



# PRACTICAL GUIDE

## INITIAL PARENTAL ALLOWANCE

(also applicable to Legal Guardianship situations)

INSTITUTO DA SEGURANÇA SOCIAL, I.P.

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**The information contained in this practical guide does not waive the consultation of the law.**

## A – What is it?

### A1. What is the Initial Parental Allowance?

It is a **monthly cash benefit** paid to parents and legal guardians upon the birth of a child or the legal guardianship of a child or young person under the age of 15, to help compensate for the loss of earnings due to taking the parental leave.

**Note:** For **Social Security** to recognise entitlement to parental benefits, the employee must be entitled to, and take, **the leave, absences or unpaid leaves** provided for in the **Labour Code**.

If the person concerned is employed and has any queries about these rights (such as leave or absences), they should seek clarification from the **Authority for Working Conditions (ACT – Autoridade para as Condições do Trabalho)**, as these matters form part of the employment relationship and are not dealt with by **Social Security**.

The **Initial Parental Allowance** includes the following allowances:

- Initial Parental Allowance;
- Initial Parental Social Allowance granted exclusively to the mother (not applicable to Legal Guardians);
- Initial Parental Social Allowance granted exclusively to the father (not applicable to Legal Guardians);
- Initial Parental Social Allowance granted to Legal Guardians (special situation).

### A2. What is the Initial Parental Allowance granted to Legal Guardians?

It is a **cash benefit** paid for 120 or 150 consecutive days to those who take on a Legal Guardianship. This benefit is similar to the Initial Parental Allowance.

In this case, there are no allowances granted exclusively to the father or the mother, and it is not possible to apply for the Initial Parental Allowance in advance.

**Note:** Whenever the term “parent” is used in this document, it should also be understood as “Legal guardian”, with the necessary adjustments.

### A3. What is the Initial Parental Allowance granted exclusively to the mother?

It is a **cash benefit** paid for a **mandatory period of 42 days following childbirth**. If the mother is employed, she may also apply for it **up to 30 days before the expected date of birth**, if she wishes (not applicable to Legal Guardians).

### A4. What is the Initial Parental Allowance granted exclusively to the father?

It is a **cash benefit** (not applicable to Legal Guardians) granted to the father in the following situations:

- **28 mandatory days:** the father is entitled to 28 mandatory days of leave, which must be taken in periods of at least 7 consecutive days, within the first 42 days following childbirth. It

is compulsory for the father to take at least 7 of these days immediately after the birth;

- **7 optional days:** the father may also choose to take an additional 7 days (consecutive or non-consecutive), while the mother is receiving the Initial Parental Allowance or the Initial Parental Social Allowance.

**Notes:**

1. If the child is hospitalised, following childbirth, the father may request the **suspension of the mandatory days** of his Allowance (after a minimum hospitalisation period of 3 days has passed).
2. If twins are born, the father is entitled to an additional **2 days for each twin beyond the first**, which are added to the **28 mandatory days** and the **7 optional days**. These extra days must be taken immediately after the mentioned periods.
3. If the child is stillborn (born dead), the father is **not entitled** to the **7 optional days** or the **2 extra days** for each twin that is stillborn.

If the mother is not employed and the father has an employment contract, he may apply for the Initial Parental Allowance granted exclusively to the father (7 optional days). Social Security will pay this Allowance if:

- the father meets the minimum qualifying period;
- the employer has been informed in time;
- the leave days were in fact taken.

**A5. What is the Initial Parental Allowance granted to one parent if the other cannot take the leave?**

It is an allowance that corresponds to the time of initial parental leave that one of the parents (the mother or the father) did not use due to:

- physical or mental incapacity, confirmed by a doctor, and while this situation lasts;
- death.

**Note:** The Initial Parental Allowance granted to one parent in the event of incapacity of the other parent is only granted if the child is born alive.

**A6. What is the Allowance for childbirth outside the island of residence?**

It is a benefit included in the Initial Parental Allowance, paid in cash to a pregnant woman who, due to a lack of technical or human resources in the island of residence, must leave her island to give birth in a hospital located elsewhere. This support does not affect the initial parental leave.

**B – Who is entitled?**

- Employees who pay contributions to Social Security;

**Note:** In the event of employment contract interruption or termination, the person concerned may still be entitled to parental allowances, provided that no more than 6 consecutive months without contributions payment have elapsed, between the date of the contract interruption or termination and the childbirth date.

- Employees in the cultural sector working under very short-term employment contracts, when registered in the Cultural Sector Professionals Register (*Registo dos Profissionais da área da Cultura*);
- Self-employed persons who pay contributions to Social Security;
- Persons registered under the voluntary social insurance scheme, who:
  - work on ships of foreign companies, or
  - are scientific research fellows.
- Workers in pre-retirement with reduced working hours;
- Persons who are receiving a Relative Invalidity Pension, Old-Age Pension, or Survivor's Pension and working and paying contributions to Social Security;
- Persons who are receiving unemployment benefits from Social Security (whose payment is suspended during the period of Initial Parental Allowance granting);
- Home workers.

## C – What are the entitlement conditions?

You are entitled to the Initial Parental Allowance if you fulfil all of the following conditions:

- you fulfil the qualifying period;
- you are taking or have already taken leaves, absences and unpaid leaves in accordance with the Labour Code;
- your **contributory situation is regularised** on the date you become entitled to the Allowance if you are a self-employed person or covered by the voluntary social insurance scheme.

### What is the qualifying period?

To be entitled to the Initial Parental Leave, you must have worked and paid contributions for **6 months** (consecutive or non-consecutive) to Social Security or to another national or foreign social protection system (provided that the periods do not overlap). The month in which the leave begins is taken into account for the qualifying period of 6 months, provided that you have worked and paid contributions for at least 1 day in that month.

### Notes:

- If the months with contributions are not consecutive, there cannot be a period of 6 months or

more without contributions payment. Otherwise, a new qualifying period must be completed as from the month in which there is a new salaries registration;

- To be entitled to the Initial Parental Allowance granted exclusively to the mother (42 mandatory days after childbirth) or to the father (28 mandatory days after childbirth), the person concerned must have worked and paid contributions in at least one of the six months prior to the absence from work due to the birth of the child. If necessary, the month when the leave begins is included, provided that the person concerned has worked and paid contributions for at least one day in that month.

