



"CAN I ALSO BECOME A PORTUGUESE CITIZEN?"
**LEGISLATIVE AMENDMENTS TO THE
PORTUGUESE NATIONALITY REGULATION**

The changes introduced to the Portuguese Nationality Regulation by Decree-Law no. 26/2022 of March 18 come to regulate the changes to the Nationality Law that occurred in 2020, namely in the attribution of nationality to grandchildren of Portuguese nationals, as well as in the naturalization of foreigners who are descendants of Portuguese Sephardic Jews.

We highlight the most relevant alterations:

**ATTRIBUTION OF ORIGINAL NATIONALITY TO CHILDREN OF FOREIGNERS
BORN IN PORTUGAL**

The children of foreigners born in Portuguese territory are granted original nationality provided that the parents are not in service of their respective country and that one of the parents resides legally or resides, even if without formal title, in Portuguese territory for at least 1 year.

**ATTRIBUTION OF ORIGINAL NATIONALITY BY WILL TO
PORTUGUESE GRANDCHILDREN**

Individuals with at least one ancestor of Portuguese nationality of second degree in the straight line, who has not lost that nationality, are granted original nationality if:

They declare their will to be Portuguese;

Possess an effective link to the national community.

The great change in the regime has to do with the definition of effective connection to the national community that, currently, is only defined by a sufficient knowledge of the Portuguese language.

ACQUISITION OF NATIONALITY THROUGH ADOPTION

The mention of full adoption was eliminated, so all those adopted by Portuguese citizens will acquire Portuguese nationality by mere effect of the law.

NATURALIZATION OF FOREIGNERS RESIDING IN PORTUGAL

This change has corrected the minimum time of residence in Portuguese territory to 5 years as stated in the Nationality Law.

Therefore, the requirements for the acquisition of nationality in these cases are:

- Be of legal age or emancipated in accordance with the Portuguese law;
- Legal residence in Portuguese territory for at least 5 years;
- Sufficient knowledge of the Portuguese language;
- Must not have been convicted with imprisonment of three years or more for a crime punishable by the Portuguese law;
- Must not constitute a danger or a threat to national security or defense by their involvement in activities related to the practice of terrorism.

NATURALIZATION OF MINORS BORN IN PORTUGUESE TERRITORY

Minors born in Portuguese territory, children of foreigners, are granted Portuguese nationality by naturalization provided that they comply with one of the following requirements; previously, these requirements were cumulative:

- One of the parents has resided in Portuguese territory, regardless of title, for at least 5 years immediately preceding the application;
- One of the parents has legal residence in Portuguese territory;
- The minor has attended at least 1 year of pre-school, primary, secondary or vocational education in Portuguese territory.

NATURALIZATION OF CHILDREN AND YOUNGSTERS HOSTED IN STATE INSTITUTIONS OR SIMILAR

For children and youngsters under 18 years old sheltered in a public, cooperative, social or private institution, it is now possible to acquire Portuguese nationality by naturalization.

NATURALIZATION OF FOREIGNERS WHO ARE DESCENDANTS OF PORTUGUESE SEPHARDIC JEWS

Descendants of Sephardic Jews are granted Portuguese nationality by naturalization when, in addition to the general requirements, they demonstrate a tradition of belonging to a Sephardic community of Portuguese origin, based on proven objective requirements of connection to Portugal, such as surnames, a familiarity with the language, direct or collateral descent.

The Applicants must also prove that they have made regular trips to Portugal.

NATURALIZATION OF FOREIGNERS ANCESTORS FROM ORIGINAL PORTUGUESE CITIZENS

This amendment, as a consequence of the changes to the Nationality Law, now allows ancestors of original Portuguese citizens and who have resided in Portuguese territory for 5 years immediately preceding their request, to be granted Portuguese nationality, provided that the ancestry was established in the moment of the Portuguese citizen's birth.

NATURALIZATION OF FOREIGNERS WHO HAVE NOT RETAINED PORTUGUESE NATIONALITY AND THEIR CHILDREN BORN ON PORTUGUESE TERRITORY

The possibility of being granted Portuguese nationality, by naturalization, to individuals who did not retain Portuguese nationality after decolonization was added under the condition that, after losing nationality, they had not been in service of their respective State and had remained and are remaining, regardless of a title, in Portuguese territory.

NULLITY AND CONSOLIDATION OF NATIONALITY

This legislative alteration to the Portuguese Nationality Regulation has also added a new section on nullity and consolidation of nationality

PROCEDURES

Several additions and changes were made to expedite nationality applications:

- The exemption of the translation of documents written in English, French and Spanish;
- The possibility of joining cases when they are presented by declarants or applicants who are related to each other;
- The possibility of an electronic procedure for attribution, acquisition, loss, nullity and consolidation of nationality by the applicants or by the Lawyers and Solicitors that represent them, as well as an electronic consultation of nationality cases.

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