

## "EU BLUE CARD" FOR HIGHLY QUALIFIED ACTIVITIES

Law no. 53/2023, of 31 August

Law 53/2023 of 31 August was published, transposing Directive (EU) 2021/1883 **on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment**, amending Laws 23/2007 of 4 July, 53/2007 of 31 August, 63/2007 of 6 November, 27/2008 of 30 June and 73/2021 of 12 November, which will come into force on **29 October 2023**.

In order to mitigate the effects of Europe's ageing population and the shortage of labour in certain professional areas that require specialised knowledge, the European Union has launched a mobility programme called the "EU Blue Card", **which aims to facilitate the granting of residence visas to third-country nationals carrying out highly qualified professional activities.**

Law No. 53/2023, of 31 August, transposed Directive (EU) 2021/1883 into the Portuguese legal system, identifying, for this purpose, the necessary requirements for granting the "EU Blue Card", which consists of a residence visa for highly qualified activity carried out by a subordinate worker.

Therefore, in order for the "EU Blue Card" to be granted, the applicant must meet the following **specific requirements**:

- Hold a valid **employment contract** or **promise of an employment contract** lasting at least six months, which corresponds to an annual remuneration of at least **1.5 times** the national average gross annual salary or three times the index value of social support (IAS), and in the case of professions particularly in need of workers who are nationals of third countries, the salary threshold must correspond to at least **1.2 times** the national average gross salary, or twice the IAS value;
- In the case of a regulated profession, hold high professional qualifications, duly proven in compliance with the provisions of Law no. 9/2009, of March 4, or in a specific law relating to the recognition of professional qualifications, necessary for access and exercise of the profession indicated in the employment contract or promise of an employment contract;
- In the case of a non-regulated profession, hold high professional qualifications appropriate to the activity or sector specified in the employment contract or promise of an employment contract.

In addition to the specific requirements mentioned above, the applicant must also:

- Have health insurance or provide proof that he is covered by the National Health Service;
- Be registered before Social Security, when applicable;
- Present a valid travel document;
- Have means of subsistence.

Finally, it is also necessary that the applicant:

- Has no conviction for a crime that in Portugal is punishable by a custodial sentence lasting more than one year; and
- Is not within the period of ban on entry and stay in national territory, following a removal order.

The application for the "EU Blue Card" must be submitted by the third country national, or by his employer, to the consular offices or, if he is already legally resident in Portugal, to the AIMA, I. P. regional office or delegation in his area of residence.

The "*EU Blue Card*" is **initially valid for two years, renewable for successive periods of three years, unless the duration of the labour contract is shorter, in which case it is valid for that period plus three months.**

Lisbon, 14th September 2023.

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