### **Example 1**

A person started paying contributions in October 2024. On 10 March 2025, she began taking the parental leave due to childbirth, with contributions payment up to 9 March 2025. Since she had not completed six months of contributions before childbirth, the month of March is taken into account for the qualifying period, even though she did not work for the entire month.

### **Example 2**

A person worked in France from January to May 2024 and started paying contributions to the Portuguese Social Security in August 2024. On 1 November 2024, she began taking the parental leave due to childbirth, with contributions payment up to 31 October 2024. Although she had not completed six months of contributions in Portugal, the contributions paid in France are taken into account for the qualifying period.

**Note:** The persons who do not fulfil the qualifying period of 6 months may be entitled to the Initial Parental Social Allowance if they meet the means-testing condition.

## **D – How much will I receive?**

### **D1. How much will I receive?**

The daily amount of the Initial Parental Allowance corresponds to a **percentage of the reference remuneration (RR)**, determined by the chosen Allowance modality, and it cannot be lower than **€13,93** [80% of 1/30 of the Social Support Index (IAS) value, which in 2025 is equal to €522,50].

### **How to calculate the reference remuneration (RR)**

The RR is calculated in **three steps**:

**Step 1:** Identify the salaries registered in the Social Security system in the **oldest six months of the last eight months prior** to the month when the person concerned stopped working, excluding the holiday pay, Christmas bonus, and similar payments.

In this case, the salaries can be consulted online under the menu *Trabalho* (Work) > *Remunerações e contribuições* (Remuneration and Contributions) > *Carreira contributiva* (Contributory Career).

**Step 2:** Add the salaries from the six months identified in Step 1.

**Step 3:** Divide the result from Step 2 by 180 days (30 days × 6 months) to obtain the daily Reference Remuneration.

**Example:** Maria has been working for several years and will begin her leave on 10 April 2025.

**Step 1:** Identify the salaries registered by Social Security in the **oldest 6 months out of the last 8 months prior** to that in which the leave begins.

In this case, if the leave begins in April 2025, the last eight months prior to the leave will be from August 2024 to March 2025. From these eight months, we choose the oldest six, i.e., the salaries from **August 2024 to January 2025**.

**Step 2:** Add the salaries from the six months identified in Step 1.

Months identified in step 1	Registered salary, excluding Holiday pay, Christmas bonus, and similar payments
August	€1.000,00
September	€1.000,00
October	€1.100,00
November	€1.100,00
December	€1.200,00
January	€1.200,00

In this case, the total amount of salaries from the six months is **€6.600,00**.

**Step 3:** Divide the result of Step 2 by 180 days (30 days × 6 months) to obtain the daily Reference Remuneration.

The calculation of the daily Reference Remuneration is the following: **€6.600,00 / 180 days = €36,67 per day**.

This amount will be used to calculate the daily amount of the Allowance to which you are entitled (e.g., by applying the legal percentage corresponding to the type of Allowance).

### **What happens if I do not have six months of contributions to Social Security?**

If the Allowance amount is based on contributions paid under other schemes (national or foreign), the Reference Remuneration (RR) is calculated according to the following **four steps**:

**Step 1:** Identify the salaries registered in the Social Security system up to the **day before** the start of the leave, excluding the holiday pay, Christmas bonus, and similar payments;

**Step 2:** Add the salaries from the months identified in Step 1;

**Step 3:** Count the number of months with registered salaries (i.e., with paid contributions);

**Step 4:** Divide the result from Step 1 by 30 x the total from Step 2.

**Example:** João started working three months ago and will begin his leave on 15 April 2025.

**Step 1:** Identify the salaries registered in the Social Security system up to the **day before** the start of the leave;

In this case, if the leave starts in April 2025 and João has been working for three months, the months with registered contributions to Social Security are from **January 2025 to March 2025**.

**Step 2.** Add the salaries from the months identified in Step 1;

Months identified in step 1	Registered salary, excluding Holiday pay, Christmas bonus, and similar payments
January	€1.000,00
February	€1.100,00
March	€1.200,00

In this case, the total amount of the salaries for the three months is **€3.300,00**.

**Step 3:** Count the number of months with registered salaries (with paid contributions); João paid contributions for three months.

**Step 4:** Divide the result from Step 1 by 30 x the total from Step 2.

The calculation of the daily Reference Remuneration is the following: **€3.300,00 / (30 x 3 meses) = €36,67 per day**.

This amount will be used to calculate the daily value of the Allowance to which he is entitled (e.g. by applying the legal percentage corresponding to the type of Allowance).

**You can choose a modality of 120 or 150 consecutive days:**

#### 120-day option

Leave period		How to take the leave	Amount to be received
<b>First 42 days</b>	First 7 days	• Exclusive period for the mother - mandatory <sup>(1)</sup>	<b>100% of the RR</b>
		• Exclusive period for the father – mandatory <sup>(1)</sup>	
	Remaining period	• Exclusive period for the mother – mandatory <sup>(1)</sup>	

	<ul style="list-style-type: none"> <li>• Exclusive period for the father <sup>(1)</sup> Mandatory period (+ 21 days, taken in minimum periods of 7 days) Optional period (7 days)</li> </ul>	
<b>Up to the 120<sup>th</sup> day (78 days)</b>	<ul style="list-style-type: none"> <li>• Period that may be shared by the parents</li> </ul>	

<sup>(1)</sup> Not applicable to Legal Guardians

### 150-day option

Leave period		How to take the leave	Amount to be received
<b>First 42 days</b>	First 7 days	<ul style="list-style-type: none"> <li>• Exclusive period for the mother – mandatory<sup>(1)</sup></li> </ul>	<b>80% of the RR</b>
		<ul style="list-style-type: none"> <li>• Exclusive period for the father – mandatory<sup>(1)</sup></li> </ul>	<b>100% of the RR</b>
	Remaining period	<ul style="list-style-type: none"> <li>• Exclusive period for the mother – mandatory <sup>(1)</sup></li> </ul>	<b>80% of the RR</b>
		<ul style="list-style-type: none"> <li>• Exclusive period for the father <sup>(1)</sup> Mandatory period (+ 21 days, taken in minimum periods of 7 days) Optional period (7 days)</li> </ul>	<b>100% of the RR</b>
<b>Up to the 120<sup>th</sup> day (78 days)</b>		<ul style="list-style-type: none"> <li>• Period that may be shared by the parents</li> </ul>	<b>100% of the RR</b> (if the period is not shared) or; <b>83% of the RR</b> (if shared as exclusive use, taken consecutively but not simultaneously, for a period of 30 consecutive days or two periods of 15 consecutive days), or <b>90% of the RR</b> (if shared as exclusive use, taken consecutively but not simultaneously, for a period of 60 consecutive days or two periods of 30 consecutive days)
<b>Between 120 days and 150 days</b>		<ul style="list-style-type: none"> <li>• Period that may be taken exclusively by one parent or shared between both (simultaneously or not) and can also be combined with work</li> </ul>	

<sup>(1)</sup> Not applicable to Legal Guardians

### Notes:

- the duration of these modalities may be extended;  
For more information, please consult Section E – Granting period.
- If you live in the Autonomous Regions, the amount to be received increases by 2%.
- When the leave is combined with part-time work, the daily amount of the Allowance corresponds to half the percentage of the reference remuneration, as applicable.

