

Start UP Visa



IAPMEI
Parcerias para o Crescimento

FAQs – Frequently Asked Questions to StartUp Visa

Q.01. What is StartUp Visa?

A.01. StartUp Visa is a hosting programme for foreign entrepreneurs who intend to develop an entrepreneurial and/or innovative business in Portugal, viewing to allow the granting of visas or residence authorization to these foreign entrepreneurs. This programme is under a specific regulation ([Legislative Order Nr. 4/2018](#)).

Q.02. To whom is it addressed?

A.02. Foreign entrepreneurs, who want to establish an innovative business, will access a residence visa, allowing the development or relocation of their StartUp business to Portugal. Applicable to entrepreneurs who want to develop their project in Portugal and still have no business company in their country of origin, and/or for entrepreneurs that already have their entrepreneurial projects developed in their country of origin and are looking forward to establish a business activity in Portugal.

Q.03. The minimum age for enrollment in the programme is 18 (eighteen) years old. Is there an age limit for enrollment in StartUp Visa?

A.03. No, the enrollment in StartUp Visa programme has an age limit.

Q.04. When does the application process start and what is the deadline for it?

A.04. The application process started on the 15th March of 2018. StartUp Visa has no deadline to receive the applications once it is a rolling programme.

Q.05. How should I proceed to submit the application for StartUp Visa?

A.05. You should access to IAPMEI website (<https://www.iapmei.pt/>) and submit the application trough the [online platform](#).

Q.06. How should I fulfill the application to the StartUp Visa programme?

A.06. You must consult and act accordingly with the [Mini Guide for Application Submission](#). In case of doubt for filling in, all questions should be addressed by email to Info IAPMEI (info@iapmei.pt).

Q.07. How does the evaluation process for admission in the program occur?

A.07. The evaluation of the economic and innovative potential is based on the degree of innovation, scalability of the business, the potential for the market, the capacity of the management team and the potential for creating qualified employment in Portugal.

Q.08. What criteria are used for the acceptance of the application?

A.08. Foreign entrepreneurs who intends to access StartUp Visa and obtain a visa or residence authorization must meet and demonstrate the following criteria: intend to develop business activities to produce innovative goods and services aiming its internationalization; projects and/or established companies be focused on technology and knowledge, with prospects for developing innovative products; have the potential to create qualified employment; have the potential to attain, 5 (five) years after the incubation period, a turnover over 325.000€ per year, and/or assets value over 325.000€ per year.

Q.09. What is the time for the evaluation of the applications?

A.09. In accordance with article 6th (9) of Legislative Order Nr.4/2018, which regulates the StartUp Visa programme, "(...) IAPMEI, I.P, renders the final decision on the application in the maximum period of 30 (thirty) working days from its submission, making it available on the electronic platform within 3 (three) working days".

Q.10. How many members per project can you apply for StartUp Visa program?

A.10. StartUp Visa welcomes one entrepreneur or more per project, up to a maximum of 5(five) elements. Residence visas under the program shall also be granted up to a maximum of five.

Q.11. After the residence visa being granted, am I allowed to work on another activity?

A.11. StartUp Visa, not providing incentives and/or financial support associated, assumes that in the case of an entrepreneur who intends to develop an entrepreneurial project, even though it has not set up a business yet, another activity to guarantee their subsistence in Portugal can be developed as far as this does not compromise the development of the project. However, it must be articulated with the incubator the terms of the incubation contract.

Q.12. What is the residence time in Portugal under the visa granted by StartUp Visa?

A.12. StartUp Visa is a residence visa, under article 60th (2) (c) of Act 102/2017 (Aliens Act). Residency visas, according to article 58th (2) of the same Act are valid for 4 (four) months. The visa can be extended, within national territory for a period of 90 (ninety) days and grants the right to apply for a residence permit (article 58th (1) of Act 102/2017). This way, the holder of

the StartUp visa, newly arrived in national territory, should schedule an appointment to request for residence permit with Immigration and Borders Service.

Q.13. Is the visa granted only after all the investment of the company's establishment and contract with the incubators has been made?

A.13. The visa can be requested at consular services after approval of the entrepreneur in the programme, be formalized the incubation contract and issued the certificate statement by IAPMEI. The company does not have to be established for this purpose once its establishment should take place already during the process of incubation in Portugal.

Q.14. Which documents prove compliance with the requirements of article 5th (1) (a) "Do not have permanent residence in the Schengen area"?

A.14. The documents are the copy of the passport and the copy of the residence permit of the country indicated in the application, if the citizen has permanent or long-term residence in another country outside the Schengen area. It is considered as permanent non-residents in the Schengen area, all third-country nationals who are not qualified with a permanent residence permit valid for 5 (five) or more years, according to article 76th of Act 102/2017, Aliens Act.

