

NEW VISA TO ATTRACT FOREIGN EMPLOYEES

Faced with the difficulty in hiring employees, Portugal has changed its rules and created a new visa that allows mitigating this situation.

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The legal background of entry, stay, exit and expulsion of foreigners from the national territory have recently been changed.

The same law that amended the legal regime for the entry, stay, exit and removal of foreigners from national territory also created the conditions for the implementation of the Agreement on Mobility between the Member States of the *Comunidade dos Países de Língua Portuguesa* (Community of Portuguese Language Countries - CPLP), concluded in 2021.

The amendments aim to attract a new wave of immigration to the country, in a regulated and integrated way, which may contribute to its development and mitigate the labour shortage felt in Portugal. The law also created the digital nomad visa.

The main measures include the following:

- **Visa For Job Hunting**

The new visa for work search allows foreigners to enter Portugal to look for work.

The visa has a maximum duration of 120 days, extendable for 60 days.

With a view to simplifying procedures, the visa integrates the scheduling with the services competent for granting residence permits within 120 days of the visa's duration, conferring the right to request a residence permit, after establishing and formalising of the operating agreement within that period.

- **Streamlining The Procedure For Issuing Visas For Nationals Of CPLP Countries**

In situations where the visa applicant is a national of a State where the Agreement on Mobility between the CPLP Member States is in force, the procedure for issuing visas is facilitated.

The following changes have contributed to speeding up the process: (i) waiver of the prior opinion of the *Serviço de Estrangeiros e Fronteiras* (Foreigners and Borders Service - SEF); (ii) direct and an immediate consultation of the Schengen Information System databases by the competent services; (iii) refusal to issue visas limited to situations where there is an indication of a ban on entry and stay in the Schengen Information System for security reasons.

- **Visa For Remote Working**

The new visa applies to remote work carried out by people who work in Portugal (e.g. digital nomads), by employees or independent contractors, and for entities with residence or head offices outside our country.

Based on this new visa, these workers no longer must apply for other types of visas to start residence processes in Portugal.

With the new measures, they will be able to start the processes only with the new resumed work visa.

- **Possibility Of Complementary Professional Activity For Citizens With A Research, Study, Work Placement Or Volunteer Visa**

Holders of a residence permit for research, study, professional traineeship, or volunteering will now be able to exercise a professional, subordinate, or independent activity, complementary to the activity that originated the visa.

- **Extending The Duration Of Residence Permits For Trainees**

The trainees will now have residence permits valid for: (i) 6 months; (ii) the duration of the traineeship program, plus three months, if the program is shorter than six months; (iii) 2 years in the case of a long-term traineeship, in which case it may be renewed, once, for the remaining period of the traineeship.

The changes in question, which will certainly contribute to the labour shortage felt in the Portuguese economy, are already in force.

This information is of a general nature and should not be considered as professional advice.

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