



Alterations to the Immigration Law | Legal Regime for the entry, stay, exit and expulsion of foreign citizens from national territory

On August 25th, the Law no. 18/2022 was published in *Diário da República*, the official journal of the Portuguese Republic, introducing alterations to the Law no. 23/2007, of July 4, which approves the Legal Regime for the entry, stay, exit and expulsion of foreign citizens from national territory.

The changes now published include the creation of new modalities of visa / residence permits, as well as the debureaucratization of other already existing modalities.

The main changes include:

➤ **Visa facilitation for citizens of the Community of Portuguese-Speaking Countries (CPLP)**

- In the processes of granting visas of short duration, residence or temporary stay for citizens of the signatory countries of the Agreement on Mobility between Member States of the CPLP, the prior opinion of the SEF is now waived.
- This amendment aims at simplifying the visa procedure and speeding up

the process, as this opinion is usually the most time-consuming step in the visa process.

➤ **Visa to seek work in Portugal**

- This is a new type of visa, specifically created to enable its holder to enter and remain in the national territory for the purpose of seeking work.
- The duration of this visa is 120 days, extendable for another 60 days. Its validity is limited to only one (1) entry into the national territory.
- The visa holder is authorized to exercise dependent labour activity, until the expiration of the visa or the granting of the residence permit.
- If an employment contract is concluded within the period of validity of the visa, the holder will have the right to apply for a residence permit.

➤ **Temporary stay and residence visas for digital nomads**

- Along with the visa to seek work in Portugal, the temporary stay and residence visa for digital nomads is the

legislative change that we expect to have the greatest impact. It creates the possibility of granting a residence visa and a temporary stay visa to professionals who carry out their independent or subordinate professional activity remotely.

➤ **Simplification of the residence visa for studies in Higher Education**

- The granting of a residence visa to attend a higher education study programme no longer requires the prior opinion of SEF.

➤ **Temporary stay or residence visas for family members holding the respective permits**

- The temporary stay or residence visa for family members with the respective titles translates into a very relevant alteration that aims to solve one of the greatest difficulties associated with international mobility, with regard to family reunification.
- It is now possible for temporary stay and/or residence visas to be applied

for at the same time as the main applicant's visa.

- It is now also possible to apply for a residence permit for the main applicant and his/her family members at the same time.

➤ **Residence Visa: automatic attribution of provisional Fiscal Identification Number (NIF), Social Security Identification Number (NISS) and National Health Service Number (SNS)**

- From now on, when the residence visa is granted, the tax identification number, social security number and national health service number will be provisionally attributed.

➤ **Visa for professional subordinate activities: elimination of the overall employment opportunity quota for the granting of a visa for the purpose of obtaining a residence permit for the exercise of professional subordinate activities.**

- The quota regime is abolished for residence visas for the purpose of exercising professional subordinate activities.

- This way, the hiring of foreign workers will be allowed, regardless of the publication of a vacancy through the Institute of Employment and Professional Training - IEFP.

➤ **Increasing the validity of documents and simplification of procedures**

- The EU Blue Card will have an initial validity of two years, renewable for three-year periods.
- The temporary residence permit shall be valid for a period of two years as of the date of issue of the respective title, renewable for successive periods of three years.
- Family members of the permanent residence permit holder shall be entitled to a residence permit valid for two years, renewable for periods of three years.
- The residence permit issued to trainees will now be valid for six months, for the duration of the traineeship, extended by a period of three months.

- The residence permit issued to students or researchers is valid for two years and may be renewed for the same period.

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