Q.15. Which documents prove compliance with the requirements of article 5th (1) (c) "Do not have criminal records"?

A.15. The entrepreneur must provide evidence of the criminal record requested in the country of origin or residence, once a resident for more than a year, along with the judicial services. This must be presented properly translated and authenticated by the respective Consulate.

Q.16. What is the possibility of granting a residence visa to the family of the entrepreneurs, so that they can accompany them in the scope of the program?

A.16. According to the information provided by Immigration and Borders Service, entity issuing the residence visa, it is an integral part of the [ARI \(Residence Permit Programme\)](#) the Family Reunification. In this regard, and in case of favorable evaluation, the request for family members may be formulated simultaneously with the investor's visa request, but is always subject to the approval of applicant holder.

Q.17. What is the guarantee of family reunification?

A.17. Family reunification may be requested, being its approval conditioned to the applicant's granting of the visa.

Q.18. Can my wife or husband have a professional activity in Portugal if she/he accompanies me under the program?

A.18. Obtaining a favorable evaluation of the family reunification request, can the family of the entrepreneur develop their regular and professional life in Portugal, during the validity of the entrepreneur's visa.

Q.19. Can a company started by a foreign citizen and a Portuguese citizen be a candidate for the StartUp Visa?

A.19. As the program is for foreigner entrepreneurs, aiming at granting for residence visa, the applications for Portuguese entrepreneurs shall not apply. However, it is important to know where the company is founded and in which way, since StartUp Visa is not for companies already established in Portugal. If the Portuguese entrepreneur is associated with the project and/or company, it is important to know if the latter has a residence permit outside the Schengen Area.

Q.20. I started to fill in the application and added one or more incubators. At that moment, does the incubator receive my request or do I need to submit my application for them to receive it?

A.20. In the first phase the entrepreneur should start the registration of the process filling all the fields of identification and description of the project, and identification of the entrepreneurs. After completing this information, the entrepreneur may send a declaration of interest to one or more incubators. The entrepreneur can also enclose a video pitch, in order to help the incubator to make its evaluation. To move forward to the second phase, the entrepreneur must obtain a positive feedback from at least one incubator. After that, the entrepreneur must complete the application and submit it through the platform to be evaluated by IAPMEI. For further information you should read carefully the new version of the [IAPMEI guide on website](#).

Q.21. If my project and/or company are not accepted by an incubator, can I submit a declaration of interest to another?

A.21. Yes, you can, since there is no limit for presenting declarations of interest to the incubators. You can send several, once for moving forward with the application submission you have to be accepted in at least one incubator.

Q.22. In the Legislative Order nr. 4/2018 (Program Regulation) article 2nd – the applicability is granted if both a) and b) are confirmed, or is it sufficient to be only one of them?

A.22. It has to be only one of them: either you are an entrepreneur with a project, or an entrepreneur with a company abroad and outside the Schengen Area.

Q.23. In case it is only one of the paragraphs 2(a) or 2 (b) of article 2nd of Legislative Order nr.4/2018, does it mean that the candidates who meet only the requirements of point (a) do not need to prove what is requested in article 5 (3)?

A.23. Yes, if you are a foreign entrepreneur without permanent residence in the Schengen Area.

Q.24. Which documents prove compliance with the requirements of article 5th (1)(b) - “Have tax obligations fulfilled concerning Tax Administration and Social Security, when applicable”?

A.24. The information regarding the existence/non-existence of debts is always relative to Portugal. If the entrepreneur has a tax and/or social security number in Portugal, he/she must grant authorization to IAPMEI for online checking with Tax and Social Security Authorities, and

enclose the certificates obtained from the related portals. For this purpose, the tax identification number of IAPMEI is 501373357 and Social Security number of IAPMEI is 200457827. In case the entrepreneur does not have a tax and/or social security number, he/she must attach a statement for this effect.

Q.25. What is the purpose of sufficient funds in a bank account in the total amount of €5146.08 for 12 (twelve) months (per person) mentioned in the requirements? If I do not have these funds in my StartUp, is the application submission at risk of not moving forward?

A.25. The total amount works on a cumulative basis, representing the value on the Index of Social Support (IAS) in Portugal in 12 (twelve) months. This amount is at least € 428.84/ per month (per person) to ensure the subsistence of the entrepreneur in Portugal. Compliance with this requirement must be proven through a bank statement, mandatory to submit the application. In case of more than one entrepreneur, this statement must be individually proven by means of a bank statement.

Q.26. The information on article 6th (a) (b) (c) of Legislative Order nr.4/2018 refers to what the incubators, interested in receiving us, should mention in their declaration of interest, or about the information the entrepreneur should send to the incubators?

