

Ordinance no. 183/2020 of 5 August

Creates the courses of Portuguese as a Host Language, as well as the rules that govern their organization, functioning and certification.

Migrations are a factor of great relevance for the social, cultural, demographic and economic development of Portugal. Despite the national legislative framework being very favourable to the integration of immigrants, it is necessary to proceed towards their integration and reception, responding to the new challenges that immigration policies are facing. In this sense, the National Plan for the Implementation of the Global Migration Pact, approved through the Resolution of the Council of Ministers no. 141/2019, of 20 August, defined a set of measures that allow the design of a national response in terms of migrations. With the aim of empowering migrants and societies to achieve full social inclusion and cohesion, this Plan highlights the measure aimed at revising the "Portuguese for All" Programme, in order to cover the Portuguese language learning needs of adult migrants in Portugal.

The alterations now proposed to the existing normative framework aim to provide a more adequate response to the needs of migrant citizens to learn Portuguese, broadening and deepening the public programmes for teaching Portuguese as a non-mother tongue, thus putting into practice the Programme of the XXII Constitutional Government on this matter. Teaching Portuguese to migrants who settle in Portugal allows them to create a sense of common belonging to the national community and, above all, facilitates their integration process, contributing to the prevention of discrimination on grounds of origin and promoting equality.

This ordinance, based on Ordinance No. 1262/2009, of 15 October, as amended, which created the courses of Portuguese for Speakers of Other Languages (PFOL), introduces a significant set of changes, starting with the specification of the recipients of these courses.

On the other hand, it is extended to the Qualifica Centres network the possibility to promote these courses, considering the added value that these centres specialized in adult qualification represent, providing the complementarity of responses to migrants, namely the teaching of the Portuguese language and the access to processes of recognition, validation and certification of skills. In the same sense, and in a logic of enabling lifelong learning opportunities, it is established that the training entities responsible for the development of these courses promote the referral of trainees with low qualifications to the Qualifica Centres network, facilitating their access to pathways of enhancement of skills and qualification.

Aspects relating to the organisation and functioning of the courses are also clarified, both by including in the National Catalogue of Qualifications (NQC) the benchmarks of training to which the levels of language proficiency of the Common European Framework of Reference for Languages correspond and the respective workload, and by also including a short-term training unit specifically aimed at learners who use an alphabet other than Latin or another writing system. It is also foreseen that the timetables of the courses should be flexible, in order to enable the existence of adequate responses to the different needs of the trainees.

Also with a view to adjusting responses to individual needs, the minimum number of trainees required to form training groups has been reduced, and training providers should diagnose the trainees' starting level of knowledge of the Portuguese language and place them on the course at a proficiency level according to the assessment made.

On the other hand, the collaboration of the Alto Comissariado para as Migrações, I.P. (High Commission for Migrations) is reinforced in the effort to disseminate the information about the training offer foreseen in this ordinance, in the scope of its attributions to promote and stimulate the reception, integration, participation and professional and civic training of immigrants and their descendants, namely through the network of immigrant support centres and offices, the signing of protocols with public or private entities in all matters relevant to the attraction, settlement and integration of migrants, in particular as regards employment, training and professional

insertion, and the reinforcement of the learning of the Portuguese language and knowledge of Portuguese culture by immigrants, with a view to their better social, professional and civic integration.

Finally, and from a formal and systematic point of view, it is opted to expressly repeal Ordinance no. 1262/2009, of 15 October, as amended, due to the large number of changes now introduced.

The start of the procedure and procedural participation was publicised with a view to drawing up this Ordinance, with a hearing having been held with interested parties who expressed their views, and the draft Ordinance was submitted for public consultation, under the terms of the Administrative Procedure Code, approved by Decree-Law no. 4/2015, of 7 January.

The social partners sitting on the Standing Committee on Social Concertation were also consulted, as well as the Council for Migrations in compliance with the provisions of article 8(4)(a) of Decree-Law no. 31/2014, of 27 February.

Therefore, under the provisions of Law No. 46/86, of 14 October, as amended, and Decree-Law No. 396/2007, of 31 December, as amended, and under the provisions of Article 16(1) and (4)(b), Article 25(1) and (6) and Article 26(1), (6) and (7) of Decree-Law No. 169-B/2019, of 3 December, as amended. the Government, by the Secretary of State for Integration and Migration, under delegated powers according to Order no. 1335/2020, of 30 January, of the Minister of State and the Presidency, by the Deputy Secretary of State and Education, under delegated powers according to Order No. 559/2020, of 16 January, of the Minister of Education, and by the Deputy Secretary of State, Labour and Vocational Training, under delegated powers according to Order No. 892/2020, of 22 January, of the Minister of Labour, Solidarity and Social Security, decrees the following:

Article 1
(Object)

This ordinance creates the Portuguese as a Host Language courses, hereinafter referred to as "PLA courses", as well as the rules regarding their organization, functioning and certification.

