</u>
Closed Condominium	0.20	No kitchen	0.10
Single Garage	0.04	No bathroom	0.10
Collective Garage	0.03	No running water	0.08
Private Swimming Pool	0.06	No electricity	0.10
Collective Swimming Pool	0.03	No gas	0.02
Tennis Court	0.03	No sewage	0.05
Other Leisure Equipment	0.04	No paved road	0.03
Central Air Conditioning	0.03	Diminished living quarters	0.06
Elevator (building < 4 stories)	0.02	No elevator (>3 stories)	0.02
		Building in poor repair	up to 0.10

# FISCAL & EXPATRIATE SERVICES from euroFINESCO



We are is a full service company, helping expatriates to make the most of their new life in Portugal since 1991. Whether it be meeting obligations in a new land, maximizing opportunities in a smooth transition from the past, or financial and estate planning for the future, Finesco is here to guide you, keep you compliant and prepare you to meet your goals.

#### TAX CONSULTANCY

FISCAL REPRESENTATION

NOMINEE COMPANIES FOR PORTUGUESE PROPERTY

**CROSS BORDER ESTATE PLANNING** 

**SMALL BUSINESS FORMATION** 

**DOCUMENTATION** 





as Seller

There are two ways to transfer your property. One is a "gratuitous" transfer, either during your lifetime as a gift or after death as a bequest. The other is a sale where one has to sort out tax on the profit, commonly referred to as Capital Gains.

#### **Inheritance Tax**

Let's start with the good news. Portugal abolished Inheritance Tax as of 1 January 2004. All family members (spouse, children, grandchildren, parents and grandparents) are exempt from tax on gratuitous transfers due to either Gift or Inheritance. All others are assessed Stamp Duty at a flat rate of 10%.

#### **CGT** for Individuals

When you sell a property in Portugal, the notary who performs the deed is required to report the transaction to *Finanças*. In one recent example, an apprehended taxpayer received notification of the missing transaction even before his tax assessment was issued. He was fortunate. He had only to pay a re-submission fine. Others are forced to pay penalties as well as accumulated interest that, on the large amounts, can prove quite costly.

# How to calculate the gain

Although it is *Finanças*, not you, who does the actual calculation, it may be worthwhile knowing what you will have to pay. Let's suppose that you sell your home in 2018 that you had originally purchased in 1994. Calculate your Capital Gains as follows:

- Step 1: From the sales price, subtract any selling costs (commissions, notary fees, etc.);
- Step 2: From the purchase price, multiply by the Inflation Adjustment Coefficient, then add qualifying expenses (closing costs, registrations, notary, etc.)

Step 3: Add to the purchase price any <u>documented</u> capital improvements in the past 12 years.

Conclusion: *The difference between the adjusted purchase and sales prices is your net taxable profit.* 

Proper invoices can be a major problem. Some contractors give only informal receipts that are not valid for tax purposes. If this dilemma reaches significant proportions, tax advice is in order.

#### CGT: Resident vs. Non-Resident

Those that make their permanent residence home outside of Portugal pay a flat tax of 25%, more than any resident higher rate taxpayer would pay. Residents receive a 50% exemption before the gain is added to their other income and taxed at marginal rates. If the property is your principal residence, then you can roll over your profit into a new property. You have a 5 year window to do so: up to two years before the sale and as much as 3 years after. If you reinvest less than the full amount, the exemption will be on a *pro rata* basis. In the event that you do not fulfill your declared intentions, an assessment will be made on the entire non-reinvested balance plus interest.

#### Anti-Discrimination

*Non-Residents* may no longer be taxed at higher rates than *Residents*. If overtaxed, they are entitled to a refund of any difference.

# **Companies**

Non-Resident Companies, whether "black-listed" or "white-listed" are assessed at the flat rate of 25%.

If you use a Portuguese Company such as a Nominee Company, to hold your property, the CGT rate on the sale of the Company (holding the Property) drops to only 14%.



# Fiscal Representation

As with all aspects of taxation in most countries, tax breaks exist for residents (who are the voters) that do not exist for non-residents (who cannot vote). Those that make their permanent residence outside of Portugal generally pay a flat income tax of 25%. Any tax paid should be eligible for a Foreign Tax Credit under the Double Taxation Treaties that Portugal has celebrated with countries around the world. These agreements are designed to protect taxpayers from being taxed twice on the same source income and define the method of elimination of double taxation, usually through tax credits. In other words, any tax paid in Portugal is reported and will be a credit in one's home jurisdiction. Residents receive an array of tax breaks, depending on the nature of the assessment. In the coming chapters, we will point out the major features.

