



**PRESIDENCY OF THE COUNCIL OF MINISTERS, MINISTERS FOR THE INTERIOR, LABOUR,
SOLIDARITY AND SOCIAL SECURITY AND HEALTH**

Offices of the Minister of State and of the Presidency, Minister for
the Interior and Ministers for Labour, Solidarity and Social Security and Health

Order No 3863-B/2020

Summary: Under this order, the management of appointments and schedules shall be made in such a way as to unequivocally ensure the rights of all foreign citizens with pending cases before the *Serviço de Estrangeiros e Fronteiras* (the Portuguese Immigration and Borders Service - SEF) in the framework of COVID 19

Given the epidemiological situation worldwide and, in particular, in the European Union, as well as the increase in the number of cases of infection in Portugal, with the gradual extension of its geographical scope, a state of emergency has been declared throughout the national territory for a period of 15 days, starting on 19 March 2020 at 0:00 AM and ending on 2nd April 200 at 11:59 PM, without prejudice to possible extensions;

Considering the legal powers of the SEF and the exceptional measures taken in this area, it is necessary to respond to this reality in terms of human resources and appointment management;

In order to address the specific nature of the threat of contagion by COVID19, the management of appointments and schedules should be carried out so as to safeguard unequivocally the rights of all foreign citizens with pending cases before the Immigration and Borders Service (SEF), by making sure that at the time when the National State of Emergency is declared, they stay legally on national territory;

Whereas Article 16 of Decree-Law No 10-A/2020 of 13 March 2020 clearly provides that “documents and visas relating to stay on the national territory, whose validity expires as of the date of entry into force of this Decree-Law or in the 15 days immediately preceding it, shall be accepted, under the same conditions, until 30 June 2020”;

Whereas there is a need to reduce the risks to public health associated with personal appointments, both to SEF workers and to the users of those public services themselves;

The following is hereby decided:

1 — In the case of foreign nationals who have made applications under Law No 23/2007 of 4 July 2007, as amended by Law No 28/2019 of 29 March 2019, Law No 26/2018 of 5 July 2018, Law No 102/2017 of 28 August 2017, Law No 59/2017 of 31 July 2017, Law No 63/2015 of 30 June 2015, Law No 56/2015 of 23 June 2015, Law No 29/2012 of 9 August 2012 (legal regime on the entry, stay, departure and removal of foreigners from the national territory), or who have submitted applications under Law No 26/2014 of 5 May 2014, amending for the first time Law No 27/2008 of 30 June 2008 which lays down the requirements and procedures for granting asylum or subsidiary protection and the statuses of asylum seeker, refugee and subsidiary protection seeker, the applicant is deemed to have stayed legally on the national territory, with pending cases before the SEF, as at 18 March, when the National State of Emergency was declared.

2 — The documents attesting the situation of citizens referred to in the preceding paragraph are:

a) In the case of applications submitted under Articles 88, 89 and 90-A of the legal regime of entry, stay, exit and removal of foreign nationals from national territory, a document for expression of interest or an application issued by the registry platforms in use in the SEF;

b) In other situations of cases pending before the SEF, in particular concessions or renovations of a residence permit, either under the general scheme or under the exceptional arrangements, a document attesting to an appointment at the SEF or an acknowledgement of receipt of the application.



3 — Documents referred to in the preceding paragraph of this order are deemed to be valid before all public services, in particular in order to obtain the user number, access to the National Health Service or other rights to healthcare, access to social aid, the conclusion of rental or working contracts, requests for opening bank accounts and contracting essential public services.

4 — The urgent scheduling by decision of Regional Directors invoking those reasons shall be allowed in the following cases of urgency:

- a) Citizens who need to travel or who prove the urgent and unavoidable need to leave the national territory for unexpected and unavoidable reasons;
- b) Citizens whose documents have been stolen, robbed or lost.

5 — For the purposes of urgent issuing of passports, the SEF will only consider applications in cases of force majeure or in other duly certified urgent cases.

6 — In cases where the SEF must ensure the appointment after a specific request to the email address <gricrp.cc@sef.pt> or via the Contact Centre, the operation of the following network of exclusive attendance services of the SEF shall be ensured or, in other cases, assistance is provided in articulation with the following managing bodies:

- a) Regional Directorate of the Algarve;
- b) Regional Delegation of Portimão;
- c) Regional Directorate of the Azores;
- d) Regional Directorate of Madeira;
- e) Porto Santo Regional Delegation;
- f) Regional Directorate of Lisbon, Vale do Tejo and Alentejo;
- g) Setúbal Regional Delegation;
- h) Coimbra Citizens' Shop;
- i) Citizens' Shop of Aveiro;
- j) National Centre for Support to Migrant Integration in Oporto;
- k) Asylum and Refugee Office.

7 — Public reception of the Asylum and Refugee Office shall remain open for the submission and registration of new applications for international protection. The legal time limits in cases of international protection shall be suspended.

8 — For cases of urgent issue of passports, the SEF maintains in operation the passport shops in the Porto and Lisbon Airports, requests being submitted via the Contact Centre or by email to <gricrp.cc@sef.pt>.

9 - All appointments scheduled through the Automatic System of Pre-Scheduling (SAPA) and in other systems used by the SEF are hereby suspended. All appointments that were scheduled until 27 March 2020 will be rescheduled in block as from 1 July 2020, by chronological order, equal treatment of foreign nationals being ensured.

10 - The SEF will provide for the public dissemination of this order and will transmit it to public services and security forces.

11 — The SEF will also promote the publication of this order on all websites and social networks under its responsibility.

12 — The SEF shall liaise with the National Mint (*Imprensa Nacional - Casa da Moeda, S. A.*) the necessary issue of documents for urgent and essential cases set out in this order.

13 — The presence of SEF workers for the provision of essential services is ensured on rotation, observing the determinations in force as regards alternative kinds of work, namely teleworking, and the fulfilment of the special duty of protection provided for by Decree No 2-A/2020 of 20 March 2020.

14 — The opening hours of the basic service shall be determined by the head of service. The schedule shall be visibly displayed on the doors for access by the public and, in addition, as provided by point 4 of Order No 3301-C/2020 of 15 March 2020.

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15 — The safety and hygiene rules laid down in Article 13 of Decree No 2-A/2020 of 20 March 2020 shall apply *mutatis mutandis*, as well as the hygiene and health rules laid down by the Directorate-General for Health.

16 - The priority assistance provided for by Decree-Law No 58/2016 of 29 August 2016 is hereby ensured, without prejudice to the priority assistance provided under Article 14 of Decree No 2-A/2020, which also applies to these public services, *mutatis mutandis*.

17 — This order shall enter into force on the day of its publication.

27 March 2020 – The Minister of State and of the Presidency, *Mariana Guimarães Vieira da Silva*.- The Minister for the Interior, *Eduardo Arménio do Nascimento Cabrita*. — The Minister for Labour, Solidarity and Social Security, *Ana Manuel Jerónimo Lopes Mendes Godinho*..— The Minister for Health, *Marta Alexandra Fartura Braga Temido de Almeida Simões*.

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