

Comparative Analysis of Golden Visa and Work Visa Programs for Citizenship in Portugal: A Study on Eligibility Requirements, Benefits, and Differences

Easmat Jabin Sumi¹, Mohammad Nazmul Alam²

¹Research Scholar, NLS, Portugal

²Assistant Professor, Department of Computer Applications, Guru Kashi University, Talwandi Sabo, Bathinda, Punjab

Abstract: This article presents a comparative analysis of the Golden Visa and Work Visa programs for citizenship in Portugal, focusing on their eligibility requirements, benefits, and differences. The Golden Visa and Work Visa programs are both popular pathways to obtaining citizenship in Portugal, but they have different requirements and benefits that potential applicants should consider. The study highlights that the Golden Visa program has a minimum investment requirement, whereas the Work Visa program requires the applicant to be sponsored by a Portuguese company. Additionally, the benefits of the Golden Visa program include access to the Schengen Area, while the Work Visa program offers the opportunity for permanent residency after a certain period of time. This article provides an in-depth analysis of the two programs to help potential applicants make informed decisions about which program suits their needs and goals. The methodological approach includes documental analysis and secondary sources.

This article wanted to contribute to answering some concerns, which were formulated as follows: What are the eligibility requirements, benefits, and differences between the Golden Visa and Work Visa programs for citizenship in Portugal? and which one may be more suitable for which type of applicant?

Keywords: Portugal, Golden Visa, Work Visa, Citizenship, Eligibility Requirements, Benefits, Differences, Permanent residency, Applicants, Comparative analysis.

I. INTRODUCTION

Are you considering moving to Portugal and obtaining citizenship? Well, there are two main options for foreigners looking to do so: the Golden Visa program and Work Visa program. Both offer unique benefits and eligibility requirements that may appeal differently depending on your situation. In this article, I will conduct a comprehensive comparative analysis of both programs, examining their differences in investment amount, processing time, residency requirements, EU benefits, permanent residency opportunities and more. By the end of this article, potential applicants will acquire a clear

understanding of which program is best suited for your needs. This analysis will involve examining the eligibility requirements, benefits, and differences between the two programs to provide insights into their suitability for different types of applicants. Thorough review of existing literature on the Golden Visa and Work Visa programs in Portugal will be conducted to gather information on their eligibility requirements, benefits, and differences. This will help establish a foundation of knowledge and identify any gaps or inconsistencies in the current research.

This article utilizes comparative methodology for collecting sources of the information and data include journal articles, textbooks, chapters of a book, academic theses, law reports, conference papers and workshop papers. Provide an overview of the Golden Visa and Work Visa programs in Portugal and their significance in the context of migration and citizenship policies. Explain the importance of comparing the eligibility requirements, benefits, and differences between the two programs and the potential implications for different types of applicants. Clearly state the research objectives, which include examining the eligibility requirements, benefits, and differences between the Golden Visa and Work Visa programs, and identifying their suitability for different types of applicants.

The research objectives of this study are to conduct a comparative analysis of the Golden Visa and Work Visa programs for citizenship in Portugal, focusing on their eligibility requirements, benefits, and differences, and to identify which program may be more suitable for different types of applicants. The research question guiding this study is: What are the eligibility requirements, benefits, and differences between the Golden Visa and Work Visa programs for citizenship in Portugal, and which one may be more suitable for which type of applicant? By addressing this research question, the study aims to provide valuable insights and guidance to potential applicants by offering a comprehensive understanding of the two programs and their distinct features. It also serves as a practical resource for individuals considering investment or employment opportunities in Portugal and seeking to obtain citizenship through these visa programs.

Background and purpose: Portugal is a beautiful country that has become increasingly popular among foreign investors and workers looking to obtain citizenship. The Portuguese government has created two programs for foreigners to gain citizenship: the Golden Visa program and Work Visa program. The article aims to help potential applicants make an informed decision on which program may be more suitable for them based on their personal circumstances. It may also address the advantages and disadvantages of both programs and their impact on attracting foreign investment and talent for citizenship in Portugal.

The Golden Visa program was introduced in 2012 to encourage investment in Portugal by offering residency permits for non-EU citizens who invest in property, transfer capital or create jobs within the country. On the other hand, the Work Visa program allows individuals to work and reside in Portugal while also applying for citizenship after meeting certain requirements such as holding a job contract. The purpose of this article is to provide a comparative analysis between these two programs, examining their eligibility requirements, benefits and differences. By doing so, I hope to help reader make an informed decision about which program is best suited for your needs when considering obtaining citizenship in Portugal.

Both programs have their advantages and disadvantages - making it important for potential candidates to carefully evaluate which option best meets their needs before embarking on this journey towards Portuguese citizenship.

Portugal's Golden Visa program is a popular option for investors looking to acquire EU residency rights. It allows non-EU citizens to obtain residency in Portugal and ultimately citizenship by investing in the country. The program requires a minimum investment of €350,000 in Portuguese real estate, or €500,000 in certain investment funds, or €1 million in a Portuguese company. Once the investment is made, the investor is granted temporary residency, which can be renewed for up to five years. After five years, the investor can apply for permanent residency and citizenship.

On the other hand, work visa programs are designed for individuals who wish to work and reside in Portugal. These programs require sponsorship from a Portuguese employer and the individual must have the necessary skills and qualifications for the job. There are different types of work visas depending on the job and duration of stay, such as the temporary work visa, the seasonal work visa, and the highly skilled worker visa.