### Ways to take the leave:

#### 1. Simultaneously (at the same time)

If the parents choose the 150-day leave option, they may decide to use part of that time simultaneously, meaning both are at home with the baby on the same days.

In this case, the total number of days does not increase. What happens is that each parent can use up to **15 days** simultaneously with the other, and this period is fully paid at 100% (provided the sharing rules are followed).

**Example:** Ana and Miguel are the parents of Martim. They decide to apply for the 150-day initial parental leave and want to share it to receive the Allowance at 100%.

- Ana takes **the first 120 days** alone.
- Then, in the **final 30 days**:
  - Ana takes **the last 15 days**;
  - Miguel takes **the same 15 days simultaneously** with Ana.

#### 2. Accumulation of parental leave with part-time work

After the first 120 days of initial parental leave, it is possible to take the remaining period (up to 150 days) **while working part-time**.

This applies to mothers or fathers who have an employment contract covered by the Labour Code.

In this case:

- the leave period is **converted into half-days**;
- the Allowance is paid at **half the daily amount**, as it is combined with part-time work.

**Example:** Joana took **120 days of parental leave**. She still has 30 days available to reach 150 days. Since she wants to start working gradually, she agrees with her employer to return on a part-time basis.

The **30 days of leave** are converted into **60 half-days** (for example, working every morning and spending afternoons with the baby).

During this period, Joana receives **half of the daily Allowance**, in addition to the salary corresponding to her part-time work.

### 3. Leave taken simultaneously and in accumulation with work

After the first 120 days of parental leave, parents may choose to **accumulate the remaining leave period with part-time work**.

In this option:

- Parents can take the remaining leave either simultaneously or alternately;
- **each parent may take up to a maximum of 15 days’ leave;**
- These **15 days are split into 30 half-days**, allowing the leave to be taken in smaller time blocks.

**Example:** After the initial 120 days of parental leave, Maria and João decide to split the remaining 30 days.

- **Simultaneously:** both may take 15 days each at the **same time**, registered as half-days (e.g., 30 half-days each), while working part-time, or
- **Alternately:** Maria takes the first 15 days of leave, and then João takes the following 15 days, also on a half-day basis.

In both cases, they receive half of the Allowance amount since the leave period is combined with part-time work.

The father may apply for the **Initial Parental Allowance** if the mother is working and has not requested the leave. In this case, the mother **retains her right to the mandatory 42 days**, and the father may take the leave, provided that he submits the request.

## D2. How can I receive it?

There are 2 modalities of payment of this Allowance. The payment can be made

- by bank transfer, or
- by postal order issued by the Portuguese postal services (*CTT*) to your address.

## D3. How to register or change the IBAN (International Bank Account Number)

### 1. Online

You can register or change the IBAN through the Social Security Online Service, in the Menu > *Iniciar Sessão* (Log In) > *Perfil* (Profile) > *Conta bancária* (Bank Account) > *Consultar e decidir pedidos de alteração de conta bancária* (Consult and decide on bank account change requests).

### 2. At the Social Security Customer Information Services

To register or change the IBAN, you must complete the form MG 14 - *Requerimento de Registo ou Alteração de IBAN* (Application for IBAN Registration or Change) available on the Social Security Online Service in the *Formulários* (Forms) menu, and attach a bank document confirming the IBAN, which must

include the name of the person submitting the application or the person entitled to the **Initial Parental Allowance** as the account holder.

**Note:** The IBAN will be pending validation by Social Security. Once confirmed, a notification will be sent to your inbox in the Menu > *Iniciar Sessão* (Log in) > *Mensagens* (Messages).

#### **D4. Unduly Paid Benefits**

If you received any unduly amounts from Social Security, you must return them.

The reimbursement of unduly paid amounts can be made in several ways, and you have **30 days** to do so, as from the date you received the notification from Social Security

**Note:** You must keep the proof of payment, as Social Security may request it.  
*Decree-Law no. 133/88, Art. 7(5), Art. 8 and Art. 11*

##### **D4.1 How to reimburse the unduly paid amounts?**

You can make the payment using one of the following means:

- By ATM payment reference (via *Multibanco* system);
- By bank transfer;
- By certified cheque, bank cheque, or cheque issued by the Portuguese Treasury and Public Debt Management Agency (IGCP, E.P.E. - *Agência de Gestão da Tesouraria e da Dívida Pública IGCP, EPE*), or postal order, sent to the Social Security District Centre of your place of residence;
- At the treasuries of the Social Security services, bringing with you the notification you received from Social Security:
  - using a debit card;
  - in cash, up to €150,00;
  - by certified cheque, bank cheque, or cheque issued by Portuguese Treasury and Public Debt Management Agency (IGCP, E.P.E. - *Agência de Gestão da Tesouraria e da Dívida Pública IGCP, EPE*).

The payment document is available through the Social Security Online Service:

- in the *Pagamentos e dívidas* (Payments and debts) menu > *Posição Atual* (Current position), or
- in the *Iniciar sessão* (Log in) menu > *Posição Atual* (Current position).

##### **D4.2 What should I do if I cannot reimburse the full amount in a single payment?**

You can request to make the payment in monthly instalments, using one of the following methods:

- through the Social Security Online Service, in the *Pagamentos e dívidas* (Payments and debts) menu > *Valores a pagar à Segurança Social* (Amounts to be paid to Social Security) > *Planos prestacionais* (Instalment Plans), or
- in the *Pagamentos e dívidas* (Payments and debts) menu > *Dívidas em execução fiscal* (Debts under tax enforcement) > *Planos Prestacionais* (Instalment Plans);

**Note:** In this case, the instalment plan is automatically approved.

- By submitting the form MG 7 – *Requerimento de Pagamento de valores devidos à Segurança Social* (Application for Payment of Amounts Owed to Social Security),
  - by post, sent to the Social Security District Centre of your place of residence, or
  - at any Social Security Customer Information Service.