Article 2
(Recipients)

- 1 - PLA courses are aimed at adults, aged 16 years or more, whose mother language is not Portuguese and/or who do not have basic, intermediate or advanced skills in Portuguese, according to the Common European Framework of Reference for Languages (CEFR).
- 2 - The recipients referred to in the previous paragraph must hold a residence permit, under the terms of the national legislation applicable to foreign citizens, or must present one of the following documents:
 - a) Proof that a procedure has been initiated for the extension of stay in national territory or for the granting or renewal of a residence permit;
 - b) Proof of submission of an application for international protection or temporary protection;
 - c) Proof of attribution of the Social Security Identification Number (NISS).
- 3 - PLA courses are also addressed to holders of short-term visas for seasonal work, temporary stay or residence, in accordance with national legislation applying to foreign citizens falling under the requirements laid down in paragraph 1.

Article 3
(Training entities)

- 1 - PLA courses are promoted by public schools, by the network of centres under direct and participated management of the Instituto do Emprego e da Formação Profissional, I.P. (Institute for Employment and Vocational Training) and by the network of Qualifica Centres.

- 2 - The entities referred to in the previous paragraph may establish protocols with other public and private entities with proven experience in working with migrant populations and the training entities' services must encourage the signing of protocols, aiming for a broad coverage of the training needs.
- 3 - It is also the responsibility of the Alto Comissariado para as Migrações, I.P. (High Commission for Migrations) to encourage the signing of protocols as provided for in the previous paragraph, in order to ensure broad coverage of the training needs identified within the scope of its attributions, monitoring their adequacy to the existing training offer.
- 4 - The Alto Comissariado para as Migrações, I.P. (High Commission for Migrations) also disseminates the training offer widely to the National Network of Support for the Integration of Migrants (RNAIM), composed of the National Centres for the Support of the Integration of Migrants (CNAIM) and the Local Centres for the Support of the Integration of Migrants (CLAIM), as well as to the Immigrants' Associations recognised by that Institute, the Refugees' Associations and other relevant entities with which it maintains partnerships.

Article 4

(Access to lifelong learning)

- 1 - Trainees with low qualifications or who do not hold or are unable to obtain documentary evidence of their qualifications, covered by this ordinance, shall be sent by the entities identified in paragraph 1 of the previous article to the Qualifica Centres network in order to continue their qualification journey.
- 2 - The Qualifica Centres that receive trainees who are attending or have already completed the PLA courses regulated by this ordinance shall promote the information, guidance and referral of the trainees, with the aim of guiding them to other training offers or other qualification paths that allow them to improve their academic and vocational qualifications, namely through processes of recognition, validation and certification of skills and the recognition of non-higher level qualifications obtained abroad.
- 3 - The short-term training units that integrate the PLA course may be capitalised in order to obtain an academic qualification or double certification, within the scope of the referential of key skills of basic and secondary education.

Article 5

(Organisation and functioning of the courses)

- 1 - The PLA courses are organised according to the skills and training referential that appear in the National Qualifications Catalogue (NQC), to which correspond the levels of language proficiency according to the CEFRL and the respective workload.
- 2 - The NQC also includes a specific short-term training unit that should be mobilised when it is found that trainees use another alphabet than the Latin alphabet or another writing system.
- 3 - The entities referred to in article 3(1) shall assess the trainees' level of initial knowledge of the Portuguese language and place them in the proficiency level appropriate to the assessment made.
- 4 - Obtaining a level of language proficiency is not conditional on achieving the previous level.
- 5 - The timetables of PLA courses should be flexible, allowing for differentiated provision according to the needs of the trainees.

Article 6

(Training groups)

- 1 - The training groups should be formed according to the starting knowledge of the Portuguese language of the trainees.
- 2 - Each training group cannot have less than 15 or more than 20 trainees.

- 3 - Exceptionally, training groups may be formed with a number of trainees lower or higher than the limits provided for in the previous paragraph, upon authorization by the respective competent service, based namely on criteria of geographic coverage.

Article 7

(Teachers and trainers)

The development of PLA courses is ensured by professional teachers in the area of Portuguese teaching, preferably with specific training in the teaching of Portuguese as a foreign or second language, or by trainers with specific training in the same area.

Article 8

(Methodological guidelines)

- 1 - Teachers and trainers should apply methods and techniques that best suit the characteristics of the trainees, in particular their age, and the training content, based on the contexts, the resources available and the learning outcomes to be achieved.
- 2 - The selection of pedagogical methods and techniques must allow the development of a training process adapted to the individual rhythm and personalised monitoring of each trainee, taking into consideration aspects such as the general literacy level of the trainee and his/her linguistic repertoire, i.e. the mother language or other languages used by him/her.
- 3 - PLA courses may be led remotely, in whole or in part, provided that the necessary technical and pedagogical requirements are met in order to ensure the quality of training, in particular those provided for by Portaria No 851/2010, of 6 September 2010, in its current wording.