In terms of eligibility requirements, the Golden Visa program has a minimum investment requirement, while work visa programs require sponsorship from a

Portuguese employer. The Golden Visa program is geared towards investors, while work visa programs are primarily intended for individuals seeking employment.

Both programs have their own benefits and limitations. For example, the Golden Visa program offers potential citizenship and access to EU benefits, while work visa programs provide opportunities for individuals to gain work experience and earn a salary in Portugal. The article you're referring to may delve deeper into the specific differences and benefits between the two programs.

II. UNDERSTANDING THE GOLDEN VISA PROGRAM: ELIGIBILITY REQUIREMENTS AND BENEFITS:

The residence permit for investment activity (ARI), known as the Portugal Golden Visa program, is a residency by investment program created for non-EU nationals. The initiative was introduced in Portugal in October 2012. Portugal provides a picturesque environment, a lengthy coastline, a warm climate, friendly locals, and delectable cuisine. These characteristics make Portugal a very appealing location for foreign investors to invest in and secure the right to live, work, and study there. In addition, the Portugal Golden Visa program offers the chance to acquire Portuguese citizenship or permanent residency in just five years. The program has gained significant popularity due to its flexibility and the various benefits it offers to participants.

The Golden Visa program in Portugal grants residency permits to non-EU nationals who invest a certain amount of money in Portuguese real estate or make a capital transfer to a Portuguese bank account. The program has been designed to attract foreign investment and has been particularly popular among Chinese and Brazilian nationals. The Golden Visa Program in Portugal is a popular pathway for individuals seeking to obtain residency and citizenship in the country. It offers a range of benefits and opportunities for foreign investors and their families. This section provides an explanation of the eligibility requirements and benefits associated with the Golden Visa Program. Portugal offers a Golden Visa program, which allows non-EU nationals to obtain residency permits by investing in Portuguese real estate or making a capital transfer to a Portuguese bank account. After holding a Golden Visa for five years, an individual can apply for citizenship or permanent residency in Portugal. Naturalization and obtaining citizenship is a fundamental right and closely linked to a nationality, so it requires a genuine investment activity to Portugal.

A. Eligibility Requirements

Third country citizens who engage in investment activities as individuals or through a company established

in Portugal or another EU Member State, and who are also permanently residing in Portugal, can apply for a Residence Permit for Investment. Investment Activity means any activity performed in person or through a company that leads, as a rule, to the implementation of at least one of the following situations in the country, for a minimum period of five years:

- i. Capital transfer of at least 1.5 million Euros.
- ii. Creation of a minimum of 10 job positions.
- iii. Purchase of real estate property valued at 500 thousand Euros or more.
- iv. Purchase of real estate property for refurbishment, with a total value equal to or above 350 thousand Euros, if the property is over 30 years old or located in urban regeneration areas.
- v. Capital transfer of at least 500 thousand Euros for investment in research activities conducted by public or private scientific research institutions involved in the national scientific or technological system.
- vi. Capital transfer of at least 250 thousand Euros for investment in artistic output, supporting the arts, reconstruction, or refurbishment of national heritage through various authorized entities.
- vii. Capital transfer of at least 500 thousand Euros for the acquisition of investment fund units or venture capital fund of funds, with at least 60% of the investments made in national commercial companies.
- viii. Capital transfer of at least 500 thousand Euros for the establishment of a commercial company with its head office in Portugal, combined with the creation of five permanent job positions, or for reinforcing the share capital of an existing company with the creation or retention of at least five permanent job positions for a minimum period of three years.

The Golden Visa program in Portugal is aimed at attracting foreign investors who are not EU citizens. Under this program, applicants need to make investments in the Portuguese economy and maintain them for at least five years to obtain a residence permit. The investments can be made in real estate, capital, or businesses. After six years of holding the Golden Visa, individuals may be eligible to apply for Portuguese citizenship. However, recent restrictions have been introduced, limiting real estate investments to specific regions within Portugal, such as municipalities or autonomous regions. These restrictions aim to reduce pressure on the real estate market in Lisbon and Porto, promote investments in areas with lower population density, create jobs, and preserve culturally significant cities. The increase in the cost of participation

in the program from 2022 may also affect the number of investors willing to participate.

B. Benefits

The safe haven investor seeks to secure their investments in politically stable and secure environments. They aim to expatriate their capital to countries that offer a safe geopolitical climate. Additionally, these investors are attracted to the golden visa programs because they provide them with free mobility within the Schengen Area, allowing them to take advantage of economic and business opportunities across Europe without the need to establish residence in the country that issued the visa. Golden visa investors and business migrants are attracted to Portugal for various reasons:

1) *Legal and administrative security:* Portugal offers a stable and predictable legal framework that provides security for foreign investments. This reduces uncertainty and risk for investors.

2) *Favorable reception conditions:* The country provides a favorable environment for investors, allowing them to replicate their investments and ensure profitability. The conditions offered by Portugal support business growth and success.

3) *Tax benefits and simplified administrative procedures:* Portugal offers attractive tax incentives for investors, making it a favorable destination for business activities. Additionally, administrative procedures are streamlined, reducing bureaucratic hurdles.

4) *Clear regulations:* Portugal has clear and transparent regulations that eliminate legal arbitrariness. This provides a sense of fairness and reliability for investors.