#### **D4.3 What happens if I do not respond or do not reimburse the amount voluntarily?**

If you are receiving a social benefit, up to **1/3 of that benefit** will be deducted until the full amount is recovered. You may choose to have a higher amount deducted if you prefer.

#### **We guarantee that you will receive, at least:**

- the amount of the Guaranteed Monthly Minimum Wage, which in 2025 is €870,00, for benefits granted in case of loss or reduction of employment income; if you are receiving a lower benefit amount from Social Security, no deductions will be made, or
- The Social Support Index (*IAS – Indexante dos Apoios Sociais*) value, which in 2025 is €522,50, for all other types of benefits. If you are receiving a lower benefit amount from Social Security, no deductions will be made.

If you are not receiving any social benefits, or if the benefits you receive cannot be subject to deductions, **the amount will be collected through enforced tax recovery proceedings.**

*Decree-Law no. 133/88, Art. 7(5), Art. 8 and Art. 11*

## **E – Granting period**

### **E1. When will I start to receive the allowance?**

- **If you did not work on the day of childbirth:** the leave starts on that same day.
- **If you worked on the day of childbirth:** the leave starts on the next business day.

#### **Example 1**

The childbirth took place on a Friday, and you did not work that day.

In this case, since you were not working on the childbirth day, the initial parental leave must start on the childbirth date. Therefore, the Initial Parental Allowance will be paid as from that date, which corresponds to the start date of the parental leave.

## Example 2

Childbirth took place on a Friday, after working hours.

In this case, since the childbirth occurred after the end of the working day, the initial parental leave must start on the day following the childbirth date, in this case, Saturday.

## Example 3

You work in shifts. The childbirth took place on a Friday after you finished your shift, and you were also scheduled to work on Saturday and Sunday.

In this case, since you worked on the day of childbirth, the initial parental leave must start on Saturday, which is the day you would have been expected to work, if the childbirth had not occurred. Therefore, the Initial Parental Allowance will be paid as from that date, which corresponds to the start date of the parental leave.

## E2. How long will I receive it? (granting period)

You can receive the Initial Parental Allowance for a **period of up to 120 or 150 consecutive days**, depending on the Allowance modality chosen by the parents. After the initial 42-day period, this time can be shared between both parents and **extended by 30 days** in certain situations.

If the parents choose to take the leave simultaneously between the 120 and 150-day periods, the additional 30 days begin after the initial 120-day period.

**Leave combined with part-time work after 120 days** can be taken as follows:

- **Option 150 days (120 + 30):**
  - **Mother:** takes the first 120 days on full-time leave;
  - **Father:** takes the additional 30 days of leave combined with part-time work (30 days = 60 half-days)
  - **Total:** 180 days.
- **Option 180 days (150 + 30):**
  - **Mother:** takes the first 120 days on full-time leave;
  - **Parents:** take the leave simultaneously and on a part-time basis between days 120 and 150;
  - **Father:** takes the additional 30 days of leave combined with part-time work (30 days = 60 half-days);
  - **Total:** 210 days.
- **Option 180 days (150 + 30) with sequential accumulation:**
  - **Mother:** takes the first 120 days on full-time leave;

- **Father:** takes the remaining leave period plus the additional 30 days of leave combined with part-time work;
- **Total:** 240 days.

**Notes:**

- Any changes to the leave periods must be made by submitting a new application, specifying the new periods. This may result in different amounts from those you have already received;
- When the initial parental leave is shared, parents who are employees must inform their employers of the leave periods within 7 days after the birth. The communication must include the periods agreed upon with the employers.

**E3. When can the duration of the leave modalities be extended?**

**E3.1 Extension due to sharing of the Initial Parental Leave**

If the father and mother decide to **share the Initial Parental Allowance**, and **each takes exclusively** (i.e., at different times) **30 consecutive days or 2 periods of 15 consecutive days, after the mother's mandatory 42-day period**, the Allowance duration is extended by an **additional 30 days**.

Thus:

- If they choose the **120-day period**, they become entitled to **150 days**;
- If they choose the **150-day period**, they become entitled to **180 days**.

**The additional 30 days can be used by just one parent or shared between both.**

**Example:** the mother takes the initial **120 or 150 days**, and the father then takes the **additional 30 days**.

**Note:** In the case of multiple births, the period of 120 or 150 days **is extended by a further 30 days for each twin beyond the first**. In situations where one of the twins is stillborn, the entitlement to the additional 30 days does not apply.

**E3.2 Extension of the Initial Parental Leave due to premature birth**

When the birth occurs **up to and including the 33<sup>rd</sup> week of pregnancy**, the duration of the **initial parental leave** (120 or 150 days) can be **extended**.

This extension applies to:

- the normal period of 120 or 150 days;
- if there is an extension of 30 days due to the sharing of leave between father and mother (120 + 30 or 150 + 30);
- if there is an extension of 30 days for multiple births.

In these cases, the initial parental leave is extended by:

- all the days during which the child was hospitalised;
- plus 30 days after discharge.

(This rule does not apply to **Legal Guardians**)

**Example:** Frederico was born prematurely on 1 April 2023, at 32 weeks of gestation. On medical advice, he remained hospitalised until 10 May 2023 (40 days).

If the parents chose an **initial parental leave** of 150 days (without sharing), this period is extended by the 40 days of hospitalisation plus 30 days after discharge.

Thus, the **initial parental leave** has a total duration of **220 days**, from 1 April to 6 November 2023.

**Note:** Gestational age is counted in days and weeks.

The date of birth indicates how many complete weeks the baby had at birth and whether or not the **initial parental leave extension due to premature birth** applies.

**Examples:**

1. Miguel was **born on 12 May 2023**, a Friday.

At the date of birth, the pregnancy was at **32 weeks and 4 days of gestation**.

As he was born before completing 33 weeks, he is **considered premature**. Therefore, the initial parental leave period is **extended**.