Article 9

(Certification)

- 1 - The successful completion of all the short-term training units which provide a level of proficiency in accordance with article 5(1) shall result in the issuing of a certificate, in accordance with the model attached to this ordinance.
- 2 - The issuing of certificates is the responsibility of the entities referred to in article 3(1), and the certificates shall be issued through the SIGO (Educational and Training Offer Information and Management System).
- 3 - The certificate mentioned in paragraph 1 issued by training entities that are not teaching establishments of the public network or that are not part of the network of centres under direct and participated management of the Instituto do Emprego e da Formação Profissional, I.P. (Institute for Employment and Vocational Training), require approval by one of these entities.
- 4 - The formalisation of the certificate approval procedure, between the entities referred to in the previous paragraph, shall be carried out through the signing of a protocol, according to the model made available in SIGO, in accordance with geographic proximity criteria.
- 5 - The issuing of duplicates of the certificate shall be ensured by the training entities referred to in article 3(1), and the provisions set forth in paragraph 2 shall also apply.
- 6 - In cases where the requests for duplicates are related to PLA courses developed in training entities that are extinct, this attribution is of the entity responsible for the approval or, when both are extinct, the Agência Nacional para a Qualificação e o Ensino Profissional (National Agency for Qualification and Vocational Training).

Article 10
(Funding)

Without prejudice to other sources of funding, the PLA courses regulated by this Ordinance may be subject to Community funding.

Article 11
(Portuguese language knowledge requirement)

Obtaining the A2 level of language proficiency of the elementary or higher user proves the knowledge of the Portuguese language under the terms of article 25(2)(d) of Decree-Law no. 237-A/2006, of 14 December, which approves the Regulation of Portuguese Nationality, as amended, and under the terms of article 64(1)(e) and article 74(1)(g) of Regulatory Decree no. 84/2007, of 5 November, as amended, which regulates the legal regime for the entry, stay, exit and expulsion of foreigners from the national territory.

Article 12
(Monitoring and evaluation)

- 1 - The Alto Comissariado para as Migrações, I.P. (High Commission for Migrations) must be consulted in the scope of the monitoring and evaluation provided for in article 19 of Decree Law no. 396/2007, of 31 December, as amended, and of the matter regulated by this ordinance.
- 2 - In order to monitor and assess PLA courses, a working group is set up whose aim is to share information on their implementation and to promote the joint definition of strategies for their continuous improvement.
- 3 - The working group will comprehend up to two representatives of each of the following entities:
 - a. High Commissioner for Migration, I.P., responsible for the group coordination;
 - b. Directorate-General for School Establishments;
 - c. National Agency for Qualification and Vocational Education, I.P.;
 - d. Institute for Employment and Vocational Training, I.P.
- 4 - Within 10 days following the publication of this ordinance (Portaria), the entities referred to in the preceding paragraph shall indicate their representatives to the coordinating body.

Article 13
(Final and transitional provisions)

- 1 - The necessary procedures should be ensured for the transfer of trainees, at their request, between different training groups within the same training entity or between different training entities.
- 2 - The courses of Portuguese for Speakers of Other Languages which are in operation on the date on which this ordinance enters into force shall be maintained until their conclusion.
- 3 - The certificates obtained within the scope of the courses of the "Portuguese for All" Programme, which began before the entry into force of Ordinance no. 1262/2009, of 15 October, as amended, are equivalent, for all purposes, to the corresponding short-term training units of the NQC.

Article 14
(Repealing standard)

- 1 - Ordinance no. 1262/2009, of 15 October and Ordinance no. 216-B/2012, of 18 July are hereby repealed.
- 2 - Order No. 13567/2010, of 24 August, is hereby repealed.

Article 15
(Entry into force)

This Ordinance shall enter into force on the day following its publication.

On 3 August 2020.

The Secretary of State for Integration and Migration, *Cláudia Patrícia da Cruz Pereira*. - The Deputy Secretary of State for Education, *João Miguel Marques da Costa*. - The Deputy Secretary of State, Labour and Vocational Training, *Miguel Filipe Pardal Cabrita*.

ANNEX

(model certificate as referred to in Article 9(1))

Certificate

Portuguese as a host language

I hereby certify that (*name*) _____,
from (*country*) _____, born on __ - __ - ____ (*day-month-year*), holder
of¹ the (*ID Document / Passport / Residence Permit / Citizen Card*) no. _____,
issued by² _____, valid until¹ __ - __ - ____ (*day-month-year*), successfully
completed the following units:

Code	Short-term training units	Hou rs
	Total hours	

Having obtained on __ - __ - ____ (*day-month-year*), at (*training entity*) _____,
the ____ level³ of the Portuguese as a Host Language course.

_____, on _____

The Head of (*name of the issuing entity*)

(*Signature and seal/stamp or certified digital signature of the head of the issuing entity*)

Certificate No. xx/xxxx (*sequential no. / year*)

¹ Not applicable to persons with the status of stateless person, refugee or asylum seeker.

² Indicate only where applicable.

³ According to the Common European Framework of Reference for Languages and where applicable.

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Supplementary Information

The consolidated legislation hereby presented contains amendments from the following legal acts:

- a) Ordinance no. 184/2022, of 21 July

Ordinance no. 183/2020, of 5 August (in Portuguese):

[Original Version](#)