5) *Free movement within the Schengen Area:* One of the key benefits for Chinese investors in Portugal is the opportunity for free movement within the Schengen Area. This allows them to access and operate in other European markets, expanding their business opportunities.

6) *Lifestyle advantages:* Portugal offers favorable lifestyle conditions, including a pleasant climate, quality education for children, physical security, and rich cultural experiences. These factors contribute to the overall attractiveness of Portugal as a destination for Chinese investors and business migrants.

The Golden Visa Program offers a range of benefits and opportunities for individuals seeking residency and ultimate citizenship in Portugal. The program aims to attract foreign investment, inspire economic growth, and provide a high standard of living for its participants. The Golden Visa Program is a popular pathway for individuals seeking Portuguese citizenship or permanent residency.

The program offers a range of benefits, including access to the European Union and visa-free travel within the Schengen area. To be eligible for the program, applicants must meet certain criteria, such as investing in real estate with a minimum value of €500,000 or creating jobs through business investments. Additionally, applicants must maintain their investment for at least five years and spend at least seven days per year in Portugal.

One key advantage of the Golden Visa Program is that it provides a fast track to obtaining citizenship compared to other routes. After holding residency for five years, investors can apply for permanent residency or even citizenship if they meet certain requirements. Furthermore, the Golden Visa Program allows family members to join the applicant on their journey towards Portuguese citizenship by offering dependent visas and allowing them to benefit from all program advantages as well. Understanding the eligibility requirements and benefits of the Golden Visa Program can help applicant decide whether this route is suitable for their needs when pursuing Portuguese Citizenship.

III. EXPLORING THE WORK VISA PROGRAM: ELIGIBILITY CRITERIA AND ADVANTAGES

Portuguese embassies and consulates abroad introduced different types of visas to be granted for migrants. Residence permits were issued by SEF and were temporary or permanent, valid for 5 years of legal residence in Portugal. In essence, a Portuguese Work Visa is either a short-stay visa that allows working in Portugal for a time not exceeding 90 days or a temporary residence permit that allows working in Portugal for a time exceeding 3 months. A temporary residence permit can be renewed after 2 years for an additional 3 years. After 5 years, worker can apply for permanent residence or Portuguese citizenship. Non-EU nationals intending to work in Portugal will likely need to apply for a Portugal Work Visa. The individual will need to first secure employment in Portugal before beginning the process of applying for a Work Visa. However, non-EU nationals seeking to work in Portugal will likely require a Portugal Work Visa and need to secure employment in Portugal before starting the application process.

A job offer/work contract is needed to apply for a Portugal Work Visa. In Portugal, individuals who wish to work in the country are required to have a Work Permit, which is obtained through their employer's application at the Portuguese Labor Authorities. The Work Permit specifies the location and nature of the work to be performed. It is crucial to ensure that the information on the Work Permit supports with the individual's current job position and location. Once the work contract or Work Permit is approved, individuals may need to apply for a Portuguese Work Visa if their employment duration is less

than 6 months or if their country of origin mandates it. The Work Visa allows individuals to legally enter and work in Portugal for the designated period. It is important to follow the correct procedures and consult official sources, such as the Portuguese embassy or consulate, to obtain accurate information and guidance on obtaining a Work Permit and Work Visa in Portugal.

In Portugal, work visa categories encompass independent work, seasonal work, and highly qualified work. The independent work visa is designed for individuals who wish to work independently or establish their own business in the country, requiring a viable business plan and sufficient financial means. The seasonal work visa caters to individuals seeking temporary employment in sectors with seasonal labor demand, such as agriculture or tourism. The highly qualified work visa is aimed at attracting professionals, researchers, and individuals with specialized skills or advanced qualifications. Specific requirements and eligibility criteria may vary, so it is advisable to consult the relevant Portuguese authorities for detailed information on each visa category.

A. Independent Work Visa

Individuals seeking to engage in independent work in Portugal can opt for a Temporary Stay Visa, which grants them the opportunity to work in the country for a period of up to one year. It is important to note that while holding this visa, individuals are prohibited from seeking employment with local companies in Portugal. Instead, the focus is on generating income through external or online. This type of visa is commonly referred to as a Digital Nomad Visa or an Independent Work Visa, making it particularly suitable for self-employed individuals.

B. Seasonal work visa

In accordance with article 56, no. 4, individuals with a seasonal contract of employment in Portugal are permitted to stay for a maximum duration of nine months within a twelve-month period. Seasonal work permits are open to all third-country nationals who are legally residing in the European Union for a temporary period and whose stay is work-related. These permits enable individuals to engage in a variety of temporary work, including activities in farming, agriculture, fruit picking, catering, hotel and hospitality services, summer camps, ski resorts, and babysitting. The Portuguese government offers seasonal employment opportunities in various sectors such as agriculture, livestock, fishing, hunting, forestry, tourism and hospitality, food industry, retail commerce, construction, and transport.

To engage in seasonal employment in Portugal, it is mandatory for seasonal workers to secure a work contract within the country prior to their arrival. Additionally, they

need to obtain a short-stay visa or, more commonly, a temporary stay visa, which remains valid for a maximum of nine months within a 12-month period and cannot be extended. Asian migrants often rely on recruitment agencies to facilitate their journey to their intended destination. Within Portugal, many Asian migrants find employment in seasonal jobs, particularly in the soft fruit agriculture sector, where they often face precarious working conditions. To work in seasonal employment, individuals must possess a valid seasonal work visa or a temporary stay visa specifically designated for seasonal work purposes. When applying for a short stay visa for seasonal work, which covers periods of 90 days or less.