2. Leonor was **born on 6 June 2023**, a Tuesday.

At the date of birth, the pregnancy reached exactly **33 weeks of gestation**.

Since she was born during the 33<sup>rd</sup> week, she is also **considered premature**. Therefore, the initial parental leave period is **extended**.

3. Matilde was born on **15 June 2023**, a Thursday.

At the date of birth, the pregnancy was at **33 weeks and 1 day of gestation**.

As she was beyond 33 weeks, she is **not considered premature**. In this case, there is **no extension** of the initial parental leave period due to preterm birth.

### **E3.3 Extension of the Initial Parental Leave due to the child's hospitalisation**

If the baby needs to remain hospitalised immediately after birth for special medical care, the time spent in hospital **is added to the parental leave periods chosen by the parents**, up to a maximum of **30 days**.

**Notes:** The normal hospital stay after birth is up to **3 days (72 hours)**, for care of the mother and/or baby.

**Example:** Guilherme was born on 2 April 2023, and his mother, Marta, began her initial parental leave on the same day.

Marta was discharged from the hospital on 4 April, but Guilherme remained hospitalised until 17 April (inclusive).

As there were 13 days between Marta's discharge and Guilherme's discharge, these 13 days **extend** the initial parental leave.

If the parents chose the 120-day leave period, it is extended to 133 days.

#### **E4. When will the Allowance payment be temporarily suspended?**

When:

- The person taking the initial parental leave interrupts it due to illness. He/she stops receiving the Parental Allowance during the illness period and starts receiving the Sickness Benefit instead.

**Note:** The initial parental Allowance is only interrupted if the person notifies Social Security that he/she is ill and submits a medical certificate. He/she must also inform his/her employer in advance.

- The person taking the leave is hospitalised, or the child is hospitalised during the initial parental leave. The person concerned stops receiving the Allowance for the duration of the hospitalisation.

#### **Notes:**

- The Initial Parental Allowance is only interrupted if the person on leave informs Social Security that he/she has been hospitalised, or that the child has been hospitalised during the initial parental leave and provides a medical certificate. The person concerned must also notify his/her employer in advance.
- The Initial Parental Allowance granted exclusively to the father (mandatory days) may be interrupted, at his request, in cases of the child's hospitalisation during the post-birth period. This does not apply if the hospitalisation is immediately after birth, nor in births occurring up to and including 33 weeks of gestation.
- The person concerned does not have his/her contributory situation regularised.

#### **E5. When will the Allowance payment be resumed?**

- The allowance payment will be resumed if you regularise your situation with Social Security within **3 months** after the payment has stopped.

If you do not regularise your contributory situation within this period, you will lose your right to the amount you have not received.

If you regularise your contributory situation after the time limit of 3 months, but still during the period in which you could receive the Allowance, you will start receiving it again as from the day following the regularisation.

**Note:** If you have debts but are paying them in instalments under an agreement with the Social Security Services, the situation is considered regularised as long as you comply with that agreement.

## **E6. When does the Allowance entitlement end? (cessation)**

The entitlement to the Initial Parental Allowance ends when **at least one of the following circumstances happen:**

- fraud occurs;
- the person receiving the Allowance dies (the Allowance ends the following day);
- the child ceases to be entrusted to the foster family (in the case of Legal Guardianship).

## **F – How to apply**

### **F1. Where to apply**

- Through the Social Security Online Service, in the Menu *Família* (Family) > *Maternidade e paternidade* (Maternity and paternity) > *Subsídio Parental Inicial* (Initial Parental Allowance);
- At any Social Security Customer Information Service;
- By post, sent to the Social Security District Centre of your place of residence.

### **F2. Which forms must be completed?**

- Form RP 5049 – *Requerimento de Subsídio Parental Inicial* (Application for Initial Parental Allowance);
- Form RP 5049/1 – *Requerimento de Subsídio Parental Inicial - Folha de Continuação* (Application for Initial Parental Allowance - Continuation Sheet);
- Form RP 5049/2 – *Subsídio Parental Inicial e Subsídio Social Parental Inicial – Informações e Instruções de Preenchimento* (Initial Parental Allowance and Initial Parental Social Allowance – Information and Completion Instructions);
- Form RP 5051 – *Requerimento de Subsídio por: Risco Clínico Durante a Gravidez / Interrupção da Gravidez / Riscos Específicos* (Application for: Allowance for Clinical Risk During Pregnancy / Allowance in case of Pregnancy Termination / Allowance for Specific Risks);
- Form RP 5092 – *Requerimento de Subsídio Específico por Internamento Hospitalar do Recém-Nascido* (Application for Specific Allowance in case of Hospitalisation of the Newborn Child);
- Form RP 5092/1 – *Requerimento de Subsídio Específico por Internamento Hospitalar do Recém-nascido – Folha de Continuação* (Application for Specific Allowance in case of Hospitalisation of the Newborn Child – Continuation sheet);
- Form RP 5092/2 – *Requerimento de Subsídio Específico por Internamento Hospitalar do Recém-Nascido – Informações e Instruções de Preenchimento* (Specific Allowance in case of Hospitalisation of the Newborn Child – Information and Completion Instructions);
- Form RP 5003 – *Requerimento de Prestações Compensatórias* (Application for Compensatory Benefits).

**Note:** Self-employed persons are not entitled to compensatory benefits for the Christmas Bonus and the Holiday Pay.

### **F3. What documents are required?**

- **All situations**
  - Bank document confirming the IBAN, which must include the name of the person submitting the application as the account holder, if you want that the payment is made by deposit into a bank account.
- **If applying for the Allowance before birth**
  - Medical certificate issued by the national health service doctor or private doctor stating the expected date of birth.
- **If applying for the Allowance after birth**
  - A copy of the civil identification document of the child or medical certificate issued by the national health service doctor or private doctor attesting the date of birth.
- **In the case of stillbirth**
  - A hospital certificate confirming the birth, stating that the child was stillborn.
- **Initial Parental Allowance granted to one parent if the other is unable to take the leave**
  - Medical certificate attesting the physical or mental incapacity of the other parent, or a death certificate, as applicable.
  - Copy of the civil identification document of the child or medical certificate issued by the national health service doctor or private doctor attesting the date of birth if the application for the Initial Parental Allowance has not been submitted.

**Note:** The Initial Parental Allowance granted to one parent if the other is unable to take the leave can only be granted if the child is born alive.

