



## Creation of the Agency for Immigration, Migration and Asylum (AIMA)

Decree-Law 41/2023 was published on 2nd of June, creating the Agency for Integration, Migration and Asylum, I.P., which will replace Foreign and Borders Service (SEF).

The Decree-Law, determines the organic separation between the entities competent for police matters and the entities competent for administrative matters, which until then were simultaneously performed by the Foreign and Borders Service (SEF), in the following terms:

- **Security forces and services:** exercise of police matters, as follows:  
Guarda Nacional Republicana (GNR): responsible for guarding, supervising and controlling maritime and land borders;

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Polícia de Segurança Pública (PSP): responsible for guarding, supervising, and controlling airport border;  
Polícia Judiciária (PJ): exercising reserved powers to investigate illegal immigration and human trafficking.

- **Agency for Integration, Migrations and Asylum, I.P. (AIMA)**: the exercise of administrative functions regarding migration and asylum will be the responsibility of this new entity;
- **Instituto dos Registos e Notariado, I.P. (IRN)**: exercise of the administrative matters related to the granting and issuing of the electronic passports and the processing of renewals of residence permits. According to the Government, the transition of this competence to the IRN aims to allow citizens who regularly reside in national territory to deal with the respective processes in the same places as nationals.

The Decree-Law determines the creation of a new entity - **AIMA**, which succeeds SEF in administrative matters related to foreign citizens and the High Commissioner for Migrations, I.P. (ACM) in matters of reception and integration of immigrants in Portugal.

However, there are some functions that are exceptions to this rule, namely:

1. Attributions of the ACM regarding social reinsertion programs for children and youth from more vulnerable socioeconomic contexts, which are transferred to the **Portuguese Institute for Sports and Youth, I.P.**;
2. Attributions regarding administrative offenses arising from the legal regime of prevention, prohibition and combat of discrimination based on racial and ethnic origin, color, nationality, descent and territory of origin.

With the creation of this new administrative entity, the government intends to make the system more efficient and more resistant to future migratory pressures and humanitarian crises.

With this legislative change, the Portuguese border control system is also configured, with the creation of the **Border and Foreigners Coordination Unit (UCFE)**.

The UCFE will be responsible for coordinating the actions of national security forces and services among themselves and with other countries, and between these and the IRN and AIMA in matters of movement of persons, return and border control.



This Decree-Law will come into force on 29th October of 2023, excluding from this date all the necessary steps to ensure the installation of AIMA, I.P., which came into force the day after the publication of this Decree-Law.