



Acquiring Portuguese Citizenship *Marriage or Cohabitation*

A foreign national who is married to a Portuguese citizen may acquire Portuguese citizenship through making a declaration to the effect to the proper authorities, accompanied by the necessary documentation provided that the following conditions are met:

- 1) To have been married for more than three years;
- 2) To have firm ties to the Portuguese community;
- 3) Not to have perpetrated a crime punishable with a maximum prison sentence equal to or greater than three years, under Portuguese law (e.g. murder, assault, theft, robbery; drug trafficking);
- 4) Not to have carried out public administrative duties of a non-technical nature for a foreign state;
- 5) Not to have served voluntary military service in a foreign state.

What do I need to do?

Once you are married, you need to make a statement of intent to acquire Portuguese citizenship.

Where are these statements of intent made?

These statements may be made:

- At any Civil Register Office
- At a Portuguese Consulate

Requests for granting citizenship may also be made in person at the extension to the Central Registry Office, at the National Immigrant Support Centre or at the annex in *Alto dos Moinhos*, in *Rua Augusto Pina, n° 21 r/c loja A*, Lisboa, by filling out the correct form (*Modelo 3*, available at: <http://www.irn.mj.pt> under “*impresso/nacionalidade*”).



Documents and the application form may also be sent by post to the Central Registry Office at *Rua Rodrigo da Fonseca*, nº 200, 1093-003, Lisbon. If you are sending your documents by post and payment is required, you should include a cheque or postal order payable in Portugal made out to the “*Conservatória dos Registos Centrais*” (the Central Registry Office) in order to carry out this payment.

Which documents should I submit along with the request for acquiring citizenship through marriage?

- 1) A certified copy of the birth and a translation, if the document is not in Portuguese;
- 2) A marriage certificate transcribed for the Portuguese Civil Register Office (if carried out abroad);
- 3) The birth certificate of the Portuguese spouse annotated with the marriage.
- 4) Criminal Record certificates issued by the competent authorities should be submitted, from the country of origin and citizenship, as well as the countries where the person has resided since the age of 16.
- 5) Document proving the foreign citizenship of the applicant, along with an official translation, if the document is not in Portuguese (or the presentation of the passport stating the citizenship of the applicant)

Note: Where relevant, documentation proving the nature of the administrative duties or military service in the Foreign State should be provided.

Besides this documentation, what else is needed?

The applicant should also declare that:

- 1) Evidence of firm ties to the Portuguese community, such as:
Tax returns, Social Security payments, Health Card, Taxpayer Card, Birth certificate of children born in Portugal, Driving license, Rental contract, Insurance policies, Utility invoices, etc;



- 2) Not to have been found guilty under a final and binding decision (res judicata) of a crime punishable with a maximum prison sentence equal to or greater than three years under Portuguese law.
(for example: murder, assault, theft, robbery; drug trafficking);
- 3) Not to have carried out public administrative duties of a non-technical nature in the service of a Foreign State;
- 4) Not to have served voluntary military service in a Foreign State.

What stages are there in the process of acquiring citizenship through intent?

The process starts with the issuing of a statement of intent to be Portuguese and the submission of the documentation. This statement may be made by the person to whom it refers (in person or by proxy) or, in the case of a minor or incapacitated person, by the parents or legal representatives.

These statements may be made:

- At any Civil Register Office
- At the Portuguese Consulate (consular fees may be payable)

When will I acquire Portuguese citizenship through marriage?

The acquisition of citizenship through marriage partnership is subject to compulsory registration and this takes effect from the date on which this registration is recorded.

Can I acquire Portuguese citizenship through non-marital partnership with a Portuguese national?

Yes, the citizenship law enables a foreign national co-habiting in a non-marital partnership with a Portuguese national to acquire Portuguese citizenship as long as:



- 1) There has been a legally recognised non-marital partnership for more than 3 years;
- 2) There are firm ties to the Portuguese community;
- 3) Not having perpetrated a crime punishable with a maximum prison sentence equal to or greater than three years under Portuguese law (e.g. murder, assault, theft, robbery; drug trafficking);
- 4) He/she has not carried out public administrative duties of a non-technical nature for a Foreign State;
- 5) No voluntarily service in the armed forces of a Foreign State.

What do I need to do?

The first step that should be taken is to initiate a legal action in a civil court in the area of residence of the couple in order to recognise their union (a legal action to establish a non-marital partnership). After obtaining the Court's ruling, which establishes the non-marital partnership, it is necessary to make a statement of intent to acquire Portuguese citizenship.

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