

Agreement
between
the Portuguese Republic
and
the United Kingdom of Great Britain and Northern Ireland
regarding the Participation in local elections of nationals of each State
resident in the other's territory

The Portuguese Republic and the United Kingdom of Great Britain and Northern Ireland, hereinafter referred to as "Parties",

Considering the existing relations between the Parties and the need to reaffirm, consolidate and develop the particular, strong and historic ties that unite the two peoples expressed in their closely shared political, cultural and social interests;

Considering the migration of nationals of both Parties between their respective territories and the importance of the integration of nationals of the other Party, which the Parties mutually recognise;

Desiring to promote the social and political participation of nationals of the other Party resident in their territories;

Considering that local elections are held both in the Portuguese Republic and in the United Kingdom;

Desiring to ensure the participation of nationals of one Party resident in the territory of the other Party in local elections; and

In accordance with the principle of reciprocity,

Have agreed as follows:

Article 1

Object

This Agreement establishes the legal framework on the participation of nationals of each Party resident in the territory of the other Party in local elections.

Article 2

Definitions

For the exclusive purposes of this Agreement the following definitions shall apply:

- a) *“Agreement”*: This Agreement;
- b) *“Local elections”*:
 - i) *In relation to the United Kingdom*: local government elections, mayoral elections, and combined authority mayoral elections, as defined in the United Kingdom’s legislation;
 - ii) *In relation to the Portuguese Republic*: City Hall (*Câmara Municipal*) elections, Municipal Assembly (*Assembleia Municipal*) elections and Parish Assembly (*Assembleia de Freguesia*) elections, as defined in the Portuguese Republic’s legislation;

c) *“Nationals”*:

i) *“United Kingdom nationals”*: British citizens; and persons who are British subjects by virtue of Part IV of the British Nationality Act 1981 and who have the right of abode in the United Kingdom and are therefore exempt from United Kingdom immigration control;

ii) *“Portuguese nationals”*: Portuguese citizens who are considered as such by law or international convention;

d) *“Territory”*:

i) *“United Kingdom”*: the United Kingdom of Great Britain and Northern Ireland;

ii) *“Portuguese Republic”*: the Portuguese Republic territory in the European continent and the archipelagos of Azores and Madeira;

e) *“The right to participate” and “participation”*: in relation to local elections means the right to vote and the right to stand as a candidate and be elected in local elections.

Article 3

Participation in local elections of Portuguese nationals resident in the United Kingdom

1. The United Kingdom undertakes to grant to Portuguese nationals legally resident in the United Kingdom the right to participate in local elections in the United Kingdom, on the same conditions as its own nationals.

2. Portuguese nationals shall lose the right to participate in local elections, under the conditions provided by law for United Kingdom nationals.

3. Any changes to the conditions referred to in paragraphs 1 and 2 of this Article shall be communicated in writing by the United Kingdom to the Portuguese Republic, through diplomatic channels.

Article 4

Participation in local elections of United Kingdom nationals resident in the Portuguese Republic

1. Subject to paragraphs 2 and 3 of this Article, the Portuguese Republic undertakes to grant to United Kingdom nationals legally resident in the Portuguese Republic the right to participate in local elections, on the same conditions as its own nationals.
2. To acquire the right to vote in local elections, United Kingdom nationals must meet the following requirements:
 - a) Have a valid residence permit;
 - b) Be a legal resident in the Portuguese Republic for more than three years; and
 - c) Be registered in the Portuguese Electoral Census, having for that purpose been enrolled in the Parish (*Freguesia*) of the area of residence included in the residence permit.
3. To acquire the right to stand and be elected in local elections, United Kingdom nationals must meet the following requirements:
 - a) Be a legal resident in the Portuguese Republic for more than five years; and
 - b) Not be ineligible to vote.
4. United Kingdom nationals shall lose the right to participate in local elections under the conditions provided by law for Portuguese nationals.

5. Any changes to the conditions referred to in paragraphs 1 and 4 of this Article shall be communicated in writing by the Portuguese Republic to the United Kingdom, through diplomatic channels.

Article 5

Transitional provision

1. Notwithstanding Articles 3 and 4 of this Agreement, each Party shall ensure, reciprocally, that those nationals of the other Party elected at the last local elections held in their territory before the United Kingdom leaves the European Union shall remain in office until their mandates expire.

2. Notwithstanding Articles 3 and 4 of this Agreement, each Party shall ensure, reciprocally, that those nationals of the other Party who are entitled to register for participation in local elections in their territory immediately before the United Kingdom leaves the European Union shall retain that capacity.

3. Those nationals who have the right to participate in local elections under this Article in a territory of a Party shall lose their right under the conditions provided by law for nationals of that Party.

Article 6

Entry into force

This Agreement shall enter into force ten (10) calendar days after the date on which the United Kingdom leaves the European Union, or ten (10) calendar days after the date of the receipt of the later of the notifications, in writing, through diplomatic channels, in which the Parties notify each other on the fulfilment of their internal procedures required for entry into force of this Agreement, whichever is the later.

Article 7

Settlement of Disputes

Any dispute regarding the interpretation or application of this Agreement shall be settled by negotiation between the Parties, through diplomatic channels.

Article 8

Amendment

1. This Agreement may be amended at any time by mutual written consent between the Parties.
2. Any amendment shall enter into force ten (10) calendar days after the date of the receipt of the later of the notifications, in writing, through diplomatic channels, in which the Parties notify each other on the fulfilment of their internal procedures required for their entry into force.

Article 9

Duration and Termination

1. This Agreement shall remain in force for an unlimited period of time.
2. Either Party may, at any time, terminate this Agreement upon prior notification, in writing and through diplomatic channels.
3. In case of termination, this Agreement shall cease to be in force sixty (60) calendar days after the date of receipt of the respective notification.
4. In the event of termination of this Agreement, each Party shall ensure the continuity of mandates of nationals of the other Party elected in local elections until their respective mandates expire or are terminated under the conditions provided by law for

its own nationals.

Article 10

Registration

Upon the entry into force of this Agreement, the Party in whose territory it is signed shall transmit it to the Secretariat of the United Nations for registration, in accordance with Article 102 of the Charter of the United Nations and shall notify the other Party of the completion of this procedure as well as of its registration number.

Done in duplicate in Lisbon, on 12th June, 2019, in the Portuguese and English languages, both texts being equally authentic.

**For the
Portuguese Republic**

**For the
United Kingdom of Great Britain
and Northern Ireland**

Ana Paula Zacarias

Lord Callanan

Secretary of State for European Affairs

Minister of State at the Department for
Exiting the European Union