

LEGAL & INVESTMENT UPDATE

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INVESTMENT

GOLDEN VISA & IMMIGRATION

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TAX

Reminder for investors and professionals who became tax residents in 2026: applications for IFICI (the successor to the NHR regime — a flat 20% IRS rate on eligible income for 10 years) must be filed by 15 January 2027, with no extension available.

REAL ESTATE & LEASING

The Rental Market Reform bill formally entered Parliament on 16 August, opening a broader debate — notably on protections for vulnerable tenants under pre-1990 leases.

17 August — Law 49/2026 authorises the Government to create, within 180 days, an urgent judicial process for selling real estate held in undivided inheritance, letting any heir or the surviving spouse force a sale (typically by electronic auction) when co-heirs cannot agree — worth flagging to clients with jointly-inherited Portuguese property, though the enabling decree-law is not yet in force.

URBAN PLANNING

3 August — Decree-Law 108/2026 enters into force, deepening the Legal Regime for Urban Development and Building (RJUE), the Legal Regime for Urban Rehabilitation (RJRJ), and replacing the RGEU.

Structural change: prior notification (“comunicação prévia”) becomes the default mechanism, replacing licensing wherever urban planning parameters are already defined; state control shifts mainly to an ex-post basis.

In exchange, the range of urban planning infractions is widened and enforcement is strengthened — more technical responsibility for developers and designers, and greater litigation risk for anyone not properly advised.

Applies to new procedures and to pending cases still at an early stage — relevant for clients with applications already submitted.

BUSINESS SETUP

5 August — the Government published a draft bill partially transposing the Pay Transparency Directive, amending Law 60/2018, open for public consultation until 25 August and sent to Parliament with a request for priority and urgency. Until final approval and publication, the national law is not yet in force — but the EU obligations directly applicable since June remain in place.

GOLDEN VISA SPOTLIGHT

“THE SENSE OF EVERY MEMORY”

Open cultural investment opportunity in Castelo de Vide, Alto Alentejo: requalification of the Museu de Tiflogia, run by Fundação Nossa Senhora da Esperança. From €200,000 per applicant, with 8 investment positions available.

IN FOCUS

The New Law on Foreigners and Asylum

Having cleared Constitutional Court review, the reform signed on 31 August tightens rules for those staying in Portugal irregularly, extends detention periods and updates the asylum system — while preserving specific protections for children, families and refugees. For clients with pending AIMA cases, the key point is this: the law is not yet in effect — it only enters into force once published in the Diário da República, and the current regime applies until then. We recommend particular caution for anyone weighing decisions tied to family reunification or renewals, and advise against acting on rules that have not yet been published.