In order to apply for a short stay visa for seasonal work in Portugal, the following documentation is required: a formal petition application, a valid passport or alternative travel document for the duration of travel, a passport photograph, a return ticket, comprehensive travel insurance covering necessary medical expenses, medical emergency, and medical repatriation, a certificate of regular situation if the applicant holds a different nationality than the country where the visa is being requested, proof of sufficient means of subsistence in accordance with the regulations set by the relevant government entity, a work contract or valid work offer for seasonal employment from a temporary work company or an employer based in Portugal, specifying the work location, duration, type of work, salary, and paid vacation entitlements. For regulated professions, compliance with national legal requirements is mandatory. Adequate medical coverage equivalent to that provided for national citizens, or medical insurance to cover periods not covered by national medical protection, as well as work accident insurance provided by the employer, are also required. Lastly, dignified accommodation must be ensured, either through a rental lease or an equivalent arrangement. Alternatively, the employer may provide accommodation that complies with existing legal requirements.

C. Highly Qualified Work Visa

The Highly Qualified Work Visa in Portugal is specifically designed for individuals engaged in scientific research or other highly skilled activities. This visa category includes a various range of professionals, including scientists, medical practitioners, engineers, higher education teachers or professors, individuals involved in highly skilled subordinate roles, as well as those in show business and performing arts. There are two main subgroups within the highly skilled immigrant population in Portugal. The first subgroup comprises immigrants who are directly hired by companies or multinational organizations without undergoing an official qualification recognition process. This includes individuals recruited by Portugal from their countries of origin and those granted work permits for highly qualified activities. The second subgroup consists of immigrants who have

obtained their qualifications from foreign institutions and have undergone a qualification recognition process to enter the Portuguese labor market. It also includes immigrants who have completed their tertiary education in Portugal, which automatically grants them qualification recognition. By acknowledging and facilitating the entry and integration of highly skilled immigrants, Portugal aims to attract talent and expertise in various sectors, contributing to the country's scientific and economic development.

D. Rights

Under the regulations governing short-stay visas and temporary stay visas for seasonal work in Portugal, visa holders are granted permission to enter and remain in the national territory for the specified period and engage in the work activity outlined in their respective visas. These individuals are entitled to receive equal treatment as national workers, as stipulated in Article 83, paragraph 2 of Law 23/2007. This includes protection of labor rights established by law or collective bargaining, such as payment of any outstanding wages, access to seasonal employment counseling services, and vocational education and training opportunities. In cases where the employer provides accommodation to the seasonal worker, whether for a fee or free of charge, they are obligated to adhere to prevailing health and safety regulations. It is mandatory to have a written contract or clauses within the employment contract that clearly specify the accommodation conditions. If the worker is required to pay for the provided accommodation, the amount should be proportionate to their salary and accommodation conditions. Importantly, this cost cannot be automatically deducted from the worker's remuneration and should not exceed 20% of their salary. These measures ensure the protection of seasonal workers' rights and contribute to maintaining fair and safe working conditions in Portugal.

Immigrants who possess a valid work visa in Portugal enjoy several advantages that contribute to their integration and well-being in the country. Firstly, a work visa grants them the legal permission to work within Portugal, enabling access to a broader range of employment opportunities and potentially higher income prospects. Secondly, these individuals are entitled to reward themselves of Portugal's comprehensive social security system, which encompasses various benefits such as retirement provisions, healthcare services, unemployment assistance, and disability support. Additionally, holding a work visa serves as a gateway towards obtaining a Portuguese residence permit, offering immigrants the opportunity to establish long-term residency and engage in both work and personal pursuits within the country. Moreover, possessing a work visa facilitates access to education and training opportunities, allowing immigrants to enhance their skills, knowledge, and career prospects through participation in Portugal's

educational and vocational programs. These advantages collectively contribute to fostering the successful integration and improved quality of life for immigrants who hold a work visa in Portugal.

The Work Visa program in Portugal offers a viable avenue for individuals seeking employment opportunities and eventual permanent residency or citizenship in the country. This program specifically caters to the needs of individuals wishing to work in Portugal and progressively integrate into its society. To qualify for a Work Visa, applicants must fulfill certain requirements. They must secure a job offer from a Portuguese company that satisfies specific criteria, including the absence of any outstanding debts with the authorities. The offered position should be one that cannot be readily filled by candidates residing within Portugal or the European Union.

Applicants are required to substantiate their eligibility by providing evidence of their academic qualifications and relevant professional experience within their respective fields. Additionally, they must demonstrate sufficient financial resources to support themselves while residing in Portugal. One notable advantage of opting for the Work Visa pathway is the opportunity it affords applicants to gain valuable work experience in Portugal, thereby enabling them to earn a stable income. Moreover, successful candidates may apply for permanent residency after completing five years of continuous work and residence in Portugal. Another benefit of holding a valid Work Visa is the freedom to travel unrestrictedly across all Schengen countries without the need for additional visas. Embracing this option can lead individuals towards attaining long-term stability through employment, ultimately making them eligible for citizenship through the naturalization process.

