



Amendment to the Nationality Law

On 5th March 2024, Law No. 1/2024 was published, and is the tenth amendment to Law No. 37/81 of 3rd October, which approves the Portuguese Nationality Law. We will discuss the main changes introduced by this diploma to the existing legislation, within the scope of the attribution of Portuguese nationality. One of the most relevant changes concerns the granting of Portuguese nationality through naturalization to **descendants of Sephardic Jews**.

The Government began granting nationality through naturalization, waiving the requirements of proving legal residence of at least 5 years, and the need for knowledge of the Portuguese language, to descendants of Portuguese Sephardic Jews who meet all the following requirements:

- a) Demonstrate the tradition of belonging to a Sephardic community of Portuguese origin, based on proven objective requirements for connection to Portugal, namely surnames, family language, and direct or collateral descendants;
- b) Legally reside in Portuguese territory for a period of at least three years, consecutive or interspersed.

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This demonstration of tradition of belonging to a Sephardic community of Portuguese origin will have to be certified, based on proven objective requirements for connection to Portugal, and subject to final approval by an evaluation committee.

As for pending requests, submitted between 1st September 2022 and 1st April 2024, the demonstration of tradition of ownership can be made based on the ownership of rights over properties located in Portugal, shareholdings in commercial companies based in Portugal, transmitted by death, as well as by regular trips throughout the applicant's life to Portugal that attest to this effective and lasting connection to our country, or even the holder of a residence permit for more than a year.

Regarding the **grounds for opposition to the acquisition of nationality**, the requirement of danger or threat to national security or defence was added, namely due to involvement in activities related to terrorism, violent crime, especially violent or highly organized crime. The opposition will be filed within a period of one year from the date of registration of acquisition of nationality, by the Public Prosecutor's Office.

Rules are also introduced regarding **paternity established while a child is still a minor**, with it being clarified that Portuguese nationality can

only be originally attributed in cases where the establishment of paternity occurs following a judicial process or recognition of one, and must be requested within 3 years following the final judgment of the decision.

In the case of **paternity established when the child is no longer a minor**, the three-year period already foreseen will begin to run from 1st April 2024, to safeguard situations where paternity was established at an earlier date.

Finally, one of the most relevant and awaited changes concerns **how the period of legal residence is calculated**, which begins from the moment the temporary residence permit was initially requested, if it then becomes accepted.

The regulation of these measures will occur within 90 days of the publication of this law, which will come into effect on 1st April 2024.