

Mobility: Immigration alert

October 2022



Portugal

Portugal publishes regulations relating to multiple immigration categories

Executive summary

The Portuguese authorities recently published Regulatory Decree No. 4/2022 (“the Regulation”), which implements and provides greater clarity regarding [Law 18/2022](#). The Law introduced significant changes to the rules governing the entry and right of residence of foreign nationals in Portugal. The Regulation goes into effect on 30 October 2022.

Measures impacting nationals of Member States of the Community of Portuguese Language Countries (CPLP)

The Regulation states that [CPLP](#) nationals who apply for temporary stay visas or residence visas are not required to present proof of sufficient funds, a confirmed return ticket or travel insurance in certain situations. Specifically, this exemption applies if CPLP nationals include in their applications a letter from a Portuguese national or qualifying foreign national who resides in Portugal, in which the Portuguese national/foreign national guarantees that they will assume the cost of the applicant’s food and housing (and in instances of noncompliance with local laws, the cost of deporting the applicant), if needed.

Job Seeker Visas

The Regulation specifies that nationals of countries located outside the European Union and European Economic Area (i.e., third-country nationals) who seek to apply for Job Seeker Visas must submit:

- ▶ A declaration regarding the conditions of their intended stay in Portugal and the basis for applying for this visa.

- ▶ Proof that they submitted a request to register with the Portuguese Institute for Employment and Vocational Training (IEFP), which includes details regarding their academic qualifications and professional experience.
- ▶ Proof of sufficient funds (i.e., at least three times the minimum monthly salary in Portugal which, in 2022, is EUR 2,115).
- ▶ A confirmed return ticket from Portugal.
- ▶ Valid travel insurance that covers emergency medical expenses in Portugal, including the cost of repatriation.

Job Seeker Visa holders who apply to extend their visas beyond the initial validity period of four months must submit proof of registration with the IEFP and a declaration confirming that they continue to meet the eligibility criteria for this category.

Remote Worker Visa

The Regulation stipulates that third-country nationals who seek to apply for temporary stay or residence visas as Remote Workers must submit:

- ▶ A certificate confirming that they are tax residents (i.e., pay income tax) in their home country.
- ▶ Proof that they earned an average monthly income that equaled or exceeded four times the minimum monthly salary in Portugal (i.e., no less than EUR 2,820 for 2022) in each of the three months immediately preceding the filing of their application.

- ▶ A valid employment agreement with a non-Portuguese company, a promise of employment from a non-Portuguese company (in the case of temporary stay visa applications) or declaration by a non-Portuguese company confirming an employment relationship with the applicant (for individuals employed by non-Portuguese companies).
- ▶ A contract with one or more entities for the provision of professional services, documents confirming contractual relationships with one or more entities, or proof that the applicant has provided professional services to one or more entities (for self-employed individuals).

Family Reunification Visas

The Regulation further clarifies that holders of temporary stay visas or residence visas who seek to sponsor one or more qualifying dependents must submit:

- ▶ Documents confirming their relationship with the dependent(s).
- ▶ Proof of stable and regular income to support themselves and their dependent(s). In the case of temporary stay visas, applicants must prove that they receive sufficient income to cover costs for the duration of their dependents' requested period of stay. In the case of residence visas, applicants must prove that they can cover their dependents' expenses for 12 months or the duration of their requested period of stay, whichever is shorter.

Impact on employers

The new regulations for eligible individuals who seek to apply for Job Seeker, Remote Work or Family Reunification Visas are expected to assist employers with streamlining and expediting their workforce planning and immigration processes.

Key steps

EY will continue to monitor these developments. Should you have any questions, we encourage you to contact one of our immigration professionals.

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