Portugal has undertaken significant measures to align its social security policies with the regulations and principles outlined in the Treaty on the Functioning of the European Union (TFEU), the EU Charter of Fundamental Rights (CFR), and Regulation (EC) 883/2004 and its Implementing Regulation (EC) 987/2009. The objective of these efforts is to eliminate discriminatory practices based on nationality and ensure equitable treatment for non-national EU citizens residing and working in Portugal. The country has actively engaged in the revision process of Regulation (EC) 883/2004, with a focus on addressing issues such as the treatment of economically inactive individuals relocating between EU Member States, the classification of long-term care as a social benefit, and the provision and reimbursement of cross-border healthcare expenses.

In Portugal, two types of unemployment benefits exist: contributory unemployment benefits (*subsídio de desemprego*) and social unemployment benefits (*subsídio*

social de desemprego). Contributory unemployment benefits are funded through contributions made by workers and employers, while social unemployment benefits are universal-type benefits financed through general taxation. A cessation of work allowance for self-employed individuals was introduced in 2012. EU and non-EU foreigners in Portugal must meet the same eligibility criteria as national residents to qualify for unemployment benefits and social unemployment benefits. If beneficiaries leave Portugal, their benefits are suspended for a period of three months, and if they fail to return within that timeframe, their benefits cease.

The right to health is considered a universal social right in Portugal, and the National Health Care System (NHCS) provides comprehensive, free healthcare services to all citizens. Sickness cash benefits are provided by the social security system and are contributory in nature. Invalidity pensions are granted to individuals who are permanently unable to work due to unrelated reasons. The Portuguese healthcare system aims to ensure universal coverage and equal access to healthcare services, although eligibility conditions for sickness benefits and invalidity pensions may vary based on contributions, residency, and means testing. Coordination mechanisms are in place for the export of benefits, particularly within the framework of the European Union.

In Portugal, the old-age benefits system comprises two types: the old-age contributory pension (*penso de velhice*) financed by contributions from employers, employees, or self-employed individuals in a pay-as-you-go regime, and the non-contributory "social" old-age pension (*penso social de velhice*) granted to individuals who meet specific criteria. Coordination mechanisms for old-age protection are recognized in Portuguese internal law, and non-contributory supplements, such as the Dependency Supplement (*Complemento de Dependência*) and the Solidarity Supplement for the Elderly (CSI), can be provided in addition to the old-age pension.

The 2009 Labour Code in Portugal abolished the distinction between maternity and paternity leaves, introducing the concept of parental leaves that can be shared between mothers and fathers. These leaves are contributory in nature, funded through payroll contributions from workers and employers. Social parental benefits are residence-based and means-tested, while family benefits are non-contributory social benefits contingent on residence and means-testing conditions. Non-national children are also entitled to these benefits, regardless of their parents' residence or nationality. Health is recognized as a fundamental right in Portugal, and policies have been implemented to facilitate the integration of immigrants and promote their health. Migrants with legal residency or employment status and contributions to social security can obtain a user card number, granting them access to healthcare services.

The residence permit system in Portugal encompasses both temporary and permanent permits, which are required for non-EU foreigners to establish full residency in the country. In 2001, the introduction of the Stay Permit allowed irregular foreign workers in Portugal to stay for a duration of one year if they could provide evidence of a valid work contract registered with the General-Inspection of Labour. However, this system was suspended in November 2001 and subsequently removed from the revised law on the entry, stay, and exit of non-EU foreigners from Portuguese territory in February 2003.

The Temporary Stay Visa is specifically designed to enable individuals to enter Portugal for specific purposes, which include the following:

1. Receiving medical treatment in officially recognized medical facilities.
2. Accompanying family members who possess study visas, work permits, or are visiting for other outlined reasons. Eligible family members may include spouses, minor or handicapped children for whom one of the spouses bears responsibility, minors adopted by the applicant or spouse, directly-related family members of the resident or spouse, as well as minor siblings for whom the resident serves as the guardian.
3. Facilitating family reunions for individuals holding Stay Permits.

Obtaining a work visa and citizenship in Portugal entails fulfilling specific requirements. The following are general guidelines for the process:

1. Work Visa Requirements:

- a. **Employment Contract:** Applicants must possess a valid job offer or employment contract from a Portuguese employer.
- b. **Work Permit:** The employer needs to secure a work permit from the Portuguese Immigration and Borders Service (SEF) on behalf of the applicant.
- c. **Qualifications:** Applicants should have the necessary qualifications, skills, or experience required for the job.
- d. **Health Insurance:** Providing evidence of health insurance coverage is typically mandatory.
- e. **Criminal Record:** A clean criminal record is generally a prerequisite.

2. Residence Permit:

- a. After obtaining a work visa, applicants must apply for a residence permit within 4 months of entering Portugal.

- b. The residence permit application is submitted to SEF and requires submitting necessary documentation, such as proof of employment, accommodation, health insurance, and financial means.

3. Citizenship Requirements:

- a. **Residency Period:** To be eligible for Portuguese citizenship, applicants typically need to legally reside in Portugal for a minimum of 5 years.
- b. **Language Proficiency:** Basic knowledge of the Portuguese language is generally required, often demonstrated through a language test.
- c. **Integration:** Applicants may need to provide proof of integration into Portuguese society, such as evidence of cultural, social, or economic ties.
- d. **Criminal Record:** A clean criminal record is usually a prerequisite for citizenship applications.
- e. **Renunciation of Previous Citizenship:** Some countries may require applicants to renounce their previous citizenship before acquiring Portuguese citizenship. However, Portugal generally allows dual citizenship, so this requirement may depend on the applicant's country of origin.

