

Regulation of the Portuguese Nationality Law

Amendments

What does the Decree-Law N.º26/2022 of March 18 consist of?

Decree-Law N.º26/2022, of March 18 amends the Portuguese Nationality Regulation.

What are the changes introduced?

The amendments introduced by Decree-Law N. 26/2022, of March 18 refer to the following points:

1. The attribution of original nationality to individuals born in Portuguese territory, children of foreigners;
2. The acquisition of nationality by adoption;
3. Acquisition of nationality by naturalization (in this regard, regarding the general requirements for naturalization, the naturalization of minors, the new naturalization regime for minors in institutions, the naturalization of foreigners born in Portugal, the new naturalization regime for ascendants of original Portuguese citizens, the guarantee, at the time of the application, of the effective fulfillment of proven objective requirements of connection to Portugal by descendants of Portuguese Sephardic Jews);
4. The alteration of the regime of opposition to the acquisition of nationality; and
5. The new regimes of nullity and consolidation of nationality.

What improvements have been made?

The processing of nationality procedures is improved as follows:

- By making the electronic processing regime more comprehensive;
- By speeding up such procedures (for example, by dispensing with the delivery of documents in certain situations);
- Allowing, in certain cases, the joining of processes.

What are the changes at the level of electronic proceedings?

- Lawyers and solicitors must now perform their acts in the proceedings by electronic means and are notified by the same means;
- The use of electronic means is optional for applicants who are not represented by these professionals;
- Communications between the Central Registry Office and other services or entities will be carried out, whenever possible, by electronic means;
- Applicants and the lawyers and solicitors that represent them may consult the files electronically.

When does it come into effect?

On April 15, 2022. There is an exception to the provisions of the Portuguese Nationality Regulation regarding the granting of Portuguese nationality, by naturalization, to descendants of Portuguese Sephardic Jews, in the wording given by the decree-law, which enters into effect on the first day of the sixth month following its publication. Until the availability of the information system that supports the procedures for attribution, acquisition, loss, nullity and consolidation of nationality, the rules of the Portuguese Nationality Regulation, in its previous wording, will apply.