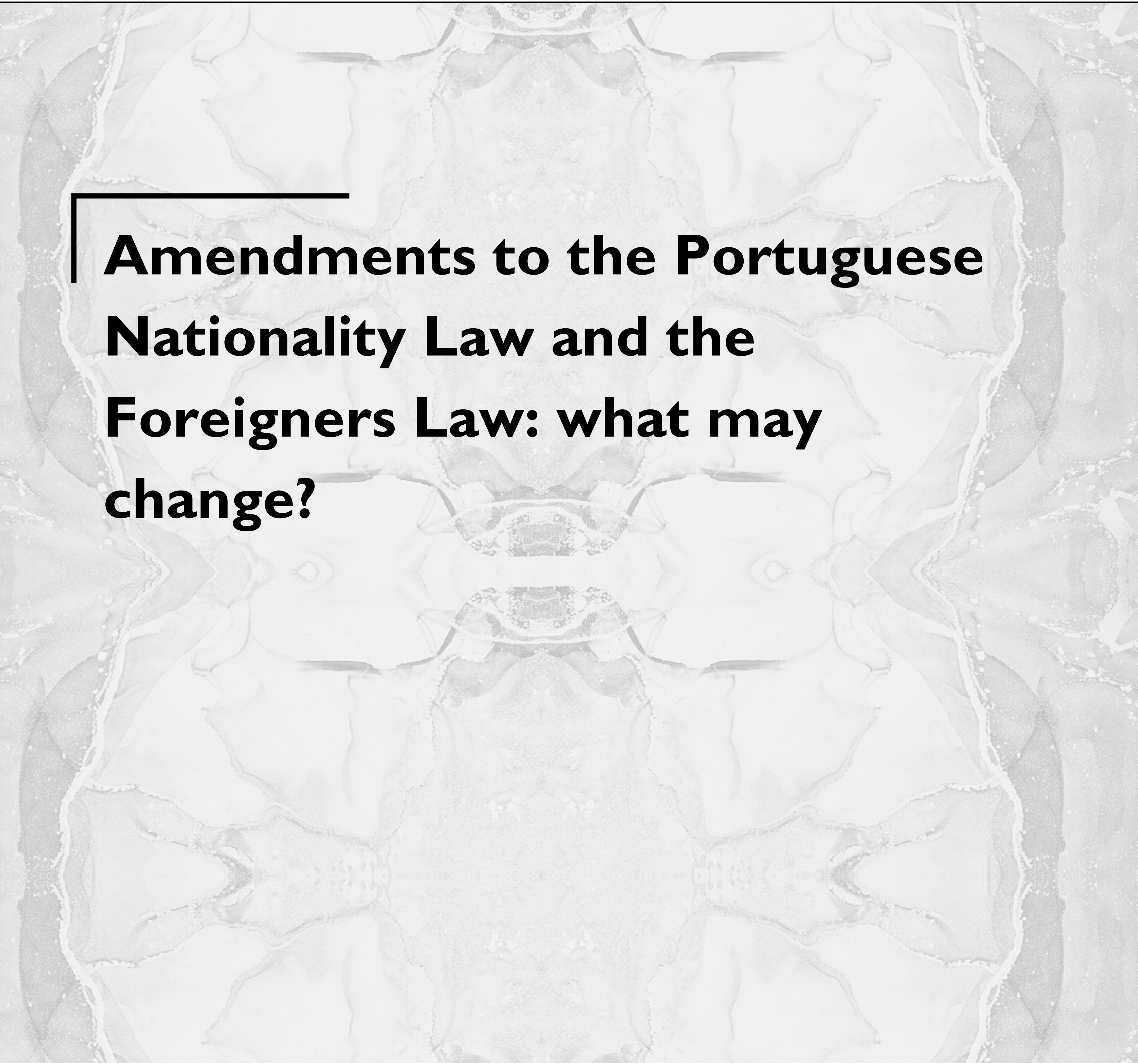


Building Projects Over Strong Relationships



**Amendments to the Portuguese
Nationality Law and the
Foreigners Law: what may
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Amendments to the Portuguese Nationality Law and the Foreigners Law: what may change?

The Nationality Law may undergo significant changes following the presentation by the Government of Montenegro of Draft Law No. 1/XVII/I.^a.

This initiative aims to apply stricter rules on the attribution, acquisition, loss, and consolidation of Portuguese nationality.

We have selected the main measures under discussion so that you can follow what may change:

1. Acquisition of original nationality

1.1 Children of foreigners born in Portugal:

- They will only have Portuguese nationality if at least one of their parents has been residing in the country for at least three years.
- In addition, the process is no longer automatic, requiring a declaration of intent by the parent.
- Until now, the law only required one parent to have been legally resident for at least one year at the time of birth.

1.2 Concerning the grandchildren of Portuguese citizens, the proposal sets out additional requirements:

- Knowledge of the fundamental rights and duties associated with nationality and the political organization of the Republic;
- A personal and solemn declaration of adherence to the fundamental principles of the democratic rule of law, as set out in the Constitution.
- Applicants who have been sentenced to an effective prison term will have their naturalization process invalidated.
- The current law provides for this invalidation when the applicant has been sentenced to a prison term of 3 years or more.

- In essence, there is a reference to 1/3 of the requirements of 6/1 of the Nationality Law.

2. Acquisition of nationality by naturalization

- Increase in the length of residence in the national territory required for:
 - Stateless persons - 4 years;
 - Portuguese-speaking citizens and citizens of third countries - 7 years or 10 years;
 - Revocation of the naturalization of Sephardic Jews;
 - For minors, the requirements are also increased, with the proposal providing for compliance with the requirements set out in 6.º/2.

3. Loss and consolidation of nationality

If the beneficiary, within a period of 10 years, commits a crime punishable by imprisonment of 5 years or more, they may lose their Portuguese nationality status.

4. Legal residence

- Changes to the calculation for legal residence purposes.
- The current law allows the calculation to begin with the application for a temporary residence permit, provided that it is granted.
- However, the government intends to repeal this rule (15/4 of the Nationality Law).
- This means that the relevant period for counting is shortened, and the moment the application is made is no longer valid.
- The following are no longer considered:
 - <>The time covered by the expression of interest;
 - <>The period between the application for a residence permit and the date of deferral.

The idea is that residence must be continuous and based on valid titles.

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What happens if these measures are approved?

Application of the law over time

- It is proposed that, if approved, the new nationality regime will only apply to the future. In other words, it will take effect from the date of its publication.
- However, the government highlights an important exception: naturalization procedures pending on the date of future publication of the law, but which were initiated after June 19, 2025.

Do you have questions about the new Nationality Law?
Contact us.

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