Portugal's citizenship policies underwent significant changes after decolonization. The 2006 nationality law brought updates to the framework, emphasizing the principle of *ius soli* (right of territory) and expanding nationality rights to a broader group of immigrants and their descendants. Residence requirements were reduced, language proficiency remained a prerequisite, and socio-economic discrimination was abolished. Integration emerged as a dedicated policy objective, with the High Commission for Integration and Intercultural Dialogue (*acidi*) playing a prominent role. Infrastructure was established to facilitate immigrant integration, including information networks, support centers, and initiatives promoting intercultural dialogue. Immigrants were granted access to social services and education, although practical challenges persisted.

Portugal transitioned from being primarily an emigration country to becoming a destination for international labor migrants after joining the European Economic Community (EEC) in the late 1980s. This shift brought migrants from Eastern Europe, Asia, Brazil, and Portuguese-speaking African countries. However, Portugal faced difficulties in effectively integrating these new migrant groups, and immigration policies were developed reactively. The 2007 Immigration Act in Portugal consolidated multiple forms of residence status into a single visa category and introduced regulations for temporary migration. It also established a framework for

granting visas to entrepreneurs and highly skilled immigrants. Mobility for highly skilled immigrants was governed by temporary visas and residency permits.

In August 2012, a revised version of the 2007 Immigration Act was issued to comply with the European Directive. This revision outlined specific requirements for immigrants seeking a residence visa for engaging in highly skilled activities. These requirements included having a labor contract or work promise for a minimum duration of one year and earning an income equivalent to 1.5 times the national average salary. The updated law also addressed situations where third-country nationals are ineligible to apply for or benefit from an EU blue card.

IV. COMPARATIVE ANALYSIS: ELIGIBILITY REQUIREMENTS, BENEFITS, SIMILARITIES AND DIFFERENCES

The Golden Visa and Work Visa programs in Portugal serve as two prominent pathways available for non-EU citizens seeking Portuguese citizenship. These programs have been designed to attract foreign individuals and contribute to the country's economic and social development. Understanding the eligibility requirements, benefits, and differences between these programs is crucial for individuals considering their options.

Eligibility requirements are a key aspect that distinguishes the Golden Visa and Work Visa programs. The Golden Visa Program requires applicants to make a substantial investment in Portugal, such as purchasing real estate, capital transfer, or job creation. This investment threshold, which is currently set at a minimum of €500,000, aims to stimulate economic growth and promote foreign investment in the country. In contrast, the Work Visa Program necessitates a job offer from a Portuguese employer, demonstrating the applicant's value and contribution to the local workforce.

The benefits offered by these programs also exhibit notable differences. The Golden Visa Program provides visa-free travel within the Schengen Area, which encompasses numerous European countries, enabling individuals to move freely and explore various opportunities within the region. Additionally, the program facilitates family reunification, allowing eligible family members to join the primary visa holder in Portugal. On the other hand, the Work Visa Program provides access to social security benefits and healthcare services, ensuring that individuals have support and protection while living and working in Portugal.

While the programs differ in their specific requirements and benefits, they share certain similarities. Both programs necessitate background checks to ensure the suitability of applicants for residency in Portugal.

Language proficiency requirements, typically in Portuguese, are also common to both programs, as proficiency in the local language promotes effective integration into Portuguese society. Furthermore, both programs require individuals to maintain their residency in Portugal for a minimum period of time before becoming eligible for Portuguese citizenship. One notable difference between the Golden Visa and Work Visa programs in Portugal is the amount of time required to obtain citizenship. The Golden Visa program necessitates five years of residency in Portugal, whereas the Work Visa program also requires five years of residency but with the additional requirement of having a job offer during that period.

The ongoing economic crisis has had a significant impact on migration patterns in Portugal. In recent years, there has been an increase in the emigration of highly skilled Portuguese nationals seeking better opportunities abroad. Factors such as Portugal's entry into the European Union, which expanded employment options within the EU, and limited income prospects domestically, have contributed to this trend. The economic downturn resulting from the crisis has further intensified emigration, with both highly skilled immigrants and native-born workers leaving Portugal in search of improved prospects elsewhere.

To gain a comprehensive understanding of the Golden Visa and Work Visa programs, as well as the dynamics of emigration in Portugal, it is important to consult official government sources, immigration authorities, or scholarly research that delves into the intricacies of these programs and the socio-economic factors influencing migration patterns. This ensures that individuals have access to accurate and reliable information to make informed decisions regarding their immigration and citizenship goals.

V. RECOMMENDATIONS FOR PROSPECTIVE APPLICANTS: CHOOSING THE RIGHT PATHWAY TO PORTUGUESE CITIZENSHIP

The selection of an appropriate pathway towards Portuguese citizenship is a critical decision necessitating careful evaluation of multiple factors. Whether one intends to pursue the Golden Visa program or the Work Visa program, comprehending the eligibility requirements and benefits associated with each option is essential. The Golden Visa program offers a rapid and straightforward route to attaining permanent residency in Portugal, accompanied by advantageous privileges such as visa-free travel within Europe. This option appeals to individuals seeking expeditious integration into Portuguese society. Conversely, the Work Visa program provides an avenue for individuals who prioritize employment in Portugal while concurrently pursuing citizenship. Additionally, it is

essential to ensure that all requisite documentation is prepared before commencing the application process.

