

## LEGAL UPDATE

### *Amendments to the Portuguese Citizenship Law*

On the 5th of January 2024, the Portuguese Parliament voted and approved a set of draft bills that will result in several amendments to the Portuguese Citizenship Law with relevant positive impact to golden visa holders and others. Our experts from our Private Client Team, Partner Tirso Olazábal, and Associate Catarina Reino Prudêncio cover these key changes.

- Drafts Bills no. 40/XV/1.<sup>a</sup>, no. 122/XV/1.<sup>a</sup>, no. 126XV/1.<sup>a</sup>, no. 127XV/1.<sup>a</sup>, no. 132XV/1.<sup>a</sup>, no. 133XV/1.<sup>a</sup> and no. 134XV/1.<sup>a</sup>

ITEM	SUBJECT	CURRENT LAW	NEW LAW
1	Citizenship through five years of legal residency in Portugal (Golden Visa cases and others)	The five years period of legal residency in Portugal after which applicants can request the Portuguese Citizenship would only start counting from the moment the residency was effectively granted to the applicant, i.e. since the issuance date of the first residency permit.	The five years period of legal residency in Portugal, after which applicants can request the Portuguese Citizenship, starts counting from the date in which the residence permit was requested to the Immigration Authorities, provided that it is approved and granted.

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2	Affiliation	The establishment of affiliation for the purposes of applying for Portuguese citizenship can only be consider during minority.	It is now possible to request Portuguese citizenship if the affiliation is established at the age of majority if duly declared by a court decision.
3	Suspension of the citizenship application	No suspension to the citizenship process was foreseen if the applicant is subject to restrictive measures by the United Nations or European Union.	The application for acquiring Portuguese citizenship by will, adoption or naturalization is suspended if the applicant is subject to restrictive measures approved by the United Nations or the European Union, under the Law No. 97/2017, of 23rd August.

## Final Notes:

- Item 1 of the table above is especially relevant for golden visa applicants. In fact, the suggested legislative change aims to compensate for the long period of time involved with the issuance of the golden visa, which can now be taken into consideration for the 5 years period necessary for the citizenship application.
- As an example, if you have submitted your golden visa application in January 2020 and you were granted the golden visa in January 2022, you will be able to start your citizenship application by January 2025 (instead of starting the citizenship application by January 2027).

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- The new Portuguese Citizenship Law will enter into force one month after being published in the Official Gazette, which will occur after the Presidential ratification.

If you require any further information, please do not hesitate to contact our Private Client Team.

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