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SPANISH DIGITAL NOMAD VISA

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WHAT IS THE SPANISH DIGITAL NOMAD VISA?

The Spanish Digital Nomad Visa allows non-European Union nationals to reside in Spain while working remotely for companies or clients located outside Spain. The visa was introduced under Spain's Start-Up Law to attract international professionals and remote workers who wish to relocate to Spain while maintaining their professional activity abroad.

The visa is designed for professionals whose work can be carried out remotely using telecommunications systems. Applicants may apply either as employees of foreign companies or as self-employed professionals providing services to international clients.



SUCCESSFUL APPLICANTS MAY RESIDE IN SPAIN FOR UP TO FIVE YEARS, DEPENDING ON THE TYPE OF PERMIT GRANTED. FAMILY MEMBERS MAY ALSO BE INCLUDED IN THE APPLICATION.

-HOW LONG CAN I STAY IN SPAIN WITH THE DIGITAL NOMAD VISA?

Digital nomad visa holders can stay in Spain for up to 5 years.

-DOES THE DIGITAL NOMAD VISA INCLUDE FAMILY MEMBERS?

Yes, a successful applicant is entitled to bring his/her spouse and children under 18 and over 18, provided that they are still financially dependent on the applicant. For example, children in their university studies or suffering from any incapacity that prevents them from making a living for themselves.

MAIN REQUIREMENTS

Applicants must generally meet the following requirements:

- The applicant must not be a citizen of the European Union or the European Economic Area.
- The applicant must demonstrate that their professional activity can be carried out remotely.
- If employed, the employment relationship must have existed for at least three months prior to the application and the employer must have been operating for at least one year.
- If self-employed, the applicant must demonstrate that services have been provided to non-Spanish clients for at least three months, with at least 80 percent of clients located outside Spain.
- The applicant must hold a university degree, professional qualification, or demonstrate at least three years of relevant professional experience.
- The applicant must demonstrate sufficient financial means, provide a clean criminal record certificate, and obtain private health insurance valid in Spain.
- Applicants must also address social security obligations. Where the applicant is employed by a UK company, an A1 Certificate issued by HMRC is generally required to continue paying National Insurance in the United Kingdom while working remotely from Spain.

IF AN A1 CERTIFICATE IS NOT OBTAINED, APPLICANTS MAY NEED REGISTERING WITH THE SPANISH SOCIAL SECURITY AND MAKE CONTRIBUTIONS IN SPAIN.

In practice, depending on the circumstances of the application, visas may still be granted without an A1 certificate. Our firm has successfully assisted clients in obtaining Digital Nomad Visas in situations where the A1 certificate was not available.



TAX CONSIDERATIONS

Digital nomads living in Spain are likely to become Spanish tax residents, which means being taxed on their worldwide income unless they benefit from the special tax regime for inbound workers, commonly known as the Beckham Law.* This regime allows qualifying individuals to be taxed at a flat rate on Spanish-source income only.

INDIVIDUAL TAX ADVICE SHOULD ALWAYS BE OBTAINED BEFORE RELOCATING TO SPAIN.

OUR APPROACH

Scornik Gerstein LLP advises international clients on Digital Nomad Visa applications and cross-border matters.

Many applicants are company directors, founders, or shareholders rather than traditional employees. The structure of the company and remuneration arrangements can therefore be particularly relevant when preparing a Digital Nomad Visa application.

As lawyers qualified both as Spanish *abogados* and Solicitors of England and Wales, we have deep understanding of both legal systems and regularly advise on cross-border professional structures. This allows us to analyse corporate arrangements, director roles, and international employment relationships to present the applicant's professional situation clearly to the Spanish authorities when preparing visa applications.

HOWEVER, EACH CASE MUST BE ASSESSED INDIVIDUALLY.

WE WOULD BE PLEASED TO ADVISE YOU AS TO YOUR ELIGIBILITY AND TO ASSIST YOU WITH THE PREPARATION AND SUBMISSION OF YOUR DIGITAL NOMAD VISA APPLICATION.

*Beckham Law: Similar in concept to the UK's former non-dom regime, the Beckham Law enables foreigners moving to Spain electing to be treated as non-Spanish tax residents – despite becoming *de facto* tax residents – for up to six years. Under this regime, individuals become liable only for income gained and assets held in Spain, leaving any other income and gained and assets held elsewhere untaxed in Spain.

For further information, we invite you to consult our guide: **EVERYTHING YOU NEED TO KNOW ABOUT THE BECKHAM LAW IN SPAIN.**

Scornik Gerstein LLP is a fully UK regulated firm (SRA's registration number 565232) with £3 million professional negligence cover for our client's peace of mind.

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