The selection between the Golden Visa program and the Work Visa program is contingent upon individual preferences and circumstances. Nevertheless, regardless of the chosen path, both avenues open up prospects for a fresh start in captivating Portugal—a highly coveted European destination.

Portugal distinguishes itself from numerous other European countries by implementing immigrant-friendly policies that deviate from the restrictive immigration measures prevalent in the region. The country has devised comprehensive and coherent policies targeting immigrant integration, which have been formulated at the national level with broad political consensus among various political parties. The involvement of immigrant associations and international recognition has played a significant role in fostering the effectiveness and success of these policies.

However, certain concerns and critiques arise regarding the sustainability of Portugal's policies. Questions are raised regarding the long-term viability and endurance of these initiatives, particularly in the face of resource cuts and limitations. The potential impact of reduced resources on the ability to innovate and maintain flexibility within the policies is also a subject of scrutiny. The case of Portugal challenges conventional categorizations and offers insights into the need to adopt a broader perspective when examining immigration and integration policies.

VI. CONCLUSION

Portugal offers two distinct visa programs, namely the Golden Visa program and the Work Visa program, for individuals seeking citizenship or residency in the country. The eligibility requirements, benefits, and differences between these programs warrant careful consideration. The Golden Visa program mandates applicants to make a substantial investment in Portugal, with specific minimum investment thresholds for different categories such as real estate, cultural or scientific projects, and small and medium-sized companies. In addition, applicants must demonstrate a clean criminal record and provide evidence of legally obtained investment funds. Successful applicants gain residency in Portugal for themselves and their family members, along with the advantages of visa-free travel within the Schengen area and the potential to acquire citizenship after a five-year period of residency.

In contrast, the Work Visa program necessitates a job offer from a Portuguese employer. The employer is obliged to demonstrate that they have been unable to find a suitable Portuguese or EU citizen to fill the position. Applicants must possess the requisite qualifications and

experience for the job. The Work Visa program enables individuals to work and reside in Portugal, with the possibility of obtaining citizenship after five years of residency. Similar to the Golden Visa program, Work Visa holders also enjoy visa-free travel within the Schengen area.

While both programs offer benefits to applicants seeking residency and citizenship in Portugal, the key disparity lies in the eligibility requirements. The Golden Visa program entails a significant financial investment, while the Work Visa program necessitates a job offer. Notably, the duration required to obtain citizenship remains the same for both programs at five years of residency. However, for the Work Visa program, maintaining a job offer throughout this period is essential. Finally, the selection between the Golden Visa and Work Visa programs joints on an individual's eligibility and personal preferences. The Golden Visa program caters to individuals with substantial investment capabilities, while the Work Visa program is more suitable for those with Portuguese job opportunities.

REFERENCES

- [1] Gaspar, Sofia, and Fernando Ampudia de Haro. "Buying citizenship? Chinese golden visa migrants in Portugal." *International Migration* 58, no. 3 (2020): 58-72.
- [2] Amante, M. de F., and I. Rodrigues. "Mobility regimes and the crisis: the changing face of Chinese migration due to the Portuguese golden visa policy." *Journal of Ethnic and Migration Studies* 47, no. 17 (2021): 4081-4099.
- [3] <https://getgoldenvisa.com/portugal-golden-visa-program> retrieved on 26 may 2023
- [4] Amante, M. de F., and I. Rodrigues. "Mobility regimes and the crisis: the changing face of Chinese migration due to the Portuguese golden visa policy." *Journal of Ethnic and Migration Studies* 47, no. 17 (2021): 4081-4099.
- [5] SERVIÇO DE ESTRANGEIROS E FRONTEIRAS, <https://www.sef.pt/en/pages/conteudo-detalle.aspx?nID=21> Retrieved on 26 May 2023.
- [6] Osmolovskaya, E. "PMP in Portugal:«golden visa» and new restrictions." (2022).
- [7] Montezuma, Joaquim, and Jennifer McGarrigle. "What motivates international homebuyers? Investor to lifestyle 'migrants' in a tourist city." *Tourism Geographies* 21, no. 2 (2019): 214-234.