- **Extension of parental leave due to the child's hospitalisation and due to preterm birth up to 33 weeks**
  - Hospital certificate stating the period of the child's hospitalisation.
- **Allowance for childbirth outside the island of residence**
  - Medical certificate confirming that the pregnant woman needs to travel to a hospital outside her island due to lack of technical or human resources on her island, stating the necessary duration.
- **Initial Parental Allowance for Legal Guardians**
  - Legal statement attesting the entrustment of the minor to a legal guardian.

## Updated Address

You must always keep your address updated.

- If you do not have a Citizen Card, you must update your address:
  - through the Social Security Online Service, or
  - by submitting the form MG 2 – *Requerimento de Alteração de Dados* (Application - Change of Personal Details).
- If you have a Citizen Card, you must update your address:
  - via the internet, by accessing the *Portal do Cidadão* (Citizen's Portal), after making your registration.

**Note:** This service allows any adult to update his/her address online easily and simultaneously in multiple public entities. Alternatively, this can also be done in person at a Citizen Shop (*Loja do Cidadão*) or at other entities that issue the Citizen Card.

## F4. Time limit to apply

**Up to 6 months** after the first day on which you stopped working.

If you submit the application after the time limit of 6 months but are still within the period in which you could receive the Allowance, the period that has elapsed after the 6 months' time limit will be deducted.

## G – Can this Allowance be cumulated with other benefits?

### G1. It can be cumulated with:

- Solidarity Supplement for the Elderly;
- Compensation or pension due to occupational disease or work accident;
- Old-age Pension (provided that you are working and paying contributions to Social Security);
- Relative Invalidity Pension (provided that you are working and paying contributions to Social Security);
- Survivor's Pension (provided that you are working and paying contributions to Social Security);
- Pre-retirement (agreement between employee and employer that allows employees to stop working before the retirement age);
- Social Integration Income.

**Note:** After the initial 120 days of leave accumulated with part-time work, it is possible to combine earnings with the Initial Parental Allowance, provided that the parents have an employment contract.

## **G2. It cannot be cumulated with:**

- Benefits granted within the scope of the solidarity subsystem, with exception of the Social Integration Income and the Solidarity Supplement for the Elderly;
- Unemployment benefits;
- Employment income, except in situations of leave combined with part-time work;
- Sickness Benefit.

### **Notes:**

- If you receive unemployment benefits, those benefits will be suspended while you are receiving the Initial Parental Allowance. You must communicate to the Employment Centre within **5 business days** the start and end of the period during which you are receiving the Initial Parental Allowance, in order to be exempt from fulfilling your duties towards the Employment Centre;
- In households where one of the parents receives unemployment benefits and the other is employed, they are entitled to share the Initial Parental Allowance, including the additional 30 days.

## **H – What are my duties and penalties?**

### **H1. Duties**

- To inform Social Security, through the Social Security Online Service (*SSD – Segurança Social Direta*), by letter, or in person, within **5 business days** of any changes that determine the end of the Initial Parental Allowance entitlement, such as:
  - changes to periods of leave, absences and unpaid leaves provided for in the Labour Code, or equivalent periods.

### **H2. Penalties**

If illegal means are used to obtain undue reimbursement, the person concerned will be subject to fines for false statements.

## **I – Compensatory Benefits**

### **I1. What are the entitlement conditions?**

You are entitled to compensatory benefits for the Holiday pay, Christmas Bonus, or similar allowances, if you **fulfil all of the following conditions**:

- your employer has not paid the holiday pay and Christmas bonus, either in full or in part;
- the period of absence from work (leave) was **equal to or higher than 30 consecutive days**.

### **I2. How much will I receive?**

The amount to be received corresponds to:

- **60% of the Holiday pay and Christmas bonus value** that the employer has neither paid nor is obliged to pay, in cases where the person was ill and receiving Sickness Benefit, or
- **80% of the Holiday pay and Christmas bonus value** that the employer has neither paid nor is obliged to pay, in cases where the person concerned was on parental leave and receiving parental allowances. In situations where the person concerned takes a leave to care for a child with a disability or chronic illness, the compensatory benefits amount cannot exceed 2 times the Social Support Index (IAS – *Indexante dos Apoios Sociais*) value.

### **I3. How can I receive it?**

There are **2 modalities of payment** of compensatory benefits. The payment can be made

- by bank transfer, or
- by postal order issued by the Portuguese postal services (*CTT*) to your address.

### **I4. How to apply**

You can apply to the compensatory benefits:

- through the Social Security Online Service, in the *Doença* (Sickness) menu > *Cuidados na doença* (Sickness care) > *Prestação Compensatória dos Subsídios de Férias e Natal* (Compensatory Benefit for Holiday Pay and Christmas Bonus), or
- in the *Trabalho* (Work) menu > *Cuidados na doença* (Sickness care) > *Prestação Compensatória dos Subsídios de Férias e Natal* (Compensatory Benefit for Holiday Pay and Christmas Bonus);
- by submitting the form RP 5003 – *Requerimento de Prestações Compensatórias* (Application for Compensatory Benefits) together with the **required documents**:
  - by post, sent to the Social Security District Centre of your place of residence, or
  - at any Social Security Customer Information Service.

### **Required documents**

In addition to the form RP 5003 – *Requerimento de Prestações Compensatórias* (Application for Compensatory Benefits), the following documents are also required:

- Valid identification document (e.g., Citizen Card, Identity Card, Birth Certificate, Passport, and Residence Permit);
- Bank document confirming the IBAN, which must include the name of the person submitting the application as the account holder, if you want that the payment is made by deposit into a bank account.

### **I5. Time limit to apply**

Up to **6 months**, as from:

- 1 January of the year following the one in which the Holiday pay and Christmas bonus should have been paid by the employer, or
- the date the employment contract termination, when applicable.

**Note:** If the person entitled to the compensatory benefit dies without having applied for it, the family members entitled to the Death Grant may apply for the compensatory benefit within the time limit established for that purpose.

## **J – Supporting documentation**

### **J1. Applicable legislation**

#### **Ministerial Order no. 6-B/2025/1 of 6 January**

Updates the Social Support Index (IAS) value for the year 2025 (€522,50).

#### **Decree-Law no. 112/2024 of 19 December**

Updates the value of the guaranteed minimum monthly wage (i.e., the national minimum salary) for 2025, to €870,00.

