

Building Projects Over Strong Relationships



LEGAL ALERT - Amendments to the Nationality Act

LEGAL ALERT - Amendments to the Nationality Act

On April 1, 2026, the Portuguese Parliament (Assembleia da República) approved, at the committee stage, a new decree revising the Nationality Law (Law no. 37/81, of October 3).

Following the rejection of the initial proposals by the Portuguese Constitutional Court, the Government has now sought to address and resolve the issues previously raised, while maintaining its objective of strengthening the criteria for a genuine connection to Portuguese territory.

I. Key Amendments

Among the proposed changes to the Nationality Law, several are particularly relevant to the acquisition of Portuguese nationality by naturalisation:

1. Applicants must be of legal age, removing the previously available option of emancipation;
2. Lawful residence in Portugal for at least 7 years for nationals of Portuguese-speaking countries and EU Member States, or 10 years for nationals of other countries, replacing the previous general requirement of 5 years;
3. Demonstration of sufficient knowledge of the Portuguese language and culture, including history and national symbols;
4. Adequate knowledge of the fundamental rights and obligations associated with Portuguese nationality, as well as the country's political system;
5. Submission of a formal declaration of adherence to the fundamental principles of the democratic rule of law;
6. No conviction resulting in a prison sentence exceeding 3 years for crimes such as terrorism, violent or especially violent crimes, highly organised crime, crimes against State security, or facilitation of illegal immigration;
7. The applicant must not pose a risk or threat to national security or defence;

8. The applicant must not be subject to restrictive international sanctions imposed by the United Nations or the European Union;

8. Proof of the ability to ensure one's own livelihood.

As a result, the number of requirements increases from 5 to 9, making them clearer but also more demanding, with a higher level of scrutiny and evidentiary burden.

With regard to minor children born in Portugal, nationality may only be granted if at least one parent has been lawfully resident in Portugal for a minimum of 5 years. Additionally, for children aged 16 or over who are enrolled in compulsory education, all of the above requirements must also be met.

Another approved amendment, directly impacting the minimum residence requirement, concerns the calculation of lawful residence. The relevant period will no longer include the date of submission of a residence permit application. Instead, only periods during which the individual holds a formally granted and valid residence permit will be considered.

All amendments to the Nationality Law will only enter into force following approval by the President of the Portuguese Republic and their official publication.

In conjunction with these changes, the Government also envisages the introduction of the additional penalty of loss of nationality, which may be imposed following legally established national or international convictions.

LEGAL ALERT - Alterações à Lei da Nacionalidade

II. Next Steps

Foreign nationals who have already submitted—or who submit—their nationality applications before the new law enters into force will not be affected by these amendments. Their applications will continue to be assessed under the current legal framework.

Considering this:

1. If you already meet (or are close to meeting) the current requirements—particularly the minimum period of 5 years of lawful residence in Portugal—you may proceed with your nationality application now, thereby maximising the possibility of benefiting from the existing legal regime;
2. If your residence in Portugal was obtained only recently and these amendments enter into force, Portuguese nationality may only be requested after 7 or 10 years, depending on your situation, and subject to compliance with a broader and more demanding set of requirements (unless further legislative changes occur in the meantime).

To better understand the impact of these changes on your specific situation and when they will effectively enter into force, please contact our team.

- Salomé Silvestre & Sofia Vicente

geral@matlaw.pt
(+351) 210 434 150