- [8] Gaspar, Sofia, and Fernando Ampudia de Haro. "Buying citizenship? Chinese golden visa migrants in Portugal." *International Migration* 58, no. 3 (2020): 58-72.
- [9] Padilla, Beatriz, and Thais França. "Migration policies and institutional frameworks. Development and evolution in Portugal." *Comparative Cultural Studies-European and Latin American Perspectives* 1, no. 1 (2016): 37-52.
- [10] MINISTRY OF FOREIGN AFFAIRS, <https://vistos.mne.gov.pt/en/national-visas/necessary-documentation/temporary-stay>. Retrieved on 26 May 2023.
- [11] <https://www.atlys.com/country/portugal/work-visa#what-is-a-portugal-work-visa>
- [12] <https://imigrante.sef.pt/en/prorrogar-permanencia/vet-ts/>
- [13] <https://www.schengenvisainfo.com/news/these-eu-member-states-offer-seasonal-work-for-third-country-nationals/>
- [14] Pereira, Cláudia, Alexandra Pereira, Aashima Budal, Sanjeev Dahal, Joana Daniel-Wrabetz, Jacquelyn Meshelemiah, João Carvalho, Manuel João Ramos, Renato Miguel Carmo, and Rui Pena Pires. "If you don't migrate, you're a nobody': Migration recruitment networks and experiences of Nepalese farm workers in Portugal." *Journal of Rural Studies* 88 (2021): 500-509.
- [15] https://immigration-portal.ec.europa.eu/portugal-seasonal-worker_en retrieved on May 31 2023.
- [16] <https://vistos.mne.gov.pt/en/short-stay-visas-schengen/required-documentation/seasonal-work-visa>
- [17] https://immigration-portal.ec.europa.eu/portugal-seasonal-worker_en retrieved on May 31 2023.
- [18] Oliveira, Catarina Reis, and Vera Fonseca. *Highly skilled immigrants in Portugal: analysing policy developments and its impacts with a typology*. Vol. 11. Observatório das Migrações, ACM, IP, 2013.
- [19] Act 23/2007 of July 4, amended by Act 29/2012 of August 9," Serviço de Estrangeiros e Fronteiras, accessed June 7, 2023, [https://www.sef.pt/en/Documents/LeideImig\(Lei29_2012\)EN.pdf](https://www.sef.pt/en/Documents/LeideImig(Lei29_2012)EN.pdf).
- [20] Padilla, Beatriz. "Integration of Brazilian immigrants in Portuguese society: problems and possibilities." (2005).
- [21] da Costa Cabral, Nazaré. "Migrants' Access to Social Protection in Portugal." *Migration and Social Protection in Europe and Beyond (Volume 1) Comparing Access to Welfare Entitlements* (2020): 345-359.
- [22] Asensio, Maria, and Beatriz Padilla. "Immigration, integration, and citizenship policies in Portugal: The case of health in the 21st century." *Immigration, integration, and citizenship policies in Portugal: The case of health in the 21st century* 3 (2021): 194-225.
- [23] Fonseca, Maria Lucinda. "New waves of immigration to small towns and rural areas in Portugal." *Population, space and place* 14, no. 6 (2008): 525-535.
- [24] Fonseca, Maria Lucinda, and Jennifer McGarrigle. "Immigration and policy: new challenges after the economic crisis in Portugal." *Impacts of the recent economic crisis (2008-2009) on international migration* (2019).
- [25] Oliveira, Catarina Reis, and Vera Fonseca. *Highly skilled immigrants in Portugal: analysing policy developments and its impacts with a typology*. Vol. 11. Observatório das Migrações, ACM, IP, 2013.
- [26] Cook, Maria Lorena. "Portugal's immigration and integration policies: A case apart?." *Journal of International Migration and Integration* 19, no. 3 (2018): 771-789.
- [27] Alam, M. N., Kaur, K., Kabir, M. S., Susmi, N. H., & Hussain, S. (2023). UNCOVERING CONSUMER SENTIMENTS AND DINING PREFERENCES: A LEGAL AND ETHICAL CONSIDERATION TO MACHINE LEARNING-BASED SENTIMENT ANALYSIS OF ONLINE RESTAURANT REVIEWS. *International Journal of Creative Research Thoughts*, 11(5)
- [28] Alam, M. N., Singh, V., Kaur, M. R., & Kabir, M. S. (2023). Big Data: An overview with Legal Aspects and Future Prospects. *Journal of Emerging Technologies and Innovative Research*, 10(5).
- [29] Alam, M. N., & Kabir, M. S. (2023, May). Forensics in the Internet of Things: Application Specific Investigation Model, Challenges and Future Directions. In *2023 4th International Conference for Emerging Technology (INCET)* (pp. 1-6). IEEE.
- [30] Alam, M. N., Kaur, M., & Kabir, M. S. (2023). Explainable AI in Healthcare: Enhancing Transparency and Trust upon Legal and Ethical Consideration.

- [31] Kabir, M. S., & Alam, M. N. (2023). IoT, Big Data and AI Applications in the Law Enforcement and Legal System: A Review.
- [32] Alam, M. N., Kaur, B., & Kabir, M. S. (1994). Tracing the Historical Progression and Analyzing the Broader Implications of IoT: Opportunities and Challenges with Two Case Studies. *networks (eg, 4G, 5G)*, 7, 8.
- [33] Kabir, M. S., & Yeasmin, S. M. Causes of Delay in Civil Litigation in Bangladesh (December 2018). IOSR Journal Of Humanities And Social Science (IOSR-JHSS), Volume 23, Issue 12, Ver. 6, Page 42-46, Available at SSRN: <https://ssrn.com/abstract=4488230>
- [34] Yeasmin, S. M., & Kabir, S. (2019). International Conventions and Family Laws in Bangladesh with Reference to Islamic Legal Principles. *International Journal of Research in Social Sciences*, Year: 2019, Volume: 9, Issue: 2, page: 22-31, Online ISSN: 2249-2496. Available: <https://www.indianjournals.com/ijor.aspx?target=ijor:ijrss&volume=9&issue=2&article=003>
- [35] Manish Paul, Ammar Younas, Kabir Shahin. (2020). Contextualizing alternate dispute resolution: an agile approach to resolve disputes in infrastructure projects. *Society and innovation*, Year 2020/11/18, Volume1, Issue2, Pages:104-116, Available: <https://doi.org/10.47689/2181-1415-vol1-iss2-pp104-116>