

NATIONALITY LAW UPDATES

Elodie Ramos and Patrícia Ventura

The Portuguese Parliament has enacted [Law No. 1/2026](#) which approved new amendments to the [Nationality Law](#). These amendments entered into force last Tuesday and bring significant changes to the periods of legal residence required for acquiring nationality, new criteria for assessing and approving applications, and modifications to the regimes for attribution and acquisition of nationality.

Although public debate has focused mainly on the changes affecting the acquisition of nationality based on legal residence in Portugal, the reform now approved is broader in scope, covering various structural aspects of the nationality regime. As such, it affects various categories of applicants, including grandchildren and great-grandchildren of Portuguese citizens, minor children, adoptees, spouses, de facto partners, and even ascendants of original Portuguese citizens.

I. KEY AMENDMENTS

In a context of increasing regulatory requirements, the recent amendments to the [Nationality Law](#) reinforce the importance of timely and specialized legal planning. The approved amendments affect the various regimes governing the acquisition and attribution of Portuguese nationality, as well as the different categories of applicants covered by the law.

A. Attribution of nationality to grandchildren of Portuguese citizens

Applicants seeking to be granted original Portuguese nationality as grandchildren of Portuguese citizens are now required to pass a mandatory examination on the Portuguese language and culture and to demonstrate knowledge of fundamental rights and duties, as well as of the political organization of the Portuguese State. They must also formally adhere to the fundamental principles of the democratic rule of law.

At the same time, this revised framework introduces stricter criteria. Applicants who have been sentenced to an effective term of imprisonment exceeding three years for offenses related to

terrorism, violent or particularly violent crime, highly organized crime, crimes against State security, or aiding illegal immigration - provided such conduct is punishable under Portuguese law - are excluded from this regime. The same exclusion applies to individuals considered to pose a threat to national security or defence, as well as to those subject to restrictive measures imposed by the United Nations or the European Union.

B. Attribution of nationality to children of foreign nationals born in Portugal

It is now required that, at the date of the minor's birth, one of the parents has been legally residing in the country for a minimum period of five years, instead of the previous minimum requirement of one year.

C. Acquisition of nationality by marriage or de facto union

Although the minimum requirement of three years of marriage or *de facto* union for the purpose of acquiring Portuguese nationality remains unchanged, the amendments now approved subject this form of acquisition of nationality by declaration to a substantially more demanding regime concerning possible opposition to the application.

Under the new rules, opposition will only be excluded when the marriage or *de facto* union has lasted more than six years or when the couple has children in common who hold Portuguese nationality.

D. Acquisition of nationality by adoption

Portuguese nationality granted in the context of adoption has now become a form of acquisition by declaration, representing a clear regression in the legal framework. A person adopted by a Portuguese national must now acquire Portuguese nationality through a declaration of intent - which subjects them to the possibility of opposition proceedings in relation to the acquisition of nationality.

Under the opposition regime, nationality may be refused on the grounds of the "non-existence of effective ties to the national community", a criterion assessed by reference to the requirements applicable to naturalization, namely proof of knowledge of the Portuguese language and culture and adherence to the principles of the democratic State.

E. Acquisition of nationality by naturalization based on legal residence

The minimum period of legal residence required for naturalization, previously set at five years, has now been extended to ten years, except for European citizens and citizens of Portuguese-speaking countries, for whom the required period is now seven years. Moreover, the calculation of this period is now based on the date on which legal residence in Portugal commenced and no longer to the date of submission of the first residence permit application.

Furthermore, applicants are now required to pass mandatory examination on Portuguese language and culture, including knowledge of national history and symbols, as well as fundamental rights and duties and the political organization of the Portuguese State, together with adherence to the principles of the democratic rule of law. The grounds for exclusion of candidates set out in Article 6 (1) (f) through (h) of the Nationality Law remain applicable, particularly on security grounds.

F. Naturalization of minors

Minors enrolled in and attending compulsory education in Portugal may apply for Portuguese nationality through naturalization, provided that one of their parents has been legally residing in Portugal for a minimum period of five years. Periods of unlawful residence or shorter periods are no longer taken into account.

Regarding the applicants aged 16 or over, the requirements to adhere to the fundamental principles of the democratic rule of law, as well as the grounds for exclusion on security grounds provided for in Article 6 (1) (f) through (h) of the Nationality Law, also apply.

G. Naturalization of stateless persons

A new pathway is introduced for stateless persons who have been legally residing in Portugal for at least four years and who meet the remaining requirements, such as passing the mandatory examination on Portuguese language and culture and adherence to the fundamental principles of the democratic rule of law. Grounds for exclusion of candidates on security concerns set out in Article 6 (1) (f) through (h) of the Nationality Law remain applicable.

H. Naturalisation of great-grandchildren of Portuguese citizens

Direct naturalization is now limited to great-grandchildren of Portuguese citizens, provided that they have been legally residing in Portugal for at least five years, that they pass the mandatory examinations on Portuguese language and culture, and demonstrate adherence to the fundamental principles of the democratic rule of law. Great-great-grandchildren and subsequent generations of Portuguese descent are therefore excluded from this regime, as well as applicants failing within the national security exclusion grounds set out in Article 6 (1) (f) through (h) of the Nationality Law.

I. Elimination of certain naturalisation pathways

The naturalization pathways previously available to descendants of Sephardic Jews, ascendants of original Portuguese citizens, persons who, although not stateless, previously held Portuguese nationality (for example, those born in the former Portuguese colonies), individuals considered

descendants of original Portuguese citizens, and members of communities of Portuguese ancestry have now been abolished.

2. PRACTICAL IMPACT OF THE AMENDMENTS

The amendments to the Nationality Law will apply only to new nationality applications, while pending administrative nationality proceedings will continue to be governed by the previous rules.

The Government must also amend the Portuguese Nationality Regulations within 90 days of the publication of Law No. 1/2026. This revision will be particularly important, as the implementation of several of the new legal requirements will depend on further regulatory clarification. In fact, it remains to be clarified how proof of integration will be provided, what will be the content of the knowledge examinations (on language, culture, political organization, and fundamental rights), and in which situations they may be waived.

In light of this evolving regulatory framework, individuals considering applying for Portuguese nationality are advised to closely monitor forthcoming developments and to seek specialised legal advice before initiating proceedings.

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