#### **Law no. 7/2016 of 17 March**

Provides for a specific increase in the amount of benefits within the scope of social protection, in the events of maternity, paternity and adoption, received by residents of the autonomous regions.

#### **Decree-Law no. 91/2009 of 9 April, as amended by Decree-Law no. 53/2023 of 5 July**

Establishes the legal scheme of social protection in parenthood.

#### **Law no. 7/2009 of 2 December**

Labour Code.

#### **Law no. 103/2009 of 11 September**

Legal scheme of Legal Guardianship.

#### **Law no. 53-B/2006 of 29 December**

Creates the Social Support Index (*IAS – Indexante dos Apoios Sociais*) and establishes new rules for updating pensions and other social benefits from the Social Security system.

#### **Order no. 8847/2001, published in the Official Gazette of the Portuguese Republic, Series II, of 27 April**

Excludes the months in which there is a contributory gap due to professional training during the granting of unemployment benefits, for the purposes of the qualifying period fulfilment and calculation of the reference remuneration.

## **K - Glossary**

## **Residents**

- national citizens whose habitual residence is in Portugal;
- Portuguese citizens living abroad but working for the Portuguese State, as well as their household members;
- foreign citizens, refugees, or stateless persons (without nationality) with authorisation to stay in Portugal, such as:
  - A valid work visa;
  - A valid temporary protection permit;
  - Other valid residence permits (including their renewals, where applicable).

## **Persons treated as residents:**

- Workers of the Portuguese Public Administration who have either a public or private law employment contract, and their family members, provided that they perform services abroad and are paid, in whole or in part, by the Portuguese State;
- Portuguese citizens covered by the Portuguese Social Security system who work in a country with which Portugal is bound by a Social Security Agreement, as well as their household members;
- Foreign citizens covered by an international agreement or EU Regulations;
- Refugees and stateless persons (citizens without nationality) holding valid temporary protection permits;
- Foreign citizens with valid residence permits, valid stay permits or respective renewals

## **Gestation**

Gestational age is counted in days or full weeks and is calculated as from the date of the last menstrual period

## **Unborn child**

Foetus; the child who is about to be born.

## **Stillbirth**

A baby born without life.

## **Qualifying Period**

It is the minimum period of work with payment of contributions to Social Security, which is required for the entitlement to a Social Security benefit.

In this case, a person is only entitled to the Initial Parental Allowance if he/she has worked and paid contributions for at least 6 consecutive or non-consecutive months (provided that there is no interruption

in the contributions payment that exceeds 6 months) to Social Security or another social protection scheme that guarantees him/her an allowance in these situations.

If necessary, the month in which the work interruption occurs is taken into account for the qualifying period, provided that the person concerned has worked and paid contributions for at least one day during that same month.

**Countries that allow the aggregation of contributory periods for the fulfilment of the qualifying period (European Union, the European Economic Area, and Switzerland):**

Germany	Austria	Belgium	Bulgaria
Cyprus	Denmark	Slovakia	Slovenia
Spain	Estonia	Finland	France
Greece	Hungary	Ireland	Iceland
Italy	Latvia	Liechtenstein	Lithuania
Luxembourg	Malta	Norway	Netherlands
Poland	Portugal	United Kingdom	Czech Republic
Romania	Sweden	Switzerland	

**Countries bound to Portugal by international agreements or conventions that allow the aggregation of contributory periods for the fulfilment of the qualifying period:**

Andorra	Brazil	Cape Verde	Morocco
	Australia	Tunisia	

**L – Frequently Asked Questions**

**1. If the parents wish, can the mother take only the 42 days of Initial Parental Leave exclusive to her, and the father take the remaining period of the initial parental leave?**

Yes. The father may take the full parental leave, except for the mandatory period granted exclusively to the mother (42 days), and provided that the mother is employed. However, in this case, the initial parental leave is not shared, and the 30-day extension does not apply.

**2. If, at the date of birth, the mother is not employed but the father is, what allowances are the mother and father entitled to?**

If, at the date of birth, the mother is neither employed nor covered by a social security scheme with parental protection, she can only be entitled to the Initial Parental Social Allowance if she meets the means testing condition.

The father is only entitled to the Initial Parental Allowance exclusive to him, consisting of 28 mandatory days plus 7 optional days.

**3. How should the initial period of parental leave be taken in order to be entitled to the additional 30 days on top of the initial parental leave of 120 or 150 days?**

The father and mother must share the initial parental leave between them, ensuring that, after the first 42 days following the birth, they each take either one continuous period of 30 days or two continuous periods of 15 days exclusively, i.e., each parent takes their period separately, not at the same time.

Social Security also pays the corresponding Allowance in cases where the mother takes the normal initial leave period (120 or 150 days), and the father immediately follows with the additional 30 days.

In cases where both parents are unemployed and receiving unemployment benefits, they are also entitled to the additional 30 days, provided that each parent has, exclusively, one continuous period of 30 days or two continuous periods of 15 days of Initial Parental Allowance after the 42-day period following the birth.

These situations are treated as if the parents were employed.

**4. I am a self-employed person, and my contributory situation was not regularised, but I regularised it afterwards. Am I still not entitled to the Allowance?**

If your contributory situation is not regularised, the initial parental allowance payments will be suspended as from the date on which the contributions are due. However, the payments will be resumed as from the date on which they were suspended, provided that you regularise your contributory situation within three months following the month in which they were suspended.

If your contributory situation is not regularised within this period, you lose the entitlement to the allowance payments that were suspended.

**5. If I apply for the Initial Parental Allowance for a period of 120 days, can I change this to 150 days at a later date?**

**A.** If the leave is still ongoing and the employer has not objected to this change, you must inform the Social Security district centre of the new leave period. If you are receiving unemployment benefits, you must also inform the Employment Centre of the new duration of the leave.

**Example:** If a person applies for the Initial Parental Allowance for 120 days, ending on 15 July, and wishes to take the full 150 days, **he/she cannot return to work or resume unemployment benefits** on 16 July and then go back on initial parental leave.

The person concerned must take the remaining 30 days immediately after, i.e., from 16 July to 14 August.

