Dear friends:

I trust that this report on visas in Ecuador will help you better understand the requirements and the process involved for your extended visit or relocation to Ecuador.

This report is not meant to replace case-by-case professional assistance and is rather intended as a brief overview. Please note that regulations and procedures may change at a moment’s notice so please consult with a professional in due time, preferably well before your intended arrival to Ecuador.

If you have any questions or comments please do send them our way as we’ll be happy to get your feedback and address your questions. Your questions will allow the preparation of a FAQ’s section in our next update.

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INTRODUCTION

Ecuador is a foreigner friendly country that has what may be the warmest, most welcoming people on earth.

Ecuador’s Constitution establishes that all foreigners have exactly the same rights in Ecuador as nationals do (with the exception of some political rights).

We have a fairly open regime for travelers whereby nationals from most countries can visit Ecuador and stay for up to 90 days without the need of a visa. This allowance is valid once every 12 months. The 90 days can be in continuous days or broken into several stays.

When foreigners enter Ecuador (without a visa) they will receive a T-3 stamp on their passport which is a legal stay allowance valid for up to 90 days. The T-3 may not be extended.
STAYING IN ECUADOR FOR SHORTER PERIODS

So you are planning on visiting Ecuador perhaps to explore, to look around, to see if it “clicks with you”, but are yet unsure if you’ll decide to invest, stay longer or become a resident? What do you do?

You should first take into account that foreigners from most all nationalities are free to enter Ecuador without the need of a visa and stay for up to 90 consecutive or non-consecutive days every 12 months.

The time is counted from the date of first entry to Ecuador and then during each successive stay. Ninety (90) day extensions used to be available; they are not available anymore.

If you anticipate a longer stay (over 90 days) or want the peace of mind of additional time just in case, you may choose to get a 12-IX visa in the nearest Ecuadorian Consulate before your trip to Ecuador.

The 12-IX visa is fairly easy to come by (see requirements further below) and is granted for up to 180 days.
STAYING IN ECUADOR FOR SHORTER PERIODS... continued

If during your visit you realize you will need more time you will be able to file for the 12-IX visa while in Ecuador. Please make sure, as with all visas, to apply for the visa with at least 30 days of legal stay in Ecuador remaining, otherwise the application may not be received or processed.

In case you apply for the 12-IX visa while in Ecuador authorities will grant the visa for the remainder of the time it would take to complete 180 days in Ecuador. For example, if you’ve already stayed 2 months in Ecuador the 12-IX would be granted for up to 4 additional months.

Please note that 12-IX visas are granted only once every 12 months. If you leave Ecuador during the term of this visa the visa will not become suspended or interrupted meaning you will not be able to get back the days you spend outside of Ecuador.

A 12-IX visa therefore allows you to stay in Ecuador for shorter periods of time, without the need to apply for a resident visa. This visa can also serve as a stepping-stone to come by a resident visa should you decide to stay in Ecuador indefinitely.
TYPES OF VISAS

There are two types of visa categories in Ecuador: non-resident and resident visas.

Non-resident visas begin with 12 (i.e. 12-IX or 12-X) and resident visas begin with a 9 (i.e. 9-II or 9-III). Non-resident visas are granted for a limited time, normally between 6 months and 2 years.

The most common non-resident visa is the 12-IX visa, granted for up to six months. This visa is widely used by persons wishing to stay over 90 days and no more than 180 days. Other types of non-resident visa are student visas, worker’s visas, etc.

Resident visas are granted for an undetermined period of time, subject to the conditions of the issuance of the visa being maintained.

Resident visas allow their bearers an Ecuadorian ID card, which can have its benefits. The most common resident visas are investor’s visas and pensioner’s visas.

Resident visas need to be applied for in Ecuador whether you plan on receiving the visa in Ecuador or at the Ecuadorian Consulate nearest to you.

