



SRSTASKFORCE

UKRAINE SOS . PORTUGAL

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IF YOU NEED TEMPORARY RESIDENCE PERMIT IN PORTUGAL FOR UKRANIAN CITIZENS AND THEIR RELATIVES

1. Introduction

Portugal will grant temporary protection, with the automatic granting of a residence permit, for a period of one year, with the possibility of extending the respective residence permit.

2. Who is covered?

- > Citizens of Ukraine;
- > Citizens of other nationalities who benefit from international protection in Ukraine;
- > Citizens of other nationalities who can prove (any means of proof are allowed) that they are relatives, spouses, or unmarried partners of the citizens mentioned above;
- > Citizens of other nationalities who can prove to be residents in Ukraine or hold a long term visa and which safe return to their home country is not possible

Which came from Ukraine and cannot go back due to the war situation.

3. Who is excluded?

The temporary protection regime cannot be applied to persons:

- (i) in respect of whom there are strong reasons to consider then:
 - > have committed a crime against peace, a war crime or a crime against humanity, as defined in national and international legislation on the matter to which Portugal is a party;
 - > have committed a serious non-political crime outside Portuguese territory before they can be admitted in Portugal as beneficiaries of temporary protection;
 - > have committed acts contrary to the purposes and principles of the United Nations;
- (ii) in respect of whom there are serious reasons for considering them a danger to national security or who have been convicted, by way of a final sentence, of a serious non-political crime or who pose a serious threat to the national community.

The above is verified by the Immigration Authorities (Serviço de Estrangeiros e Fronteiras) by consulting the Schengen information database, and criminal record certificates are not required.

4. How to apply?

Applications for temporary protection can be made in person or electronically, within or outside the Portuguese territory. If in person the applications are filed at the Immigration Authorities and an appointment is not required.

5. Benefits

Benefits given to beneficiaries of temporary protection who do not have sufficient resources:

- (i) adequate accommodation; and
- (ii) necessary support in terms of social benefits and means of subsistence.

Nevertheless, all beneficiaries of temporary protection are in an equivalent situation to beneficiaries with refugee status for the purposes of access to non-contributory social benefits.

6. Consequences of the declaration supporting the application for temporary protection:

The Immigration Authorities communicate the statement proving temporary protection to:

- (i) the Social Security (Segurança Social) for the purpose of automatic attribution of the Portuguese social security identification number;
- (ii) the Tax Authorities (Autoridade Tributária e Aduaneira) for the automatic attribution of the Portuguese taxpayer number;
- (iii) the Shared Services of the Ministry of Health (Serviços Partilhados do Ministério da Saúde, E. P. E.) for the automatic allocation of the Portuguese national health user number;
- (iv) the Institute of Employment and Vocational Training (Instituto do Emprego e da Formação Profissional I. P.) for registration purposes.

All of the above applies to requests already submitted since the beginning of the war situation in Ukraine.



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IF YOU NEED TO INCORPORATE A COMPANY IN PORTUGAL

MAIN TYPES OF COMPANIES	PRIVATE LIMITED LIABILITY COMPANY "SOCIEDADE POR QUOTAS"	PUBLIC LIMITED LIABILITY COMPANY "SOCIEDADE ANÓNIMA"
DEFINITION	Share capital is divided into quotas. Liability of the shareholders is limited to their contributions for the subscription of share capital.	Share capital is divided into shares. Liability of the shareholders is limited to their contributions for the subscription of share capital.
SHAREHOLDERS	At least 1 shareholder (individual or corporate).	At least 5 shareholders (individuals or corporates) or 1 shareholder (corporate).
MINIMUM SHARE CAPITAL	EUR 1	EUR 50,000
CORPORATE OBJECT	Must cover the business activities that the company intends to pursue and may be sufficiently wide to cover a large number of activities and services.	
REGISTERED OFFICE	The company must have a registered office in a specific location in Portugal.	
CORPORATE STRUCTURE	<ul style="list-style-type: none"> Simple corporate structure: one or more managers. 	<ul style="list-style-type: none"> Simple corporate structure: one or more directors + sole auditor. Company may have a more complex corporate structure including the Board of Directors, audit committee and a registered official chartered accountant; or executive board of directors, general and supervisory board and statutory auditor.
ACCOUNTANT	<ul style="list-style-type: none"> The company must have an accountant. 	<ul style="list-style-type: none"> The company must have an accountant.

DOCUMENTS REQUIRED FOR THE INCORPORATION OF THE COMPANY

PORTUGUESE TAXPAYER NUMBER	<p>The directors, managers and shareholders of the company must have a Portuguese taxpayer number. In relation to the non-Portuguese individuals or legal persons (as applicable) the following documents are required for the application:</p> <p><u>Legal Persons:</u></p> <ul style="list-style-type: none"> Proof of legal existence in the respective jurisdiction, such as an extract from the Companies Registry, which must, at least, state the company's name, corporate object and head office's address, issued within the previous 3 months. It is necessary to designate a tax representative (a Portuguese taxpayer individual or entity that will be liable for the tax obligations at a secondary level). <p><u>Natural Persons:</u></p> <ul style="list-style-type: none"> Power of attorney granting powers to attorneys to request and obtain the Portuguese taxpayer number (we can prepare a draft). Copy of a valid identity card or passport. Copy of utility bill issued during the 90 days prior to the date of its submission to the Portuguese authorities. It is necessary to designate a tax representative (a Portuguese taxpayer individual or entity that will be liable for the tax obligations at a secondary level). <p>Note: directors / managers of a Portuguese company do not need to be residents in Portugal and may be foreign citizens.</p>
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STEPS TO FOLLOW UNTIL THE INCORPORATION OF THE COMPANY

1. Request for Portuguese taxpayer numbers for both the shareholder(s) and managers(s)/director(s).
2. Request for corporate name at National Companies Registry (*Registo Nacional de Pessoas Colectivas*).
3. Incorporation agreement and Articles of Association (*Contrato de Sociedade*).
4. Registration with the Commercial Registry Office.
5. Opening of bank account.
6. Communications to Tax Authorities and Social Security.

FORMALITIES

Documents issued in a foreign jurisdiction must be endorsed with the Apostille of the Hague Convention of 5 October 1961 or legalised before a Portuguese Consulate/Embassy and officially translated into Portuguese.