**6. Is it possible to request a change of the leave period from 120 to 150 days after the 120 days have already been taken and the person concerned has returned to work (or the unemployment benefits have been resumed)?**

**A.** No. The Initial Parental Allowance is paid consecutively.

**7. I am pregnant. I resigned from my job voluntarily and therefore am not entitled to the unemployment Benefit. When my child is born, am I entitled to the Initial Parental Allowance?**

**A.** If, between the end of your employment contract and the birth of your child, no more than six months have elapsed without the payment of contributions, you may be entitled to the Initial Parental Allowance, provided that you fulfil the qualifying period. If you do not fulfil the qualifying period for the Initial Parental Allowance, you may be entitled to the Initial Parental Social Allowance, provided that you meet the means testing condition.

**8. I have finished receiving the Unemployment Benefit and I am pregnant, but I have not returned to work since my Unemployment Benefit ended. When my child is born, will I be entitled to the Initial Parental Allowance?**

**A.** You will not be entitled to the Initial Parental Allowance because you do not fulfil the qualifying period. You may only be entitled to the Initial Parental Social Allowance if you meet the means testing condition.

**9. I was on parental leave. Am I entitled to receive compensatory benefits from Social Security for the Christmas Bonus and holiday pay?**

**A.** The employer is required to pay the proportional amount of the Christmas Bonus for the period actually worked during the year. Regarding the period of parental leave allowances, Social Security will pay compensatory benefits for the Christmas Bonus if the employer has not made this payment.

The employee is entitled to holiday pay, which must be paid by the employer before the start of the holiday or, if the holiday is taken in several periods, on a proportional basis.

Only in situations where the employment contract has been suspended due to long-term illness and the period of illness is interrupted by the payment of parental allowances, shall Social Security pay the total amount of the compensatory benefit for the holiday pay if the employee did not return to work that year, or proportionally if the employee did return to work that year.

**10. Do I need to declare the parental allowance amounts I receive from Social Security for income tax purposes?**

**A.** No. Currently, the parental allowance amounts received are not declared for Income Tax (IRS) purposes.

**11. Examples of taking the additional 30 days on the Initial Parental Allowance, in cases of shared leave (120 + 30) and (150 + 30)**

**A.** The additional 30-day period is always the final part of the leave, whether taken by only one parent or shared between both.

Mother (42 days)	Mother (78 days)	Father (30 days)	= 150 days
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Mother (42 days)	Father (78 days)	Mother (30 days)	= 150 days
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Mother (42 days)	Mother (48 days)	Father (30 days)	Father (10 days)	Mother (20 days)	= 150 days
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Mother (42 days)	Father (63 days)	Mother (15 days)	Mother (15 days)	Father (15 days)	= 150 days
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Mother (42 days)	Mother (33 days)	Father (15 days)	Mother (45 days)	Father (15 days)	Mother (30 days)	= 180 days
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Mother (42 days)	Mother (53 days)	Father (15 days)	Mother (40 days)	Father (15 days)	Mother (15 days)	= 180 days
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Mother (42 days)	Mother (108 days)	Father (30 days)	= 180 days
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Mother (42 days)	Father (108 days)	Mother (30 days)	= 180 days
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**12. In the case of a premature birth, when should I apply for the Initial Parental Allowance?**

**A.** In terms of Social Security, the birth of a premature child does not change the rights of the parents. Therefore, in cases of premature birth, the application for the Initial Parental Allowance can be submitted within six months after the first day of absence from work.

Employed parents who want to share the initial parental leave, must notify their employers of the start and end dates of the periods to be taken by each parent within 7 days after the childbirth, submitting a joint statement.

If the leave is taken by only one of them, the one taking it must inform the respective employer, within 7 days after the birth, of the duration of the leave and the start of the respective period, attaching a statement from the other parent confirming that he/she is working and not taking the initial parental leave.

**13. In the case of a premature baby being hospitalised, can the parents request that the initial parental leave of 120 or 150 days be interrupted?**

**A.** No. Since 1 April 2020, in cases where the birth occurs up to and including 33 weeks, the periods of parental leave chosen by the parents (120 or 150 days), as well as the additional 30 days for shared leave or multiple births (120 + 30 or 150 + 30), are extended by the entire period of the child’s hospitalisation, plus 30 days after discharge, without need of an application by the parents.

**Example**

**1:**

A child was born prematurely on 1 April 2023 at 33 weeks of gestation. On medical advice, the child had to remain hospitalised until 15 May 2023.

If the initial parental leave period chosen by the parents was 150 days (without sharing), this period is extended by the entire hospitalisation period of the child (45 days) plus 30 days after discharge. That is, in this case, the initial parental leave will last 225 days (from 1 April 2023 to 11 November 2023).

**Example 2:**

A child was born prematurely on 1 May 2023 at 33 weeks of gestation.

On medical advice, the child had to remain hospitalised until 31 May 2023.

If the initial parental leave period chosen by the parents was 150 days with sharing (120 + 30), this period is extended by the entire hospitalisation period of the child (31 days) plus 30 days after discharge.

Thus, in this case, the total duration of the initial parental leave will be 211 days (from 1 May 2023 to 27 November 2023).

The leave can be taken as follows:

- Mother (42 days) from 1 May 2023 to 11 June 2023;
- Father (30 days) from 12 June 2023 to 11 July 2023;
- Mother (78 days) from 12 July 2023 to 27 September 2023;
- Father (61 days) — 30 additional days for preterm birth plus 31 days additional for hospitalisation of a premature baby born up to 33 weeks, from 28 September 2023 to 27 November 2023.

**14. In the event of hospitalisation, can the father request an interruption of the initial parental leave exclusive to him comprising 28 mandatory days and 7 optional days?**

**A.** The initial parental leave of 28 mandatory days granted exclusively to the father may be interrupted due to the child's hospitalisation, but only after the third day of hospitalisation (the medically recommended postpartum period), upon the father's application submission.

In such cases, the leave period must be resumed immediately following the child's discharge from hospital.

**15. In the case of the birth of twins or triplets, what rights do the parents have?**

**A.** The parental leave of either 120 or 150 days, depending on the choice made, is increased by an additional 30 days for each twin beyond the first.

The Allowance concerning the additional 30 days for each twin beyond the first is always paid at 100% of the reference remuneration, even if the parents have chosen the 150-day leave, which is paid at 80% of the reference salary, or the 180-day leave (150 + 30 days additional for shared leave), which is paid at 83% of the reference remuneration.

In the case of the birth of twins, the **father's exclusive initial parental leave of 28 mandatory days** is increased by two business days for each twin beyond the first, and the **father's exclusive initial parental leave of 7 optional days** is also increased by two business days for each twin beyond the first.