So please note that you can’t apply for a resident visa directly at the nearest Ecuadorian Consulate; the application needs to be done in Ecuador.
Non-resident visas, also referred as “non-immigrant” visas, are issued for limited periods of time, usually between 6 months and 2 years.

Non-resident visas are usually easier to come by and can be obtained in Ecuador or in the Ecuadorian Consulate nearest to the domicile of the interested party (they can be filed for in Ecuador or in the nearest Ecuadorian Consulate indistinctly).

Non-resident visas will not allow their bearers an Ecuadorian ID card (resident visas will). An Ecuadorian ID card can help you get discounts in hotels and national parks (including the Galapagos), and should make it easier for you to open bank accounts and get services such as internet, cable TV, etc.

The main non-resident visas are:

12-9 This is a general purpose non-resident visa generally granted for commercial activities, for country exploration, etc. This visa is granted for up to 180 days. This is the principal non-resident visa to focus on.

12-5 This is a student visa and is normally granted for the length of the course in short term multi-month intervals. It may need frequent renewal

12-6 This is a work or management duty visa granted for up to two years (renewable). It entails a hiring institution that fulfills the minimum requirements.
RESIDENT VISAS

The most common resident visas are:

9-I VISA

This is for a pensioner’s visa granted to those who can certify to receive a minimum monthly pension of $800 (plus $100 for each additional family member)

9-II VISA

This is an investment visa that is granted upon investment in real estate, certificates of deposit or a local business. The minimum investment required is of $25,000 plus $1,000 for each immediate family member to be included in the visa
NOTES

These visas need to be filed for in Ecuador. If the requesting party is not in Ecuador it can be done through a POA, by a lawyer.

After these visas are obtained the bearers can get their Ecuadorian ID card (“cédula”). This is coordinated with the respective lawyer.

If the consular visa was granted overseas it must be registered within 30 days after arrival in Foreigners Department in the State Department (Dirección General de Extranjería)

This visa can be granted on behalf of the main filer and also on behalf of his or her spouse and immediate family (children and parents).

The complete list of documents required will vary according to the type of visa to be filed for. Please bear into account that you will need your passport to have at least 6 months validity. All documents issued outside Ecuador need to bear an Apostille or be legalized at the nearest Ecuadorian Consulate.

We will be glad to provide the list of required documents for your specific case.
PROCESSING TIME

Non-resident visas have shorter processing times on average. The 12-IX is among the fastest visas you can obtain. The processing time may go from a few days from the date of filing to approximately two weeks.

Resident visas will take 8 to 12 weeks to be granted. Exceptionally the processing time will be shorter or longer. It is important to note that for the past several months Ecuador’s migration offices and authorities have been flooded with visa requests and several audits have been implemented at the same time. This has produced delays and complications. Authorities are, however, working intently on improving service and processing times.

Once the visa is filed and has been accepted for processing you will be able to remain in Ecuador regardless if your stay has expired.

Please note that this is a process and important coordination and follow up will be needed. We visit the authorities regularly to enquire about the case, to coordinate and to address any requests, comments or concerns by the authorities. This is not a linear process. It is important that the visa applicant understand this.
EXPENSES

Resident visas have a Government fee of $350 each. If the visas are approved in Ecuador and granted in the nearest Ecuadorian Consulate please consider an additional Consular Fee of $200 per visa.

The main non-resident visa, the 12-9 visa, has a processing fee of $30 and a $200 fee once approved.

Depending on the type of visa and the circumstances of each case additional expenses will need to be incurred on. These expenses can regard notary’s fees, copies, courier mail, original document issuance costs, translations, etc. A lawyer will be able to calculate with a good degree of certainty the amount of expenses to be expected for each case.

Legal fees should be agreed with the lawyer beforehand. The legal fee will not include expenses.
LEGAL FEES

Legal fees for visas will vary, at times much so, from lawyer to lawyer and law firm to law firm.

