

## Portuguese Citizenship: return to origins and gateway to the European Union

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Macau was a territory under Portuguese administration for more than 400 years, and countless people seek to obtain Portuguese citizenship, because of the connection that Macau has with Portugal. In addition to returning to origins, there are many more advantages that Portuguese citizenship brings, namely, within the European Community. Given this political and cultural connection, there are several Macau residents who, either because they have Portuguese ancestry, or because they have married a Portuguese citizen, are eligible to obtain the nationality.

In fact, in the last year, we have seen a considerable increase in those interested in obtaining Portuguese nationality in the territory, not only in Macau but also among Hong Kong citizens. Part of the reason for that is the geographical proximity to Macau, which ended up also transmitting some Portuguese influence to Hong Kong. But it is also due to the climate of social instability that is occurring in the neighbouring territory.

In general terms, and concerning the reality of Macau and Hong Kong, the most common situations on which citizenship is based are:

- Having a Portuguese mother or father;
- Having second-degree ascendants of Portuguese nationality in the direct line, i.e., grandparents;
- Having been adopted by a Portuguese citizen;
- Marriage or de facto union with a Portuguese citizen;

The acquisition of the Portuguese nationality, its assumptions, requirements and necessary documents are duly regulated, essentially, in two legislative diplomas: the Nationality Law, approved by the Law 37/81, and the Portuguese Nationality Regulation, approved by the Law-Decree no. 237-A/2006, of December 14.

However, a new version of the Nationality law has recently been approved, introducing important changes in matters such as the acquisition of nationality through marriage or de facto union with a Portuguese citizen, and for the cases of grandchildren of Portuguese citizens. These changes will be applicable and, we believe, will simplify the

progress of these processes, which are so common among interested parties from the MSAR and the HKSAR.

The process of acquiring Portuguese nationality, both for Macau residents and Hong Kong residents, can be entirely handled through the Consulate General of Portugal. However, situations in which candidates for Portuguese citizenship choose to process their requests directly in Portugal, through the services of lawyers, are not uncommon.

In fact, in addition to the obvious convenience that handing this case over to a lawyer implies, as a rule, the requests made directly in Portugal are processed more quickly. More important, it is not uncommon to take preparatory steps before the application for nationality, such as updating the marital status of the Portuguese spouse, which may, in particular, require the need for legal action in the event of it is the second marriage of the Portuguese spouse.

Due to the enormous increase in requests for citizenship, applications that generally took between 6 to 8 months to be approved, currently take an average of 1 year to 1 and a half years.

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For more information on this subject and the specifics of your case, please contact **C&C Lawyers & Notaries**.



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