




## ANDORRA AND THE NEW LAW ON THE NATIVE AND OFFICIAL LANGUAGE

On May 29, 2024, a new law was published in the BOPA, which we could consider epic as it clearly and concisely requires a minimum level of Catalan, the official language of the Principality, as indicated in Article 2.1 of the Constitution, for residents and nationals of the Principality: Law 6/2024, of April 25, on the native and official language.

As you may have read in many of our previous blogs and newsletters, we have highlighted that for some time now, the Principality has been a point of attraction for new investors coming from various countries around the world and establishing their residence in Andorra. Therefore, it was vitally important to create a guarantee for the preservation of Catalan as the official language and for customer service in Catalan in those sectors that provide services.



We could even say that it is a decisive and key law for the safeguarding of Catalan within the Principality since, as can be seen in Title VII of the law in question, specifically in Article 45, various sanctions of up to 60,000 euros have been established for those infractions considered very serious.

It is not a law or a project that has been easy to carry out as it has had to go through several changes and modifications before it could be approved.

In this newsletter, however, we are interested in emphasizing the importance of this law in relation to the denial of the first renewal of the residence and work authorization, as, as can be assumed, it has been one of the most debated and media-covered topics.

Specifically, in the second transitory provision, we can see that through the first additional provision, Article 54 bis is added to Law 9/2012, of May 31, amending the Qualified Immigration Law, considering that the official language of the Principality is important enough to know and have a minimum and basic level in terms of integrating the foreign population arriving in the Principality. Therefore, it is established that in the first renewal of the residence permit, a minimum level of Catalan corresponding to A1 is required, and for the second renewal, a level of A2 is required, levels that can be easily accredited through the certifications issued by the Government through Catalan exams, or with an equivalent title recognized by the Government.

Let's not forget that a few years ago, the Government made available to citizens the Catalan Centers in Canillo, Encamp, El Pas de la Casa, La Massana, and Escaldes-Engordany to facilitate the learning of the country's official language, allowing those who wanted to access free face-to-face Catalan classes, and in case of not being able to attend in person, virtual courses, materials, and other tools were proposed so that, when the time came, the population could register and take the official Catalan exams to obtain the levels they had been preparing for.

In this sense, it is important to mention that based on what is dictated in Article 67 of Law 9/2012, of May 31, amending the Qualified Immigration Law, with the modifications proposed by Law 6/2024, of April 25, on the native and official language, the application for renewal of the residence permit can be denied to those who do not meet the required levels of Catalan, as it will be considered that they do not meet the corresponding requirements for immigration renewal.

At this point, it is also worth noting that for the moment, we are waiting for the regulation of this law to be developed and some concepts to be clarified, such as the type of documentation considered valid to prove the knowledge and the required minimum level of Catalan.

We recommend that those affected by these provisions and who have to carry out their first or second renewal, think about proving their level of Catalan with titles equivalent to the required minimum level, and in case of not having them, it would be advisable to go to the Catalan Centers or use the methods and facilities proposed by the Government so that the A1 (first renewal) and A2 (second renewal) titles can be issued. However, it is a law that will be applied gradually.

In the case of 2024, it is expected to start applying from October or November, without being able to determine a specific date, and therefore, these requirements will be demanded exclusively from salaried workers and, by default, their regrouped family members. In relation to other residents, such as self-employed and non-lucrative residents, they are not yet subject to this law, although it is expected that within a maximum of 5 years, they will be included in the group required to accredit the minimum levels of Catalan.

