GOLDENVISAS.FYI — GUIDE

Tax Residency Basics for Investment Migration

How residence and citizenship by investment affect tax residence, the 183-day rule, double tax treaties, and common misconceptions. Each point cites official tax authority sources.

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Citizenship "` tax residence. Residence permit "` tax residence. Tax residence is determined by domestic tax law and double tax treaties, not by immigration status.

The 183-day rule (most common test)

| Country | Tax residence threshold | Source | |---------|-------------------------|--------| | **Portugal** | 183 days in calendar year, or permanent home on 31 Dec | Portuguese Tax Authority (AT) - IRS Code Art. 16 (2026-11-01) | | **Greece** | 183 days in any 12-month period | Greek Tax Authority (AADE) - Law 4172/2013 Art. 2 (2026-11-01) | | **Spain** | 183 days in calendar year | Spanish Tax Agency (AEAT) - LIRPF Art. 9 (2026-11-01) | | **Italy** | 183 days in calendar year (184 in leap year), or civil registry registration | Italian Revenue Agency (Agenzia delle Entrate) - TUIR Art. 2 (2026-11-01) | | **Malta** | 183 days in calendar year, or "domicile" (centre of vital interests) | Maltese Commissioner for Revenue - Income Tax Act Art. 2 (2026-11-01) | | **Cyprus** | 183 days in calendar year (60-day rule also applies with conditions) | Cyprus Tax Department - IT Law Art. 2 (2026-11-01) | | **Ireland** | 183 days in tax year, or 280 days over 2 years | Irish Revenue - TCA 1997 s.819 (2026-11-01) | | **UK** | Statutory Residence Test (SRT): 183 days automatic UK test | HMRC - RDR3 (2026-11-01) | | **USA** | Substantial Presence Test: 31 days current year + 183-day weighted 3-year formula | IRS - IRC §7701(b) (2026-11-01) | | **UAE** | No personal income tax; tax residence certificate requires 183 days | UAE Ministry of Finance - Cabinet Decision 85/2022 (2026-11-01) | | **Türkiye** | 183 days in calendar year | Turkish Revenue Administration - LVK Art. 3 (2026-11-01) |

Days counting: In most countries, day of arrival and day of departure both count. Transit (<24h) may be excluded. Check the specific tax code.

Centre of vital interests (tie-breaker)

If you are tax resident in two countries under domestic law, the **OECD Model Tax Convention Art. 4** tie-breaker applies (incorporated into most bilateral treaties):

1. **Permanent home** available to you (owned or rented long-term)
2. **Centre of vital interests** — personal and economic relations (family, work, assets, social ties)
3. **Habitual abode** — where you regularly live
4. **Nationality** — citizenship (last resort)
5. **Competent authority agreement** — if still tied

Example: You have a Portugal golden visa, spend 150 days in Portugal, 150 days in UK, family in UK, main assets in Portugal. UK claims residence (183-day test not met but SRT may apply). Portugal claims residence (centre of vital interests). Treaty tie-breaker decides.

Special tax regimes for new residents

| Country | Regime | Key benefit | Duration | Official source |
|---|---|---|---|---| | **Portugal** | IFICI (replaced NHR for new applicants) | 20% rate on eligible Portuguese income, only for listed research, innovation and qualified professions; not a general exemption | 10 years | AT - Autoridade Tributária (2026-11-01) | | **Italy** | Flat tax on foreign income | EUR 300,000 a year for people who move residence from 1 January 2026 (EUR 200,000 under the 2024 rules, EUR 100,000 before August 2024); EUR 50,000 per family member | Up to 15 years | Agenzia delle Entrate - art. 24-bis TUIR (2026-11-01) | | **Greece** | 7% flat tax on foreign pension income | 7% on foreign pension for EU/EEA retirees moving to Greece | 15 years | AADE - Law 4646/2019 Art. 61 (2026-11-01) | | **Cyprus** | Employment-income exemption | Exemption on employment income for qualifying high-earners relocating to Cyprus | Up to 17 years | Cyprus Tax Dept (2026-11-01) | | **Malta** | Remittance basis (for non-doms) | Foreign income not taxed unless remitted to Malta | Indefinite | CFR - Income Tax Act Art. 4 (2026-11-01) | | **Switzerland** | Lump-sum taxation (Pauschalbesteuerung) | Tax on annual living expenses (not worldwide income) for non-working residents | Indefinite | Swiss Federal Tax Admin - DBG Art. 14 (2026-11-01) |

Note: These regimes require **tax residence** (physical presence) and most have narrow eligibility. A golden visa alone does not qualify you. You must actually move and meet the day-count test.