# Why do you need a Fiscal Representative?

Property ownership is synonymous with paying tax. Whether it be Transfer Tax & Stamp Duty at purchase, Council Rates and Income Tax as an Owner or Capital Gains assessment when you eventually sell, fiscal compliance is a constant.

In the past, the tax authorities habitually turned a blind eye to the tax requirements of most foreigners in Portugal. While there are many explanations for past lack of implementation, the important point is that this practice has changed substantially. Foreigners, whether resident or non-resident, have become prime targets for tax collectors thirsty for new revenues. Property managers, lawyers and the like, who may be currently acting as Fiscal Representatives, are often at a loss to mount a proper defence in fiscal inspections when you will need the most and the best support.

We see our mission is to take charge of your compliance, keep you informed and back you up in a foreign land where you can easily be vulnerable.

With our knowledge, experience and know-how working for you, we can give you the support that you need to make the most of your life in Portugal while saving you many thousands of Euros in taxation by helping you to pay the legal minimum.

Whether you are buying a property for the first time, getting on with your new life in Portugal or cashing in your property investment, it is our mission to guide you through the process, streamline frustrating bureaucracy and save you thousands of euros in legally avoidable taxation.

#### **Professional Services**

Using qualified professionals, such as *euroFINESCO*, as your Fiscal Representative may initially seem an extra expense. However, as with many expenditures, in the end, you get what you pay for. It is "*value for money spent*" that is the prime criteria, not whether cost is higher than before. With *euroFINESCO* on your side, you can count on the following quality services:

# 1) Compliance

Fiscal Representation is a legal requirement in Portugal to ensure that tax commitments are met in full. Non-Residents who own property or have income arising in Portugal and have tax obligations need Fiscal Representation services to meet their tax responsibilities.

# 2) Accountability

It is your Fiscal Representative who is answerable for your obligations, whether as liaison with Finanças, defending you in tax inspections or ensuring that fiscal commitments are current.

# 3) Substantial Tax Savings

# a. Paying the Legal Minimum

Save thousands when reporting your rental income. Take advantage of our *know-how* and experience to reduce your tax bill to the legal minimum, leaving you eligible for a refund.

# b. Your Rightful Refund

As EU citizens, Residents and Non-Residents have the right to comparable tax treatment. As your Fiscal Representative, we can get you your lawful refund when you have been overtaxed.

# 4) Stay Informed:

Portugal is a difficult country for obtaining accurate, reliable information. At *euroFINESCO*, we "wrote the book". We have publications on a host of different topics relating to Portuguese Taxation.. We can provide you with the most accurate, up-to-date answers to your questions.

When changes occur in legislation that may impact your situation, we will keep you abreast of current requirements and the steps that you need to take to stay compliant.

# 5) Liaison between Finanças and Property Owners:

We will represent you and defend you and your interests as we have for others in Portugal since 1991. We have broad experience as well as an excellent rapport with local, regional and national *Finanças* offices to help sort out any problems that may arise.

# 6) Personalised Service:

As a diversified service company, we have a dedicated Fiscal Representation Department, staffed by capable, knowledgeable professionals who specialise in meeting your representation needs. Personalised service is one of our principal goals.

# 7) Payment Facility:

Included in your annual fee is a Payment Facility. Through deposits to your *personal client account*, we can pay Rates or Income Tax demands on a timely basis at no extra charge, avoiding additional costs and delays that could eventually lead to fines and late interest payments.

# 8) Plain English

As you have probably already learned by now, Portugal has complex bureaucracy. All the forms and web pages are only available in Portuguese and instructions are often in a language that even native Portuguese nationals sometimes have trouble understanding.

We put the full process to you in Plain English. With proper guidance, even those who speak English as a Second Language should have little trouble in getting it right.



# surprising opportunities in Portugal

It may come as a surprise that filing a correct tax return in Portugal can actually save you money. Submitting a tax declaration is not synonymous with paying tax. The Portuguese tax code has generous allowances and numerous unexpected exclusions on various forms of income, broad deductions for different types of expenses and liberal tax credits for many common expenditures. Many people find their tax burden in Portugal to be significantly lower than in their country of origin.

