



# Portuguese Citizenship

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## PORTUGUESE CITIZENSHIP

The Portuguese Nationality Law<sup>1</sup> provides that children of a Portuguese mother or father born out of Portugal are considered Portuguese Nationals only if they declare their will to be Portuguese or if the birth is registered in the Portuguese Civil Registry (*Conservatoria dos Registos Centrais*).<sup>2</sup>

This provision embodies the principle of *ius sanguinis*. This principle is, however, conditioned to either of two circumstances: the declaration noted above which is made before the pertinent authority, that is the Portuguese Civil Registry,<sup>3</sup> or the registration of the birth which may be done in Portuguese Consulates abroad.<sup>4</sup>

These two requirements are not aimed to make the acquisition of Portuguese citizenship through *ius sanguinis* difficult but at reassuring the government that the child of such Portuguese citizens is still interested in belonging to the Portuguese community in spite of its birth abroad.<sup>5</sup>

Children born abroad of Portuguese parents are Portuguese but only if they choose to be Portuguese by complying with either of the two legal requirements described above.

Prepared by Graciela I. Rodriguez-Ferrand  
Senior Legal Specialist  
Western Law Division  
Law Library of Congress  
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<sup>1</sup> Law No. 37/81 of Oct. 3, 1981, in R. M. Moura Ramos, *DO DIREITO PORTUGUES DA NACIONALIDADE* (Coimbra, Biblioteca Juridica Coimbra Editora, 1984).

<sup>2</sup> *Id.* art. 1, para. b.

<sup>3</sup> Decree-Law No. 322/82 of Aug. 12, 1982, art. 6, no. 1, *supra* note 1.

<sup>4</sup> *Id.*

<sup>5</sup> *Supra* note 1, at 137.