Our legal fees for visas start at $900. The fee can vary upwards (but not by much) in the case of families or special complexity cases. The legal fee does not include expenses. This legal fee may be increased in the future if conditions warrant this.
QUESTIONS

We get many questions regarding visas and many are commonplace. We are including a short VISA FAQs section below.

We will be glad to include your questions (no names will be cited) in the next report so please send them in. We appreciate your feedback and the opportunity to better understand your wants and needs.
FAQs

Do I have to be in Ecuador to apply for a resident visa?

Resident visas need to be applied for in Ecuador. However, you don’t need to be in Ecuador for the application. In such case a power of attorney (POA) will be required (along with all needed documents). If you will not be present in Ecuador for the application the visa will need to be granted in the nearest Ecuadorian Consulate once approved in Ecuador.

I want to obtain a visa for my partner and me but we are not formally married?

In this case a declaration in front of a notary from both parties in the sense that they are a couple will suffice. This notarized document needs to be included with the visa application. This procedure is needed and much welcome as otherwise the aspiring residents would need to apply separately with an investment, pension or other qualification to be presented for each one (also applies to same sex partners).
FAQs

I’ve heard conflicting stories. Do we need a police record and medical certification for the visa?

The police record is needed for the visa application. The medical certification, however, is not. Please note that if the visa is to be granted in an Ecuadorian Consulate the consul may request this (medical certificate) on his own initiative. All documents issued outside Ecuador need to be apostilled or legalized at the nearest Ecuadorian Consulate. If no apostilles are available (as is the case with Canada) the only option is the legalization at the Ecuadorian Consulate.

Where in Ecuador can I apply for a visa?

This needs to be made before the Dirección General de Extranjería. Currently this needs to be done in Quito, Guayaquil or Cuenca exclusively. This may change in the future. Quito is the main place to apply.
FAQs

Can I apply for a resident visa out of an investment made through my IRA TRUST?

In principle, the answer is yes as we have done this already. However, in these cases we should not take the approval for granted. The authorities will usually regard the IRA TRUST as a completely separate entity from the aspiring resident. They may say, “well, the trust made the investment, not you”, so what we need is to prove to them that the trust is a savings and investment vehicle for the would-be resident. This is a consultation that needs to be brought to the authorities before the visa application is submitted.

I want to buy a property and I will pay well over the $25,000 minimum required for a resident visa. However, the municipal appraisal is less than this amount. Will I have a problem because of this? See answer in next page

Have questions? Please contact us at acordova@gcabogados.com
ECUADOR VISA REPORT

FAQs

The authorities will require to verify that the respective municipal appraisal states the minimum amount required for the visa, which starts at $25,000 and goes up $1,000 for every additional family member to be covered under the visa. If the municipal appraisal where to be lower than the minimum needed amount, it is possible to request a new appraisal towards the minimum amount. This is usually granted unless the property has a market value which is lower than this amount.

Which is better, a pensioner’s visa or an investor’s (in real estate) visa?

Both visas will be resident visas and will allow their beneficiary the same rights and limitations. They both should cost about the same in terms of legal fees and direct expenses with the investor’s visa costing slightly higher. However, the limitation with the a visa based on a real estate investment is that if the resident sells the property ...
FAQs

Any way to avoid about the 90 day limit to leave Ecuador during the first 2 years after the resident visa has been issued?

This limitation is common to all resident visas. It is only for the first two years but I understand how in many cases it can deeply conflict with plans of aspiring Ecuador residents. I am addressing this limitation with high national authorities to see if it needs to stay or can be taken down. In the meantime, we can look into this on a case by case scenario coordinating with authorities beforehand to see if they can make an exception under special circumstances. However, until this provision is changed it needs to be taken into due consideration.
CONTACT US

If you’d like to submit a question or a comment, or ask us for feedback regarding your specific case, we will be glad to hear from you and will make sure to reply in a timely manner.

You can write to:

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