

Legal Alert – Amendment to Foreigners' Act published

After several months of waiting, and following our newsletter of July 25th, 2022, Law no. 18/2022 was finally published on August 25th, 2022, in the Diário da República, amending the Law on Foreigners.

This law was enacted at the beginning of August by the President of the Republic and aims to change the legal regime for the entry, stay, exit, and removal of foreign citizens from national territory.

It originated in the Agreement on Mobility, celebrated between the member states of the Community of Portuguese Language Countries (CPLP), which was signed on **July 17th, 2021**, in the city of Luanda, Angola.

Thus, the main changes are as follows:

- Amendment to Law No. 23/2007, of July 4th, amended by Laws No. 29/2012, of August 9th, 56/2015, of June 23rd, 63/2015, of June 30th, 59/2017, of July 31st, 102/2017, of August 28th, 26/2018, of July 5th, and 28/2019, of March 29th, and by Decree-Law No. 14/2021, of February 12th, **which approves the legal regime for the entry, stay, exit and removal of foreigners from the national territory;**
- Amendment to Law no. 27/2008, of June 30th, amended by Law no. 26/2014, of May 5th, **which establishes the conditions and procedures for granting asylum or subsidiary protection and the statuses of asylum seekers, refugees, and subsidiary protection;**
- the implementation in the national legal order of Regulations (EU) Nos 2018/1860, 2018/1861, and 2018/1862 of the European Parliament and the Council, of November 28th, 2018, **regarding the establishment, operation, and use of the Schengen Information System (SIS).**

We would point out that among other measures aimed at simplifying the granting of visas the, following stand out:

- The granting of short-stay visas, residence visas and temporary visas to nationals of a State in which the agreement celebrated between the Member States of the CPLP is in force will no longer depend on the prior approval of the Foreigners and Borders Service (SEF);
- the quota system for residence visas for subordinate work has been abolished;
- the granting of visas for job-seeking and remote work is foreseen.

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