A.26. The information is relative to the entrepreneur. It must contact certified incubators whose characteristics and skills best meet the needs of the development of their project, in order to obtain a declaration of interest in their incubation, namely taking into account: the innovative nature of the project, the growth potential, the scalability of the business in the market, the prospects of setting up in Portugal, after the end of the program.

Q.27. How to conclude an incubation contract without the entrepreneur having a national document and Portuguese tax identification number that allows the establishment of a contract by a service, namely public?

A.27. Generally, a contract with a foreigner, for example an employment contract, requires the identification, signatures and domicile of the parties, and the reference to the work visa or residence permit of the worker permanence in Portugal. Therefore, in the contract to be concluded with the incubator, it will not be possible to refer to the documents above, since this will be the process that will lead to the granting of residence visa. Thus, since the contract cannot forgo with the identification of the parties, the current identification document of the entrepreneur should be mentioned, referring to the type (namely the passport), its number, place and date of issue.

Q.28. What are the average amounts charged by the incubators?

A.28. The entrepreneur must articulate with the incubator all information regarding the incubation conditions and/or resulting amounts.

Q.29. The company should be set up in Portugal in which phase: before the application, after the acceptance in the program along with the incubator contract, during the term of the incubation contract, or at the end of the contract?

A.29. The company should be set up during the incubation contract and must be established at the end of this.

Q.30. If it were possible to join a minimum number of qualified employees during the start-up period of the company in Portugal, how will the granting of their visas will take place? Can they be granted with a work visa to be able to integrate the company's project in Portugal?

A.30. Downstream of the project and/ or company integrated in the scope of the programme and granting of visas to the entrepreneurs, the application for the granting of work visas may include the integration of more members in work teams. The residence visa to be requested to integrate members of the work team could be of the same type of visa, as long as it complies with the article 5th of the Legislative Order nr.4/2018, as long as the application is submitted together. It would also have to be considered the terms provided for in article 5th (3) (C) of the Legislative Order nr.4/2018. The appropriate visa would probably be the one envisaged in article 59th (7) of Law 102/201. Articles 88th and 124th shall not apply.

Q.31. After the approval of the project by the incubator and the evaluation made by IAPMEI how is the granting of the visas handled?

A.31. After entering in Portugal, the entrepreneur must schedule a meeting with the Immigration and Borders Service (SEF) to start the process of requesting a residence visa. The consular services and the Immigration and Borders Service (SEF) will verify the creditworthiness of the entrepreneur and the documentation associated, which is subject to its validation and approval. The granting of the residence visa must be requested in the consular office of the applicant's area of residence. In accordance with the regulation associated and as previewed by the Ministry of Foreign Affairs and the Immigration and Borders Service, the process will be carried out in 60 days approximately. To note that the granting is always subject to the availability of the competent authorities.

Q.32. In the first stage of the application's registration, a declaration is requested, if the entrepreneur does not have a tax and/or social security number in Portugal. Which formality does this declaration impose and what is its content?

A.32. The formality concerns the demonstration of compliance with article 5th (1) (b) of Legislative Order Nr. 4/2018, to "have tax obligations fulfilled concerning tax administration and social security, when applicable" Thus, if the citizen does not have a tax and / or social security number in Portugal, he/ she must attach a declaration to that effect.

Q.33. How will the evaluation of IAPMEI be carried out, in view to consider that the company has the potential to achieve a turnover of more than 325,000 €/year up to 5 years after the incubation contract? In this sense, how should the company demonstrate it?

A.33. In this regard, the company is asked to indicate the turnover and assets, estimated in the fifth year of operation of the project. To ground this, it will be important to identify the target market segments, their potential, the estimated market share to be achieved in each segment / market, as well as the price positioning in relation to the competition/ substitute products.

Q.34. Can the same entrepreneur apply for the StartUp Visa with two different projects and express interest in two different incubators?

A.34. Each entrepreneur should only apply for one project at a time. If this is not respected, it may be at stake two of the eligibility requirements covered by article 5th 2 (a) (h) of the Legislative Order nr.4/2018. This defines that candidates have to demonstrate that they have an effective interest in developing an entrepreneurial project, namely through the creation of an innovation based company, and the individual contribution of each candidate is essential to the development of the entrepreneurial project. Only in case of the application's rejection or withdrawal, may the same entrepreneurs apply for another project.

Q.35. How can the entrepreneur and/or the incubator follow up the progress of the evaluation process and know the decision on the application by IAPMEI?

A.35. The state of progress of the evaluation process can be followed up through the online platform. When the decisions are loaded, and these are read by the entrepreneurs, the incubators that have expressed interest will be aware of the meaning of the decision on the projects. This information can be accessed, through the platform, as follows: in the case of the Incubators by accessing to the *Monitoring Entrepreneurs> Application> State* information; in the case of the entrepreneurs by consulting the *Monitoring> Access> Decision* information on the application.