Note these examples:

#### Pensions

- Each pensioner will be entitled to a pension allowance of over €4,104. This means that a retired couple, after personal allowances, typically receives the first ±€10,000 of pension earnings free of tax.
- Many pensions paid within EU and beyond are entitled to an appreciable exclusion applying basic principles of elimination of Double Taxation. If eligible, an occupational pension of €70,000 should have little or no tax to pay.

#### Non-Habitual Resident

- Only the Portuguese-source portion of a non-habitual resident's employment income will be subject to Portuguese Income Tax. Additionally, this income will be levied at a flat rate of 20%.
- Foreign-sourced income will be exempt from assessment in Portugal when assessed under the rules of standing Double Taxation Agreements or the like.

# Disabilities Benefits

Sometimes the common consequences of aging qualify taxpayers for 60% or greater disability status and still not hurt your golf game. If you are eligible, you will enjoy enhanced deductions.

# Income from Portuguese Property

When reported as Portuguese-sourced business income, final tax rates are 9% or less with no further tax liability in the home jurisdiction for Non-Residents.

#### **Dividends**

Dividends paid by Portuguese companies as well as those from any country within the European Union are entitled to a 50% exclusion and are taxed on the other half at marginal rates with withholding on national dividends.

# Roll-Over Relief

If you sell your principal residence and fully reinvest the proceeds in a new home, the capital gain is exempt. This is to be extended eventually to new home reinvestment anywhere in the EU.

# Nominee Companies

If you purchase property for investment purposes, using a Portuguese Nominee Company will provide many benefits including simplified bureaucracy and tax efficiency.

#### Inheritance Tax

Portugal abolished Inheritance Tax in 2004. Any transfers to immediate relatives (spouse, children, grandchildren, parents and grandparents) are tax exempt. Others pay only 10% Stamp Duty.

#### Conclusion

These and other benefits are entitlements under legislation. It is your right as a citizen and taxpayer to take maximum advantage of these tax breaks. Who knows? Portugal may prove to be a legal "tax haven" for you within Europe.





# euroFINESCO s.a.

# **HEADQUARTERS**

Rua do Sol, 4 8200-448 GUIA (Algarve) tel: +351 289 561 333 fax: +351 289 562 061

# Madeira Branch

Rua do Aljube, 61, 2º Dtº 9000-067 Funchal (Sé) tel: +351 291 221095 fax: +351 291 221103

# **Lisbon Branch**

Rua António Maria Cardoso, 15, 4ºD 1200-273 LISBOA (Chiado) tel: +351 21 342 4210 fax: +351 21 342 4212

#### **Internet**

e-mail: info@eurofinesco.com www.eurofinesco.com Portugal

mobile: +351 96 910 2813

#### eBooks from euroFINESCO

- 1) Offshore Companies: Moving Onshore
- 2) Self-Employed in Portugal
- 3) Requirements of the Common Reporting Standard
- 4) Setting Up Fiscal Residence
- 5) Capital Gains Tax on Portuguese Property
- 6) Portuguese Tax Code Summaries
- 7) "VPT" Unveiled
- 8) Tax-Efficient Investing in Portuguese Property
- 9) Income from Portuguese Property
- 10) Taxation on Portuguese Property
- 11) "S.C.I.": Sociedade Civil Imobiliária
- 12) Property Companies: White-List or Portugal
- 13) Nominee Companies for Portuguese Property
- 14) Fiscal Representation in Portugal
- 15) "Permutas" or Property Swaps
- 16) Estate Planning & Nominee Companies
- 17) "I.H.T." Residence Rules & Determining Domicile
- 18) Moving to Portugal before, during & after
- 19) Taxation of Pensions in Portugal
- 20) "I.R.S." Tax Credits
- 21) CGT Mitigation: 14 Arrows in the Quiver
- 22) Residence Rules: in the EU, Portugal and the UK

# Extracts from Relocating to Portugal - Useful Information

- 23) Acquiring Portuguese Citizenship
- 24) Visas and Legal Framework
- 25) Your Rights to Health Care
- 26) Access to Education
- 27) Recognition of Qualifications
- 28) Social Security Entitlements
- 29) Golden Residence Visa
- 30) Leaving Portugal Moving Back
- 31) Non-Habitual Residence Status and the Alternatives
- 32) Trusts, Foundations and Fiduciary Structures