Citizenship by investment: no tax residence created

- **Caribbean CBI**: citizenship alone creates no tax obligation. If you actually move there the rules differ by island: St Kitts and Antigua have no personal income tax; Dominica, Grenada and Saint Lucia tax resident individuals.
- **Malta**: Citizenship does not create tax residence. Only physical presence (183 days) or domicile does.
- **Türkiye**: Citizenship does not create tax residence. 183-day test applies.
- **Vanuatu**: No personal income tax. Citizenship alone creates zero tax obligation.

Golden visa: tax residence risk

Holding a golden visa **allows** you to stay long enough to become tax resident. It does not **make** you tax resident.

| Scenario | Tax residence? | |---|---| | Greece golden visa, visit 30 days/year | No (under 183 days) | | Portugal golden visa, live 200 days/year | Yes (over 183 days) | | Any Spanish residence permit, family in Spain, you visit 100 days | Possibly (centre of vital interests in Spain) | | Malta MPRP, never visit | No | | UAE golden visa, visit 183 days/year | Tax residence certificate available (but 0% personal tax) |

Double tax treaties (DTTs)

- **Network**: Portugal (80+), Spain (90+), Italy (100+), Greece (50+), Malta (70+), Cyprus (60+), Ireland (70+), UK (130+), USA (60+), UAE (130+), Türkiye (80+).
- **Function**: Prevent double taxation, allocate taxing rights, provide tie-breakers.
- **Access**: Check the tax authority website for the treaty text. Most are based on OECD Model.

Common misconceptions

| Misconception | Reality | |---|---| | "Golden visa = tax free" | Only if you don't become tax resident. The visa is immigration, not tax. | | "Citizenship = tax free worldwide" | Citizenship "` tax residence. You pay tax where you live (or where income arises). | | "I can split days 182/183 to avoid tax" | Tie-breaker rules (centre of vital interests) catch this. Authorities check flight data, credit cards, phone records. | | "Offshore company avoids tax" | CFC rules, substance requirements, and beneficial ownership registers (EU, OECD) pierce this. | | "No DTT = no tax" | No treaty means **both** countries may tax you without relief. Worse, not better. |

Practical steps

1. **Track your days** — Use a spreadsheet or app. Count arrival/departure days per country rules.
2. **Know your centre of vital interests** — Family home, primary bank, main assets, social clubs, medical providers.
3. **Check treaty tie-breakers** — Before claiming non-residence in a high-tax country, verify the treaty.
4. **File correctly** — Non-resident returns (e.g. Portugal Modelo 3 IRS for non-residents) are still required for local-source income.
5. **Get professional advice** — Cross-border tax is complex. A qualified tax adviser in each country is essential.

Official resources

- OECD Model Tax Convention: oecd.org/tax/treaties
- IBFD Tax Research Platform: ibfd.org (subscription)
- National tax authority websites (linked in tables above)
- EU Taxation and Customs Union: ec.europa.eu/taxation_customs

Disclaimer: This guide is informational. Tax law changes; treaties are renegotiated. Always consult a qualified tax adviser in the relevant jurisdictions before making decisions.

Frequently asked questions

Does a golden visa make me a tax resident?

Not automatically. Tax residence depends on physical presence (usually 183 days/year), centre of vital interests, or habitual abode — not the visa itself. A golden visa allows you to stay; staying long enough may trigger tax residence.

Does citizenship by investment make me a tax resident?

No. Citizenship alone does not create tax residence in any country. Tax residence requires physical presence or economic ties.

What is the 183-day rule?

Most countries deem you tax resident if you spend 183 days or more in the country in a calendar year (or rolling 12 months). Days of arrival and departure usually count. Check the specific country's tax code.

Can I be tax resident in two countries?

Yes. Dual tax residence happens when two countries' domestic rules both claim you. Double tax treaties contain tie-breaker rules (permanent home !’ centre of vital interests !’ habitual abode !’ nationality) to assign one residence.

Do I pay tax on worldwide income if I become tax resident?

Generally yes. Tax residents are taxed on worldwide income. Non-residents are taxed only on local-source income. Some programmes (e.g. Portugal NHR, Italy flat tax) offer special regimes for new residents.