



AMENDMENTS TO THE PORTUGUESE NATIONALITY LAW

New rules for the acquisition of Portuguese nationality enter into force

On 3 May 2026, the President of the Republic, António José Seguro, promulgated Parliamentary Decree No. 48/XVII, amending Law No. 37/81 of 3 October (the Portuguese Nationality Law).

The amendments entered into force on 19 May 2026 and introduced significant changes to the legal framework governing the attribution and acquisition of Portuguese nationality.

The new rules strengthen the requirements applicable to most nationality acquisition mechanisms, particularly in relation to minimum periods of lawful residence, proof of integration into the Portuguese community, national security requirements and the applicant's ability to support themselves.

ORIGINAL NATIONALITY

For individuals born in Portugal to foreign parents who are not serving their respective State, Portuguese nationality by birth will only be granted where one of the parents has been lawfully resident in Portugal for at least five years and expressly declares their intention for the child to acquire Portuguese nationality.

ACQUISITION OF NATIONALITY THROUGH MARRIAGE OR A DE FACTO UNION

Foreign nationals living in a de facto union with a Portuguese citizen must continue to demonstrate that the relationship has existed for at least three years. However, they must now also obtain a court decision recognising the de facto union before submitting the declaration referred to in Article 3 of the Portuguese Nationality Law.

In addition, applicants acquiring nationality through either marriage or a de facto union will now be subject to additional public order and national security requirements. In particular, the applicant must:

- not have been convicted, by a final and binding judgment, to an effective prison sentence exceeding three years for certain particularly serious offences;
- not constitute a threat to national security or defence; and
- not be subject to restrictive measures adopted by the United Nations or the European Union.

ACQUISITION OF NATIONALITY THROUGH ADOPTION

A person adopted by a Portuguese national shall acquire Portuguese nationality by declaration, in accordance with Article 5 of the Portuguese Nationality Law.

NATURALISATION

The naturalisation regime has undergone substantial reform.

In addition to the existing requirement that applicants must be of legal age, the minimum period of lawful residence has been increased to:

- seven years for nationals of European Union Member States and the Community of Portuguese Language Countries (CPLP); and
- ten years for nationals of all other countries.

Applicants must also satisfy a number of new integration requirements, including:

- demonstrating sufficient knowledge of the Portuguese language, culture, history and national symbols through a test or certificate;
- demonstrating knowledge of the fundamental rights and duties associated with Portuguese nationality, as well as the political organisation of the Portuguese State;

- formally declaring adherence to the fundamental principles of the democratic rule of law;
 - not having been convicted, by a final and binding judgment, to an effective prison sentence exceeding three years for terrorism, violent or particularly violent crime, highly organised crime, offences against State security or facilitating illegal immigration, where punishable under Portuguese law;
 - not constituting a threat to national security or defence, particularly through involvement in terrorism, violent or organised criminal activities;
 - not being subject to restrictive measures adopted by the United Nations or the European Union, within the meaning of Law No. 97/2017 of 23 August; and
 - demonstrating the financial means to support themselves.
- where the minor has reached the age of criminal responsibility, they must:
 - formally declare adherence to the fundamental principles of the democratic rule of law;
 - not have been convicted, by a final and binding judgment, to an effective prison sentence exceeding three years for certain serious criminal offences;
 - not constitute a threat to national security or defence; and
 - not be subject to restrictive measures adopted by the United Nations or the European Union.

REPEAL OF SPECIAL NATURALISATION REGIMES

The reform abolishes two special naturalisation regimes previously provided for under the Portuguese Nationality Law.

The exemption that allowed certain individuals born in Portugal to acquire nationality without complying with the minimum lawful residence requirement has been repealed.

The special naturalisation regime applicable to descendants of Portuguese Sephardic Jews has also been abolished.

MINORS BORN IN PORTUGAL

Portuguese nationality may be granted by the Government to minors born in Portugal to foreign parents, provided that, at the time of the application, the following cumulative requirements are met:

- one parent has been lawfully resident in Portugal for at least five years;
- the minor is enrolled in and regularly attending compulsory education; and

NEW GROUNDS OF OPPOSITION

The grounds for opposing the acquisition of Portuguese nationality by declaration have also been amended.

Opposition may now be based on the absence of genuine ties to the Portuguese community, assessed in light of factors such as the applicant's knowledge of the Portuguese language, culture, history and national symbols, their understanding of the fundamental rights and duties associated with Portuguese nationality and the political organisation of the Portuguese State, their adherence to the principles of the democratic rule of law, the absence of relevant criminal convictions, the absence of risks to national security, the absence of international restrictive measures and their ability to support themselves financially.

Opposition may also be based on the exercise of public office of a predominantly non-technical nature or the voluntary performance of military service for a foreign State.

However, no opposition may be raised where the marriage or de facto union has lasted for more than six years or where the couple has common children holding Portuguese nationality.

CALCULATION OF LAWFUL RESIDENCE PERIODS

For the purposes of calculating the required period of lawful residence, all periods of lawful residence in Portugal may be aggregated, whether consecutive or non-consecutive, provided that they fall within a maximum reference period of six, nine or twelve years, depending on whether the applicant is stateless, a national of a Portuguese-speaking country or an EU Member State, or a national of another country.

ENTRY INTO FORCE AND TRANSITIONAL REGIME

Although the amendments entered into force on 19 May 2026, the practical application of several of the new provisions remains subject to the adoption of implementing legislation and the corresponding procedural and interpretative framework. The Government has been granted a 90-day period to amend the Portuguese Nationality Regulations accordingly. Notwithstanding the entry into force of the new legislation, nationality applications pending on the date the amendments became effective will continue to be governed by the previous version of the Portuguese Nationality Law.

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